

# INHUMAN SENTENCING OF CHILDREN IN THE MALDIVES

## Summary

The current Penal Code was ratified by the President in April 2014<sup>1</sup> and came into force on 16 July 2015,<sup>2</sup> instituting wide reaching reforms of Maldivian criminal law. Corporal punishment and the death penalty are lawful penalties for offences committed while under the age of 18.

This report was initially prepared for CRIN in 2010 but was updated in November 2015. For more information about CRIN's inhuman sentencing campaign, visit [www.crin.org/home/campaigns/inhuman-sentencing](http://www.crin.org/home/campaigns/inhuman-sentencing) or contact us at [info@crin.org](mailto:info@crin.org).

## Introduction

The Penal Code 2014 does not set a clear minimum age of criminal responsibility, but frames the issue using the “excuse” of lack of maturity. A person is “excused” of a criminal offence if he or she lacks the maturity of an adult and as a result lacks the capacity to accurately perceive the physical consequences of his or her conduct; to appreciate the wrongfulness of his or her conduct; or to control his or her conduct.<sup>3</sup> People under the age of 15 are conclusively presumed to be excused of any criminal offence with which he or she is accused.<sup>4</sup> A person aged 15 to 18 is presumed to be excused of any criminal offence unless the prosecution rebut the presumption of immaturity.<sup>5</sup> A person who was under the age of 18 at the time of an alleged offence and meets the requirements of this “excuse” must be transferred to the Juvenile Court, which has exclusive jurisdiction in any subsequent proceedings.<sup>6</sup>

However; this restriction does not apply to offences punishable under Sharia law or for violent felony offences, for which the penalty is postponed until the child reaches the age of 18.<sup>7</sup> Under the Regulation on Conducting Trials, Investigations and Sentencing Fairly for Offences Committed by Minors 2006, children can be held criminally responsible from puberty for the offences of apostasy, revolution against the state, fornication, falsely accusing a person of fornication, consumption of alcohol, unlawful intentional killing and other offences relating to homicide.<sup>8</sup>



1 Minivan News, “President Yameen ratifies Penal Code before leaving for Japan” 13 April 2014. Available at: <http://minivannews.com/news-in-brief/president-yameen-ratifies-penal-code-before-leaving-for-japan-82555>.

2 Penal Code 2014, Section 10(c).

3 Penal Code 2014, Section 53(a).

4 Penal Code 2014, Section 53(b)(1).

5 Penal Code 2014, Section 53(b)(2); Section 15(c).

6 Penal Code 2014, Section 53(d).

7 Penal Code 2014, Section 53.

8 Regulation on Conducting Trials, Investigations and Sentencing Fairly for Offences Committed by Minors 2006, Sections 4 and 5.

## Legality of inhuman sentencing

### Death penalty

Under the Penal Code 2014, the death penalty is a lawful penalty for only “the most egregious imaginable form of a purposeful killing of another person in the most cruel and heinous manner.”<sup>9</sup>

The reforms of 2014 abolished non-statutory offences, so that a person could only be convicted if the alleged act was an offence under the Penal Code 2014 or another statute.<sup>10</sup> The Penal Code 2014 also takes precedence over any conflicting offence or procedure under any other legislation.<sup>11</sup> Under the Penal Code 2014, *hodud* offences, that is those offences established under Shari’ah law, are punished under the Penal Code.<sup>12</sup> The provision providing that the death penalty must only be applied for the most egregious intentional killings should, therefore, prevent its application for any other offence. It remains to be seen, however, how the courts will enforce these provisions in practice.

The Penal Code is not clear on the minimum age at which the death penalty may be imposed. Violent offences are excluded from the general rule that persons under the age of 15 are conclusively presumed to be excused of any criminal offence.<sup>13</sup> Under the Regulation on Conducting Trials, Investigations and Sentencing Fairly for Offences Committed by Minors 2006, children can be held criminally responsible from puberty for intentional killing<sup>14</sup> and so it would appear that children may be sentenced to death from the age of puberty, though the sentence itself would be carried out when the child reached 18.<sup>15</sup>

In order to impose the death penalty, the government is required to prove “that the offence committed is worse and represents more culpable behaviour than any other offence imaginable to a practical certainty.”<sup>16</sup> Where the evidence of a witness as to an element of the offence is contradicted by another witness in a death penalty case, that testimony cannot be used to demonstrate “practical certainty”.<sup>17</sup> The government may not use the confession of a defendant to convict him or her unless that confession is made in

open court, under the advice of counsel and the confession addresses every element of the offence.<sup>18</sup> In any case in which a person is sentenced to death, the High Court must hold a complete review of all findings of fact and law.<sup>19</sup>

In 2014, the Regulation on Investigation and Execution of Sentence for Willful Murder was adopted, setting out the procedure for carrying out an execution. CRIN has not been able to access the full text of the Regulation, but reports on the procedure indicate that the regulation would require the President to issue an execution order upon receiving confirmation from the Prosecutor General, Chief Justice and the Commissioner of Prisons that all regulations and procedures had been met with regards to the sentence. The Regulation retains the concept of *diya*, which allows the family members of the victim to pardon the convicted person with or without receiving blood money. Where a person under the age of 18 is sentenced to death, the implementation of the sentence would be delayed until the child reached the age of 18.<sup>20</sup>

### Life imprisonment

Life imprisonment is not a lawful penalty under Maldivian law. The Penal Code classifies criminal offences as felonies (classes one to five) and misdemeanours (classes one to three). For the most serious category of offence, class one felonies, the maximum penalty is death or imprisonment for not more than 25 years.<sup>21</sup>

### Corporal punishment

Under the Penal Code 2014, a court is authorised to sentence a person to 100 lashes for unlawful sexual intercourse,<sup>22</sup> 19 lashes for incest,<sup>23</sup> 80 lashes for false accusation of unlawful sexual intercourse<sup>24</sup> and 40 lashes for failing to fast during Ramadan,<sup>25</sup> consuming pork or alcohol. The offence of “unlawful sexual intercourse” includes consensual heterosexual intercourse outside of marriage and homosexual intercourse.<sup>26</sup>

Lashes are defined within the Penal Code as “striking an offender’s back with a short length of rope in a manner not

9 Penal Code 2014, Section 92(k)

10 Penal Code 2014, Section 12.

11 Penal Code 2014, Section 18(b).

12 Penal Code 2014, Section 1205.

13 Penal Code 2014, Section 53(c).

14 Regulation on Conducting Trials, Investigations and Sentencing Fairly for Offences Committed by Minors 2006, Sections 4 and 5.

15 Penal Code 2014, Section 53(c).

16 Penal Code 2014, Section 1204(a).

17 Penal Code, Section 1204(c)(2),

18 Penal Code 2014, Section 1204(b).

19 Penal Code 2014, Section 1204(d)

20 See Minivan News, “Death penalty can be implemented starting today: Home Minister” 27 April 2014.

21 Penal Code 2014, Section 92.

22 Penal Code 2014, Section 411(d). Lashes may only be imposed as an additional punishment for this offence where four witnesses attest to the action in question.

23 Penal Code 2014, Section 413(b)(3)

24 Penal Code 2014, Section 612(b)(2)

25 Penal Code 2014, Section 616(b)(2)

26 Penal Code 2014, Section 411.

designed to cause bodily injury”.<sup>27</sup> All of the lashes must be administered by the same person who “must inflict all of the lashes prescribed as punishment, and he may only drive the rope using his wrists; he may not use any other part of his arm or movement of his shoulders, hips, legs or torso for that purpose.”<sup>28</sup> The court may impose these sentences in addition to any other penalty it hands down.

## Inhuman sentencing in practice

No executions have been carried out since 1952.<sup>29</sup> Sentences of capital punishment have, in practice, been commuted to life imprisonment. On 2 May 2013, two people were sentenced to death by the Juvenile Court for a murder committed while they were under the age of 18<sup>30</sup>. In May 2014, reports emerged that a 16-year-old had been sentenced to death after being convicted of murder.<sup>31</sup>

The State has reported that in 2010, seven persons were sentenced to lashings for offences committed while under the age of 18 and the sentences were carried out after the children reached the age of 18.<sup>32</sup>

## Progress towards prohibition and elimination

### Law reform needed

All legal provisions authorising the courts to sentence persons under the age of 18 to death or corporal punishment for offences committed while under the age of 18 should be repealed and legislation enacted to explicitly prohibit capital punishment and all judicial corporal punishment of child offenders.

### Law reform underway

The Juvenile Justice Bill was initially drafted in 2007 and subsequently redrafted seven times,<sup>33</sup> but the State reports that it has now been finalised and is awaiting approval by the Attorney-General’s Office. The State has reported that Section 26(d) of the Bill will prohibit courts from passing sentences of corporal punishment and the Bill will “hinder” the sentencing

of children to death and life imprisonment.<sup>34</sup> The Government has reported that it intends to submit the legislation to Parliament during 2015.<sup>35</sup>

### National campaigns

CRIN is not aware of any national campaigns on the issue.

As part of CRIN’s work on the inhuman sentencing campaign, we have submitted reports and alternative reports to the international human rights mechanisms as they have reviewed States involved in the campaign, with the aim of ensuring that the practices are recognised as illegal under international law and of exerting pressure on States to reform their laws. In September 2014, CRIN submitted a report as part of the Universal Periodic Review of the Maldives highlighting the forms of inhuman sentencing still legal or practiced in the State.<sup>36</sup>

CRIN has also been lobbying internationally to raise the issue of inhuman sentencing on the international agenda. We have met with UN experts working on judicial sentencing (including relevant Special Procedures) and participated in expert meetings on juvenile justice to influence UN reports and resolutions.

When launching the original reports, CRIN contacted the government of the Maldives for their response to the information contained in reports about their country but received no reply.

## National and international law conflicting with inhuman sentencing

### The Constitution

A number of provisions in the Constitution (2008) potentially conflict with inhuman sentencing of child offenders.

#### **Article 16 (Guarantee of Rights):**

“(a) This Constitution guarantees to all persons, in a manner that is not contrary to any tenet of Islam, the rights and freedoms contained within this Chapter, subject only to such reasonable limits prescribed by a law enacted by the People’s Majlis in a manner that is not contrary to this Constitution. Any such law enacted by the People’s Majlis can limit the rights and freedoms to any extent only if demonstrably justified in a free and democratic society....”

27 Penal Code 2014, Section 411 (f)(3).

28 Penal Code 2014, Section 411 (f)(3).

29 Amnesty International, *Death Sentences and Executions 2013*, p. 24. Available at: <https://www.amnesty.org/en/news/death-penalty-2013-small-number-countries-trigger-global-spike-executions-2014-03-27>.

30 Amnesty International, *Death Sentences and Executions 2013*, p. 24.

31 The Malay Mail Online, “Maldives condemned for sentencing minor to death”, 22 May 2014. Available at: <http://www.themalaymailonline.com/print/world/maldives-condemned-for-sentencing-minor-to-death>.

32 CRC/C/MDV/4-5, 28 January 2015, Combined third and fourth periodic reports of the Maldives to the UN Committee on the Rights of the Child, para. 107.

33 CRC/C/MDV/4-5, 28 January 2015, Combined third and fourth periodic reports of the Maldives to the UN Committee on the Rights of the Child, para. 270.

34 CRC/C/MDV/4-5, 28 January 2015, Combined third and fourth periodic reports of the Maldives to the UN Committee on the Rights of the Child, para. 106.

35 A/HRC/WG.6/22/MDV/1, 17 April 2015, National report of the Maldives to the Human Rights Council, para. 80.

36 See CRIN, *Inhuman sentencing of children in the Maldives*, September 2014. Available at: [www.crin.org/node/40400](http://www.crin.org/node/40400).

**Article 17 (Non-discrimination):**

“(a) Everyone is entitled to the rights and freedoms included in this Chapter without discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island...”

**Article 20 (Equality):**

“Every individual is equal before and under the law, and has the right to the equal protection and equal benefit of the law.”

**Article 21 (Right to life):**

“Everyone has the right to life, liberty and security of the person, and the right not to be deprived thereof to any extent except pursuant to a law made in accordance with Article 16 of this Constitution.”

**Article 35 (Special protection to children, young, elderly and disadvantaged people):**

“(a) Children and young people are entitled to special protection and special assistance from the family, the community and the State. Children and young people shall not be harmed, sexually abused, or discriminated against in any manner and shall be free from unsuited social and economic exploitation. No person shall obtain undue benefit from their labour....”

**Article 54 (No degrading treatment or torture):**

“No person shall be subjected to cruel, inhumane or degrading treatment or punishment, or to torture.”

**Article 57 (Humane treatment of arrested or detained persons):**

“Everyone deprived of liberty through arrest or detention as provided by law, pursuant to an order of the court, or being held in State care for social reasons, shall be treated with humanity and with respect for the inherent dignity of the human person. A person may be deprived of the rights or freedoms specified in this Chapter only to the extent required for the purpose of which he is deprived of his liberty.”

**Article 63 (Voiding of laws inconsistent with fundamental rights):**

“Any law or part of any law contrary to the fundamental rights or freedoms guaranteed by this Chapter shall be void or void to the extent of such inconsistency.”

**Article 66 (Voiding of laws inconsistent with rights and freedoms):**

“All existing statutes, regulations, decrees and notices inconsistent with the fundamental rights and freedoms provisions in this Chapter shall, to the extent of the inconsistency, become void on the commencement of this Constitution.”

**Article 68 (Interpretation):**

“When interpreting and applying the rights and freedoms contained within this Chapter, a court or tribunal shall promote the values that underlie an open and democratic society based on human dignity, equality and freedom, and shall consider international treaties to which the Maldives is a party.”

**International human rights treaties**

The Maldives has ratified or acceded to the following international treaties:

- Convention on the Rights of the Child (in 1991)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (in 2004)
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (in 2002)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (in 2004)
- International Covenant on Civil and Political Rights (in 2006)
- Convention on the Elimination of All Forms of Discrimination Against Women (in 1993)
- Convention on the Rights of Persons with Disabilities (in 2010)
- International Convention on the Elimination of All Forms of Racial Discrimination (in 1984)
- SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia

The Maldives has not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

**International complaints mechanisms**

The Maldives has accepted the complaints procedures under the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Discrimination Against Women. The State has signed but not ratified the relevant instruments to accept the complaints procedures for the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights.<sup>37</sup>

**Status of treaties**

Treaties must be ratified by the People’s Majlis and only enter into force as provided for in legislation enacted by that body.<sup>38</sup> In interpreting and applying the rights provisions in the

<sup>37</sup> Official Depository Notifications available through the UN Treaty Database at: <https://treaties.un.org/pages/CNs.aspx?cnTab=tab1>.

<sup>38</sup> Constitution of the Maldives, Article 93.

Constitution, Maldivian courts and tribunals must consider international treaties to which the Maldives is a party.<sup>39</sup>

## Recommendations from human rights treaty monitoring bodies

### Committee on the Rights of the Child

The Committee on the Rights of the Child held its pre-sessional Working Group on the periodic report of the Maldives in June 2015 and is due to review the State report in January 2016.

*(13 July 2007, CRC/CDV/CO/3, Concluding observations on second/third report, paras. 55, 56, 97, 98 and 99)*

“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.

“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).

“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.

“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....

“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....”

<sup>39</sup> Constitution of the Maldives, Article 68.

(5 June 1998, CRC/C/15/Add.91, Concluding observations on initial report, paras. 24 and 45)

“While the Committee takes note that the administration of juvenile justice is regulated by the Penal Code and the Law on the Protection of the Rights of the Child, it is concerned about the full compatibility of such legislation with articles 37, 40 and 39 of the Convention as well as other relevant standards, 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. Although the Committee is aware that juvenile offenders aged up to 16 enjoy a special judicial procedure, it is particularly concerned regarding the situation of those between 16 and 18 years, who are considered as adults.

“With regard to the administration of juvenile justice, the Committee recommends that the State party accelerate the adoption of special procedures for children to fully integrate the provisions of the Convention, in particular articles 37, 40 and 39 as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty in its legislation, laws, policies, programmes and practices. In particular, the Committee recommends special procedures for children aged between 16 and 18, who are currently considered adults, to establish special courts for children and to review the provision of legal counselling for children in care centres. Furthermore, the Committee recommends to the State party to consider seeking international assistance from, inter alia, the Office of the United Nations High Commissioner for Human Rights, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF through the Coordination Panel on Juvenile Justice.”

#### **UN Human Rights Committee**

(CCPR/C/MDV/CO/1, 31 August 2012, Concluding Observations on initial report, para. 16.)

“The Committee is concerned at reported cases of corporal punishment of children in schools. The Committee is also concerned that flogging can be administered to persons for certain offences prescribed by the Sharia law (art. 7).

“The State should abolish flogging. It should also explicitly prohibit corporal punishment in all institutional settings.”

#### **UN Subcommittee on Prevention of Torture**

(CAT/OP/MDV/1, 26 February 2009, paras. 26, 27, 28 and 29.)

“In the initial talks with the Minister for Justice, Attorney General and the Minister for Home Affairs the delegation was informed that flogging remains an applicable sentence for certain offences. The authorities noted, however, that this punishment was intended to inflict humiliation rather than physical pain. The delegation understood that even children may be subject to flogging; for the offences for which flogging is prescribed, they must assume criminal responsibility once they reach puberty.

“Deliberate infliction of pain as a form of control or punishment is both inhuman and degrading. The SPT shares the views expressed by the Human Rights Committee (HRC) in its general comment No. 20 on prohibition of torture and cruel treatment or punishment, according to which the prohibition of torture enshrined in article 7 International Covenant on Civil and Political Rights (ICCPR) should be extended to corporal punishment. The Special Rapporteur on Torture also has taken the view that corporal punishment is inconsistent with the prohibition of torture and other cruel, inhuman or degrading treatment or punishment enshrined in the international human rights instruments. As regards the practice of flogging, the SPT emphasizes that the HRC has considered flogging as cruel and inhuman punishment prohibited by article 7 of ICCPR, and the Committee against Torture has taken the view that flogging is not in conformity with the Convention against Torture.

“Furthermore, the SPT is concerned about the fact that section 44 of the draft Penal Code would legalize corporal punishment of children at schools and institutions. The SPT shares the opinion of the Committee on the Rights of the Child which, in its latest concluding observations on the Maldives, considered that the practice of flogging was contrary to article 37 (a) of the Convention on the Rights of the Child. The SPT considers that the practice of flogging, whether inflicted upon a child or an adult and irrespective of whether it is intended to inflict humiliation or physical pain, is unacceptable because of its inherent humiliating and degrading nature. It should therefore not be an applicable sentence for any offences.

“The SPT recommends that the Government of Maldives prohibit all types of corporal punishment, including flogging irrespective of whether inflicted with the purpose to cause pain or humiliation, as a sentence for crime and for disciplinary purposes.”

## **Universal Periodic Review**

### ***Second cycle***

During the second cycle of the Universal Periodic Review in 2015, the State did not accept 20 recommendations from States on instituting a moratorium on the death penalty or abolishing the practice.<sup>40</sup> Seven States made recommendations to abolish corporal punishment, none of which were accepted.<sup>41</sup>

### ***First cycle***

During the first cycle of the Universal Periodic Review in 2011, the Maldives did not accept any of the recommendations made to abolish the death penalty. The State nonetheless stated that it was committed to maintaining a moratorium on the death penalty.<sup>42</sup>

The State also partially accepted a recommendation to “[ensure] that its new Penal Code is fully consistent with international human rights standards and that it abolishes corporal punishment and the death penalty”.<sup>43</sup> But made it clear that the forthcoming Penal Code included corporal punishment as a penalty.<sup>44</sup> The State also responded to recommendations from France, Austria and New Zealand to end corporal punishment as a criminal sentence by replying that it “accepts to begin wider consultations on this matter [and] ... to consult with relevant national and international authorities to assess whether the application of corporal punishment, as currently practiced in the Maldives is compatible with the Maldives’ international obligations under the Convention against Torture and other Cruel, Inhuman or Degrading Treatment (CAT), and also whether the newly-independent judiciary in the country has the capacity, at present, to pass down such punishments in a manner fully consistent with the Maldives Constitution and international human rights law, in particularly those provisions dealing with non-discrimination on the basis of gender.”<sup>45</sup>

40 A/HRC/30/8, 13 July 2015, Report of the Working Group on the Universal Periodic Review: Maldives, para. 144. Recommendations made by Spain, Belgium, Brazil, France, Latvia, Ecuador, Rwanda, Namibia, Norway, Madagascar, Italy, Germany, Spain, Montenegro, Argentina, France, Nepal, Ukraine, Slovenia, Uruguay, Sierra Leone, Australia.

41 A/HRC/30/8, 13 July 2015, Report of the Working Group on the Universal Periodic Review: Maldives, para. 144. Recommendations made by Albania, Chile, Slovenia, Uruguay, Latvia, France and Italy.

42 See A/HRC/16/7, 4 January 2011, Report of the Working Group on the Universal Periodic Review: Maldives, para. 100; A/HRC/16/7/Add.1, 14 March 2011, Report of the Working Group on the Universal Periodic Review: Maldives (Addendum). States that made recommendations: France, United Kingdom, Canada, Slovenia, Austria Spain.

43 A/HRC/16/7, 4 January 2011, Report of the Working Group on the Universal Periodic Review: Maldives,, paras. 100.55.

44 A/HRC/16/7/Add.1, 14 March 2011, Report of the Working Group on the Universal Periodic Review: Maldives (Addendum), response to para. 100.55.

45 A/HRC/16/7/Add.1, 14 March 2011, Report of the Working Group on the Universal Periodic Review: Maldives (Addendum), response to para. 100.58.

**About CRIN ([www.crin.org](http://www.crin.org))**

Our goal: A world where children's rights are recognised, respected and enforced, and where every rights violation has a remedy.

Our organisation: CRIN is a global research, policy and advocacy organisation. Our work is grounded in the United Nations Convention on the Rights of the Child.

Our work is based on five core values:

- We believe in rights, not charity
- We are stronger when we work together
- Information is power and it should be free and accessible
- Societies, organisations and institutions should be open, transparent and accountable
- We believe in promoting children's rights, not ourselves.

The Child Rights International Network (CRIN) is registered in the United Kingdom and regulated by Companies House and the Charity Commission (Company Limited by Guarantee No 6653398 and Charity No 1125925).

Illustrations by Miriam Sugranyes Coca  
Designed by Remember Creative

This report is produced for informational and educational purposes only and should not be construed as legal advice. CRIN does not accept liability for any loss, damage, cost or expense incurred or arising by reason of any person relying on information in this report.

CRIN encourages personal and educational use of this publication and grants permission for its reproduction in this capacity where proper credit is given in good faith.