

National HUMAN RIGHTS Framework

It is the duty of the State to follow the provisions of this Constitution, and to protect and promote the rights and freedoms. Everyone has the right to participate in the cultural life of the nation. Elderly and
Everyone has the right to education without discrimination of any kind. Everyone has the right to freedom of expression. Everyone has the right to life, liberty and security
No person shall be discriminated based on race, national origin, colour, sex, age, mental or physical disability. Everyone has the right to retain and instruct legal counsel. Everyone has the right
Everyone has the right to employment or occupation. Everyone has the right to engage in any employment or occupation.

No one shall be held in slavery or servitude. No one shall be required to perform forced labour. Everyone has the freedom to acquire and impart knowledge, information and learn among all people. Every citizen has the right to engage in any employment or occupation.



Attorney General's Office
Republic of Maldives



Foreword

Respect for human rights and fundamental freedoms lies at the heart of the Maldives Constitution. Guided by our international obligations, the Government of Maldives acknowledges its

responsibility to ensure the enjoyment of human rights for all without distinction.

The Maldives Government recognizes that the promotion, protection and fulfilment of human rights in the Maldives ensure that we thrive as a nation. The Maldives Government is committed to a fairer, just and more inclusive Maldives where the most vulnerable are not forgotten. We believe that everyone is entitled to a dignified life, fair treatment and respect and should be able to fully participate in all aspects of community life.

Commemorating this year's International Human Rights Day, the Attorney General's Office in partnership with United Nations Development Programme (UNDP) and United Nations Population Fund (UNFPA) is proud to release the first National Human Rights Framework of the Maldives.

The Framework was developed in consultation with our stakeholders and we welcome their immense contribution.

The Framework identifies key 14 outcome areas for action that will help to mainstream human rights in policy-making and development planning across the country.

The Framework would serve as a guideline to initiate nation-wide public consultations to identify concrete actions needed to achieve the key outcome areas in a way that unites our community, and form the basis to formulate a comprehensive national plan of action for human rights that would enhance the promotion, protection and fulfilment of human rights in the Maldives.

We hope that the Framework would advance the course of human rights in the Maldives by assisting in enhancing human rights knowledge and awareness of all members of the community and supporting the development of public policy, programs and legislation that are consistent with our international human rights obligations.

I pray that the Almighty Allah bless and sanctify this important work we are engaged in. Amen.

Mohamed Anil
Attorney General

Introduction

The new Constitution of 2008 of the Maldives guarantees a strong commitment towards promotion, protection and fulfilment of human rights in the country. The comprehensive bill of rights introduced in the new Constitution, is guided by our international human rights obligations, and forms the basic framework for the promotion, protection and fulfilment of human rights in the Maldives.

The Constitution of 2008 also opened up systems of democratic governance through, for the first time ever, separation of power among the three branches of Government: the Executive, Legislature and Judiciary. In addition, it established key oversight institutions such as the Human Rights Commission, the Anti-Corruption Commission, the Elections Commission and local government bodies at island and atoll levels. To date, the Maldives has ratified seven of the nine core international human rights instruments and five of its optional protocols and is currently serving its second term on the United Nations Human Rights Council.

Whilst there are mechanisms to protect rights of citizens in law, systemic, resource and capacity constraints within the Government, state and other institutions, including the civil society pose various challenges to guaranteeing the rights and freedoms provided in the Constitution. In this regard, the Government recognizes the need to develop concrete policies and actions to address and overcome these challenges and also consolidate rights and freedoms guaranteed in the Constitution. The Government also consider it necessary to place greater attention on the protection of vulnerable groups amidst its commitment to protect human rights. It is with this outlook that the Government has developed this framework.

Maldives experienced considerable success stories in achieving the past Millennium Development Goals (MDGs). However, sustained efforts will be

required to maintain the successes, especially in light of emerging issues and rapidly changing socio-political climate. As the Maldives initiate working towards the newly adopted Sustainable Development Goals (SDGs), challenges remain to decrease inequalities within the population and address the MDG goals that were not achieved such as promoting gender equality and empowerment of women, and ensuring environmental sustainability. The Government recognizes the strong inter-linkages between the SDGs and human rights and therefore have formulated the outcome areas identified in this framework to align with the SDGs.

This framework is intended to facilitate mainstreaming of human rights and human rights based approaches into policy-making and development planning of the country. This framework will underpin future government actions in human rights matters and form the basis for the development of a national plan of action on human rights. Such a plan of action is intended to serve as a roadmap for the promotion, protection and fulfilment of human rights in the Maldives. The national plan of action for human rights will encompass practical and sustainable objectives, activities and identified timelines along with a proper monitoring mechanism. The Government hopes that these efforts will help to develop and promote a culture of respect for human rights at both institutional and individual levels and also foster fundamental values of mutual respect, tolerance and respect for the Constitution and the rule of law.

As a nation, achieving the full promotion, protection and fulfilment of the rights and freedoms guaranteed in the Constitution is a shared vision and in this regard, the Government remains committed in making this shared vision a reality for all Maldivians.

National Human Rights Framework: Outcome Areas

This framework identifies 14 outcome areas for action that focus on the promotion, protection and fulfilment of social, economic, cultural, civil and political rights. Specific objectives are identified under each outcome area to support the formulation of action under the National Human Rights Action Plan. These objectives were identified after analysis of existing reports, consideration of recommendations made by various United Nations human rights mechanisms and wide consultation with stakeholders from government agencies, including ministries, departments, and offices relevant to the focus areas, and state institutions, including independent institutions and offices and civil society, including non-governmental organizations, private individuals and activists.

These objectives were identified with a view of developing an action plan that embodies the following principles:

- Foster dialogue, strategic planning and coordination between sector agencies;
- Where resources are limited, emphasize on progressive realisation of rights;
- Promote accountability and transparency in the planning and decision-making processes of development; and
- Enhance participation and consultation of rights holders, particularly the vulnerable groups, at all levels of development planning, implementation and evaluation.

Goal

Promotion, protection and fulfilment of human rights in the Maldives, with a particular focus on the protection of vulnerable groups within the communities.

Outcome Areas



Right to education



Right to health



Right to adequate standard of living



Right to special protection



Right to gender equality



Right to safe and healthy environment



Right to work and rights of workers



Right to development



Right to participate in cultural life



Right to life, liberty and security



Right to access to justice and to fair and impartial trial



Right to freedom of expression, association and assembly



Right to nationality, movement and civic participation



Promote a culture of human rights



Inter-linkages:

Achieving the Sustainable Development Goals

Right to life, liberty and security

1 5 10 16 17

Contribution to SDGs/Goals

Right to access to justice and to fair and impartial trial

1 4 5 10 16

Contribution to SDGs/Goals

Right to freedom of expression, association and assembly

5 10 16

Contribution to SDGs/Goals

Right to nationality, movement and civic participation

8 10 16

Contribution to SDGs/Goals

Promote a culture of human rights

4 5 10 16

Contribution to SDGs/Goals

Civil and Political Rights



The Government recognizes the inter-linkages between the Sustainable Development Goals (SDGs) and human rights. The outcome areas highlighted for action in this framework are formulated to align with the SDGs.

Hence, this framework is also intended to contribute towards the Government's efforts for the achievement of the SDGs.



Right to education

1 4 5 8 9 10 12
13 16

Contribution to SDGs/Goals

Right to health

1 3 4 5 10

Contribution to SDGs/Goals

Right to adequate standard of living

1 2 3 4 5 6 7 8
9 10 11 12 16

Contribution to SDGs/Goals

Right to special protection

1 2 3 4 5 8 10

Contribution to SDGs/Goals



Right to gender equality

1 2 3 4 5 8
9 10 16

Contribution to SDGs/Goals

Right to safe and healthy environment

6 8 9 10 11 13
14 15 16

Contribution to SDGs/Goals



Right to work and rights of workers

1 2 3 4 5 8
9 10 12 16

Contribution to SDGs/Goals

Right to development

1 2 3 4 5 6 7 8
9 10 11 12 13 14
15 16 17

Contribution to SDGs/Goals

Economic, Social and Cultural Rights

Right to participate in cultural life

8 11 16 17

Contribution to SDGs/Goals

International Commitments to Human Rights

Of the nine core international instruments, the Maldives has ratified seven treaties and have joined eight. Table below outlines the status of accession and ratification of these core treaties by the Maldives, as of the publication of this framework.

Commitments of Core Human Rights Conventions - Maldives		
Treaty	Signed / Acceded Date	Reservations
Convention on the Elimination of all forms of Racial Discrimination	Ratified 24 April 1984	No reservations
Convention on the Rights of the Child	Ratified 11 February 1991	Articles 14 and 21
Convention on the Elimination of all forms of Discrimination Against Women	Acceded 1 July 1993	Article 16
Convention Against Torture	Acceded 20 April 2004	No reservations
International Covenant on Economic, Social and Cultural Rights	Acceded 19 September 2006	No reservations
International Covenant on Civil and Political Rights	Acceded 19 September 2006	Article 18
Convention for the Protection of all Persons from Enforced Disappearance	Signed 6 February 2007	No reservations
Convention on the Rights of Persons with Disabilities	Ratified 5 April 2010	No reservations
Convention on the Protection of the Rights of all Migrant Workers and Members of their Families	Not signed	n/a

In addition, Maldives is also party to selected Optional Protocols under the Conventions.

Strengthening Human Rights: Key Objectives



1. Right to education

Objectives

1. Enact and strengthen legislation, and its implementation to promote, protect and fulfil the right to education with a view of increasing availability, accessibility, acceptability and adaptability
2. Facilitate equitable access to education for all children, with a special focus on children in vulnerable situations
3. Enhance human rights education in schools
4. Strengthen child protection mechanisms in the education system
5. Strengthen monitoring and quality assurance in the education sector



2. Right to health

Objectives

1. Improve adaptability, availability, quality and efficiency of healthcare
2. Reduce inequalities in access to healthcare
3. Strengthen health sector's response to violence against women and vulnerable groups
4. Promote early interventions and preventative healthcare



3. Right to adequate standard of living

Objectives

1. Enact and strengthen legislation, and its implementation to promote, protect and fulfil the right to adequate standard of living
2. Increase accessibility and affordability of housing to those in need
3. Improve quality of housing
4. Ensure the right to food and drinking water
5. Strengthen necessary infrastructure for sustainable provision of electricity, water and sanitation
6. Ensure adequate and accessible social security for everyone



4. Right to special protection

Objectives

1. Enact and strengthen legislation, and its implementation to protect, promote and fulfil the right to special protection
2. Improve prevention of and response to abuse, exploitation and neglect of vulnerable groups
3. Improve the quality of protection services to vulnerable groups including those at community level
4. Improve coordination and information sharing among the stakeholder agencies providing support and protection to vulnerable groups
5. Address the strategic needs of vulnerable groups
6. Promote community based rehabilitation and reintegration of children in conflict with law
7. Increase advocacy and awareness on the rights of vulnerable groups and improve general perceptions to create more inclusive communities
8. Improve rights and conditions of migrant workers



5. Right to gender equality

Objectives

1. Strengthen the legislative framework and its implementation to promote, protect and fulfil the right to gender equality
2. Promote full and equal participation and empowerment of women in the work force and in public life
3. Ensure mainstreaming of the right to gender equality in development planning and policy-making
4. Enhance protection mechanisms on violence against women, including sexual abuse and sexual harassment
5. Increase awareness on gender equality with a view of combating gender stereotypes and improving perceptions on the role of women



6. Right to safe and healthy environment

Objectives

1. Strengthen environmental governance at local and national levels
2. Enhance capacities and systems for resilience to disasters, particularly for vulnerable groups
3. Strengthen oversight mechanisms to prevent environmental degradation, and to ensure accountability and effective redress, including remedy for victims of environmental degradation and exploitation
4. Promote and establish environment-friendly and sustainable waste management systems
5. Increase public awareness for protection and conservation of the environment and biological diversity



7. Right to work and rights of workers

Objectives

1. Enact and strengthen legislation, and its implementation to promote, protect and fulfil the right to work and rights of workers
2. Ensure equal employment opportunities for all
3. Eliminate all forms of forced labour
4. Strengthen the implementation of the Employment Act and Anti-Human Trafficking Act
5. Strengthen redress mechanisms to protect the right to just and favourable conditions of employment



8. Right to development

Objectives

1. Strengthen the decentralized governance system
2. Promote and increase participation of youth in decision-making processes
3. Ensure development is equitable, inclusive of and accessible to all without discrimination
4. Ensure equitable distribution of benefits of development for all members of society
5. Promote active, free and meaningful participation of individuals, especially vulnerable groups, in the development of the community
6. Address adverse impacts of climate change on the right to development



9. Right to participate in cultural life

Objectives

1. Increase public awareness on the right to participate in the cultural life of the nation
2. Ensure equal access to, and participation in arts and culture
3. Ensure promotion of arts, culture, heritage, national language and literature
4. Ensure cultural sustainability for the well-being of all
5. Promote a culture of mutual respect, tolerance and understanding of cultural diversity



10. Right to life, liberty and security

Objectives

1. Enact and strengthen legislation, and its implementation to promote, protect and fulfil the right to life, liberty and security
2. Enhance capacity of law enforcement officers as well as institutions
3. Strengthen oversight mechanisms to ensure right to life, liberty and security



11. Right to access to justice and to fair and impartial trial

Objectives

1. Enact and strengthen legislation, and its implementation to promote, protect and fulfil the right to access to justice and to fair and impartial trial and to enhance juvenile justice system
2. Promote and ensure the right to legal representation
3. Enhance capacity of the justice sector
4. Enhance independence of the judiciary and legal profession
5. Strengthen oversight and accountability mechanisms in the justice sector
6. Increase public awareness on the legal and justice system



12. Right to freedom of expression, association and assembly

Objectives

1. Enact and strengthen legislation, and its implementation to promote, protect and fulfil the right to freedom of expression
2. Increase space to exercise right to freedom of expression
3. Promote impartial journalism
4. Counter the spread of radicalization and extremist ideology
5. Enact and strengthen legislation, and its implementation to promote, protect and fulfil the rights to freedom of peaceful assembly and of association
6. Increase civil society space to promote and protect human rights



13. Right to nationality, movement and civic participation

Objectives

1. Enact and strengthen legislation, and its implementation to promote, protect and fulfil the right to nationality
2. Strengthen and promote the right to run for public office
3. Ensure the right to vote for all citizens, including vulnerable groups
4. Strengthen equitable access to public transportation and communication for all
5. Establish and promote public consultation mechanisms for legislation and policy-making
6. Promote civic participation and empower citizens to actively engage in the public sphere



14. Promote a culture of human rights

Objectives

1. Increase knowledge, understanding and value of human rights
2. Ensure ratification of remaining human rights conventions and strengthen treaty reporting
3. Strengthen implementation and monitoring of recommendations of United Nations human rights mechanisms
4. Increase transparency and accountability of state institutions
5. Increase awareness on the right to information
6. Address human rights issues in relation to business and human rights

Way Forward: A National Human Rights Action Plan

This framework is developed with the intention of formulating a national human rights action plan for the next five years. The primary purpose of such a plan is to identify strategic actions and activities that would contribute to the promotion, protection and fulfilment of human rights in the country, with particular attention paid to addressing the needs of and providing protection to vulnerable groups in the country.

It has been over 10 years since the Maldives first began the process to formulate a national plan of action for human rights. At first, the development of a national action plan on human rights was initiated as part of the democratization process launched in 2003. In 2008, the then Ministry of Planning and National Development and Ministry of Foreign Affairs with the support of the then Human Rights Commission formulated an initial draft of the plan. However, with the changes experienced by the country with the implementation of the democratic reforms, particularly post the new Constitution of 2008, the resulting establishment of institutions and mechanisms related to democratic processes, as well as a change in government in November 2008, led to a stalling of the process.

After the mandate of human rights monitoring and promotion was assigned under the then Ministry of Gender and Human Rights, this process was revived in 2012, and then subsequently the process of consultations to formulate the Plan was initiated in 2015, with assistance from United Nations Development Programme (UNDP) and United Nations Population Fund (UNFPA).

With the transfer of the mandate of human rights coordination and promotion in June 2016, the process of formulating the National Human Rights Action Plan now continues under the auspices of

the Attorney General's Office, which has convened a steering committee that is represented by the relevant ministries, Human Rights Commission of the Maldives, two civil society organizations, UNDP and UNFPA.

The experiences of the past efforts in formulating a national human rights action plan have brought to light the many challenges to this process. The Government recognizes wide-ranging consultations and a strong commitment to the process as key to overcoming many of these challenges in order to produce an action plan that is broadly agreeable to all stakeholders, including the rights holders.

It is with this context in mind, the Government undertook wide-ranging consultations on the first draft of the action plan this year. A second draft, which have been produced after the extensive consultation, will be made open for public consultations later this year. The Government intends to launch the action plan during the first quarter of 2017.

The Government believes that the process of formulating the National Human Rights Action Plan is an opportunity for the public to express their aspirations and visions of the course that the nation should take in fulfilling its human rights obligations. It is also an opportunity to increase awareness of both duty bearers and rights holders on their rights and obligations. Further, this process also presents an opportunity for the government and state actors to reiterate their commitment to the promotion, protection and fulfilment of human rights guided by their international human rights obligations.



National Human Rights Framework
10 December 2016
Republic of Maldives