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MALDIVES

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Statement by
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At the Sixth Committee
On Agenda Item 85: The Rule of Law at the National and International Levels
8 October 2021, New York

Thank you, Madam Chair.

I would like to begin by thanking the Secretary General for his report on strengthening and coordinating the rule of law activities of the United Nations.

Madam Chair,

The Maldives, under President Ibrahim Mohamed Solih, is committed to our efforts to consolidate democratic processes, advance rule of law and protect and promote human rights and fundamental freedoms.

While we relentlessly investigate and pursue redress for human rights abuses, delivering transitional justice is key to instill peace in the society and ensure accountability against state practices that condoned and instigated breaches of human rights. As such, in addition to the formation of the Presidential Commission on Investigation of Murders



-2-

and Enforced Disappearances, an Ombudsperson's Office for Transitional Justice has been established in January this year, to resolve cases of systematic human rights violations and provide victims and families with the justice and closure they deserve.

We have also intensified our efforts to end systemic corruption at all levels. The adoption of the Zero-Tolerance Policy to Corruption, establishment of the Whistle-blower Portal and enactment of the Whistle-blower Protection Act aim to promote good governance that prevent acts of corruption from occurring in the first place.

Madam Chair,

Every effort is being made to further create judicial independence in the Maldives. In 2019, the Judicial Service Commission adopted a policy to advocate transparency and give equal opportunity for new candidates to compete for courts. Amendments to the Judges' Act have been formulated to enhance rules of conduct and set mandatory asset declaration rules for judges. The amendment to the Judicial Service Commission's Act revamps procedures regarding disciplinary hearings against judges, and established an appeal process for disciplinary decisions, a first of its kind. The Judicial Service Commission has also, in 2020, undertaken a full appraisal of all judges in the Maldives, in our efforts to enhance the quality of those presiding in courts.



-3-

Continuing legal education and professional development for judges is a key priority and as such, numerous efforts are underway to re-organize the Judicial Academy, update curriculum and formulate training needs assessments, to ensure that that Judiciary is well-qualified

Madam Chair,

Implementing legal sector reform in parallel with judicial reform, is crucial to address the incompleteness of the legislative framework and lack of necessary legal apparatus which continue to hinder the effectiveness of State institutions.

As such, the 2019 Legal Professions Act, established the first ever Bar Council of the Maldives, and work is also underway to establish a National Legal Aid Commission.

Implementation of the Government's Legislative Agenda is well on track, with over 100 bills already submitted to the Parliament since November 2018. This includes a new and modern Evidence Bill which overhauls the outdated evidence law in place since 1976, and a comprehensive and consolidated Civil Procedure Bill, a first for the Maldives.

Madam Chair,



-4-

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Elections are but one part of a truly vibrant democratic society. Citizens and civil society must also participate actively in a democracy that guarantees fundamental freedoms and rights. Corruption cannot occur. These priorities were fully integrated into our Strategic Action Plan 2019-2023, including by providing our Elections Commission with more independence and responsibility. President Solih has also ratified legislation that sets ethics and independence guidelines, as well as asset declaration rules, for members of independent institutions, including the Elections Commission.

Madam Chair,

Rule of law only truly exists when all citizens can rely on it, without exception. Ensuring gender equality is a central pillar of our Strategic Action Plan including through the promotion of gender equality and by combatting discrimination and violence against women. The recent amendment to the Decentralisation Act, allocates at least a third of local council seats to women. Our Foreign Service has also achieved gender parity among our heads of missions, and we are working to increase women's participation in the police force. With the appointment of our first female justices to the Supreme Court and the first female judge to the Criminal Court for the first time ever in the Maldives, women preside over cases at all tiers of the Maldivian court system. Despite these significant achievements, we continue to work diligently to expand the role of women to further solidify the rule of law.



-5-

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Madam Chair,

The pandemic has led to the need for governments to react quickly and in unprecedented ways to ensure the safety of our people. However, in times of emergency, there is a risk of abuses of power, and the Maldives is grateful for the ongoing support of the UN in working with us to ensure that policing activities necessitated by the pandemic did not lead to a decline of human rights standards.

As a country committed to fulfilling its international obligations, the Maldives makes every effort to promote the rule of law and human rights both at home and abroad. We have ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Optional Protocol to the Convention on Economic, Social and Cultural Rights and have submitted the Declaration under Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, increasing access to justice for our citizens and demonstrating our ongoing commitment to the international community to be held accountable for violations.

We are also in the final stages of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and have officially withdrawn some reservations to the Convention on the Elimination of All Forms of Discrimination against Women.



-6-

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At home, we have also taken steps to further align our domestic laws with our international human rights obligations through amending the Anti-Human Trafficking Act and enacting the Child Rights Protection Act and the Juvenile Justice Act, which enhances the legal framework pertaining to child rights, provision of child protection services, and in affording protection to children in conflict with the law.

Madam Chair,

The onset of the COVID-19 pandemic presented new challenges to the Maldives. We had to take proactive steps in ensuring that the measures imposed to contain the disease, did not infringe upon the human rights of our people. In this respect, the Government acted swiftly in enacting the Public Health Emergency Act 2020, which provides for special measures to protect the rights of employees from reduced or delayed remuneration, and forced furloughs and resignations during the state of public health emergency due to COVID-19. The Act also sets forth particular measures to protect tenants in ensuring the right to housing, and measures relating to social welfare to ensure continued assistance to persons facing economic hardships due to the epidemic

While we are proud of the significant progress we have made, we are well aware that much work remains to be done. COVID-19 continues to stress and test our institutions and the ongoing disastrous effects of climate change will continue to place ever increasing strain our systems of governance long after the pandemic has ended. In times



-7-

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of crisis, our citizens deserve a government they can trust to safeguard their fundamental rights to justice, peace, and security. We are committed to a Maldives that is free of corruption and human rights abuses. A Government that starts with local populations and values gender equality, as well as a resilient Government that secures and promotes the rule of law both nationally and internationally.

The Maldives looks forward to collaborating with our international partners on this issue, since it has never been more vital for us an international community to reaffirm our commitment to multilateralism in order to advance the rule of law for all.

I thank you.
