**Protecting human rights during and after the COVID-19**

**Maldives’ responses to the Joint questionnaire by Special Procedure mandate holders**

**Common questions**

**Impact on human rights**

1. The COVID-19 pandemic has had and continues to have a considerable impact on the enjoyment of numerous human rights. As illustrated throughout this response, the pandemic called for intrusive restrictive measures into the ordinary lives of the people, in order to curb the negative results of this extraordinary crisis. With saving lives of the people as utmost priority, Maldives has been balancing the imposing of restrictive measures with the freedom of enjoyment of human rights.
2. Maldives has had the legal regime to deal with such a crisis in place since 2012. Law No: 7/2012 (Public Health Protection Act), provides for the Minister of Health to declare a State of Public Health Emergency, which was declared for the first time in the Maldives on 12 March 2020, and remains to this day. The Act affords numerous powers to the Director General of Public Health (DGPH), who heads the Health Protection Agency (HPA), which is mandated by law, *inter alia*, to prevent and control the spread of such communicable diseases.
3. All restrictive measures owing to the COVID-19 pandemic are issued by the DGPH, pursuant to powers afforded to her under the Act, including orders for isolation, quarantine, restriction of movement and assembly, and closure of businesses and services.
4. All measures imposed are published on the Government’s Gazette and announced through daily media briefings held by the National Centre for Emergency Operation (NEOC), which is a multisectoral centre established to deal with all issues related to the pandemic. A dedicated website (https://covid19.health.gov.mv/en/) has been set up, with daily updates on the local response. A chronology of events up until 2 May 2020 has been included in the “Rapid Livelihood Assessment – Impact of the Covid-19 Crisis in the Maldives” report, published on 28 May 2020 by the Ministry of Economic Development (MED) in collaboration with the United Nations Development Programme.
5. Some measures imposed by HPA have a limiting effect on human rights and this is illustrated in the table attached as Annex 1 to this response.
6. The first positive cases of COVID-19 emerged in Maldives on 7 March 2020, which were imported cases that originated in tourist resorts. The first case of community transmission emerged in the capital Male’ on 15 April 2020. A lockdown was imposed in several islands and the Greater Male’ Region on the same day, with restricted movement, except for essential purposes. New lock down easing measures have been introduced since 28 May 2020.
7. On 7 May 2020, President Ibrahim Mohamed Solih established the National Taskforce on Resilience and Recovery, to address the short to medium term challenges posed by impacts of the pandemic.

**Statistical information**

1. Epidemiological data on COVID-19 infections, recovery and mortality rates in the Maldives as of 14 June 2020, disaggregated by region, gender, nationality and age is attached as Annex 2 to this response.
2. No person living in a care institution for older persons has tested positive to COVID-19 so far, and no person in a care institution has died due to COVID-19.
3. Due to the dispersed nature of islands in the Maldives, spread of COVID-19 out of the Greater Male’ Region has been remarkably controlled. The epicentre of the current community breakout continues to be in the capital Male’, whereby 1983 out of the total 2015 infected[[1]](#footnote-1) were/are from the Greater Male’ Region.
4. As for access to testing, currently nearly 700 samples can be tested daily. Testing samples can be taken in the atolls, however, samples have to be sent to the capital Male’ for testing. A testing machine has recently been installed at the Addu Equatorial Hospital, to fast track testing in the southern region of Maldives.
5. COVID-19 testing is conducted by HPA in collaboration with medical personnel at Government hospitals. However, testing is also available in one of the two private hospitals in the Greater Male’ Region. There are five clinics dedicated to COVID-19 in the Greater Male’ Region.
6. So far there has been no shortage in the provision of personal protective equipment (PPE) to healthcare workers. Maldives has been receiving a considerable amount of assistance from foreign Governments, international organisations, Maldivian businesses and foreign individuals, in the form of donations of testing kits and PPE.
7. COVID-19 testing and treatment is provided for everyone without any discrimination, and are also free of charge for all. UN High Commissioner for Human Rights, has stated that Maldives is included in the list of countries noted for the provision of COVID-19 related healthcare without discrimination based on nationality.[[2]](#footnote-2)
8. For detailed information on the social-economic impact of the economic downturn triggered by COVID-19, see the “Rapid Livelihood Assessment – Impact of the Covid-19 Crisis in the Maldives”.[[3]](#footnote-3)
9. While increase in unemployment and decrease in household income has mostly been observed in relation to the tourism sector (specially resort workers), it has also occurred in households with jobs in the private sector, artists, as well as migrant workers who rely on household jobs or construction work in the capital Male’ (which were discontinued due to the lockdown). This rendered them particularly vulnerable to the socio-economic hardship in the context of the COVID-19 pandemic.
10. Data on incidents of domestic violence (DV) reported to the Family Protection Authority, disaggregated by age, sex, acts of abuse and DV relationship is provided in the table at Annex 3 of this response. No femicides have occurred in the Maldives during this pandemic.

**Protection of various groups at risk and indigenous peoples**

1. Various measures have been taken by the Government to protect high-risk populations from COVID-19.
2. **Healthcare workers** have been provided with adequate amounts of PPE and have been trained on the correct use of PPE and other infection control measures.
3. **Older persons and those with chronic conditions** were strictly kept at their homes during lockdown. Those with high risk chronic conditions were able get prescriptions renewed online and medicines delivered to their homes. With the ease in measures announced on 28May 2020, those above the age of 60 have been allowed to go out daily during a time period allocated specifically for them. Active surveillance was conducted to detect cases early, in terms of vulnerable groups and older persons and those with chronic conditions who are tested positive for COVID-19 are assessed immediately and put under special medical care.
4. Extensive measures have also been taken in places of detention to protect **detainees** from contracting COVID-19. These include the following:
	1. In order to reduce the prison population, suspects are not taken into custody unless absolutely necessary, and those persons who are found violating the lockdown orders, are fined on the first violation rather than arrested. Investigators have been instructed to not place suspects in custody where they show symptoms of COVID-19. Eligible prisoners have also been released to the community under parole and clemency. In that regard, the President has granted clemency to 141 prisoners. 29 undocumented expatriates held at Hulhumale’ Detention Centre were repatriated to their country.
	2. Access to healthcare is available for all detainees. Where a detainee presents symptoms of COVID-19, they are immediately transferred to a place of isolation, and the HPA is informed. If found positive to COVID-19, the detainee is released from custody to be hospitalized or taken to a quarantine facility.
	3. Furthermore, screenings of detainees and staff for fever and flu like symptoms are conducted daily. 13 inmates with medical conditions requiring special and constant care that is difficult to get from prisons have been temporarily transferred to their homes. Medical personnel working at prisons are provided with training on COVID-19 such as using PPE, and taking samples for testing. Masks, hand soaps and sanitizers are provided in the facilities. Information on COVID-19 is provided to create awareness among detainees and prison staff, including access to the live press briefings held by the Government. Cleaning and disinfecting of the cells, corridors, toilets and main areas are carried out on a daily basis. New prison arrivals are kept separate from general prison population for a period of 14 days. Random sampling is also conducted for both prisoners and staff.
	4. In order to limit movement within places of detention, prisoners are only allowed out of the prison for essential medical treatments and court appearances. Since the lockdown, court proceedings and lawyer meetings are held via video conferencing. Staff accommodations have also been set up in the detention facilities to limit their travel. A temporary suspension of family and conjugal visits have also been imposed, however, duration and number of phone calls detainees can make have been increased with the introduction of video calls.
	5. Regulations have been enacted by both the Maldives Correction Service who run all prisons, and the Maldives Police Service who are responsible for all custodial facilities, with clear procedures to be followed amid this pandemic.
5. Special protective measures are in place in **residential care facilities**, such as drug rehabilitation centres. These include restriction of inward and outward movements and use of active surveillance. Temporary detox facilities were also established in Male’ by the National Drug Agency.
6. All **homeless persons** who were on the streets of Male’, those who were evicted owing to inability to pay rent, those who has immediate challenges in accessing food and housing during the lockdown, and those stranded in Male’ due to inability to go back to their islands, have all been provided temporary shelter by the Ministry of Gender, Family and Social Services (MOGFSS), Ministry of National Planning, Housing and Infrastructure (MNPHI), the National Disaster Management Authority (NDMA) and the Maldives Red Crescent (MRC). They are also provided with all basic services, such as food, shelter, clothing, hygiene products, medicine, emergency medical treatment and psychosocial support.
7. Recognising the immense vulnerability of **migrant workers** in this pandemic, Maldives has made numerous efforts for their protection. These include the following:
	1. There are several undocumented workers without proper accommodation facilities or access to healthcare facilities. MED initiated an accommodation relocation programme, under which about 500 workers have been transferred from congested and confined living spaces to better accommodation facilities, with the provision of all basic needs. Furthermore, MED has published an expatriate accommodation standard which will be implemented from mid of October 2020. The State Owned Enterprise (SOE), Housing Development Corporation (HDC) has developed temporary quarters in Hulhumale’ with assistance from other SOEs to house 2684 expatriate workers.
	2. In addition to this, Government established flu clinics dedicated for migrant workers. MRC and NEOC worked together to provide testing, medical assessment and food where needed to migrant accommodations during lockdown. As mentioned above at paragraph 14, COVID-19 testing and treatment is free of charge for migrant workers. Education and awareness of migrant workers in their own languages have also been conducted.
	3. MED with the assistance and support from the Ministry of Foreign Affairs (MFA) has also introduced and facilitated a voluntary repatriation programme which enables expatriate workers without a valid documentation and/or expired employment approval/work permit to return to their home country. Through this initiative more than 2,000 expatriates have been repatriated as of 23June 2020.
8. **Victims and survivors of domestic, sexual and gender-based violence** are also removed from the abusive environment and placed in temporary Government shelters, where all basic services including psychosocial support are provided.
9. **Access to health services** were ensured without interruption amid lockdown by way of telephone and online consultations and emergencies were attended to at hospitals. However, some cancer patients were unable to travel abroad to take treatments such as radiation therapy (treatments that are not available in Maldives) due to the travel restrictions.
10. With regard to protecting **victims of racism, racial discrimination, xenophobia and related intolerance** during the pandemic, an online complaints system was re-introduced by the Maldives Police Service to encourage victims to forward complaints even during the pandemic.

**Social Protection**

1. Maldives is expected to be among the countries worst affected by the pandemic in Asia region[[4]](#footnote-4) due to its heavy reliance on the tourism sector which directly and indirectly accounts for two-thirds of the country’s GDP.[[5]](#footnote-5) Heavy direct and indirect job losses are expected, with the impact on the tourism industry expected to reverberate throughout the economy. As such, Government has introduced a number of broad-based measures aimed at offering relief to individuals affected by the economic downturn caused by the pandemic.
2. Broad-based measures include the introduction of a temporary subsidy for water[[6]](#footnote-6) and electricity[[7]](#footnote-7) payments and the price control of staple food items such as onions, potatoes, eggs and yellow lentils. The cost of oil products such as petrol and diesel and staple foods such as rice, sugar and flour were reduced by the SOE, State Trading Organisation (STO).
3. Government also made provision for temporary income support measures which provided nationals who lost their employment, with a monthly allowance of up to MVR 5,000 for 3 months. A job centre was also established for people who face unemployment due to COVID-19, with a call centre dedicated to the Income Support Allowance.[[8]](#footnote-8)
4. Furthermore, Government established a loan facility of USD 1,300,000 to support the yellow fin tuna fishing industry. Government has also announced that it will allow the use of sparse land in islands by local councils for 3 years, free of charge, to increase food security, with 44 islands identified for contract farming. A total of 17 crops have been identified to be produced under the Import Substitution Programme and Government hopes to cover at least 50% of current imports with local produce. Government will provide technical assistance, fertilizers, seeds, and equipment needed. Sums owed to the Government under agricultural and resort land leases have also been deferred.[[9]](#footnote-9)
5. 33.94% of women and 19.1% of men in Maldives are self-employed according to ILO estimates.[[10]](#footnote-10) Ensuring income support measures are available to self-employed individuals is envisaged to ensure gender equity in the distribution of state resources.
6. In order to assist businesses as well as individuals, Government also facilitated an Economic Relief Packages comprising of the following: [[11]](#footnote-11)
	1. Loans with 6% interest with a 6-month grace period, to be paid over 3 years;
	2. Loans for resorts and those with profits over MVR 10,000,000 to be administered through Bank of Maldives (BML);
	3. Loans for businesses with profits less than MVR 10,000,000 in 2019, self employed persons and freelancers to be administered through SME Development Finance Corporation (SDFC);
	4. A moratorium of 6 months imposed for principal and interest payments of loans from SDFC, BML and the Housing Development Finance Corporation (HDFC) (detailed at paragraph 67 of this response);
	5. A moratorium of 6-month relief, with a 6-month payment delay, was given to the following Government schemes:
		1. Hydrophonics Development Programme 1- ADP1
		2. Agricultural Development Programme 2- ADP 2
		3. Fisheries Development Programme 1-FDP – 1
		4. Fisheries Development Programme 2 -FDP – 2
		5. Fisheries Development Programme 3 - FDP -3
		6. Poultry Development Programme 1
		7. RSW Loan Scheme for Fisheries Development Programme
		8. Fund for Renewable Energy Systems Application FRESA – FREASA
		9. SME Financing Schemes Economic Development Loan Scheme
		10. Getset Loan Scheme
		11. Kuwait Fund for Agriculture
		12. Small and Medium Enterprises Loan Scheme
		13. Micro, Small and Medium Sized Enterprise Development Project
		14. Economic Development Loan Scheme
		15. National Student Loan Scheme
		16. Educational Assistance Loan Scheme
		17. Fisheries and Agriculture Diversification Programme
7. There are plans to provide additional assistance to existing beneficiaries receiving social protection aid, through advance withdrawal of monthly benefit amounts, and providing a temporary targeted Child Grants for families with children whose income has been affected by the pandemic. Eligibility for these social assistance programmes do not vary based on gender, but are targeted towards all Maldivians.
8. Government has also offered temporary income support to students studying abroad, whose financial situation has deteriorated due to the pandemic, whereby they can apply for a 2-month living stipend of up to USD 50 per day.[[12]](#footnote-12) Additionally, Government provided financial assistance to Maldivians who were abroad for medical treatment, via the national social protection scheme through diplomatic missions.
9. Government has also submitted to the Parliament on 29 May 2020, a Public Health Emergency Bill, which contains provisions that ensures greater security of tenure for tenants during the pandemic. The Bill states that a 60-day written notice must be provided prior to evictions, irrespective of whether a written tenancy agreement exists.

**Participation and consultation**

1. The Government of Maldives’ response to the COVID-19 pandemic is coordinated through a ministerial level taskforce chaired by President Solih himself, the multisectoral NEOC and medical experts. Line ministries, State institutions, local councils and civil society are consulted by this apparatus in making decisions in relation to respective sectors. The NEOC, headed by HPA and NDMA comprises of 46 additional agencies, including national and local government agencies.

**Awareness raising and technology**

1. Government has utilised its ability to send mass text messages to communicate information on the rapidly evolving health and safety measures such as movement restrictions, health risks and personal hygiene measures which may reduce the spread of COVID-19. The efficacy of this method as a means of spreading awareness is high, given the high literacy rate of the population (literacy rate of over 97.7% in the local language and 75.1% in English)[[13]](#footnote-13), high mobile phone penetration rate and the geographic dispersal of the population.
2. The NEOC holds daily press briefings to update the public on all COVID-19 related measures and risks, sometimes 2-3 times a day. Live sign language interpretation is provided, and media are given the opportunity to make enquiries. These press briefings are live streamed and telecast throughout the nation.
3. Other communication channels utilised include: a dedicated website,[[14]](#footnote-14) relevant Government agencies’ websites, social media,[[15]](#footnote-15) a toll free hotline and appearances by health officials on television programmes. Messages endorsed by the HPA have been placed in Bangla, Dhivehi and English on out of home advertising boards around the country.[[16]](#footnote-16)
4. A survey conducted by Maldives National University in collaboration with HPA, with 2871 participants, showed that 94% of the participants correctly identified the symptoms of COVID-19, and 85% correctly identified ways to break the COVID-19 transmission chain.[[17]](#footnote-17)

**Internet**

1. A key challenge highlighted by the pandemic is the cost of accessing internet services. Responding to the Government's request to ensure ease of access to internet services during the pandemic, Maldivian telecommunication service providers have introduced a multitude of measures ranging from reduced mobile data prices, increased data allowances for home broadband users, reduced data booster prices for home broadband users, free internet for persons in isolation or quarantine facilities, and free 5 gigabyte data packs for teachers and students.
2. The main internet service providers have also committed to ensuring uninterrupted internet service for customers who are registered as unemployed, until the end of June 2020 or until financial support measures are in place for such clients. Customers undergoing financial hardship may also apply for payment extensions or plans.
3. No official data is available on violations of human rights, mobbing and bullying online during the pandemic.
4. Although enhanced information security monitoring was established during the pandemic, online content was not censored or removed by the Ministry of Science Communication and Technology and no specific measures aimed at hate speech in cyber space have been implemented. However, no incidents of hate speech were reported to the Maldives Police Service during the pandemic.

**Accountability and justice**

1. The Human Rights Commission of Maldives (HRCM), independent statutory body established by the Maldivian Constitution for promotion and protection of human rights, has received a total of 82 **complaints** and 425 calls to its toll free number as of 14 June 2020 in relation to the COVID-19 pandemic. Breakdown of cases lodged at HRCM are provided in the table at Annex 4 attached to this response. Complaints were received regarding the following issues:
	1. Employment - Unfavourable unilateral changes to the terms of employment contracts and non-payment of salaries, non-payment of salaries to migrant workers and non-provision of proper housing healthcare and other basic needs to migrant workers by their employers who are required to do so by law.
	2. Travel restrictions – Travellers to Male’ from the islands, were forced to extend their stay due to the lockdown of the Greater Male’ Region. Travel restrictions also forced a number of people to remain in their place of employment for an extended period.
	3. Health – Following bans on inter-island travel without prior Government authorisation, HRCM received complaints of negligence due to delays in travel outcomes leading to negative health outcomes. Complaints of delays in accessing specialist services were also received due to new health protocols which require COVID-19 testing prior to accessing such services. Complaints of not being able to access treatments and medication not available in the Maldives were also made.
	4. Housing – High number of calls raising difficulties in paying rent as a result of the economic downturn caused by COVID-19.
	5. COVID-19 related services established by the Government –Complaints from callers who experienced delays and difficulty getting through the NEOC hotline for COVID-19 were received. Concerns of difficulties in accessing services due to the way in they were organised were also raised. During the early part of the crisis, complaints were lodged regarding the poor quality of quarantine facilities and food provided within these facilities.
2. HRCM is working to address these concerns together with Government and relevant stakeholders. Each case is investigated and information is collected from the relevant parties remotely. Cases requiring an immediate response are monitored until the situation is resolved and once an investigation is completed, recommendations are issued to all relevant institutions to ensure systematic issues are not repeated.
3. HRCM has also established an employment taskforce following the high volume of employment related concerns raised. The taskforce monitors emerging issues in this area and issue recommendations to relevant institutions.
4. With regard to **operation of the justice system**:
	1. New rules were established by relevant justice sector institutions, adapting to the crisis. A directive was issued by the Supreme Court of the Maldives on 17 March 2020 (amended on 3 June 2020), to be followed by all courts in conducting court proceedings based on the different alert levels of the pandemic. A regulation on conducting court hearings through video conferencing was also published by the Supreme Court on 8 April 2020. Pursuant to the Supreme Court’s directive, courts have been establishing their own regulations on court proceedings.
	2. The Department of Judicial Administration also issued a circular on 18 March 2020, which laid out the measures to be adopted by all courts to ensure un-hindered provision of service during the State of Public Health Emergency. 101 Magistrate Courts have video conferencing systems in place, which facilitates uninterrupted service.
	3. After the imposition of lockdown in the Greater Male’ Region, courts only conducted absolutely necessary hearings via audio/video conferencing methods. These included remand hearings, hearing for orders under Law No: 19/2019 (Child Rights Protection Act), etc. Preliminary hearings were also conducted in criminal cases.
	4. The Maldives Police Service also made changes to adapt to the crisis as explained at paragraph 21.1 above. Crime investigation, search and seizure, and arrests are conducted with proper health safety measures as directed by HPA. Taking detainees to court hearings physically and deportation of convicted nationals have been halted. However, a special policy for custodials are in place, based on HPA directives, to ensure police are able to arrest dangerous criminals even during the pandemic.
	5. The Prosecutor General’s Office (PGO) has been fully functional during the lockdown period. PGO proceeded to submit a total of 416 criminal cases to relevant courts of law, during the period between 19 March 2020 and 14 June 2020.
	6. Suspects in custody as well as convicted offenders in prisons are allowed to communicate with lawyers via audio/video teleconferencing methods.
	7. Provision of state legal aid is also uninterrupted. Legal Aid applications can be submitted to the Attorney General’s Office (AGO) via email provided on the website, and decision on provision of legal aid services are informed to the applicant via email and/or telephone.
	8. With regard to State civil cases, as of 17 June 2020, the Attorney General’s Office (AGO) had submitted 9 cases to the Family Court to obtain relevant orders under the Child Rights Protection Act, and 15 cases to the Civil Court to obtain orders required by the DGPH pursuant to the Public Health Protection Act. Since the latter are related to COVID-19, AGO and Civil Court already had a mechanism in place to expedite such orders, as a result of which orders have been issued by the Civil Court within an hour of submission.
5. The following measures are in place/have been introduced to prevent, investigate or prosecute the following offences:
	1. **Arbitrary arrest and detention:**
		1. Guidelines on carrying out criminal trials and pre-trial hearings via audio/video conferencing were issued by the Criminal Court on 29 March 2020, ensuring the uninterrupted provision of the Constitutional right of all arrested individuals to be presented before a judge, within 24 hours of arrest, to determine the legality of their arrest. Video conferencing have also been established in remand and custodial facilities, and lawyers representing detainees may join the Criminal Court hearing from their place of business/homes.
		2. Those arrested in islands where lockdown measures are not imposed, are taken to the Magistrate Court physically, in cases where audio/video conferencing facility is not available.
	2. **Gender-based violence (GBV):**
		1. Affected persons are encouraged to report GBV cases to the MOGFSS hotline. Reports may also be lodged online to the Maldives Police Service. Criminal charges stemming from GBV that occur at the Greater Male’ Region are lodged at the Criminal Court which has made arrangements for its operations to continue via audio/video teleconferencing methods. Protection orders may be sought via the Family Court which has issued guidelines on accepting cases online, which obligates the Court to hold hearings for cases submitted pursuant Law No: 3/2012 (Prevention of Domestic Violence Act) even during a COVID-19 red alert.[[18]](#footnote-18)
	3. **Sale and sexual exploitation of children:**
		1. Complaints regarding violence directed at children (including sale and sexual exploitation) can be lodged via the MOGFSS hotline or with the Maldives Police Service online services. The police have investigated complaints of child sexual abuse received during the ongoing State of Public Health Emergency. Charges are lodged by PGO at the Criminal Court and cases lodged pursuant to the Child Rights Protection Act are included in the types of cases for which a hearing must be held by the Family Court even during a COVID-19 red alert.[[19]](#footnote-19)
	4. **Racial discrimination, hate-speech, racism, xenophobia and related intolerance:**
		1. See paragraph 27 above.
6. With regard to **homeless persons**, no fines have been imposed on them for being unable to comply with stay at home orders and they were neither detained nor prosecuted. See paragraph 23 above.
7. As for impacts on **freedom of expression and assembly**, freedom of assembly has been restricted during the pandemic as provided for in Section 34 (d) of the Public Health Protection Act. The police have disbanded protests held in violation of this restriction. A total of 7 expatriate workers were temporarily detained during a protest, for criminal property damage, attempted assault on a police officer and inciting violence. However, they were neither arrested nor prosecuted, and were handed over to the care of their sponsor. No restrictions have been imposed on other means of exercising freedom of expression.
8. On the **accountability** front, Parliament continues to discharge its function to hold the Government accountable and has made enquiries into the Government’s response to contain the spread of the pandemic, including on the procurement of ventilators.
9. As for **review or suspension of emergency regulations and COVID-19 response measures**, restrictions and orders made pursuant to the Public Health Protection Act have not been reviewed or suspended for overreach or unconstitutionality by any Courts of Maldives.

**Questions by the Special Rapporteur on extreme poverty and human rights**

1. The context of poverty in the Maldives is detailed in the “Rapid Livelihood Assessment – Impact of the Covid-19 Crisis in the Maldives”.[[20]](#footnote-20)
2. Social protection measures included as part of Government’s economic recovery plans are detailed in paragraphs 28 – 36 above.
3. The National Taskforce on Resilience and Recovery will develop strategies to encourage greater economic growth and diversification, while realigning the social sector to face new challenges. The mandate of the task force includes the development of medium-term employment opportunities, the administration of benefits such as unemployment benefits, improving living conditions of expatriate workers, and addressing other social impacts of the crisis including mental health and narcotics related impacts. The taskforce is due to issue its economic recovery plans in July 2020.
4. Government’s Strategic Action Plan 2019 – 2023 (SAP) includes strategies and activities targeted towards establishing a minimum social protection floor[[21]](#footnote-21) in the Maldives, and work is underway to achieve this target as per the timeline in SAP.

**Questions by the Special Rapporteur on the right to food**

1. As Maldives imports over 90% of its food supplies it was imperative that relevant steps were taken immediately, to ensure that there is no shortage of food and to prevent hunger during the pandemic and its aftermath. As such, Government has taken the following measures:
	1. Sea cargo was facilitated for STO and air cargo was facilitated to importers through the national airline, Maldivian, to ensure continuous supply of food;
	2. Meetings were held with key importers, and steps were taken to facilitate finance and to remove bottlenecks;
	3. SAARC Trade Officials meeting was also held between all Members to discuss the impact of COVID-19 on intra-regional trade;
	4. Traders and importers were granted concessions of demurrage fees, bonded warehouse license fees and storage facility extensions;
	5. Flights were chartered to large importer countries such as Thailand, United Arab Emirates and Sri Lanka to mitigate food shortages;
	6. Prices were rationed and maximum prices for essential commodities such as onions, potatoes, eggs and lentils were announced;
	7. Government actions to accelerate its plans to address food security through enhancing farming efforts is detailed at paragraph 31 above.
	8. Additionally, Agro National Corporation Limited (AgroNat), an SOE, was formed to develop agriculture industry of the Maldives, aiming to reduce the country’s dependency on imports for agricultural products.
2. Store staff, shop keepers and those making deliveries and heavy lifting were advised by the HPA to wear protective gloves to reduce their risk of contracting COVID-19. They have also been advised to follow the general guidelines; practice good hygiene, physical distancing and to wear masks in public spaces.

**Questions by the Special Rapporteur on the right to adequate housing**

1. Government has submitted a Public Health Emergency Bill 2020 to the Parliament to ensure protection for individuals, families and businesses amid the pandemic. The provisions of the Bill will take effect from the date of ratification and sunsets on the 60th day after the end of the State of Public Health Emergency.
2. The draft Bill states that it is prohibited to **evict** lessees unless a 60-day prior written notice is given to them and the landlord is barred from taking any action to evict the lessees during that period.
3. The Bill also states that the mortgagor or any other party should not take any action to enforce such **mortgage** during that period and where enforcement actions have already been instigated, the Bill conditions to freeze such actions.
4. While the Bill was submitted to the Parliament on 29 May 2020, it has yet to be passed. Therefore, currently MNPHI, together with MOGFSS and NDMA are coordinating to provide shelter for those who have been evicted during this period, in addition to stranded travellers, temporary residents and expatriate workers who require temporary accommodation and assistance. Temporary shelters were setup in hotels, guesthouse and public facilities.
5. In that regard, as of 25 May 2020, shelter is being provided for 72 persons from 10 families who were unable to pay rent. Additionally, around 132 persons have requested for shelter. Currently, due to the ease in lockdown measures, Government is facilitating stranded travellers back to their international destinations and locals to their homes after a period of quarantine.
6. In addition to provision of subsidies for **utility services** by the Government, the respective SOEs responsible for provision of water and electricity services have announced that services would not be cut-off during the lockdown period, even if bills are not paid. Furthermore, the Public Health Emergency Bill 2020 contains provisions that prohibit landlords from disconnecting utilities, including electricity, water supply and telecommunication.
7. As stated at paragraph 33.4 above, **financial measures** put in place by banks include a debt moratorium on existing loans by commercial banks. Through this arrangement, commercial banks have allowed a deferral on the repayment of existing loans to those whose income has been affected by COVID-19. As this is offered by the banks themselves (at the initiative of the central bank and the Government), the terms (including the deferral period) offered by each commercial bank is different. Deferrals of loan payments include the following:
	1. BML has deferred the loan repayment for up to 6 months for those in economic hardship who have taken housing units under Government social housing schemes;
	2. Repayments to Housing Scheme loans issued by the HDFC from April 2020 have been deferred for 6 months;
	3. HDC housing scheme loan repayments have been given 30% reduction in monthly repayment for 3 months;
	4. All monthly payments for over 1500 social housing unit dwellers have been deferred for 6 months, to ease the impact of the COVID-19.
8. It was important to address situations of **overcrowding** due to the extremely contagious nature of COVID-19. As explained at paragraph 24.1 above, migrant workers who were living in poor conditions, small spaces or cramped up dormitories were relocated to purpose-built facilities.
9. Measures taken with regard to **homeless persons** are detailed at paragraph 23 above.
10. **Additional measures** to be taken have been included in the Public Health Emergency Bill 2020, to protect the right to adequate housing during the pandemic. The draft Bill states that the Government must provide temporary shelter for the people who have lost their shelter due to adverse effects on income caused by the pandemic and that it should be provided until the end of 60-days from the day the State of Public Health Emergency is brought to an end. Government is required to provide this shelter without discrimination, and shelters are required to be equipped with proper sanitation, sleeping arrangements and food.
11. In order to protect the right to **adequate housing after the pandemic**, Government is committed to fulfilling its housing pledges. Government has plans to develop additional at least 4,000 housing units in this region and another 20,000 within the outer lying islands and atolls with high demand. Government also aims to deliver the existing social housing units under construction, and to that end, Government has handed over 600 housing units developed in the atolls in 2019. An additional 6,860 under construction in the Greater Male’ Region are expected to be handed over by end of 2020.

**Questions by the Special Rapporteur in the field of cultural rights**

1. The arts, culture and heritage sector is closely linked to the hospitality and tourism sector, which has suffered major setbacks following local and international movement restrictions. Local artists who would previously earned income through performances at hospitality venues such as cafes and tourist resorts, and who sell their products to tourists or resorts, are no longer able to do so. Museums, galleries, concerts, film screening and music venues are closed due to the lockdown leaving many artists, cultural practitioners and arts and culture institutions without any source of income. The on-going closure of cinemas and theatres that has also hit the Maldivian film industry hard.
2. Although providing targeted stimulus and relief packages to the sector has been challenging due to the lack of an up to date register on persons working within the sector, they can apply for the Income Support Allowance detailed at paragraph 30 above.
3. The Ministry of Arts, Culture and Heritage (MoACH) has put in place work from home arrangements for its staff, and is engaged in dialogue with actors in the sector to ensure their concerns are addressed.
4. Movement restrictions have affected the ability of the MoACH to continue work on on-going cultural heritage projects such as the inclusion of coral stone mosques on the UNESCO world Heritage List, and conservation and renovation of heritage sites. Regular cleaning and maintenance of heritage sites have also been interrupted. Many intangible cultural heritage practices, including local festivals and activities are on hold due to the lockdown and social distancing directives.
5. Arts and culture is being used by many artists as a means of expressing emotions in relation to COVID-19 and as means of creating unity and fostering sense of community, tolerance and compassion in this crisis.
6. There are no restrictions on the right to freedom of expression and as such, medical experts are able to express themselves freely about the pandemic, its impacts and required responses. Regular press briefings dedicated to COVID-19 pandemic and related measures have been held to counter misinformation. Doctors in the community utilised social media platforms and television programmes to dispel myths and disseminate information on COVID-19.

**Questions by the Special Rapporteur on the sale and sexual exploitation of children**

1. Maldives currently does not have any reported cases of sale of children, but there are reported cases of online sexual exploitation.
2. The lockdown measures imposed due to COVID-19 is expected to have limited reporting of cases of domestic violence or sexual offences involving children, with factors such perpetrator being around all the time contributing to it.
3. As a result of the movement restriction measures imposed and closure of education facilities, children spend more time at home than usual. Most children in regions where lockdown measures were imposed (specifically the Greater Male’ Region), have unlimited access to the internet, often without monitoring or parental locks. This could have subjected children to different forms of exploitation. Maldives Police Service has been monitoring the online cyber space regularly, with the assistance from the Signal and Cyber Intelligence Unit, to detect and prevent such forms of child sexual abuse and exploitation.
4. With the experience of the current pandemic Maldives Police Service is working on establishing better child protection mechanisms that are easily accessible to victims. These include expanding the 119 hotline of Maldives Police Service and identifying other platforms that can be used to report the cases easily. Moreover, plans are in place to strengthen and expand referral mechanisms between non-governmental organisations and relevant agencies.
5. The current legal framework dealing with prohibition, prosecution, protection, care, assistance and prevention in relation to all forms of physical, mental and sexual violence against, exploitation and neglect of, and harmful practices in relation to children, are all functional even during this pandemic. These include the newly ratified Child Right Protection Act, Law No: 18/2019 (Juvenile Justice Act), Law No: 12/2009 (Special Provisions Act to Deal with Child Sex Abuse Offenders), Law No: 9/2014 (Penal Code of the Maldives), Law No: 16/2014 (Sexual Harassment Act) and Law No: 17/2014 (Sexual Offences Act).
6. All relevant Government and State agencies, and civil society work very closely to prevent and protect children from all forms of violence, abuse and exploitation, with utmost priority. President Solih, on 22 February 2020, established a Presidential Commission to Inquire into Child Rights Violations,[[22]](#footnote-22) which is mandated to to safeguard and ensure the protection of child rights and to expedite systematic efforts of rectification. Work of the Commission has continued through the pandemic.

**Questions by the Independent Expert on foreign debt and human rights**

1. Maldives has been included in the list of countries being considered for the G20 Debt Service Suspension Initiative. The savings from this initiative will be evaluated against the relocation of funds for the immediate health and economic resources.
2. Government’s economic recovery plan is worth MVR 2,500,000,000.[[23]](#footnote-23) Under the plan, Government has allocated numerous forms of debt alleviation as detailed in paragraphs 28 - 35 above. In addition to that, Government has also begun to reduce recurrent expenditure by MVR 1,000,000,000 and increase the amount of funds allocated for the health sector. While these measures were introduced to ensure the continuous flow of currency and rising incomes, it is directly linked to the protection of human rights that have been put in jeopardy by the economic downturns caused due to the COVID-19 pandemic.
3. Although some cuts have been made to Government expenditure, expenditure on health and social security measures have increased. Health and economic support measures remain a key priority for the Government. Information on Government finances in relation to COVID-19, including spending and financial assistance are available on the website of Ministry of Finance.[[24]](#footnote-24)
4. The work of the National Taskforce on Resilience and Recovery will inform the measures and policy recommendations for economic recovery and debt sustainability, and to prevent and mitigate human rights impacts of the COVID-19 economic fallout. The strategies are expected to be completed by mid of July 2020. strategies will be completed by mid-July. Although all policy measures and actions will only be finalised after this, Government is also actively reviewing existing debt contracts for non-concessional borrowing to explore the possibility of restructuring the debt on more favourable terms.

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26th January 2020

1. As of 14 June 2020. [↑](#footnote-ref-1)
2. https://edition.mv/news/17216 [↑](#footnote-ref-2)
3. “Rapid Livelihood Assessment – Impact of the Covid-19 Crisis in the Maldives” at pages 25 - 41 [↑](#footnote-ref-3)
4. “Rapid Livelihood Assessment – Impact of the Covid-19 Crisis in the Maldives” at page 15 [↑](#footnote-ref-4)
5. https://www.worldbank.org/en/country/maldives/overview [↑](#footnote-ref-5)
6. https://www.finance.gov.mv/covid-19/individuals/discount-water-bills [↑](#footnote-ref-6)
7. https://www.finance.gov.mv/covid-19/individuals/discount-electricity-bills [↑](#footnote-ref-7)
8. https://jobcenter.mv/ [↑](#footnote-ref-8)
9. https://presidency.gov.mv/Press/Article/23364 [↑](#footnote-ref-9)
10. https://www.indexmundi.com/facts/maldives/self-employed [↑](#footnote-ref-10)
11. https://www.finance.gov.mv/covid-19/businesses [↑](#footnote-ref-11)
12. https://www.finance.gov.mv/covid-19/individuals/financial-aid-students-abroad [↑](#footnote-ref-12)
13. http://statisticsmaldives.gov.mv/statistical-release-iii-education/ [↑](#footnote-ref-13)
14. https://covid19.health.gov.mv/en/ [↑](#footnote-ref-14)
15. https://twitter.com/HPA\_MV?ref\_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor [↑](#footnote-ref-15)
16. https://www.dhiraagu.com.mv/supporting\_our\_community.aspx [↑](#footnote-ref-16)
17. https://twitter.com/MNUedu/status/1273623274983833601?s=20 [↑](#footnote-ref-17)
18. Criminal cases / cases to obtain protection orders in the islands are lodged at respective Magistrate Courts. Since majority of the islands are not under lockdown measures, court proceedings continue as usual. However, use of audio/video conferencing methods are encouraged where available. [↑](#footnote-ref-18)
19. Same process as GBV cases for cases in islands without lockdown measures. [↑](#footnote-ref-19)
20. “Rapid Livelihood Assessment – Impact of the Covid-19 Crisis in the Maldives” at pages 23- 24 [↑](#footnote-ref-20)
21. Government’s Strategic Action Plan 2019 – 2023, at pages 158 – 168. [↑](#footnote-ref-21)
22. https://presidency.gov.mv/Press/Article/23145 [↑](#footnote-ref-22)
23. https://presidency.gov.mv/Press/Article/23261 [↑](#footnote-ref-23)
24. https://www.finance.gov.mv/covid-19/government-finances [↑](#footnote-ref-24)