



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**Forty-fifth session**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER  
ARTICLE 44 OF THE CONVENTION**

**Concluding observations: Maldives**

1. The Committee considered the combined second and third periodic report of the Maldives (CRC/C/MDV/3) at its 1233rd and 1234th meetings (see CRC/C/SR.1233 and 1234), held on 23 May 2007, and adopted at the 1255th meeting, held on 8 June, the following concluding observations.

**A. Introduction**

2. The Committee welcomes the submission of the State party's combined second and third periodic report as well as the written replies to its list of issues (CRC/C/MDV/Q/3/Add.1), which allowed for a clearer understanding of the situation of children in the State party.

3. The presence of a high-level delegation enabled the Committee to engage in a frank and constructive dialogue with those directly responsible for the implementation of the Convention.

**B. Follow-up measures undertaken and progress achieved by the State party**

4. The Committee welcomes the ratification/accession of the State party to the following international instruments which positively impact the implementation of the rights of the child:

(a) The International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and its Optional Protocol on 19 September 2006;

(b) The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on 13 March 2006;

(c) The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 20 April 2004 and to its Optional Protocol on 15 February 2006; and

(d) The Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 10 May 2002 and on the involvement of children in armed conflict on 29 December 2004.

### **C. Factors and difficulties impeding the implementation of the Convention**

5. The Committee acknowledges the particular nature of the geographical configuration of the State party, which is comprised of 1,190 coral islands grouped into 26 atolls, and the challenges faced by the State party in implementing adequate programmes and services for children living in atolls, which are in many instances isolated and difficult to reach.

**6. The Committee acknowledges that an exceptional natural disaster caused by the Indian Ocean tsunami of 26 December 2004 has largely devastated the State party's low-lying islands, giving rise to a number of economic and social difficulties and affecting the lives of many children.**

### **D. Principal subjects of concern and recommendations**

#### **1. General measures of implementation**

**(arts. 4, 42 and 44, para. 6, of the Convention)**

#### **Committee's previous recommendations**

7. The Committee notes the State party's efforts to address various concerns and recommendations (CRC/C/15/Add.91) made upon the consideration of the State party's initial report (CRC/C/8/Add.33 and 37) through legislative measures and policies. However, some of the concerns it expressed and recommendations it had made regarding, inter alia, the State party's reservations, harmonization of domestic legislation to fully comply with the provisions and principles of the Convention, discrimination against children with disabilities, children born out of wedlock and girls, the prevention of ill-treatment of children, including sexual abuse, the prevalence of malnutrition, the issue of drug abuse and the administration of juvenile justice, have not been sufficiently addressed.

**8. The Committee urges the State party to make every effort to address the recommendations issued in the concluding observations on the initial report that have not yet been implemented, and to address the list of concerns contained in the present concluding observations on the combined second and third periodic report. It also recommends that the State party ratify or accede to relevant Hague conventions and conventions of the International Labour Organization (ILO) regarding the rights of the child.**

#### **Reservations**

9. The Committee, while noting with interest that the Ministry of Gender and Family has requested the Attorney General to review the existing reservations to the Convention with a view to withdrawing them, regrets the broad nature of the State party's reservation to article 14, paragraph 1, of the Convention. With regard to the State party's reservation to article 21 of the Convention, the Committee notes that concerns expressed by the State party in its reservation are

well taken care of by article 21 which expressly refers to States parties which “recognize and/or permit the system of adoption”.

**10. The Committee reiterates, in the light of article 51, paragraph 2, of the Convention, and its previous recommendations (see CRC/C/15/Add.91, paras. 6 and 25), that the State party review the nature of its reservations with a view to withdrawing them in accordance with the Vienna Declaration and Plan of Action of the World Conference on Human Rights of 1993. The Committee further recommends that the State party seek inspiration from other Muslim countries which have either withdrawn similar reservations or not entered any reservations to the Convention.**

### **Legislation**

11. The Committee notes with appreciation the State party’s efforts to bring domestic laws into compliance with the Convention, for example, by ensuring the entry into force in July 2001 of the Family Law, which sets the minimum age for marriage at 18 years as recommended by the Committee (CRC/C/15/Add.91, para.33). However, the Committee reiterates its concern regarding the need to amend the Law on the Protection of the Rights of the Child (Law No. 9/91) to fully comply with the provisions and principles enshrined in the Convention.

**12. The Committee recommends that the State party incorporate the Convention into domestic law and continue to review and strengthen its efforts to ensure that all domestic laws concerning children as well as administrative regulations are rights based and conform to the provisions and principles of the Convention, its Optional Protocols and other international human rights instruments and standards. It recommends that the State party take immediate measures to amend the Law on the Protection of the Rights of the Child (Law No. 9/91), as also recommended in the report on “The application of the CRC in the Republic of the Maldives from the perspective of Islamic law”, and make available all necessary human and financial resources for the most effective implementation of this Law as well as other laws and administrative regulations concerning children.**

**13. As regards the protection of child victims and witnesses at all stages of the criminal justice process, the Committee draws the State party’s attention the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (Economic and Social Council resolution 2005/20).**

### **National Plan of Action**

14. The Committee welcomes the adoption of the National Plan of Action for the Well-being of the Maldivian Child 2001-2010 but regrets the lack of information on the concrete measures taken to implement this Plan of Action and on the progress achieved since its adoption.

**15. The Committee recommends that sufficient human and financial resources are provided for the full and effective implementation at all levels of the National Plan of Action for the Well-Being of the Maldivian Child 2001-2010. The Committee also encourages the State party to ensure the wide participation of civil society, including children, in all aspects of the implementation process. It requests the State party to provide**

**information in its next periodic report on the implementation, outcomes and evaluation of the National Plan of Action.**

### **Coordination**

16. With regard to the implementation of the Convention, the Committee notes with interest that the restructured Ministry of Gender and Family is charged with the main task of coordination and that also a Multi-Sectoral Working Group on Child Protection has been established to increase coordination among various stakeholders and services available. It also takes note of the plans to establish Child Protection Systems/Centers in the **atolls**.

**17. The Committee recommends that the State party use the restructuring of the Ministry of Gender and Family not only to strengthen its functions, but also to establish a single inter-sectoral mechanism for the coordination and evaluation of all activities relating to the implementation of the Convention. Such a body should be given a strong mandate and sufficient human and financial resources to carry out its coordinating role effectively. The Committee recommends that the State party involve members of the civil society, child rights experts and other professionals in the coordination and evaluation of the implementation of the Convention. It further recommends that the State party expedite its efforts to establish Child Protection Systems/Centers with adequate human and financial resources in the Atolls to strengthen local level coordination.**

### **Independent monitoring**

18. The Committee welcomes the establishment of the Human Rights Commission of the Maldives in 2003 and the strengthening of its powers by adopting amendments to the Human Rights Commission Act in 2006. It notes with appreciation the Human Rights Commission's mandate to receive complaints regarding alleged human rights violations. Nevertheless, the Committee notes with concern the challenges faced by the Human Rights Commission, including its difficulties in attaining a fully independent status and to recruit staff for certain positions.

**19. The Committee recommends that the State party:**

**(a) Continue its efforts to ensure that the Human Rights Commission of the Maldives is a fully independent monitoring mechanism in accordance with the Paris Principles (General Assembly resolution 48/134, annex) for the promotion and monitoring of the implementation of the Convention as well as to receive, investigate and address complaints from individuals, including children;**

**(b) Ensure that the Human Rights Commission is provided with adequate human and financial resources and that its personnel is provided with regular human rights training in order to carry out the tasks of the Commission's mandate;**

**(c) Ensure that the Human Rights Commission, particularly its individual complaint mechanism, is easily accessible to children;**

**(d) Continue to seek advice and assistance, among others, from the Office of the United Nations High Commissioner for Human Rights (OHCHR) in order to ensure greater compliance of the Commission with the Paris Principles and that the Commission**

seek accreditation through the International Coordinating Committee of National Human Rights Institutions.

**20. The Committee encourages the State party to take into account the General Comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child (CRC/GC/2002/2).**

#### **Allocation of resources**

21. The Committee is concerned that, in the light of article 4 of the Convention, not enough attention has been paid to allocating budgetary resources in favour of children "to the maximum extent of ... available resources". It regrets that the State party's recent allocations to health and welfare as well as to education sector are on the decrease in percentage terms.

**22. In the light of articles 2, 3, and 6 of the Convention, the Committee encourages the State party to pay particular attention to the full implementation of article 4 of the Convention by prioritizing budgetary allocations to ensure implementation of the economic, social and cultural rights of children, "to the maximum extent of available resources and, where needed, within the framework of international cooperation". The Committee encourages the State party to undertake a comprehensive budget review, particularly regarding the social sector, from a child-rights perspective, with a view to monitoring budget allocations for children and defining the level of efficiency in meeting children's actual needs.**

#### **Data collection**

23. The Committee welcomes the establishment of "Maldives Info" and it notes with appreciation the efforts of the Ministry of Gender and Family to gather information, in collaboration with the United Nations Children's Fund (UNICEF), on the situation of children and the significant improvements in data collection, particularly in Malé. Nevertheless, the Committee regrets the lack of a national data collection system in respect of all areas covered by the Convention, which limits the State party's capacity to adopt adequate policies and programmes and assess the impact of policies adopted, in particular with regard to children living in atolls which are isolated. The Committee notes with concern that the progress in data collection is impeded by the lack of adequately trained personnel and insufficient coordination between State authorities and child welfare agencies.

**24. The Committee recommends that the State party:**

**(a) Intensify its efforts to establish a national central database on children and develop indicators consistent with the Convention in order to ensure that data are collected on all areas covered by the Convention and that they are disaggregated, for example, by age, sex, urban and remote areas, and by those groups of children who are in need of special protection (i.e. children living in underserved geographical areas, children with disabilities, children born out of wedlock, child victims of violence, abuse and exploitation, malnourished children, child victims of substance abuse, children in conflict with the law, etc.);**

**(b) Use these indicators as well as collected data to facilitate the formulation of policies and programmes for the implementation of the Convention;**

**(c) Continue providing relevant professional groups with training on data collection and strengthen coordination between the various governmental bodies and mechanisms involved in children's rights both the national and local level;**

**(d) With regard to the current UNICEF Country Programme of Cooperation, continue to seek technical cooperation for improving the collection and management of disaggregated data from UNICEF.**

### **Dissemination/training of the Convention**

25. The Committee is encouraged by the efforts of the State party to disseminate information about the Convention, for example in the format of a quiz programme during the month of Ramadan in 2005. However, the Committee is concerned that insufficient measures have been taken to disseminate and raise awareness of the civil rights and freedoms of children, and international human rights standards in general, in a systematic and targeted manner. The Committee further regrets that the State party has neither published nor disseminated its initial report and/or the Committee's concluding observations among the public at large.

**26. The Committee recommends that the State party continue its efforts to systematically disseminate information about the Convention among children, their parents and other caregivers and all relevant professional groups working with and for children. It recommends that the State party provide professionals with targeted and regular training on the provisions and principles of the Convention and the international human rights standards in general. The Committee also recommends that the State party encourage the media to disseminate information on the rights of the child and in that way promote the awareness of the rights of the child among the public at large. The Committee further recommends that the State party take specific measures to make the Convention available to and known by all children in the Maldives, paying attention to the civil rights and freedoms of children, and that the State party continue its cooperation with UNICEF in this regard.**

### **Cooperation with non-governmental organizations**

27. The Committee, while noting examples of collaboration between governmental institutions and non-governmental organizations, such as financial and technical support provided to Journey (the Maldives' first community-based after-care and relapse-prevention NGO for recovering drug addicts), it nevertheless notes that cooperation with non-governmental organizations should be further promoted and reinforced.

**28. The Committee emphasizes the important role civil society plays as a partner in implementing the provisions of the Convention, including with respect to civil rights and freedoms, and encourages closer cooperation with non-governmental organizations. The Committee recommends that the State party promote the establishment of civil society organizations and involve and empower non-governmental organizations, especially rights-**

**based ones, and other sectors of civil society working with and for children more systematically throughout all stages of the implementation of the Convention.**

### **International cooperation**

29. The Committee notes that programmes and projects for families and children conducted by the Ministry of Gender and Family are almost exclusively funded by UNICEF, the United Nations Population Fund (UNFPA), the United Nations Development Programme (UNDP) and other international governmental and non-governmental organizations and bilateral partners.

**30. In this respect, the Committee recommends that the State party continue to undertake measures within the framework of international, regional and bilateral cooperation, while at the same time seek to strengthen, through it, its institutional structure for the implementation of the Convention. The Committee requests the State party to identify on a yearly basis the amount and proportion of international support earmarked for the implementation of children's rights.**

## **2. Definition of the child**

### **(art. 1 of the Convention)**

31. The Committee, while noting with satisfaction that the State party has raised the legal age of definition of the child as well as the minimum legal age for marriage from 16 years to 18 years, is concerned that the State party's legislation is not in full conformity with the Convention and other relevant international standards, particularly regarding the minimum age of criminal responsibility and the minimum age for admission to employment.

**32. The Committee urges the State party to establish clearly defined minimum ages by law, with regard to all domains related to children, in particular, regarding the minimum age of criminal responsibility and the minimum age for admission to employment.**

## **3. General principles**

### **(arts. 2, 3, 6 and 12 of the Convention)**

### **Non-discrimination**

33. The Committee notes with concern that children born out of wedlock are not entitled to equal rights and that they face both *de facto* and *de jure* discrimination in their everyday life. The Committee notes with particular concern that these children are denied legal access to information on their biological father and that they can neither have their father's name nor inherit from the paternal side. It also notes with concern the existing naming practice, which further stigmatizes children born out of wedlock.

**34. In accordance with article 2, the Committee recommends that the State party make greater efforts to ensure that all children within its jurisdiction enjoy all the rights enshrined in the Convention without discrimination. The Committee recommends that the State party amend its legislation in order to eliminate any discrimination against children born out of wedlock, in particular, with regard to access to information on their biological father, the right to a father's family name and the right to inheritance from the paternal**

**side. In addition, the Committee encourages the State party to use legislative, policy and educational measures, including sensitization and awareness-raising, to end stigmatization of children born out of wedlock.**

35. Despite the efforts of the State party to address the issue of equality between sexes, including through Maldives Vision 2020, the Committee continues to be disappointed that the persistence of stereotypical attitudes concerning the roles and responsibilities of women and men still constitute an impediment to the full enjoyment of all human rights and fundamental freedoms by girls. In particular, the Committee notes with concern that there is an emerging trend amongst certain religious groups to keep girls out of school.

**36. The Committee recommends that the State party continue to address the problems faced by the girl child and to campaign and create awareness among the population of the equality of girls and boys. The Committee suggests that local, religious and other leaders be invited to take a more active role in supporting the efforts to prevent and eliminate discrimination against the girl child and to provide guidance to communities in this regard. It also recommends that the State party promote the inclusive role of women in society, among other things, by developing textbooks and educational materials in schools, as recommended by the Committee on the Elimination of Discrimination against Women (CEDAW/C/MDV/CO/3, paras.17-18) in January 2007.**

37. The Committee remains concerned about the de facto discrimination faced by children with disabilities. It notes with concern that children with disabilities have limited access to social and health-care services and that they have very few opportunities for inclusive education. In addition, the Committee shares the State party's concern that social stigma continues to influence the treatment of children with disabilities and limits their ability to participate in society.

**38. The Committee recommends that the State party, taking into account the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's General Comment No. 9 (2006) on the rights of children with disabilities (CRC/C/GC/9), prevent and prohibit all forms of discrimination against children with disabilities and ensure equal opportunities for their full participation in all spheres of life by implementing the Section 5 of Law No. 9/91 and other relevant provisions of domestic laws. The Committee further recommends that the State party include disability aspects in all relevant policymaking and national planning.**

**39. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention undertaken by the State party to follow up on the Durban Declaration and Programme of Action adopted in 2001 at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking into account the Committee's General Comment No. 1 on article 29, paragraph 1, of the Convention (aims of education).**

#### **Best interests of the child**

40. While noting that the Law on the Protection of the Rights of the Child (Law No. 9/91) embodies the spirit of article 3 of the Convention, the Committee is nevertheless concerned that this principle is not given adequate attention in national legislation and policies and that this



principle is not a primary consideration in decision -making regarding children, for example custody decisions. The Committee also notes with concern that awareness of its significance is low among policymakers, lawmakers and judicial and administrative officials enforcing provisions, regulations and policies.

**41. The Committee recommends that the State party fully incorporate article 3 of the Convention into all legislation and practices concerning children and raise awareness of the meaning and practical application of the principle of the best interests of the child. The Committee recommends that the State party review its legislation critically to ensure that the main thrust of the Convention, namely that children are subjects of their own rights, is adequately reflected in domestic legislation and that the best interests of the child be a primary consideration in all decision -making regarding children, including custody decisions.**

#### **Right to life, survival and development**

42. The Committee notes with concern reports suggesting that the strong social condemnation of pregnancies out of wedlock has led to abortions in unhygienic conditions and to an increasing degree to infanticide.

**43. The Committee recommends that the State party seek to fully implement article 6 of the Convention and take measures to prevent and discourage infanticide and protect infants born out of wedlock, including by supporting their mothers. In this regard, the Committee further recommends the introduction of education and awareness raising programmes to eliminate any negative consequences arising from pregnancies out of wedlock and to change societal attitudes.**

#### **Respect for the views of the child**

44. The Committee notes with appreciation that the State party has introduced family conferencing to facilitate participation of all parties, particularly children, in the discussions during the administration of juvenile justice and that the draft Education Act encourages children to participate in decisions affecting their education. While noting that the Family Law (No. 4/2000) provides children with the right to be heard at any proceeding that may impact his or her right, the Committee is concerned that there exists a gap between the law and practice. It notes with concern that the child's right to be heard in judicial proceedings is basically limited to custody cases. It also notes with concern that general practices in the Maldives do not encourage the freedom of expression of children.

**45. In the light of article 12 of the Convention, and drawing the State party's attention to the Committee's recommendations adopted on its day of general discussion on the right of the child to be heard, held on 15 September 2006, the Committee recommends that the State party:**

**(a) Take all necessary measures to strengthen the implementation of the Family Law (No. 4/2000) in order to provide children with the right to be heard , in accordance with the child's age and maturity, at any proceeding which may impact their right,**

particularly in actions taken by social welfare institutions, courts of law and administrative authorities, including at the local level;

(b) Seek to develop a systematic approach and policy, with the involvement of professionals working with and for children, in particular teachers and social workers, and civil society, including community and religious leaders and non-governmental organizations, to increase public awareness of the participatory rights of children and encourage respect for the views of the child within the family, schools and generally in society.

#### **4. Civil rights and freedoms**

(arts. 7, 8, 13-17, 19 and 37(a) of the Convention)

##### **Birth registration**

46. While welcoming the State party's efforts to improve the system of birth registration, including by establishing a birth-registration database and by raising awareness among parents, the Committee notes with concern that the current birth-registration system continue to encounter difficulties.

47. In the light of article 7 of the Convention, the Committee recommends that the State party continue to improve the system of birth registration, inter alia, by strengthening its efforts to sensitize and mobilize public opinion on the need for birth registrations as well as by developing the birth-registration database and training registry personnel. Meanwhile, children whose births have not been registered and who are without official documentation should be allowed to access basic services, such as health and education, while waiting to be properly registered.

##### **Freedom of religion**

48. The Committee notes that the State party's Constitution and other legislative provisions are based on religious unity, prohibiting the practice of any religion other than Islam. With reference to the findings of the Special Rapporteur on freedom of religion or belief during her visit to the Maldives in August 2006 (see A/HRC/4/21/Add.3) and the reservation of the State party to article 14 of the Convention, the Committee is concerned that the right of the child to freedom of thought, conscience and religion is not fully respected and protected.

49. In the light of articles 2 and 14 of the Convention, the Committee recommends that the State party respect the right of the child to freedom of thought, conscience and religion by taking effective measures to prevent and eliminate all forms of discrimination on the grounds of religion or belief and by promoting religious tolerance and dialogue in society.

##### **Freedom of association and peaceful assembly**

50. The Committee is concerned that the right of the child to freedom of association and peaceful assembly is not fully guaranteed in practice.

**51. The Committee recommends that the State party take all necessary measures to ensure the full implementation of the right of the child to freedom of association and peaceful assembly, in accordance with article 15 of the Convention, and encourage children to form associations on their own initiatives.**

#### **Access to information**

52. The Committee is concerned that access to information and material from a diversity of national and international sources is limited for children in the State party. It notes with particular concern that due to the lack of libraries in the atolls children have very restricted access to reading material.

**53. The Committee recommends that the State party improve children's access to appropriate information from a diversity of sources, especially those aimed at the promotion of the child's social, spiritual and moral well-being and physical and mental health. It further recommends that the State party provide children living in the atolls with access to children's books and magazines, including through online media.**

**54. The Committee recommends that the State party encourage the media to develop more child-oriented products to provide better coverage respecting the rights of the child, including the child's right to privacy, and to promote children's own participation in media programmes.**

#### **Torture and cruel, inhuman or degrading treatment or punishment**

55. The Committee is concerned at the information that section 44 of the new draft Penal Code would legalize corporal punishment of children at home, schools and institutions. The Committee is also seriously concerned that, contrary to article 37 (a) of the Convention, under applicable law of the State party, persons who have reached puberty may be subject to flogging.

**56. In the light of the consideration of the new draft Penal Code, the Committee urges the State party to take all the necessary measures to ensure that persons who committed crimes while under the age of 18 are not subjected to any form of corporal punishment, including as a sentence for offences, and that corporal punishment as a disciplinary measure is prohibited by law in the home, alternative care settings and justice institutions, schools and workplace settings. It recommends that the State party take other appropriate measures, such as positive education and training programmes as well as public awareness-raising campaigns, to eliminate this practice which directly conflicts with the equal and inalienable rights of the child to respect for her/his human dignity and physical integrity. Finally, it draws the attention of the State party to the Committee's General Comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (CRC/C/GC/8).**

## **5. Family environment and alternative care**

**(arts. 5; 18, paras. 1-2; 9-11; 19-21; 25; 27, para. 4; and 39 of the Convention)**

### **Parental responsibilities**

57. The Committee is concerned that instability of families, for example, caused by a high rate of divorce, has an adverse impact on effective parenting of children.

**58. The State party is encouraged to increase its efforts in developing family education and awareness through, among other things, providing support, including training for parents, especially single parents, in parental guidance and joint parental responsibilities, in the light of article 18 of the Convention.**

### **Alternative and institutional care**

59. The Committee welcomes the drafting of the “Guidelines for Institutions and Group Homes for Children under the age of 18 in the Maldives”, which establish standards for all public and private institutions, services and facilities responsible for the care and protection of children as well as emphasize the principle of the best interests of the child. It notes the establishment of a new Children’s Home in Villingili in 2004 and the feasibility assessment for considering adoption and fostering (*kafalah*) in the Maldives carried out by the Ministry of Gender and Family. The Committee notes with concern that the number of children in need of alternative care is increasing due to several reasons, including parents and guardians’ incapacity of providing financial support, changing family structures caused by divorces, separations and remarriages, abuse and neglect of the child within the family, alcohol and drug abuse, etc. It also notes with concern that the State party’s developing system of alternative care faces multiple challenges in responding to the needs of these children.

**60. The Committee recommends that the State party:**

**(a) Develop and implement a comprehensive policy for the prevention of the placement of children in alternative care, one based on a multidisciplinary approach, including appropriate legislation, financial assistance to families and a complementary service system;**

**(b) Ensure that the placement of children in alternative care (foster care, residential care, other forms of alternative care) be based on a carefully conducted assessment of the needs and best interests of the child by a competent and multidisciplinary group of experts;**

**(c) Ensure that the decision to place the child in alternative care be taken by a competent authority and be based on the law and subject to judicial review to avoid arbitrary and discretionary placements and that the placement be regularly reviewed in accordance with article 25 of the Convention.**

**61. The Committee encourages the development of traditional foster care systems, such as family/community-based alternative care, paying particular attention to the rights recognized in the Convention, including the principle of the best interests of the child.**

**Finally, the Committee draws the attention of the State party to the recommendations adopted on the Committee's day of general discussion on children without parental care in September 2005 (CRC/C/153, paras.636-689).**

### **Violence, abuse and neglect, maltreatment**

62. The Committee welcomes the information that the State party is in the process of establishing child helpline services. The Committee regrets that insufficient measures are being taken to address the serious problem of violence against children, child abuse, including sexual abuse, and ill-treatment of children in the State party. The Committee notes with concern that the legal framework fails to provide full protection against sexual abuse and that it also shifts responsibility on producing evidence to a victim. It also notes with concern that domestic violence is widely tolerated in Maldivian society and that Maldivian legislation does not expressly prohibit corporal punishment in the family. The Committee further notes with concern that professionals working with and for children are inadequately trained to identify, report and manage child abuse and ill-treatment cases and that the media sensationalize child protection issues, making the stigma and shame attached to victims worse.

**63. In the light of article 19, other relevant provisions of the Convention and taking into account the recommendations of the Committee adopted on its days of general discussion on children and violence (CRC/C/100, para. 866 and CRC/C/111, paras. 701 -745), the Committee urges the State party to:**

**(a) Undertake a national study on domestic violence, ill-treatment of children and child abuse in the home assessing the scope and nature of this problem as well as the impact of legal measures to address violence against children with a view to prohibiting all forms of physical, sexual and mental violence against children, including sexual abuse in the family;**

**(b) As a part of the National Plan of Action for the Well-being of the Maldivian Child 2001-2010, develop a comprehensive national strategy to prevent and respond to domestic violence, ill-treatment of children and child abuse and further adopt adequate measures and policies to contribute to changing attitudes;**

**(c) Train parents and professionals working with and for children, such as teachers, law enforcement officials, health professionals, social workers and judges in identification, reporting and management of child abuse and ill-treatment cases;**

**(d) Establish effective procedures and mechanisms to receive, monitor and investigate complaints, including intervention where necessary, and to prosecute cases of ill-treatment, ensuring that the abused child is not victimized in legal proceedings and that his/her privacy is protected;**

**(e) Ensure that all child victims of violence and abuse have access to adequate care, counselling and assistance with recovery and reintegration services;**

**(f) Encourage and promote the positive involvement of the media in the reporting of child victims of violence, abuse and ill-treatment and ensure that the media fully respect the right of the child to privacy;**

**(g) Seek assistance from, among others, UNICEF and WHO.**

**64. With reference to the United Nations study on violence against children, the Committee recommends that the State party:**

**(a) Take all necessary measures for the implementation of the overarching and setting-specific recommendations contained in the report of the independent expert for the United Nations study on violence against children (A/61/299) taking into account the outcome and recommendations of the Regional Consultations for South Asia (held in Pakistan from 19 to 21 May 2005);**

**(b) Use these recommendations as a tool for action in partnership with civil society and in particular with the involvement of children to ensure that every child is protected from all forms of physical, sexual and mental violence and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse;**

**(c) Consider seeking technical cooperation from UNICEF, OHCHR and WHO.**

## **6. Basic health and welfare**

**(arts. 6; 18, para. 3; 23; 24; 26; 27, paras. 1-3, of the Convention)**

### **Children with disabilities**

65. The Committee is encouraged by the State party's efforts to draft a National Disability Policy with several stakeholders. However, it is concerned that efforts aimed at detecting disabilities and providing early-intervention services for children with disabilities may not be adequate in the State party. It notes with concern that the lack of adequate and appropriate services, financial resources as well as specialized, trained personnel continues to be a significant obstacle with respect to the full enjoyment of all human rights and fundamental freedoms by children with disabilities. It also notes with concern that the few services available are neither standardized nor adequately monitored or evaluated. The Committee regrets that a very limited number of children with disabilities are included in the mainstream education. In addition, it notes with concern that civil society organizations providing recovery services do not have adequate human, technical and financial resources.

**66. The Committee recommends that the State party, taking into account the Committee's General Comment No. 9 (2006) on the rights of children with disabilities (CRC/C/GC/9), take all necessary measures:**

**(a) To collect adequate statistical data on children with disabilities and use such disaggregated data in developing a comprehensive and specific national policy on disability which promotes equal opportunities of persons with disabilities in society;**

(b) To provide children with disabilities with access to adequate and standardized social and health services, including early -intervention, psychological and counselling services, and to adequate physical environment, information and communication;

(c) To monitor and evaluate the quality of services for children with disabilities and raise awareness about all services available;

(d) To ensure that public education policy and school curricula reflect in all their aspects the principle of full participation and equality and include children with disabilities in the mainstream school system to the extent possible and, where necessary, establish special education programmes tailored to their special needs;

(e) To support and expand the Community Rehabilitation Program (CBR) in collaboration with CARE Society and other civil society organizations in order to encourage and assist island communities to establish their own rehabilitation programs and parent support groups;

(f) To ensure that professionals working with and for children with disabilities, such as medical, paramedical and related personnel, teachers and social workers are adequately trained;

(g) To sign and ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol;

(h) To seek technical cooperation with, among others, UNICEF and WHO.

#### **Health and health services**

67. The Committee welcomes the successful Expanded Programme of Immunization and it notes with appreciation the State party's progress in reducing under-five child mortality and infant mortality. However, the Committee notes with concern a significant gap between the rate of reduction between Malé and the atolls. While welcoming community-based nutrition education and growth-monitoring systems supported by UNICEF and an estimate that the State party is likely to meet the MDG target of halving the prevalence of underweight children by 2015, the Committee is concerned at the high rates of child malnutrition in the Maldives. The Committee notes that the State party has one of the highest known incidences of Thalassemia (an inherited haematological disorder) anywhere in the world. In addition, the quality and accessibility of maternal health care, the prevalence of traditional medical practices, threats caused by communicable diseases and the unavailability of essential medicines on many of the small islands give cause to concern.

68. The Committee recommends that the State party:

(a) Ensure that appropriate resources are allocated for the health sector and that it develop and implement comprehensive policies and programmes for improving the health situation of children, so as to fully implement the Convention, in particular its articles 4, 6 and 24;

**(b) Continue to take measures to reduce infant and under-five mortality, inter alia, by guaranteeing access to quality pre- and post-natal health services and facilities, including training programmes of midwives and traditional birth attendants;**

**(c) Strengthen efforts to improve the nutritional status of children through education and promotion of healthy feeding practices;**

**(d) Facilitate greater and equal access to quality primary health services by mothers and children in all areas of the country and establish a network of community health workers to ensure, inter alia, that children living in the smaller islands have access to health care and counselling as well as to essential medicines;**

**(e) Continue to provide children with Thalassemia with adequate treatment and health services, including by using mobile health teams, and to provide families and other caregivers with financial support to meet the high costs of Thalassemia treatment;**

**(f) Continue to cooperate and seek technical assistance in this matter with, inter alia, WHO and UNICEF.**

#### **Adolescent health**

69. In general, the Committee is concerned at the limited knowledge regarding adolescents' sexual development, behaviours, relationships and attitudes in the State party. It notes with concern the limited knowledge and access to information and services on how to prevent unwanted and too-early pregnancies as well as how to prevent sexually transmitted infections (STIs). The Committee also regrets that the age for legal and medical counselling without parental consent is 18 years.

**70. The Committee recommends that the State party, taking into account General Comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child (CRC/GC/2003/4):**

**(a) Conduct a comprehensive national youth study, including adolescents' sexual development, behaviours, relationships and attitudes, and provide adolescents based on the results of this study with tailored and youth-sensitive health services and counselling respecting the privacy of the adolescent;**

**(b) Promote adolescent health, including sex and reproductive health education, in schools and in other appropriate places frequented by adolescents and ensure that teachers are adequately trained to discuss sex and reproductive health topics.**

#### **HIV/AIDS**

71. The Committee notes with appreciation that a comprehensive National AIDS Control Program was launched in 1987 and that the National Plan of Action towards the Well-being of the Maldivian Child 2001-2010 aims at, among other things, reducing the incidence of HIV/AIDS among infants and adolescents and providing access to peer and youth-specific HIV/AIDS information. It also notes with appreciation the State party's joint efforts with the Supreme Council of Islamic Affairs to raise awareness of HIV/AIDS and its prevention. While



noting that the prevalence of HIV/AIDS is low in the State party, the Committee is concerned about existing risk factors, such as mobility (many Maldivians go abroad for education and work), increasing drug abuse, growing external tourism and tourism employment as well as limited access to health services in the atolls.

**72. The Committee recommends that the State party, taking into account the Committee's General Comment No. 3 (2003) on HIV/AIDS and to the rights of the child (CRC/GC/2003/3) and the International Guidelines on HIV/AIDS and Human Rights:<sup>1</sup>**

**(a) Strengthen its efforts to implement the National AIDS Control Programme in order to prevent the incidence and spread of HIV/AIDS, for example, by updating the Programme to respond to all existing risk factors as mentioned above and by providing adolescents with accurate and comprehensive information about HIV/AIDS, its transmission channels, treatment and preventive measures, in schools and other places frequented by them;**

**(b) Ensure that children have access to adequate social and health services as well as ensure that children have access to child-sensitive and confidential HIV/AIDS counselling with full respect for the child's privacy when requested;**

**(c) Seek technical assistance from, among others, UNAIDS, WHO and UNFPA.**

#### **Standard of living**

73. The Committee is encouraged by the State party's successful efforts to reduce poverty in the Maldives and it welcomes the adoption of national strategies and plans to raise the standard of living among its population, including the Vision 20/20, the Seventh National Development Plan and the first Poverty Reduction Strategy Paper (PRSP). It also notes that the State party, in collaboration with the World Bank, is in process of developing a social safety net programme that would address the needs of children living in poverty. However, it is concerned about wide regional disparities in income levels – the northern atolls being the most economically disadvantaged areas. The Committee also notes with concern that households with many children are among the poorest and that many safety net programmes, often implemented on ad hoc basis and lacking strategic framework, fail to provide protection to low-income families.

**74. In accordance with article 27 of the Convention, the Committee recommends that the State party:**

**(a) Continue to allocate resources for effective poverty-reduction measures, particularly by addressing the regional disparities between Malé and the atolls and increasing disparities between the northern and southern atolls;**

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<sup>1</sup> HR/PUB/06/9, United Nations publication (sales No. E.06.XIV.4) (also available online at [http://www.ohchr.org/english/issues/hiv/docs/consolidated\\_guidelines.pdf](http://www.ohchr.org/english/issues/hiv/docs/consolidated_guidelines.pdf)).

**(b) Strengthen its efforts to address the standard of living among its population living in poverty, inter alia, through enhancing the capacity to implement and monitor poverty reduction strategies at the local and community level;**

**(c) Increase its efforts to provide earmarked funds and concrete assistance to support children and families living in poverty by increasing its annual expenditure on safety net programmes and by developing these programmes to target the most vulnerable groups;**

**(d) Ensure that children living in poverty are provided with access to social and health services, education and adequate housing;**

**(e) Provide children living in poverty with an opportunity to be heard and to express their views when planning and implementing poverty reduction programmes at the local and community level.**

## **7. Education, leisure and cultural activities**

**(arts. 28, 29 and 31 of the Convention)**

### **Education, including vocational training and guidance**

75. The Committee acknowledges that hundreds of Maldivian schools, including school furniture, equipment and books, were damaged by the Indian Ocean tsunami in December 2004. The Committee commends the State party for prompt measures taken to rebuild and equip schools in collaboration with international community, the United Nations specialized agencies, particularly UNICEF and UNESCO, donor countries, non-governmental organizations and local community.

76. The Committee notes with satisfaction that free primary education is available in all inhabited islands and that the rate of primary school enrolment and the level of literacy are high. While taking note of the State party's intention to make primary education compulsory by law, the Committee regrets the slow legislative process in this regard. It notes with concern that, despite the voucher programme, the cost of school books and school uniforms burdens low-income families and dangers children's equal access to education. With regard to secondary education, the Committee is concerned at its limited availability and still unsatisfactory enrolment rate but it is encouraged by the State party's efforts to provide universal access for children to secondary school by the year 2010. It notes that vocational education has been identified as a national priority and that it has been introduced as an option in secondary schools from 2006. The Committee is concerned that children who behave inappropriately at school may be excluded from school as a final resort.

77. The Committee is concerned that gender biases and stereotypes in school textbooks, curricula and school management as well as the lack of appropriate sanitary facilities, including separate toilets, impede the full participation of girls in education, particularly in secondary schools.

**78. In the light of article 28 of the Convention, Committee recommends that the State party continue to allocate adequate financial, human and technical resources in order to:**

- (a) **Expedite the approval and enactment of the Education Act in order to make primary education compulsory and consider expanding compulsory education beyond the seven years of primary school;**
- (b) **Ensure that all children have equal access to education without any financial obstacles, for example, by strengthening the voucher programme to cover additional fees;**
- (c) **Remove gender biases and stereotypes from school textbooks and ensure the provision of girls' sanitary facilities in all schools, and also provide school management and personnel with gender training;**
- (d) **Continue to take progressive measures to increase the availability of and enrolment rates in secondary education and facilitate access to secondary education, for example, by providing boarding school facilities;**
- (e) **Expand the vocational training facilities at the secondary-school level;**
- (f) **In order to ensure the right of the child to education, find ways and methods to discipline children with other means than excluding them from school;**
- (f) **Seek cooperation with, among others, UNESCO and UNICEF to further improve the education sector.**

79. The Committee notes the Early Childhood Development Programme of UNICEF and that about half of the children are enrolled in pre-primary school. It shares the State party's concerns regarding the regional disparities in access to pre-primary education between Malé and the atolls, the informal status of the pre-school education and the lack of trained teachers.

**80. The Committee encourages the State party to formalize the status of pre -primary school education and to provide access to early childhood education for every child. It recommends that the State party raise awareness and motivation of parents with respect to pre-schools and early -learning opportunities by taking into account the Committee's general comment No. 7 on implementing child rights in early childhood (CRC/C/GC/7) and establish a national mechanism to promote, develop and coordinate early childhood education, including teacher training.**

#### **Aims of education**

81. While noting with appreciation the Quality Education Programme and the establishment of Teacher Resource Centres by UNICEF, the Committee expresses its concern at the high percentage of untrained teachers which severely affects the quality of education and the regional disparities between Government and community schools as well as schools in Malé and in the atolls. The Committee also notes with concern that human rights education is not an integral part of the curriculum.

**82. In the light of article 29 of the Convention, and taking into account the Committee's General Comment No. 1 on the aims of education, the Committee recommends that the State party:**

(a) **Further strengthen efforts to improve the quality of education both in Government schools and community schools in Malé and all atolls through providing appropriate pre- and in-service training to teachers;**

(b) **Ensure a decent living wage for teachers and promote the reputation of the teaching profession, for example, through the media;**

(c) **Include human rights education, in particular on the rights of the child, in the official curriculum at all levels of education; and**

(d) **Continue to seek technical cooperation with, among others, UNESCO, UNICEF and non-governmental organizations.**

#### **Leisure, recreation and cultural activities**

83. The Committee is concerned that, despite the measures taken by the Ministry of Youth and Sports to promote children's sports and cultural activities, play, rest and leisure for children is not generally supported in the State party.

**84. In the light of article 31 of the Convention, the Committee encourages the State party to pay greater attention and allocate adequate resources (both human and financial) to the implementation of the child's right to rest, leisure and play, including the creation of places for children to play. It recommends that the State party provide parents and other caregivers with training on the value of creative play and exploratory learning aimed at encouraging children to play.**

### **8. Special protection measures**

**(arts. 22, 38, 39, 40, 37(b)-(d), 32-36 and 30 of the Convention)**

#### **Economic exploitation, including child labour**

85. The Committee takes note of the information provided by the State party that the Maldives is considering joining the International Labour Organization (ILO) and ratifying ILO conventions. Regardless of the general prohibition of the employment of children under the age of 14 years (Law No. 9/91), the Committee notes with concern the lack of legal framework preventing the use of child labour and protecting children from economic exploitation, in particular from hazardous work. However, it notes that the newly drafted Labour Law has been submitted to Parliament in February 2006.

86. In the absence of the legal framework protecting children from economic exploitation, the Committee is seriously concerned about many children who come from the atolls to Malé to search for a job or to work as domestic servants. In addition, the Committee notes with concern that the insufficient number of boarding schools providing secondary education in Malé forces children to reside with families and in return for a room and board to perform household duties.

**87. In accordance with article 32 and other relevant articles of the Convention, the Committee encourages the State party to join ILO and ratify the ILO Conventions concerning Minimum Age for Admission to Employment (No. 138) and concerning the**

**Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182) as well as to:**

**(a) Expedite the approval and enactment of the Labour Law and ensure that the provisions of the Labour Law fully comply with the provisions and principles of the Convention as well as with international labour standards on the minimum age of employment and conditions of work;**

**(b) Ensure that the provisions of the new Labour Law also cover children working in the informal sector where the phenomenon is more prevalent;**

**(c) Improve the labour inspection system in order to safeguard that the work performed by children is light work and not exploitative, and, in particular, that it empower the system to monitor and report on the practice of domestic and rural labour by children;**

**(d) In order to prevent economic exploitation and abuse of studying children in return for family accommodation in Malé, provide children with access to appropriate and good quality boarding schools and to safe and monitored family accommodation as well as build boarding school facilities outside Malé on other atolls;**

**(e) Seek technical assistance from ILO/IPEC.**

**Illicit use of narcotic drugs and psychotropic substances**

88. The Committee is seriously concerned at the rapidly growing drug addiction problem in the Maldives. It notes with concern the information that the average age of first use of drugs is 12 years but even younger children are known to have started using drugs and, in particular, that heroin is the drug of first use for many children. The Committee regrets the State party's approach to address the problem of child drug addiction by treating children as criminals and not as victims. It also regrets that the National Narcotics Control Bureau (NNCB) does not currently have a mandate to address the drug abuse issues specifically involving children below the age of 16 and that there is a lack of child specific recovery and reintegration services for children using narcotic drugs and psychotropic substances. In addition, the high-risk sexual behaviour among children using narcotic drugs and gang violence related to narcotic drugs give cause to serious concern.

**89. In the light of article 33 of the Convention, the Committee recommends that the State party:**

**(a) Review and update national legislation on narcotic drugs and psychotropic substances in order to adopt a more child-sensitive and recovery-oriented approach to children misusing drugs;**

**(b) Take all appropriate measures, including administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and to prevent the use of children in the illicit trafficking of such substances;**

**(c) As a matter of urgency, introduce multidisciplinary reintegration and recovery programmes tailored for child victims of drug and substance abuse;**

**(d) Introduce child -specific prevention programmes which also include the family and the community at large to reinforce the information that is communicated to children;**

**(e) Adopt comprehensive strategies which are not limited to penal measures but also address the root causes of gang violence and crime related to drugs among adolescents, including policies for social inclusion of marginalized adolescents;**

**(f) Seek guidance and technical assistance, inter alia, from the United Nations Office on Drugs and Crime (UNODC), UNICEF and WHO.**

### **Sexual exploitation**

90. In the light of the fact that tourism is a major source of income in the Maldives, the Committee is concerned about the potential vulnerability of children to sexual exploitation, including child prostitution and child pornography, and the inadequate legal framework for the prevention and criminalization of sexual exploitation. For example, it notes with concern the vulnerability of children living alone or visiting Malé to different form of exploitation. The Committee also notes with concern inadequate reporting as well as selective reporting on sexual exploitation of children, particularly if expatriate workers have been involved. It notes that production, distribution and possession of pornography is generally prohibited but it regrets the absence of specific law provisions prohibiting child pornography.

91. The Committee notes with appreciation that the Family and Child Protection Unit (FCPU) of the Police deals with all cases relating to sexual exploitation of children but it notes with concern that the presence of FCPU is limited to Malé and that police officers at the Atoll Police Stations have limited resources and, in particular, insufficient training to identify and to respond to serious cases of sexual exploitation of children, child prostitution and child pornography.

**92. In the light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake a national study on sexual commercial exploitation of children with a view to designing and implementing appropriate policies and measures, including promoting the physical and psychological recovery and social reintegration of child victims of sexual exploitation, and to preventing and combating the sexual exploitation of children in a more targeted way avoiding the criminalization of child victims. In this regard, the Committee encourages the State party to take into account the Declaration and Agenda for Action and the Global Commitment adopted at the First (Stockholm 1996) and Second (Yokohama 2001) World Congresses against Commercial Sexual Exploitation of Children.**

93. The Committee recommends that the State party pay particular attention to the existing risk factors, such as the increasing sex tourism in the region, and continue to collaborate with the Maldives Tourism Promotion Board (MTPB) and tourism service providers in this respect in order to better meet the Code of Conduct set up by the World

**Tourist Organization on the protection of children from sexual commercial exploitation in travel and tourism.**

94. **The Committee recommends that the State party strengthen its efforts to investigate cases of sexual exploitation by providing adequate resources and training to the police in all atolls. Finally, the Committee encourages the State party to consider adopting specific legislation on the obligations of internet service providers in relation to child pornography on the Internet.**

**Trafficking in children for exploitative purposes**

95. The Committee regrets the State party's persistent view that trafficking in children is not an issue in the Maldives and the lack of preventive measures, including legislative measures, in this regard.

96. **The Committee urges the State party to conduct research and provide comprehensive statistical data on the extent, nature and changing patterns of trafficking in children in the Maldives. It also recommends that the State party enact a comprehensive anti-trafficking law to criminalize all forms of trafficking as defined in the Protocol to Prevent, Suppress, and Punish Trafficking Persons.**

**Administration of juvenile justice**

97. The Committee notes that the State party is in the process of reforming the administration of juvenile justice, including the plans to draft a Juvenile Justice Act, and that the State party has introduced a "family conferencing" programme and established a Family and Child Protection Unit within the police department. The Committee also notes that the State party, with the support of UNICEF, has set up databases on the administration of juvenile justice in Addu, at the Juvenile Court and police offices and further categorized and disaggregated the data collected within these databases. It also takes note of the National Criminal Justice Action Plan 2004 - 2008.

98. Despite these positive steps taken, the Committee notes with concern that:

(a) The administration of juvenile justice is still based on the principle of punishment and detention rather than on the restorative model providing measures for rehabilitation and reintegration of children in conflict with the law;

(b) The minimum age of criminal responsibility, which is set at 10 years, is still too low;

(c) Children from the age of 7 years can be held liable for *haddu* offences and consequently they can be exposed to a death penalty;

(d) Corporal punishment is lawful as a sentence for crime and for disciplinary purposes;

(e) Despite the introduction of a family conferencing programme, the lack of alternative measures and sentencing options to the deprivation of liberty;

(f) A Juvenile Court only exists in Malé and that there is a lack of trained juvenile judges;

(g) Existing juvenile justice regulations do not provide for hearing of the child during the criminal proceedings;

(h) Regardless of the outcome of the family conferencing or the court decision, schools are forced to expel children in conflict with the law from school as they need to comply with regulations set by the Ministry of Education;

(i) Children are detained in very poor conditions in Dhoonidhoo Detention Center.

**99. The Committee recommends that the State party continue and strengthen its efforts to ensure the full implementation of juvenile justice standards, in particular articles 37, 40 and 39 of the Convention and other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (the Havana Rules), taking into account the Committee's newly adopted General Comment No. 10 on children's rights in juvenile justice (CRC/C/GC/10). It recommends that the State party:**

**(a) Expedite its efforts to draft and enact a Juvenile Justice Act and ensure that the provisions of this Act fully comply with the provisions and principles of the Convention as well as other international standards on the administration of juvenile justice, including the hearing of the child during criminal justice proceedings;**

**(b) Continue to develop and implement a comprehensive system of alternative measures such as community service orders, family conferencing and interventions of restorative justice in order to ensure that deprivation of liberty is used only as a measure of last resort;**

**(c) Raise the minimum age of criminal responsibility at least to the age of 12 years;**

**(d) Abolish the death penalty related to *haddu* offences perpetrated by persons under the age of 18 years;**

**(e) Abolish the use of corporal punishment as a sentence for crime and for disciplinary purposes;**

**(f) Establish specialized juvenile courts with adequately trained professionals, such as specialized judges, prosecutors and police officers, to the extent possible, and consider establishing mobile courts;**

**(g) Review the regulations set by the Ministry of Education in order to provide children in conflict with the law with access to education;**



(h) Take effective measures to improve the condition of detention and prison facilities for children in conflict with the law and provide children with separate detention facilities from adults;

(i) Ensure independent monitoring of detention conditions and access to effective complaints, investigation and enforcement mechanisms;

(j) Seek technical assistance from the United Nations Interagency Panel on Juvenile Justice, which includes UNODC, UNICEF, OHCHR and non-governmental organizations.

## 9. Optional Protocols to the Convention on the Rights of the Child

100. The Committee reminds the State party that its initial report under the Optional Protocol on the sale of children, child prostitution and child pornography has been due since June 2004 and the initial report under the Optional Protocol on the involvement of children in armed conflict has been due since January 2007. The Committee underlines the importance of a regular and timely reporting practice and therefore encourages their speedy submission, if possible, at the same time, to facilitate the review process.

## 10. Follow-up and dissemination

### Follow-up

101. The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to the members of the Cabinet of Ministers and the People's Council (Majlis), and to all atolls, when applicable, for appropriate consideration and further action.

### Dissemination

102. The Committee further recommends that the combined second and third periodic report and written replies submitted by the State party and related recommendations (concluding observations) that it adopted be made widely available in the languages of the country, including through the Internet (but not exclusively), to the public at large, civil society organizations, youth groups, professional groups, and children in order to generate debate and awareness of the Convention, its implementation and monitoring.

## 11. Next report

103. The Committee invites the State party to submit a consolidated fourth and fifth periodic report by 12 September 2011 (that is, 18 months before the due date of the fifth periodic report). This is an exceptional measure due to the large number of reports received by the Committee every year. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Convention.

104. The Committee also invites the State party to submit its core document in accordance with the requirements regarding the common core document in the

**harmonized guidelines on reporting under international human treaties, approved by the Fifth Inter -Committee meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3 and Corr.1).**

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