



Maldives

Country Reports on Human Rights Practices - [2007](#)

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Republic of Maldives is a constitutional democracy with a strong executive and, according to current estimates, a population of approximately 370,000. The president appoints the cabinet and eight members of the 50-member parliament. The president derives additional influence from his constitutional role as the "supreme authority to propagate the tenets of Islam." The unicameral legislature, the People's Majlis, chooses a single presidential nominee who is selected or rejected in a national referendum. Voters approved President Maumoon Abdul Gayoom for a sixth five-year term in 2003. In 2005 the government held parliamentary elections, which a Commonwealth Expert Team commended. The Dhivehi Rayyethunge Party (DRP), led by President Gayoom, is considered the governing party, although the current government came to power before the implementation of the party system in 2005. The Special Majlis, elected in 2004 to consider constitutional reforms, held a referendum in August to decide whether the country should have a presidential or parliamentary system of government. According to official figures, more than 60 percent of voters backed the presidential system endorsed by President Gayoom. The civilian authorities generally maintained effective control of the security forces.

Although the government's human rights record continued to improve from the previous year, serious issues remained. The government made little progress in implementing its "Roadmap for the Reform Agenda." Proposed legislation, introduced to address significant structural difficulties, remained the subject of intense national debate, but none of the bills had been passed by year's end. Citizens faced restrictions on their ability to change their government; security forces occasionally abused detainees; and the government limited freedoms of press, assembly and association, and religion. Unequal treatment of women existed, as did restrictions on workers' rights.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, security forces were implicated in custodial deaths.

On April 15, a local launch crew found Hussain Salah's body in a harbor near the police base of Atoluvehi. On April 9, authorities arrested Salah on drug charges in Hithadhoo, Addu Atoll, and on April 13 released him. The police reported that his body had "no visible serious injuries." However, photos of Salah's body showed that his face and eyes were heavily swollen; he had bled from his eyes, nose, and mouth; and his shoulders and right arm were badly bruised. The government sent Salah's body to Sri Lanka for examination where the judicial medical officer of Colombo determined that Salah's death was caused by drowning and ruled out the possibility of death due to physical violence. In December an inquiry by the Maldives Human Rights Commission (MHRC) found no evidence that police beat Salah to death, but the inquiry also reported numerous police contradictions and confusion over the circumstances surrounding Salah's release from police custody.

On June 6, inmate Muslih Abbas died during a mass jailbreak from Maafushi prison. The police issued a statement saying Abbas died of a drug overdose. The prisons department did not concur. The Maldivian Detainee Network (MDN) reported that hospital doctors stated the injuries were consistent with assault. Abbas' death certificate showed the cause of death as unknown. Authorities admitted two other inmates, Ahmed Irushad and Ahmed Fazleen, to Indira Gandhi Memorial Hospital in Male following the same incident.

In January President Gayoom reduced the sentences of eight national security service officers, now the Maldivian National Defense Force (MNUF), convicted of killing Maafushi prison inmate Evan Naseem in 2003. They are expected to serve 25 years rather than face the death penalty. The government acquitted four additional officers involved in the incident.

In June the MHRC filed suit against the police for negligence regarding the 2005 custodial death of Muaviath Mahmood. The police alleged that Mahmood died of a drug overdose; Mahmood's family believed he was tortured. The attorney general (AG) had not made a decision on whether the MHRC had the mandate to file a case on this incident.

There was no report of an official investigation in the case of National Security Service Captain Adam Mohamed, whose conviction related to three 2003 custodial shooting deaths at Maafushi prison was overturned by the High Court in December 2006.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, although there were reports of occasional mistreatment of persons by security forces.

In January the MDN reported that three prisoners received serious injuries from police during widespread protests at Maafushi prison. Ahmed Shabeer was temporarily paralyzed from his waist down, Hassan Manik bled heavily from his ears, and Mohamed Ibrahim's wrists were badly cut. No investigations were requested by the victims or their families.

On February 24, a plain clothes police officer grabbed 16-year-old Moosa Afaau while he watched a street rally. According to Amnesty International (AI), the officer beat Afaau with a baton in the thighs and genitals, then took him to a police station where officers tied him to a chair and punched him when he fell asleep. Police released Afaau later the same day. AI reported that no investigation was launched in the case.

On October 14, police arrested 21-year-old Shuhaan Abdul Samad at the Male airport on his way to study Islam at a Sri Lankan madrassa. According to Samad, police repeatedly punched him in the face, twisted his wrist, and chained him to a chair overnight. Police released Samad after 25 days in detention.

There were no developments in the 2006 cases of Mohamed Ibrahim Didi, Mohamed Shameen, or Aishath Aniya, all of whom reported police mistreatment.

Prison and Detention Center Conditions

Prison conditions generally met international standards, although pretrial detainees were not held separately from convicted prisoners.

In June inmates of Maafushi prison held a six-day hunger strike to demand a meeting with government officials to discuss their grievances. Authorities hospitalized two inmates in Male because of the hunger strike, which followed an attempted mass jailbreak that caused one death and several injuries. Inmate Ibrahim Mausoom stated that inmates wanted to discuss a lack of parole regulations and a reduction in home visits from once every three months to once every two years. Deputy Home Minister Azima Shukoor visited Maafushi to discuss these grievances with the inmates, but there were no developments at year's end.

The police refused independent access to 60 individuals arrested October 9 in response to the September 29 bombing in Male. Other prisoners reported that these prisoners were not given access to lawyers and were subject to physical abuse.

The MHRC issued a report criticizing the lack of medical provisions in Dhoonidhoo detention center.

Pro-opposition prisoners released during 2006 reported being kept in cramped quarters or in solitary confinement during detention. There was no official investigation into these charges.

The government generally permitted regular, unannounced prison visits by the MHRC. The government also allowed unfettered access to prisons by the jail oversight committee of judges and members of parliament. The oversight committee is mandated to visit quarterly and submit a report directly to the president. These reports are not available to the public. During the year the International Committee of the Red Cross (ICRC) did not visit prison or detention centers.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, but it gives the government broad authority to conduct arrests and detain suspects; in practice there were reports that police arrested and held persons arbitrarily.

In January authorities arrested and detained Ahmed Abbas, a prominent opposition activist and cartoonist, for publicly criticizing the conduct of the Star Force police unit. In May authorities released him.

There were no developments in the May 2006 conviction of four Maldivian Democratic Party (MDP) protesters who were not given access to lawyers following their arrest for participating in the May 15-21 demonstrations.

Role of the Police and Security Apparatus

The Maldives Police Service collects intelligence, makes arrests, and enforces house arrest. Although the MNDF is responsible for external security, it also retains a role in internal security. The director of the MNDF reports to the minister of defense.

Police initiated investigations in response to written complaints from citizens, police officers, government officials, or on suspicion of criminal activity. They are not legally required to obtain arrest warrants or inform an arrested person of his rights, but government officials stated that in practice they urged law enforcement officials to inform arrested persons of their rights. The AG referred cases to the appropriate court based on the results of police investigations. The authorities generally kept the details of a case secret until they were confident that the charges were likely to be upheld.

The Star Force, also referred to as the Special Operations Department, is an elite unit of the Maldives Police Service. Reporters Without Borders alleged that the Star Force was involved in arrests of journalists and antigovernment demonstrators. Their tactics reportedly included physical attacks and threats.

The Police Integrity Commission, established in 2006 to investigate allegations of police corruption and impunity, did not hold meetings during the year.

Arrest and Detention

The constitution provides for an arrestee to be informed of the reason for arrest within 24 hours and provides for the right to hire a lawyer. In addition, regulation requires that a detainee be informed of the right to a lawyer at the time of arrest. The court does not appoint legal counsel, and there is no legal requirement for search or arrest warrants. According to the AG's office, an arrestee's family is normally informed of the arrest within 24 hours, although the law does not require that police inform the family of the grounds for the arrest. Detainees are generally permitted to have counsel present during police questioning. A prisoner has the right to a ruling on bail within 36 hours; however, there were reports that bail procedures were not publicized adequately, explained, or implemented consistently.

The law provides for investigative detention. Once a person is detained, the arresting officer must present evidence to a legal committee within 24 hours. The committee can then recommend detention for up to seven days pending further investigation. After the seven days expire, the officer can petition a second committee, which can then recommend detention for a maximum additional 15 days. If the authorities are unable to present sufficient evidence after the 22 days provided, the prisoner is eligible for release, although judges have the authority to extend detention past 22 days upon receiving an arresting officer's petition citing factors such as the detainee's previous criminal record, the status of the investigation, the type of offense in question, and whether the detainee might pose a threat if released.

e. Denial of Fair Public Trial

The law does not provide for an independent judiciary, and the judiciary is subject to executive influence. In 2005 the government created a 10-member judicial services commission (JSC) led by the chief justice, himself a presidential appointee. In total, seven of the 10 JSC members are government officials appointed by the president and serving on the JSC by virtue of their official role, such as justice minister or AG. The JSC is expected to appoint, dismiss, and examine the conduct of all judges and recommend candidates for judgeships to the president; the legislation setting up the commission permits the body to accept or veto presidential appointments to judgeships. Since its founding, the JSC has not publicized deliberations or made public recommendations on the hiring, dismissal, or discipline of any judges.

There are three courts: one for civil matters, one for criminal cases, and one for family and juvenile cases. The High Court handles a wide range of cases, including politically sensitive ones. The president's judicial advisory council, led by the chief justice, reviews all appealed court rulings.

Trial Procedures

The law provides that an accused person be presumed innocent until proven guilty and that an accused person has the right to defend himself "in accordance with Shari'a (Islamic law)." The judiciary generally enforced these rights. During a trial the accused may call witnesses and has the right to be represented by a lawyer, although one is not appointed at public expense. Regulations rather than laws govern trial procedures. By tradition the prosecution collects all evidence and presents it to a judge, who has the discretion to choose what evidence he will share with the defense. Judges question the

concerned parties and attempt to establish the facts of a case.

Most trials were public and were conducted by judges and magistrates, some of whom were trained in Islamic, civil, or criminal law. There were no jury trials.

Civil law is subordinate to Shari'a, which is applied in situations not covered by civil law, as well as in family matters such as divorce and adultery. Courts adjudicating matrimonial and criminal cases generally do not allow legal counsel in court because, according to a local interpretation of Shari'a, all answers and submissions should come directly from the parties involved. However, the High Court allows legal counsel in all cases, including those in which the right to counsel was denied in a lower court. Those convicted have the right to appeal. Under the country's Islamic practice, the testimony of two women equals that of one man in matters involving Shari'a, such as adultery, finance, and inheritance. In other cases, the testimony of men and women are equivalent.

Political Prisoners and Detainees

The government maintained that there were no political prisoners; however, the MDP, international nongovernmental organizations (NGOs), and some foreign governments asserted that some persons were held for political reasons.

On July 25, police arrested five individuals after interrupting an opposition party event. Police seized vehicle keys and other party property and arrested the drivers of four pickup trucks carrying MDP members distributing leaflets concerning the August 18 constitutional referendum. Police returned to arrest one more MDP member who was waiting with the stranded vehicles. Authorities released all party members within two days.

On January 25, the trial of Ibrahim Hussein Zaki, acting president of the MDP, arrested in November 2006 for "inciting enmity against the lawful government," began. The case was ongoing at year's end.

The MDP reported that the police released six party members detained on unlawful assembly charges in 2006.

The government continued to prevent Jennifer Latheef from appealing her conviction on terrorism charges for participating in a 2003 demonstration.

Terrorism charges were pending against MDP Chairman Mohamed Nasheed. The government announced that the charges against Nasheed would be dropped if he adopted "a more conciliatory approach" to the government. Human rights groups, the MHRC, and the MDP stated that Nasheed's 2005 arrest and prosecution were politically motivated.

No charges were brought against those released from custody following 2006 arrests of opposition activists.

Civil Judicial Procedures and Remedies

There is a civil court that addresses noncriminal cases. However, as with the criminal courts, the judiciary is subject to executive influence. There were no reported cases of individuals seeking redress for human rights violations through civil courts. No administrative remedies were available.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits security officials from opening or reading wireless messages, letters, telegrams, or monitoring telephone conversations, "except as expressly provided by law;" and in practice the government generally respected privacy rights. Security forces may open the mail of private citizens and monitor telephone conversations if authorized to do so in the course of a criminal investigation.

Although the law provides that residential premises and dwellings should be inviolable, there is no legal requirement for search or arrest warrants. The AG or a commanding officer of the police must approve the search of private residences.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for limited freedom of speech and of the press; however, the government generally did not respect these rights in practice. The law limits a citizen's right to freedom of expression in order to protect the "basic tenets of Islam" and prohibits inciting citizens against the government.

In October President Gayoom issued a decree banning "words or actions likely to encourage extremism" and promising

"action against anyone suspected of being a religious extremist" in response to a September 29 bombing in Male.

Police occasionally harassed members of opposition political parties for criticizing the government.

The government detained Abdulla Fareed and Dr. Afraa Shaheem for preaching religion in public without permission from the Supreme Council of Islamic Affairs.

There were almost 200 independent newspapers and periodicals; however, government ministers owned several of the daily publications.

The government or its sympathizers owned and operated the only television and radio stations. The government did not interfere with the sale of satellite receivers. The government radio and television stations aired reports drawn from foreign newscasts. Although the government implicitly committed to permitting the functioning of independent radio stations in its Reform Roadmap, no law recognizing independent radio stations exists. Nonetheless, the Ministry of Information issued licenses to seven private radio stations and three television stations and gave permission in June for them to operate.

In January the government revised its defamation regulations following a protest by journalists. The maximum fine for defamation was reduced to \$396 (5,000 rufiyaas) from \$78,000 (one million rufiyaas).

Journalists, primarily pro-opposition reporters, stated that they faced harassment during the year.

In January the government deported and reportedly blacklisted from return for two years *Minivan News* Internet journalist Phillip Wellman. In November 2006 authorities expelled him after he wrote an article about a demonstration held on Dhinaadhoo Island. Police unsuccessfully asked Wellman and a freelance British journalist affiliated with the *Observer* to delete audio files and photos. The government issued a press release claiming they were not genuine journalists accredited to "reputable news organizations" and accused them of attempting to destabilize society. Both reporters denied those charges. Wellman had a valid work permit issued by the government and identification from *Minivan News*, his employing organization in the country.

On February 19, authorities expelled Ihusan Naseer from the Male Centre for Higher and Secondary Education when an article critical of the school appeared in an opposition newspaper. He denied writing the article.

On June 5, police arrested *Minivan* journalist Ali Rasheed on suspicion of possessing and using drugs, one month after Rasheed blamed the Maldives Police Service for proliferating the drug culture. Authorities released Rasheed 43 days later without comment.

In June authorities detained *Minivan Daily* photographer Ahmed Rifa in Dhoonidhoo prison for eight days for reporting a police raid on a mosque.

The May 2006 case against Nazim Sattar was adjourned without a resolution. Authorities arrested Sattar, *Minivan's* subeditor, on undisclosed charges when she accompanied a visiting international press freedom delegation to a rally for World Press Freedom Day. Sattar also faced a hearing on a disobedience to order charge in May 2006.

Three British nationals remained blacklisted for allegedly having ties to Islamic terrorism.

Although an amendment to the law decriminalizes "true account(s)" of government actions by journalists, both journalists and publishers practiced self-censorship.

There were no legal prohibitions on the import of foreign publications except for those containing pornography or material otherwise deemed objectionable to Islamic values.

Internet Freedom

The government generally did not interfere with the use of the Internet, which was widely available in the capital, if not on many of the outlying atolls.

The government previously blocked *Dhivehi Observer*, which many citizens reportedly viewed via mirror sites. It featured personal photos, cartoons, and commentary about government sympathizers. Several progovernment Web sites, none of which were blocked, featured sexual allegations and personal photos (some believed to be doctored) of perceived pro-opposition women. Some of these Web sites included the women's mobile telephone numbers and e-mail addresses along with their photos. The women reported receiving harassing communications as a result.

Academic Freedom and Cultural Events

The law prohibits public statements contrary to government policy or to the government's interpretation of Islam. Therefore, although there were no reported cases of transgressions of these laws in the academic arena, the laws constrained academic freedom to the extent that academics practiced self-censorship.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for freedom of assembly; however, in practice the government imposed limits on this right.

The government permitted members of political parties, including those in the opposition, to hold public meetings and rallies with prior notification to the government. The police banned night rallies. Some rallies and demonstrations passed without incident and with minimal arrests. However, several rallies led to police arresting and detaining demonstrators on unlawful assembly charges. Members of the opposition stated that their right to peaceful protest was restricted, while government officials countered that demonstrators gathered late at night and violated reasonable time, place, and manner restrictions on assembly. Most demonstrators arrested were later released without formal charges.

On February 5, hundreds of MDP members gathered for a demonstration demanding constitutional reforms in Male. Police arrested and allegedly beat Members of Parliament Hassan Afeef, Mohamed Aslam, Ahmed Shafeeg, Ismail Shihab, and MDP Chairman Mohamed Nasheed, and several other participants. They were later released with no court cases filed by either party.

In April following the death of Hussein Salah, more than one thousand people gathered to protest near the cemetery where he was being buried. Star Force police officers dispersed the crowd and allegedly beat approximately 20 individuals before arresting them. They were later released.

On May 9, democracy activist Imran Zahir and *Minivan Daily* journalist Ahmed Rasheed Bakuree appeared in court on charges of "creating disharmony through unlawful assembly" during a 2005 incident in which authorities held Bakuree for 21 days before transferring him to house arrest. He accused the police of torturing and beating him and submitted a case to the MHRC, but he heard nothing from authorities by year's end. In July authorities released both Zahir and Bakuree.

A June MHRC report alleged that police physically abused protesters in late March on Thaa Atoll during a demonstration against local government corruption.

Freedom of Association

The law provides for freedom of association; however, the government imposed some limits on freedom of association in practice. The government only registered clubs and other private associations if they did not contravene Islamic or civil law.

In 2005 parliament unanimously voted to allow political parties to register and function. This followed a 2005 legal opinion from the AG, who interpreted the constitution as permitting political parties.

According to the opposition, the government dismissed some MDP members who were civil servants. Government officials responded that the political beliefs of those dismissed created a conflict of interest and made it impossible for them to function.

On July 15, Zaheena Rasheed won her case against the government for wrongful dismissal. A civil court judge ordered the Atolls Ministry to pay \$1,333 (16,000 rufiyaas) in compensation for lost earnings. Rasheed, who had served as a planning and monitoring officer, reportedly received two job dismissal notices for holding a banner at a demonstration calling for the president to resign. She said her action at that time was legal.

The NGO community grew during the year, with the government reporting 114 new registrations, bringing the total to over 600. Those NGOs involved in human rights reported that they exercised self-censorship.

c. Freedom of Religion

The law does not provide for freedom of religion, and it was significantly restricted. The constitution designates Sunni Islam as the official state religion, and the government interpreted the provision as imposing a requirement that citizens be Muslims. The law prohibits the practice of any religion other than Islam. Non-Muslim foreign residents were allowed to

practice their religion only if they did so privately and did not encourage citizens to participate. The president, members of the People's Majlis, and cabinet members must be Muslim.

There were no places of worship for adherents of other religions. The government prohibited the import of icons and religious statues, but it generally permitted the import of religious literature, such as Bibles, for personal use. It also prohibited non-Muslim clergy and missionaries from proselytizing and conducting public worship services. Conversion of a Muslim to another faith is a violation of the government's interpretation of Shari'a and may result in punishment, including the loss of the convert's citizenship; however, there were no known cases of loss of citizenship from conversion to a non-Islamic religion.

Through the Supreme Council of Islamic Affairs, the government mandated Islamic instruction in schools, funded the salaries of religious instructors, and certified imams, who were responsible for presenting government-approved sermons. No one may publicly discuss Islam unless invited to do so by the government, and imams could not prepare sermons.

In December the Supreme Council banned Islamic scholar Afrashim Ali from making public statements on religion until he had been in the country for one full year. Ali had left the country to study Islam for a decade. The ban was precipitated by a television interview shortly after his return in which Ali said that singing is not un-Islamic, and that the Prophet Mohamed sung. The information minister promised to challenge the ruling.

In April 2006 authorities arrested Aishath Aniya because she questioned "against Islam" and "against Islamic principles" the concept that women must wear a veil. In May 2006 Aniya appeared before the Supreme Council of Islamic Affairs with her attorneys. The Supreme Council discharged her with a warning and issued a statement indicating that no further action would be taken.

Societal Abuses and Discrimination

There were some reports of discrimination against various Islamic subgroups.

In early June police raided a mosque using batons against the congregation. The worshipers were suspected to be followers of Wahhabi Islam and had insisted on conducting Friday prayers at 12:00 p.m. instead of 12:35 p.m., as required by law.

On October 9, authorities stormed an "illegal mosque" on Himandhoo Island in connection with the investigation of the September 29 bombing. Police arrested 63 individuals they defined as "religious radicals," 27 of whom were subsequently released. On December 9, the government charged six of the detainees with using violence in an unlawful assembly in August 2006. These six were part of a group of 10 that police previously arrested, charged, and then released in relation to the August 2006 incident.

There were no known Jewish citizens, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. Employers often housed foreign workers at their worksites.

Protection of Refugees

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has not established a system for providing protection to refugees or asylees. The government has cooperated in the past with the Office of the UN High Commissioner for Refugees; however, asylum issues did not arise during the year. In practice, the government generally provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law limits citizens' ability to change their government, and the strong executive exerted significant influence over both the legislature and the judiciary. Under the constitution the People's Majlis, or legislature, chooses a single presidential nominee, who must be a Sunni Muslim male, from a list of self-announced candidates for the nomination. Would-be nominees for president are not permitted to campaign for the nomination. The final nominee is confirmed or rejected by secret ballot in a nationwide referendum. From a field of four initial candidates in 2003, the legislature nominated and confirmed President Gayoom by referendum for a sixth five-year term. Observers from the South Asian Association for

Regional Cooperation stated that the referendum was conducted in a free and fair manner. All citizens over 21 years of age may vote.

By both law and custom, the Office of the President is the most powerful political institution in the country, and the law designates the president as the "supreme authority to propagate the tenets" of Islam.

The president's mandate to appoint eight of the 50 members of the legislature provides him strong political leverage. The elected members of the legislature, who must be Muslims, serve five-year terms. Individuals or groups are free to approach members of the legislature with grievances or opinions on proposed legislation, and any member of the legislature may introduce legislation.

A Special Majlis exists to discuss constitutional reform. Of the 113 people who serve on the special legislature, the president directly appoints 29. The special legislature consists of all 50 members of the normal legislature, including the eight appointees and 42 elected members; eight additional presidential appointments directly to the special legislature and another 42 members elected by the public; and 13 members of the president's cabinet.

Elections and Political Participation

In the 2005 legislative elections, citizens elected several candidates sympathetic to the opposition. Critics of the government claimed that some candidates who remained under house arrest were unable to file applications to contest the elections; nevertheless, at least one candidate who was in detention at the filing deadline was able to file an application, conduct a campaign, and get elected.

In 2004 citizens elected 42 members of the People's Special Majlis, the body convened by the president to address constitutional reforms. The Special Majlis completed a draft constitution late this year, but issues such as the role of Shari'a law in the constitution are slowing the approval process. On the recommendation of the Special Majlis, the government held a referendum in August to decide between a presidential and parliamentary system of government. According to official results, over 60 percent of voters endorsed the presidential system.

In October three members of President Gayoom's cabinet resigned after the president announced he would seek another term in office. The former ministers reported that since their resignations, they have been subject to threats and intimidation.

In 2005 the government allowed the establishment of five political parties. There were two elected women and four female presidential appointments in the 50-member legislature. Of the 113-seat special legislature, 13 women served, including the six women from the regular legislature, two female cabinet members, and one woman elected and four women appointed directly to the special legislature. There were two women in the cabinet. Women are not eligible to become president but may hold other government posts.

Government Corruption and Transparency

According to the World Bank's Worldwide Governance Indicators, government corruption was a serious problem. An anticorruption board investigated allegations of corruption in the government. The board met regularly and referred cases, usually concerning monetary fraud, to the AG's office. The Prevention of Corruption Act addresses bribery and abuse of power. In July authorities convicted him. According to the Anticorruption Board, 10 corruption cases were referred to the AG's office for prosecution during the year. Twenty-six cases were filed against government offices in Male and 62 in the atolls. These cases were under investigation at year's end.

There are no laws that provide for access to government information.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There were a few independent local human rights groups, including Hama Jamiyya. In March 2006 the Foreign Minister and AG established an NGO called the Open Society Association; authorities officially registered an NGO called the Maldivian Detainee Network.

NGOs reported that they exercised self-censorship.

The ICRC did not visit prison or detention centers during the year.

In August 2006 parliament passed legislation making the MHRC compliant with UN guidelines, and the president ratified the bill later that month. The MHRC is now fully functional with Ahmed Saleem serving as chairman.

In June the police issued a statement criticizing a report by the MHRC as "contrary to the constitution of the Maldives and legal norms." The report was highly critical of police handling of protests on Thaa Atoll in March.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law provides for the equality of all citizens, but there is no specific provision to prohibit discrimination based on race, sex, religion, disability, or social status. Women traditionally were disadvantaged, particularly in the application of Shari'a in matters such as divorce, education, inheritance, and testimony in legal proceedings.

Women

There were no laws regarding domestic violence against women or firm data on the extent of violence against women, although a 2005 MHRC survey indicated that many citizens believed men should be permitted to hit their wives under some circumstances. A November 2006 NGO report concerning the UN Convention on the Elimination of Discrimination Against Women stated that many women reported encountering sexual harassment in public places and at their places of employment. There were no specific laws dealing with spousal rape. Police officials reported that they received few complaints of assaults against women.

The Gender Ministry's December 2006 study on women's health and life experiences noted that one in three women between the ages of 15 and 49 reported some form of physical or sexual violence at least once in their lives. One in five women between the ages of 15 and 49 reported physical or sexual violence by a partner, and one in nine reported experiencing severe violence. One in six women in Male and one in eight countrywide reported experiencing childhood sexual abuse under the age of 15. Of those women between the ages of 15 and 49 who had ever been pregnant, 6 percent reported being physically or sexually abused during pregnancy.

Prostitution is illegal, but occurred on a small scale.

There are no laws pertaining to sexual harassment. Although women traditionally played a subordinate role in society, they participated in public life. Women constituted approximately 39 percent of government employees. The literacy rate for women was approximately 98 percent. The Gender Equality Council advised the government on policies to help strengthen the role of women. In July the government appointed the first female judges. The minimum age of marriage for women is 18 years, but marriages at an earlier age were common.

Under Islamic practice husbands may divorce their wives more easily than vice versa, absent mutual agreement to divorce. Shari'a also governed estate inheritance, granting male heirs twice the share of female heirs. Women who worked for wages received pay equal to that of men in the same positions.

Children

The law seeks to protect children from physical and psychological abuse, including at the hands of teachers or parents. The Ministry of Gender and Family Development has the authority to enforce the law and received strong popular support for its efforts. The ministry reported child abuse, including sexual abuse. Penalties for the sexual abuse of children ranged from as much as three years' imprisonment to banishment to a remote atoll.

Education is not compulsory, but there is universal access to free primary education. As of 2005 the percentage of school-age children (both sexes) in grades one to 10 was 90 percent, and in grades 11 to 12 it was 7 percent. Of the students enrolled to grades 11 and 12, 52 percent were female and 48 percent male. In many instances, parents curtailed education for girls after the seventh grade by not allowing them to leave their home island for another island with a secondary school.

Government policy provides for equal access to educational and health programs for both male and female children.

On January 31, four men used an axe to enter a 12-year-old girl's bedroom and rape her. They were sentenced to eight months exile from their island, Kurendhoo, for sex outside marriage. The sentence contradicts a government commitment in May that child sex offenders would be imprisoned rather than banished. The AG's office appealed the sentencing, arguing that the crime demanded a harsher punishment. MHRC Chairman Ahmed Saleem declared it a "landmark" appeal. The appeal was pending at year's end.

On May 24, on Goidhoo Island, Baa Atoll, five girls accused Imam Ali Rasheed of molesting them. The mothers of three of the victims reported the abuse to the police, and Rasheed was arrested. Rasheed was the elected head of the local branch of the DRP. Police were unwilling to discuss these allegations or confirm that an investigation was ongoing.

On June 30, police arrested three men on Thinadhoo, Gaaf Daal Atoll, for sexually assaulting a girl and posting pictures of the attack on the Internet.

On August 1, on Villingilli, a commuter island near Male, three men tied a 15-year-old girl to a tree and sexually assaulted her. A mobile phone video was later released showing the attack. The police arrested the three men after receiving the video. The case was under investigation at year's end.

Also on August 1, authorities on Raa Atoll found Ali Mohamed guilty of having sex with an underage girl and sentenced him to two years' banishment and 19 lashes.

Trafficking in Persons

The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the country.

Persons with Disabilities

No law specifically addresses the rights of persons with physical or mental disabilities. Local NGOs claimed in 2005 that there were thousands of persons with disabilities due to high levels of malnutrition during pregnancy. The government established programs and provided services for persons with disabilities, including special educational programs for persons with hearing and vision disabilities. The government integrated students with physical disabilities into mainstream educational programs. Families usually cared for persons with disabilities; when family care was unavailable, persons with disabilities lived in the Ministry of Gender and Family's Institute for Needy People, which also assisted elderly persons. When requested, the government provided free medication for all persons with mental disabilities in the islands, but follow-up care was infrequent.

Other Societal Abuses and Discrimination

The law prohibits homosexuality, and citizens did not generally accept homosexuality. The punishment for men includes banishment for nine months to one year or whipping 10 to 30 times. For women, the punishment is house arrest for nine months to one year.

There were no reports of official or societal discrimination against persons with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

While the law does not prohibit unions, it does not formally recognize a worker's right to form or join a union or the right to strike, and there is no protection from antiunion discrimination. Small groups of similarly employed workers with mutual interests have formed associations, some of which included employers as well as employees. These associations did not act as trade unions.

b. The Right to Organize and Bargain Collectively

The law does not recognize workers' rights to organize and bargain collectively. Wages in the private sector were set by contract between employers and employees and were based usually on rates for similar work in the public sector.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law does not prohibit forced or compulsory labor, including by children, and there were reports that child labor occurred in some sectors of the economy.

d. Prohibition of Child Labor and Minimum Age for Employment

The law bars children less than 14 years of age from paid or hazardous work. Guidelines prohibit government employment of children under 18 and employment in hazardous jobs such as construction, carpentry, welding, and driving.

According to a 2003 report by the International Confederation of Free Trade Unions (now the International Trade Union Confederation), child labor was a problem in agriculture, fishing, small commercial activities, and family enterprises. Working hours for children 14 years or older were not limited specifically by statute. The Child Protection Unit of the Ministry of Gender and Family is responsible for monitoring compliance with the Child Protection Act. The Ministry of Higher Education, Employment, and Social Security received complaints of child labor, conducted inquiries, and initiated

legal action when necessary.

e. Acceptable Conditions of Work

There was no national minimum wage for the private sector, although the government established wage floors for government employment. These wage floors provided a decent standard of living for a worker and family. Because of the severe shortage of labor, employers offered competitive pay and conditions to attract skilled workers.

There were no statutory provisions for hours of work, but the regulations required that a work contract specify the normal work and overtime hours on a weekly or monthly basis. The public sector provided a seven-hour day and a five-day workweek.

The Ministry of Employment and Labor's Employment Relations and Compliance Unit resolves wage and labor disputes, visits worksites, and enforces labor regulations. Labor issues are handled by the employment section, while human resources issues are monitored by the higher education department. There are no national laws governing health and safety conditions. There are regulatory requirements in certain industries such as construction and transport that employers provide a safe working environment and ensure the observance of safety measures. In the absence of a labor law, workers had no protection from retaliatory dismissal if they attempted to remove themselves from, or eliminate, unsafe working conditions.

