**3rd Cycle of the Universal Periodic Review**

**36th Session of the UPR Working Group** - **Review of Maldives**

**Intervention on Reforming law enforcement agencies, Freedom of Expression and Association by**

**His Excellency Imran Abdulla  
Minister of Home Affairs**

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**Madam President, Distinguished Members of the UPR Working Group and Esteemed Delegates,**

The Constitution of the Republic of Maldives expressly recognises and guarantees the rights to freedom of expression, association and assembly.

The Government of Maldives recognises the true value of these fundamental freedoms in enhancing the rule of law, promoting institutional accountability and empowering our citizens. Government is fully committed to providing the maximum space, as provided for in the Constitution, to exercise the rights to freedom of expression, association and assembly.

As a foremost step, within days of assuming office, President Ibrahim Mohamed Solih ratified the Act repealing the Defamation Act. This draconian Act was a product of previous administration enacted in 2016.

Free media is a vital component in ensuring freedom of expression. Maldives affirms its commitment to independent journalism and continues to advocate for fair regulation of the industry. Government therefore, has plans to enact the Freedom of Expression and Freedom of Press Bills, and introduce Maldives Media and Broadcasting Authority Bill to the Parliament, to substantiate and reinforce these fundamental rights enshrined in the Constitution.

Civil Society and Non-Profit Organisations are undoubtedly an integral part of the country’s development. Our Government, since the very first day, has recognised this important role played by civil societies, in bridging the gap between communities and policy makers. Government has taken on-board the voice and recommendations of civil societies on different platforms, including the formulation of the Government’s Strategic Action Plan for the 5-year term.

The Plan envisions collaborative developmental efforts and active participation of all citizens that can be achieved only through widening the space for civil society engagement. Government continues to engage with the civil society, in prioritising developmental work and in formulating laws. Civil society continues to be an active partner in our efforts to counter and overcome the impact of the ongoing COVID-19 pandemic.

Aiming to strengthen the legal framework governing associations, an overhauled Associations Bill was submitted to the Parliament in 2019. The new and improved legislation will supersede the current Associations Act which dates back to 2003. Through the enactment of this legislation, Maldives hopes to enhance the governance of associations, and provide for an improved mechanism of accountability that focuses on due process and upholding fundamental freedoms.

**Madam President,**

Maldives recognises that the provision of the rights to freedom of expression and association is a contentious issue in the context of our domestic legislation.

Maldives is a nation built on close knit communities, with underlying traditions, customs and beliefs that are extremely vital to Maldivian identity. While we pride ourselves on the peace, our mutual kinship and empathy, we are also cautious of the factors that may disrupt this social harmony, endanger our values, and fragment the foundations of our society.

Therefore, Maldives believes in the significance of rights being exercised responsibly, prudently, and within the stipulated legal ambits, in a manner that is respectful of the foundational values of the society.

We reaffirm our commitment, to direct efforts into building a more tolerant society, combat all forms of radicalisation, and strengthen mutual respect and understanding.

Maldives reiterates that even in observing this margin of appreciation, our Government will refrain from compromising on the application of the due process rules and is committed to ensuring complete adherence to the principles of proportionality and necessity.

**Madam President,**

Our Government is committed to prevent reprisals, harassment and targeted acts of intimidation against civil societies and human rights advocates.

Maldives Police Service remains committed to the protection of the rights and safety of all persons within the jurisdiction, regardless of age, gender and nationality. Maldives Police Service continue to be vigilant in countering threats of harm, both in person and on online platforms, towards human rights advocates and journalists.

Nevertheless, challenges persist in securing convictions. Lack of a comprehensive cybercrime legal framework and hurdles in gathering evidence impact the effectiveness of police work in this area. Government hopes that the Cybercrime Prevention Bill and the overhauled Evidence Legislation currently under development, supplemented with judicial sensitization, will aid to resolve these gaps.

**Madam President,**

Strengthening the institutional governance and response capacity of law enforcement agencies is pivotal to human rights protection.

Maldives Police Service’s Strategic Plan was formulated with a renewed mission to deliver trusted, human rights centred and collaborative policing service.

An important aspect in this regard, is the development of a new Police Bill. Currently under discussion at the Parliament, the Police Bill proposes a more service oriented policing framework with a massive focus on improving police governance, accountability and a shift towards community-oriented and democratic policing framework. The proposed governance model, will ensure improved public participation, and eliminate undue political influence in the police service.

The newly introduced Neighbourhood Policing Model will be a key programme that will transform the delivery of policing in local communities.

To advance gender parity within the police force, the Maldives Police Service established a Maldives Women in Policing Network, with the aim to provide more opportunities for women officers.

Further, human rights training has been incorporated into the trainings of police officers. Work is also underway, to devise a holistic competency framework for police officers.

Maldives also endeavours to operationalize the National College of Policing and Law Enforcement, to further efforts in this area.

**Madam President,**

Maldives recognises the need to direct stronger efforts to reform prison conditions, rehabilitate and reintegrate offenders as productive individuals of the society.

Reforming the Maldives Correctional Service is therefore, another significant priority. During the first 100 days of the Government, we conducted a Jail Audit, and established a committee to implement the recommendations of the audit.

Maldives purports to undertake a comprehensive assessment of the Prison and Parole Act, to afford legislative clarity to the rights and privileges of detainees, ensure operational ease, and enhance oversight functions within the system.

Our Government has revived the role of the Inspector of Correctional Services as an efficient oversight body, by guaranteeing increased access to prisons and custodial facilities. A hotline has also been established for families of detainees to lodge complaints, allowing them remote and enhanced accessibility.

To ensure accountability of correctional officers, our Government has successfully operationalized a Professional Command at the Maldives Correctional Service and devised an internal policy to reprimand human rights and ethics violations. We are also collaborating with the Human Rights Commission of the Maldives, to formulate a referral mechanism for cases of torture in detention facilities.

Maldives has recently undertaken a project to translate the United Nations Standard Minimum Rules for the Treatment of Prisoners into the local language. It is a primary aim of our Government, to train and sensitize officers to the Nelson Mandela Rules, and ensure that by 2021, all detention facilities are operated by Nelson Mandela Rules certified officers.

**Madam President,**

Prison overcrowding is a major challenge for the Maldives. This issue is further exacerbated by the lack of effective rehabilitation services contributing to the increase in the number of reoffenders.

The Government’s objective in this regard, is to provide tailored rehabilitation, community-based programmes and vocational trainings for offenders to enable their meaningful reintegration into the society.

The revised organisational structure of Maldives Correctional Service has established a Rehabilitation and Reintegration Command. Efforts are also underway to develop an all-inclusive rehabilitation centre within the largest prison establishment in the Maldives. This will enable the engagement of a large number of the prison population in rehabilitation programmes.

On the preventive front, National Drug Control Council has devised a 12-point Action Plan to combat substance abuse and use of drugs; a primary cause of offending in Maldives.

**Madam President,**

The Government of Maldives is committed to ensuring that Maldivians are able to enjoy every aspect of life, exercise their rights without fear of reprisal, in a country that respects, promotes and strives to uphold human rights and fundamental freedoms.

Thank you.