

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD  
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IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with  
the consideration of the initial report of  
Maldives  
(CRC/C/8/Add.33  
and Add. 37)

General measures of implementation  
(arts. 4, 42 and 44)

1. In light of the recommendations adopted in the Declaration and Plan of Action of the World Conference on Human Rights, has the Government considered the possibility of reviewing its reservations to the Convention with a view to their withdrawal?
2. With regard to information provided in paragraph 8 of the report, please further indicate the status of the Convention vis-a-vis national law. Please also indicate if the Convention can be invoked in courts and, if so, provide some examples.
3. With regard to information provided in paragraphs 10-11 of the report, please provide further information on existing or foreseen mechanisms to coordinate the activities between all Ministries involved in children's issues as well as between the local and central authorities.
4. With regard to information provided in paragraph 7 of the supplementary report, please indicate whether the data base that has been recently developed collects disaggregated data concerning the status of all children, including the most vulnerable groups. What difficulties are encountered in the collection and use of these data and indicators for the design of policies and programmes for the effective implementation of the Convention?
5. Please provide further details on existing or foreseen mechanisms, both at central and local levels, for the monitoring of the implementation of the Convention.
6. With regard to information provided in paragraphs 2 and 7 of the supplementary report, please provide additional information on the National Council for the Protection of the Rights of the Child, especially concerning its mandate, budget, staffing, institutional links, and effectiveness. Please also indicate the achievements and obstacles encountered in the implementation of the National Plan of Action (NPA).

7. Please provide information on the involvement of non-governmental organizations in the promotion and protection of children's rights in the State Party.

8. With regard to information provided in paragraphs 4 to 6 of the supplementary report, please indicate what further measures have been taken, or are planned, to train professional groups such as: judges, lawyers, law enforcement officials, National Security Services officials, civil servants including at the local level, personnel working in institutions and other places of detention for children, health personnel and social workers, about the Convention.

9. Please indicate measures taken to raise the awareness of Government officials, legislators, traditional and religious community leaders, non-governmental organizations and the mass media, as well the public at large including children themselves, about the Convention.

10. What proportion of the national budget is devoted to social welfare, health and education for children at central, and local levels? Please provide additional information on the implementation of article 4 of the Convention in regard to the allocation ~~At~~ to the maximum extent of (...) available resources~~@~~ for the rights of the child.

11. Please provide further details about the process of preparing the report.

#### Definition of the Child

(Article 1)

12. In the light of article 1 of the Convention, and information provided in paragraph 27 of the report concerning the attainment of adulthood at the age of 21, please explain the reason why apparently persons between 16 and 18 are not considered as children by law.

13. Please indicate whether a legal age of compulsory education exist.

14. Please explain the reason why a minimum legal age for marriage does not exist.

#### General principles

(Arts. 2, 3, 6 and 12 of the Convention)

15. Please indicate to what extent the provisions of article 2 of the Convention are covered in national legislation with regard to all possible grounds for discrimination spelled out in that article.

16. Please indicate whether any recent measures have been taken to prevent and combat discrimination against the girl child, children living in remote islands as well as children born out of wedlock.

17. In light of article 2 of the Convention, please explain what measures the Government of the Maldives has taken or is foreseeing to prevent children with disabilities from being victims of any form of discrimination (paras. 19-20 of the supplementary report).

18. Please provide further information on the ways the principle of the

Best interests of the child@ (art. 3) is reflected in legislation, or actions undertaken by social welfare institutions, courts of law and administrative authorities. Please also provide some examples of implementation of this principle by courts and/or administrative bodies.

19. With regard to information provided in paragraph 36 of the report, please provide additional information on the measures undertaken by the authorities to implement concretely the principle of the Arespect for the views of the child@ (art. 12). What measures have been taken to further sensitize parents, professional groups and public opinion to the need to encourage children's participatory rights?

Civil rights and freedoms  
(Arts. 7-8, 13-17 and 37(a))

20. Please further indicate how the authorities ensure systematic birth registration in the 199 inhabited islands of the Maldives.

21. Please indicate how schools have taken into account in their own rules for students the provisions of articles 13, 14, 15 and 16 of the Convention.

22. Please explain what recent measures have been taken by the State Party to ensure that children are protected from any kind of harmful information, including violence and pornography. Please further indicate how information is disseminated to all children in the 199 inhabited islands of the Maldives.

23. Please provide information on the occurrence of ill-treatment of children. Have specific programmes for the prevention of ill-treatment of children, and for the treatment, psychological recovery and social reintegration of abused children been developed at the central and local levels? What resources have been allocated to such purpose? What specific legal provisions exist to protect children from being ill-treated in their homes, at schools or in other institutions? Are there complaints procedures which can be used by children themselves against such abuses? Have any cases of ill-treatment of children been submitted to the national courts?

24. Have any cases been reported of children who have been the victims of torture or other cruel, inhuman and degrading treatment? If so, please provide information on such cases. Please further indicate the measures taken and resources committed for implementing the provisions of articles 37 (a) and 39 of the Convention.

25. Please indicate if the legal prohibition of corporal punishment is fully respected in practice in schools, other institutions as well as in families(para. 14 of the supplementary report).

Family environment and alternative care  
(Arts. 5, 18 para. 1 and 2, 9, 10, 27 para. 4,  
20, 21, 11, 19, 39 and 25)

26. Please indicate to what extent the State Party takes responsibility for parental education in the performance of child-rearing responsibilities and if there are other family counseling services. Please furthermore indicate the steps taken by the authorities to encourage the participation of fathers in upbringing children.

27. With regard to information provided in paragraphs 48-49 of the report, please further explain the measures taken or planned by the authorities to reduce the very high rate of divorce in the country.

28. With regard to information provided in paragraph 59 of the report, please provide additional details on the informal adoption system. Furthermore, in light of article 20.3 of the Convention, please indicate if the State party is using *kafalah* as an alternative to institutionalization.

29. With regard to information provided in paragraph 13 of the report related to the increase of reported cases of child abuse, including domestic violence in Maldives, please provide information on planned or established projects to prevent and combat this phenomenon.

30. Please indicate if any comprehensive study has been undertaken on the occurrence of sexual abuse within and outside the family. Additionally, please indicate measures taken or foreseen, such as information campaigns, for the prevention of sexual abuse against children and the treatment and rehabilitation of victims.

31. In light of article 9 of the Convention, and with regard to information provided in paragraph 54 of the report, please indicate existing measures to guarantee the right of the child to maintain contacts with both parents in case they are living separately.

#### Basic Health and Welfare

(Arts. 6 para. 2, 23, 24, 26 and 18 para. 3 and 27 paras. 1-3 of the Convention)

32. With regard to information provided in paragraph 13 of the supplementary report, please indicate the impact of the current reduction in international grants for expenditure on health. What measures is the State party taking or planning to reduce this impact on the health of children ?

33. With regard to information provided in paragraph 22 of the supplementary report, please indicate the measures taken or foreseen to combat undernutrition as well as iodine deficiency. Please also indicate if the authorities are envisaging to collect statistics regarding the status of Vitamin A deficiency among children.

34. Please indicate measures taken by the authorities to guarantee the fullest possible social integration, inclusion and individual development for children with disabilities, in the light of article 23 of the Convention. Please also provide clarification concerning the responsibilities of parents in respect of disabled children (para.70 of the report).

35. With regard to information provided in paragraph 23 of the supplementary report, please indicate the measures taken or foreseen to provide access to safe water as well as to safe sanitary facilities to all the population living on the islands.

36. Please provide comprehensive information on the situation of children affected by or infected by HIV/AIDS and the measures taken to provide assistance to them. Please also indicate measures, such as information campaigns, taken by the authorities to prevent this pandemic among the youth.

Education, leisure and cultural activities  
(Art. 28, 29 and 31)

37. Please further indicate the measures taken or foreseen to develop, both in terms of quantity and quality, the secondary school system outside of the capital Malé.

38. Please explain if the school curricula have been reviewed since the ratification of the Convention by Maldives. Please also specify if measures have been taken by the authorities to include human rights education, especially the rights of the child, in the school curricula, in the spirit of the United Nations Decade on Human Rights Education and in conformity with article 29 of the Convention.

39. Please specify if measures have been taken or are foreseen to train school managers and teachers on the Convention on the Rights of the Child.

40. Please indicate further measures undertaken and resources devoted to the implementation of article 31 of the Convention, especially on the right to rest and leisure (paras. 98-100 of the report).

Special protection measures  
(Arts. 22, 30, 32-40)

41. With regard to information provided in paragraph 104 of the report, please indicate whether children between 7 years and 15 of age that have committed a ~~A~~very serious crime@under Maldivian law are judged according to the same legislation as adults.

42. Please provide further information, in the light of articles 37, 40 and 39 of the Convention (see paras. 102 to 109 of the report), in particular on:

- a) the use of arrest, detention or imprisonment of a child as a measure of last resort and for the shortest period of time;
- b) the possibility to have a prompt access to legal and other appropriate assistance, as well as for challenging the legality of the deprivation of liberty before a court or other competent, independent and impartial authority, and of having a prompt decision thereon;
- c) the right of the child alleged as, accused of or recognized as having infringed the penal law to be

treated in a manner consistent with the child's sense of dignity and worth, which reinforces the child's respect for human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society;

- d) alternative measures to institutional care made available to deal with such children in a manner appropriate to their well-being; and
- e) the establishment of laws and procedures specifically applicable to children alleged as, accused of or recognized as having infringed the penal law, in the light of article 40, para. 3 of the Convention.
- f) measures to ensure that every child concerned is duly informed about such guarantees.

43. With regard to the situation of children in prison, please provide additional information (see para. 106 of the report), in particular, on the following issues:

- the measures taken to ensure the separation of detained children from adults;
- the type of institutions that exist for the custody of young law offenders and what specific rules there are for their treatment;
- the opportunities for the contact with families;
- the way the conditions in such institutions are monitored;
- the guarantees to ensure the periodic review of placement;
- the complaint procedures in cases of ill-treatment;
- the education, health and social services facilities in these institutions.

44. Please further indicate whether programmes for vocational training or special education are implemented for children that dropped out of the school system.

45. With regard to information provided in paragraph 51 of the report, please provide more detailed information on the emerging phenomenon of children living and/or living on the street.

46. Please provide information on new emerging health-related problems such as substance abuse, in particular drug and alcohol consumption. What measures and programmes have been adopted to prevent and combat this phenomenon ?

47. Please provide further information on measures recently

undertaken to combat sexual abuse and sexual exploitation of children, including prostitution, pornography and sex tourism. Furthermore, please indicate whether the State party is taking into account the recommendations formulated in the Agenda for Action adopted at the Stockholm World Congress against Commercial Sexual Exploitation of Children.