

# Commonwealth Workshop for NHRIs



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## Introduction

- The Human Rights Commission of the Maldives (HRCM) was established on November 27, 2006 under the Human Rights Commission Act No. 6/2006. The first HRCM was created by a Presidential Decree on 10 December 2003.
- The Commission has been created in accordance with the requirements of the Paris Principles.

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## Establishment of Commission – an achievement of Reform Agenda

- The establishment of the Commission was the very beginning of the Reform Agenda proposed by the President in June 2004 with the promise that a genuine democracy will be established in the country within a few years.

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## Challenges faced by the first HRCM

- The HRCM came into being at a very difficult time in the political life of Maldives.
- No national legislation was in place to make it a statutory body under the law.
- Opposition, mainly from pro-government sources was rife
- Non-cooperation from TV and radio, both state-owned
- Most Members resigned due to various reasons

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## The New HRCM – Human Rights, Democracy and the Rule of Law for Everyone

The long term goals of the HRCM

1. To promote a culture of respect for human rights throughout the Maldives;
2. To enable democratic society where freedom of speech and press prevails;
3. To put an end to human rights abuses with effective remedies where violations occur; and
4. To work for a truly independent media.

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## Recent HR Instruments signed/acceded

- Accession 2006, Sept. 19
    - ◆ International Covenant on Civil and Political Rights
    - ◆ International Covenant on Economic, Social and Cultural Rights
    - ◆ Optional Protocol to the International Covenant on Civil and Political Rights
  - Signed 2007, February 6
    - ◆ International Convention for the Protection of All Persons from Enforced Disappearances
- Work ongoing by HRCM to urge the government for legislature to be passed in compliance with the HR instruments signed

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## Creating a culture that respects Human Rights

- Need for necessary legislature with no restrictions to fundamental rights
- Provisional regulatory framework need to be reviewed to comply with the constitution and International conventions signed
- Unrest and confrontations occur due to the absence of a genuine law governing fundamental rights

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## Creating a culture that respects Human Rights

- Governments should consent to and promote the peaceful exercise of fundamental freedoms by its people
- Restrictions that are imposed by law on the exercise of such freedoms can only be justified to the extent they are consistent with a country's human rights obligations
- It is crucial that necessary laws be passed by the Parliament as soon as possible

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## Reports / Complaints and actions

- Commission has regularly received reports and complaints of arbitrary arrests and torture by police and that those who commit torture enjoy impunity
- Putting a stop to torture and abuse is a top priority of the Commission
- For the first time, a very lively debate on actions of some police officers while breaking up unlawful gatherings, was telecast live on national television
- HRCM trying to work out strategies with newly formed Police Human Rights Unit

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## Transition

- the country is in transition from an imperfect democratic system to a multi-party democracy
- people are finding it difficult to even determine what their rights are
- freedom of speech and expression are being grossly misused to launch personal attacks and defame and slander people in the name of democracy

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## More Challenges

- Create awareness among the people about human rights so that they understand what their rights are in order to use their rights
- Special programmes on human rights for parliamentarians, law enforcement officials and judges
- Ensuring that all legislations approved by the parliament from now on take into account the human rights aspect
- Inclusion of human rights in the school curriculum

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## Initiatives

- Hosting activities related to human rights
  - ◆ Workshop on Single Reporting Mechanism
  - ◆ Information sessions by HR advisors of OHCHR, on the preparation of report on ICCPR & ICESCR
  - ◆ Workshop/Seminar by APT on the implementation of Optional Protocol to CAT
- Maldivian Government has interest to host the proposed new OHCHR Regional Office for South and West Asia in Male'.

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## Conclusion

- The Human Rights Commission is in its infancy.
- Similarly democracy in the Maldives is learning to take its first steps.
- It is a long and difficult road, the journey will take time.
- We must all work to get there. Political parties, protesters, police, media, people the government and the HRCM must appreciate that.
- Patience and understanding- crucial to achieve the Democracy and Human Rights we want.

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## Thank you!



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