



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Twenty-fourth session

Summary record of the 506th meeting

Held at Headquarters, New York, on Tuesday, 30 January 2001, at 10 a.m.

Chairperson: Ms. Abaka

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The meeting was called to order at 10.15 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of Maldives (continued)
(CEDAW/C/MDV/1)

1. *At the invitation of the Chairperson, Ms. Ahmed (Maldives) took a place at the Committee table.*

2. **Ms. Ahmed** (Maldives), replying to the questions put by the Committee said, with regard to Maldives' reservation to the Convention, that the Constitution had been revised by an elected constitutional council, which had voted by a two-thirds majority to retain the constitutional provisions stipulating that the President and Vice-President must be males. The need to respect the will of the majority in a democracy, did not preclude the removal of those provisions in a future round of constitutional reform. Similarly, the recent revision of the Family Law gave cause for hope that, as attitudes evolved, the conflicts between article 16 of the Convention and Maldivian legislation could be resolved and Maldives' reservation withdrawn. She was pleased to note that the Constitution contained a chapter on the fundamental rights and duties of citizens.

3. With regard to producing more statistical data on Maldives, she said that a number of ministries had created web sites for the purpose of making such information more readily available. The manually compiled statistical yearbook could be accessed on the web site of the Ministry of Planning.

4. The courts of first instance comprised the criminal courts, civil courts, family courts, juvenile courts and island courts. All appeals were referred to the High Court. Citizens had the right to petition the President to overturn a decision of the High Court. There was no ombudsman's office, but a person with a grievance could petition the competent minister. There was also an Anti-Corruption Board, which considered cases of abuse of office and embezzlement of funds.

5. The Convention had been translated into the official and native language Dhivehi and distributed throughout the islands.

6. The national machinery for the advancement of women comprised the Ministry of Women's Affairs and Social Security, the Gender Equality Council and the

island and ward women's committees. The Vice-Chairperson of the Council was the Minister of Women's Affairs and Social Security. Its members included representatives of Government ministries, non-governmental organizations and the College for Higher Education, and there were plans to involve representatives of the business community.

7. The island and ward women's committees varied in size from approximately 10 to 40 members, depending on the size of the community concerned. Members were elected by the women of the respective island or ward. Any woman over the age of 18 years was eligible to stand for election. The committees reported biannually to the Ministry of Women's Affairs and Social Security, which provided them with financial and, sometimes, technical support.

8. The Ministry had 60 full-time staff and a budget of 26.6 million rufiyaa, of which 6 million rufiyaa was set aside for activities aimed at improving the status of women. Those activities included legal literacy programmes; advocacy on such issues as women's political representation, women and health, violence against women and women and education; implementation of initiatives for the economic empowerment of women; follow-up to the Commonwealth Plan of Action on Gender and Development and the National Plan of Action for the Implementation of the Beijing Platform for Action; and training and educational programmes.

9. The initial report of Maldives had been written by an independent consultant on the basis of information provided by the island and ward women's committees and following consultations with those committees and with the former National Women's Council. There had been no direct participation by non-governmental organizations. It must be pointed out, in that connection, that there were only two women's non-governmental organizations in Maldives and that the concept of such organizations acting as pressure groups was relatively new.

10. The objectives of the National Policy on Women were incorporation of women into the mainstream of economic activities; integration of their needs in development planning; attainment of equality of men and women in terms of access to resources, information, opportunities and power; raising of awareness regarding gender issues among people at all levels; recognition of the economic significance of

women's domestic work; establishment and expansion of income-generating opportunities for women with a view to making them economically and socially self-reliant and enabling them to make choices in matters affecting their well-being; increase of women's employment in public-sector posts, particularly at the decision-making level; and enhancement of women's health, nutritional and social status. In order to realize those objectives, her Government was, inter alia, strengthening the national machinery for the advancement of women and promoting cooperation with non-governmental organizations.

11. With regard to the National Plan of Action for the Implementation of the Beijing Platform for Action, she said that a committee had reviewed the 12 critical areas of concern specified in the Beijing Platform for Action in order to identify those most relevant to Maldives. The National Plan of Action had been finalized and submitted to the Government for endorsement in late 2000. A major problem in implementing the Beijing Platform for Action and the Commonwealth Plan of Action on Gender and Development was the acute shortage of gender experts in Maldives. Her Government hoped that the Commonwealth Secretariat or the United Nations would provide the necessary financial resources to recruit one or two consultants pending the building of the needed technical capacity in the Ministry of Women's Affairs and Social Security.

12. The Ministry was organizing community workshops and media campaigns to raise awareness of the concept of equality of men and women and of the laws protecting women's rights. In addition to implementing initiatives to remove stereotypical portrayals of men and women from school textbooks, the Ministry was working closely with the national television and radio stations to ensure that their output was more gender-sensitive. The Ministry intended to conduct gender-sensitivity training for the print media in 2001, provided that it secured sufficient external assistance.

13. No temporary special measures had been implemented to accelerate de facto equality of men and women, nor were there any quotas aimed at increasing women's political participation and access to higher education and vocational training, although the introduction of such quotas had been recommended as a strategy for the realization of the goals of the policy statement Maldives Vision 2020.

14. All primary schools and most secondary schools were co-educational, as was Maldives' only higher secondary school, although the two most prestigious schools were single-sex. Only two out of 250 school principals were women; both worked on the capital island Malé. The small number of women pursuing tertiary education was not due to early marriage. In fact, the reverse was true: girls tended to marry young for lack of opportunities to continue their studies.

15. There had not been sufficient research to determine the causes of the higher incidence of undernutrition and secondary malnutrition among older girls and women. It seemed likely, however, that the traditional practice of allowing men to eat first, with women consuming only what was left over, had contributed to the problem. There was no disparity between the nutritional status of boys and girls before puberty because young children were always the first to be fed, even before men.

16. There had not been sufficient research to determine the level of violence against women in Maldives. Some years earlier, the Ministry of Women's Affairs and Social Security had commissioned a non-governmental organization to conduct a pilot study on the incidence of domestic violence, but the study had not been completed because of resistance among some sections of the population who considered that family matters should remain private. Women were reluctant to report cases of domestic violence because of fear of bringing shame on their families, the difficulty of securing convictions and the likelihood of being revictimized. There were no state programmes to assist victims of domestic violence, nor was there any alternative housing for victims.

17. The Maldives National Security Service was a combined security force comprising the police and the military, and its main branch was the Coast Guard. The National Security Service had not recruited women until late 1988, and no women had yet been promoted to the rank of officer.

18. There was no evidence to indicate that women were reluctant to assume leadership positions. A number of women had declined the post of atoll chief, but their reaction was perhaps not surprising since atoll chiefs, who administered groups of islands scattered over large areas, had to travel widely, whereas Maldivian women's mobility was restricted by their family obligations. Another disincentive was the lack

of access in the outer islands to education and health-care services. Even the introduction of quotas would not eliminate those cultural and practical barriers.

19. Children under 10 years were generally included in one of the parent's passports. A mother could not, however, include her child in her passport without the father's consent.

20. The sharp decline in women's participation in the labour force since the late 1970s did not appear to have led to increased poverty among women, although no research had been undertaken to verify that assumption. It seemed likely that women's earning power had not been affected to the extent feared because women had not earned a direct income from their work in fish processing and handicrafts. Still their status in the family would have been better as they would have been contributing to the household income and thus to the welfare of the family.

21. In recent years, there had been a slow but steady rise in the number of women seeking employment in the tourism sector. Admission to the Institute of Hotel and Catering Services was open to both men and women, although more men were enrolled. Regrettably, patriarchal values and attitudes continued to restrict women's employment in tourism and other sectors that involved working away from home. Thus, there were few women community health workers because the posts were atoll-based. The situation was changing, however, and three quarters of persons currently training as community health workers were women.

22. Contraceptives were freely available to registered married couples, and permanent contraceptive procedures were practised at hospitals. Island health posts, health-care centres, and family planning clinics also provided condoms, birth control pills, injections and IUDs. Prescriptions were unnecessary unless other health problems, such as nutritional anaemia, were present. After registering the marriage, either spouse could obtain contraceptives. The most common contraceptives were birth control pills and IUDs. Research was lacking on why more women than men used family planning services.

23. The main causes of maternal mortality were pre- and post-partum haemorrhages and obstructed labour. In view of the island geography, and of the fact that not all islands had appropriate health-care facilities, deaths were sometimes inevitable. The Government was taking all possible measures, including, for instance,

the air lifting of women in labour from remote islands, although the evacuation cost was far above its means.

24. The Maldives would be unable to report on the mental health of divorced women or men until research had been conducted on the subject. Many factors contributed to the high divorce rate, including men's prerogative, under the sharia, to terminate the marriage by verbal pronouncement without recourse to the court. Under the new Family Law, out-of-court divorces would be illegal, and subject to penalties. Another factor was the absence of social stigma resulting from divorce; in addition, remarriage of the same couple was fairly common. As many women as men sought divorce. Although no related research had been conducted, infidelity, lack of maintenance and physical abuse were probably the main reasons for women's dissatisfaction.

25. The first reported case of HIV/AIDS was in 1991; in the ten ensuing years, ten persons, only one of them a woman, had been infected with the illness, and six had died. In addition, 74 expatriate workers had tested positive during the regular check-up administered on arrival, and had been returned to their countries as a precautionary measure. The first case of drug abuse occurred in 1977, when a tourist was arrested for possession of marijuana. Heroin began to be used in 1993, mostly not by injection.

26. Although the new Family Law raised the legal marriage age to 18, the registrar of marriages could use his discretion in permitting a person under that age to marry, taking into consideration physical health, financial standing, and the reasons for the marriage. That law also provided for prenuptial agreements, which could include such terms and conditions as the distribution of property acquired during the marriage in the event of divorce or the requirement for a husband to obtain his wife's consent before entering into a polygamous relationship. With a view to raising public awareness, prenuptial provisions were discussed in all legal literacy programmes.

27. The new Family Law also required the court to settle the matter of child support and maintenance before granting the dissolution of the marriage. The husband was obliged to pay maintenance, and if the wife had custody of the children, she could not be evicted from the marital home. Though all marriages must be conducted in accordance with the Family Law, marriages that predated the legislation would remain

valid under the terms of the previous laws and the sharia. There were no restrictions on marriage between Maldivians and migrants. A foreign person who married a Maldivian automatically received a resident visa and his resident permit fee was waived. If a foreign woman married to a Maldivian was widowed with children, she could remain in the Maldives for life without paying fees. The law did not provide that same security to a foreign man whose Maldivian wife died.

28. Lastly, she said that her delegation was grateful for the spirit in which the meetings had been conducted. It had sought to answer all questions, and would provide any information still lacking at a later date.

29. **Ms. Goonesekere** commended the Maldivian delegation for its excellent, frank, and detailed replies. She noted, however, that the Constitution made no reference to discrimination on the grounds of sex, or on other grounds and since it provided that any law that contradicted the Constitution would be void, it would be useful to know whether an enforcement mechanism existed. She would also like to know whether a person could defend his constitutional rights before a higher court, and how a decision in his favour would be enforced.

30. It was the responsibility of the Government, not of non-governmental organizations, to formulate the report; the latter should, however, be involved in information sharing, dialogue and response. In addition, it would be helpful to know whether the Government had any programmes or plans related to tertiary education for women.

31. Finally, she pointed out that the low marriage age contravened the provisions both of the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child, another instrument that Maldives had ratified.

32. **Ms. Corti** said that Maldives had developed significant national mechanisms for the advancement of women and it was those national mechanisms rather than a small non-governmental organization, that should tackle the problem of violence against women. Violence against women must not be seen as a private matter to be kept within families and legal measures must be taken against perpetrators. She hoped that the next report would describe the laws enacted by Maldives to resolve that problem.

33. **Ms. Ahmed** said that she was not in a position to reply to constitutional questions at the current meeting. At the time the report was formulated, the Government of Maldives was unaware that non-governmental organizations were expected to participate in that process; she assured the Committee that they would be included in future. Various colleges and graduate programmes were undertaking programmes designed for women, including joint ventures with overseas universities.

34. There had been, unfortunately, strong resistance in Maldivian society to raising the legal marriage age to 18, since the sharia permitted marriage from the age of puberty. Therefore it had been necessary to give discretionary power to the registrar. The Government would continue to press for the higher marriage age, and hoped to make headway in that regard. The issue of violence against women was an extremely sensitive one in Maldives, and there was naturally resistance to the related survey. The Government did not, however, view domestic violence as a private matter, and many Maldivian women believed that laws should be enacted to protect them.

35. **The Chairperson** said, by way of conclusion, that democracy must be based on respect for human rights and equality; otherwise it was not democracy. Therefore, the notion that a woman could not be President because the citizens' Majlis had voted against it was unacceptable. Maldives should seek to learn from the experience of other Muslim countries in attempting to overcome traditional prejudices.

36. Violence against women was a matter of grave concern. By ratifying the Convention, a State party undertook to safeguard women in both the public and private sphere. Moreover, in order to abide by the terms of the Optional Protocol, domestic remedies must be established. In addition, women and men must be equally involved in family planning, in particular the use of contraceptives. Finally, she said that Maldivian women were under-represented at decision-making levels; she hoped that situation would improve by the time of the next report. The ratification of the Convention, the preparation of the report, and the appearance before the Committee all demonstrated that Maldives had the political will to promote the empowerment of women.

The meeting rose at 11.15 a.m.