**Maldives’ responses to the Questionnaire on the situation of human rights defenders**

 **Contact Details**

Please provide your contact details in case we need to contact you in connection with this survey. Note that this is optional.

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| Type of Stakeholder (please select one) | [x]  Member State[ ]  Observer State[ ]  Other (please specify): |
| Name of Stakeholder Organization (if applicable)Name of Survey Respondent |  |
| Email |  |
| Telephone |  |
| Address |  |
| Can we attribute responses to this questionnaire to your Government publicly? | [ ]  Yes [ ]  NoComments (if any): |

1. ***Does your Government accept the legitimate right to defend human rights and if a defender is killed in the course of their work, do you publicly condemn it?***
	1. The Republic of Maldives provides constitutional and legislative protection of human rights which are essential to the work of human rights defenders. These rights include the right to freedom of speech, the right to freedom of assembly, the right to acquire and impart knowledge, freedom of media, the right to fair and transparent hearings, the right to fair administrative action, the right to life, and the right to form political parties, associations and societies.
	2. Article 18 of the Constitution requires the State to not only protect the rights listed in Chapter II of the Constitution but to also actively promote these rights which include but are not limited to those rights listed above.
	3. The Government recognizes the key role played by human rights defenders in bringing positive change and development to the country and for the role played by human rights defenders in the protection and promotion of human rights in the Maldives. As such, protection of human rights defenders is afforded a high priority. The Government of Maldives does not hinder the work of human rights defenders and has several local and international organisations working to strengthen good governance and promote a culture of human rights within the Maldives.
	4. The Government of Maldives publicly condemns the killings of human rights defenders in their course of work and condemns all acts of hate speech and other harassment of human rights defenders. The Maldives Police Service continues to actively engage in countering threats and harassment issued against individuals both on online platforms and in person.
	5. Furthermore, the Presidential Commission on Investigation of Murders and Enforced Disappearances established by virtue of a Presidential Decree in November 2018, reflects the Government’s determination to investigate and prosecute the perpetrators of cases involving journalists and bloggers. Cases which the Commission is investigating includes, the 2014 abduction of Mr. Ahmed Rilwan, a human rights advocate who had criticised Islamist gangs and exposed Government corruption. The Commission is also engaging with the family of Mr. Yameen Rasheed, a blogger and activist who was stabbed to death in April 2017.
2. ***Have there been any cases of human rights defenders killed in your country since 1 January 2019 up to 30 June 2020?***
	1. There were no killings of human rights defenders reported during the period.
3. ***How many convictions of perpetrators of killings of human rights defenders were there in your country since 1 January2019 up to 30 June 2020?***
	1. There were no convictions or exonerations delivered with regard to a killing of a human rights defender during the period.
4. ***Does your government have a procedure to respond to death threats to human rights defenders?***
	1. There are several legislative safeguards that protect people from death threats. In that regard, Section 122 of Law No: 9/2014 (The Penal Code of the Maldives) states that a person commits an offence if the person threatens to commit any offense which is likely to cause bodily injury.
	2. Furthermore, Section 2 of Law No: 17/2010 (Act on Prohibition of Threats and Use of Dangerous Weapons) prohibits a person from issuing threats to life, bodily harm or injury, injury to a family member or to a person under his/her guardianship.
	3. Additionally, Section 13 of Law No: 32/2015 (Prevention of Terrorism Act) states that it is an offence to threaten an act of terrorism or intimidation by threatening with the possibility of an act of terrorism. Threatening for the purposes of this section includes threats made verbally or in writing, using telecommunication devices or through any other means.
	4. All threats of violence including death threats can be reported to the Maldives Police Service, the law enforcement agency with the duty to investigate such acts in the Maldives. Once investigations are completed, the case is forwarded to the Prosecutor General’s Office for prosecution.
5. ***Does your Government have or would be willing to put in place legal guarantees and other protection measures to allow human rights defenders to do their work without persecution?***
	1. In addition to ensuring the protection and promotion of the legal guarantees referred to above in the Government’s response to Question 1 above, the Government of Maldives has made and delivered on several legislative commitments to ensure the work of human rights defenders continue without undue hinderance or persecution.
	2. Freedom of expression, a fundamental right enshrined in Article 27 of the Constitution, was subjected to threat with the enactment of Law No: 15/2016 (Act on Protection of Reputation and Freedom of Expression) (widely known as the “Defamation Act”). The Act imposed draconian penalties against journalists and bloggers on the basis of anti-defamation, impeding a fundamental aspect of any democratic society. Following the change in administration, on 22nd November 2018 the Act was repealed the law was ratified by President Ibrahim Mohamed Solih. The formulation of a new bill on freedom of expression has been included in the Government’s 5-year Legislative Agenda which would enable human rights defenders to do their work without any persecution.
	3. Furthermore, a revamped Associations Bill was submitted to the Parliament on 28th October 2019. The new legal regime will ensure protection of the work done by human rights defenders and seek to eliminate barriers for their independent operations.
	4. Law No: 16/2019 (The Whistle-blower Protection Act), which was enacted on 17th November 2019 also affords protection to journalists and individuals who expose activities of corruption within the State.
6. ***Could you please share good practices (evidence-based) that have proofed effective to respond to death threats? And to prevent them from escalating into the killing(s) of human rights defenders?***

N/A