

**CONVENTION ON THE ELIMINATION OF  
ALL FORMS OF DISCRIMINATION  
AGAINST WOMEN**

**REPORT TO THE UNITED NATIONS**

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**MINISTRY OF WOMEN'S AFFAIRS AND SOCIAL  
SECURITY**

**GOVERNMENT OF THE REPUBLIC OF MALDIVES  
MALÉ**

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## PART ONE

### INTRODUCTION

1. The Commission on the Status of Women drafted the Convention on the Elimination of all forms of Discrimination Against Women (**CEDAW**) during the early years of the United Nations' Decade for Women, between 1976-1985. And CEDAW entered into force on 3<sup>rd</sup> September 1981.
2. The origins of CEDAW lay in its perception that despite the efforts of the United Nations to promote equality of rights between men and women through both the legal norms of non-discrimination and specific treaties concerning women, extensive discrimination continued to exist against women.
3. CEDAW was the first international document to address the problem of 'equality' for women. In essence, it constitutes an elaboration of the legal norms of non-discrimination on the basis of sex.
4. CEDAW experienced little difficulty in gaining ratification by the member states of the United Nations: it entered into force less than two years after its adoption by the General Assembly, faster than any previous human rights convention. However, a significant number of countries have entered reservations to a number of its clauses.
5. The Government of Maldives is committed to broadening the role of women and their effective participation in all aspects of society. Hence the ratification of CEDAW in 1993.

## **GENERAL BACKGROUND**

6. The Republic of Maldives consists of 1190 coral islands which form a chain set in the Indian Ocean. The islands form 26 natural atolls, which for purposes of administration, are grouped into 20 units, also called atolls.
7. The total population of the Maldives according to the 2000 census was 269,010. The population is scattered over 199 inhabited islands.
8. The population is relatively young with the 0-15 year group comprising 49 % of the total population.
9. The capital island Malé is populated by nearly a quarter of the total population of the country. The remainder of the population is sparsely distributed amongst 199 islands. Economic concentration around Malé has led to internal migration to Male' and inflow of resources resulting in widening disparities within the country.
10. As in other developing countries, there are disparities between the rural and urban population. The only urban locality is Male' and is exceptional in its infrastructure. There are a few other islands that are more developed than most. They could be referred to as semi-urban. Since Male' is the capital it is the centre of the government, commerce and trade. Its health facilities, education, transport communication and other service facilities are far superior.
11. The President of the Republic, who is elected every five years, is the chief executive. The People's Majlis is the country's legislative assembly, consisting of 50 members, 42 of whom represent constituencies, and 8 are nominated by the President.
12. Atoll and Island Chiefs who are appointed by the President administer the atolls and islands.
13. Maldivian women have always played a dual role: a productive as well as a reproductive role. They spend a major portion of their time and energy in the private sphere, undertaking domestic work and providing child-care in their

homes and communities. Generally, men do not play an active role in the house or in childcare.

14. Traditionally Maldivian women and men have stereotypical gender roles. Childbearing and rearing functions and other activities around the home are allocated to women. While men take charge of 'heavier' or the productive work which require greater mobility.
15. Economic activities were few and dominated by fishing and fish processing, other activities include coral and sand mining for building; thatch and coir weaving and other forms of craft making; small scale agriculture and 'dhoni' or boat building.
16. Fishing, sand and coral mining, and 'dhoni' building were exclusively male occupations. Smoking and processing of fish on the other hand were women's domain, since they were carried out at home. Women played a significant role in the cultivation of crops and craft making. However, marketing of their products was done exclusively by men.
17. Despite women's active involvement in productive activities, women were not recognized as income earners. The stereotypical roles of men as income earners and women as dependents, deter women from using their maximum potential in the development process.
18. Many household economic activities have now faded away. Mechanisation of the fisheries industry, which eliminated the need for the traditional method of fish processing. This drastically reduced women's participation in that sector while at the same time it enhanced the employment and earning potential of men. Employment in craft making which was the second most common employment, too have dwindled as demand diminished.
19. With the modernisation and diversification of the economy and the resulting rapid economic growth during the past 25 years, the Maldives has undergone considerable advancements in terms of development. The improvements in social

services and the growing economy are transforming the basic social fabric of island communities and the roles of men and women in the society.

20. Despite the rapid development of the economy, women have not been able to keep pace with their male counterparts. Even though equal opportunities exist for men and women in the field of education, health and employment, subtle inequities exist in terms of women's ability to use the available opportunities. Much needs to be done to increase the proportion of women engaged in the economic, social and political arena.

### **THE LEGAL AND JUDICIAL SYSTEM**

21. The Maldivian legal system is based on *Shari'a* law.
22. The legislative sources are the following: The Constitution of the Republic of Maldives, Laws enacted by Parliament, Statutory Instruments (Rules and Regulations of the various governments authorities)
23. The administration of justice is the responsibility of the various courts under the Ministry of Justice and the High Court of the Maldives, which is the appellate court. There is a court in each island which hears criminal, juvenile, family as well as civil cases.
24. Male' has four courts; the Criminal Court, the Civil Court, the Family Court and the Juvenile Court which hears the relevant cases. The Ministry of Justice administers these courts.
25. All cases heard in any of the Courts mentioned above could be appealed to the High Court of Maldives. The High Court of Maldives has the authority to hear any of the cases heard in the lower courts if it considers it to be in the interests of justice.
26. The final source of appeal rests with the President who decides these cases in consultation with the Presidential Advisory Committee on Judicial Affairs.

27. Most criminal offences are investigated by the Police which is administered by the Ministry of Defence and National Security. Once the investigations are over, the case is forwarded to the Attorney General's Office which is the state prosecuting authority of Maldives.

## **ECONOMIC AND SOCIAL DEVELOPMENTS**

28. The Maldives has achieved remarkable progress in social and economic development. The Maldivian Economy has grown at an average rate 10% since 1980, despite its limited resource base and vulnerability to external shocks.
29. During the past 15 years, the Maldivian economy has undergone a major structural transformation; changing from an economy relying mainly on the primary sector (especially fisheries), to a service sector based economy driven mainly by tourism. Distribution, transportation and construction have also expanded significantly.
30. The economically active population increased at an annual rate of 3.1% between 1990 and 1995, which is twice the growth rate between 1985 and 1990. Total participation rates have declined slightly during the past 10 years, while the share of foreign nationals in total employment has risen from an estimated 5 percent in 1985 to 21.9% in 1995.
31. The female labour force participation declined from 62% in 1979 to 21% in 1995. Nevertheless, there have been no studies on how much this decline has affected women. Nor, has there been a study on how much control women exercised over the income generated by their productive labour.
32. Under-employment remains a problem in the Maldives despite Government's efforts to train and encourage young people into employment. The problem is more pronounced in rural areas and reflects the under-utilisation of productive labour, particularly of women.

33. In stark contrast to the regional situation, there is no abject poverty in the Maldives.
34. The literacy level is one of the highest in the SAARC region and stood at 98.94% in 1999, with the bias in favour of women.
35. Life expectancy at birth, increased from 47.65 years in 1978 to 71.2 years in 1999 for men and 73.23 for women.
36. Infant mortality declined from 121 to 20 per 1000 live births from 1977 to 1999.

## **INFORMATION UPDATES ON THE STATUS OF WOMEN**

37. As of the 2000 Census the total number of women in the country was 131,267 comprising 48.8 % of the population.
38. Of that number 47% belonged to the 0-14 year age group, 33.75% belonged to the 15-24 year age group and 19.25% belonged to the 25+ age group.
39. A slow but steady decline can be observed in the total fertility rate for all women of reproductive age: having declined from 6.4 in 1978 to 5 in 1995.
40. Although severe forms of malnutrition are rare, moderate and mild forms of malnutrition are still problems and adversely affect a considerable proportion of women and children. Anaemia is common and contributes to the maternal mortality rate. Approximately 52% of children, 68% of pregnant women and 62% of non-pregnant mothers have haemoglobin levels below the WHO accepted standard.
41. At primary and lower secondary levels, there is no disparity in school enrolment for boys and girls. However, more boys complete higher secondary education and hence go on to further education.

## MAJOR DEVELOPMENTS IN POLICY AND PLANNING IN THE FIELD OF GENDER

42. A number of significant steps have resulted in the institutionalisation of the National Machinery for the Advancement of Women.
43. In the late 1970s a Preparatory Committee for the UN Decade for Women was formed under the National Planning Agency to co-ordinate the work relating to the UN Decade for Women (1976-1985). The Preparatory Committee became the National Women's Committee established under the Office of the President in 1981 to act as a focal point to address gender issues in development.
44. The National Women's Committee was later reconstituted as the National Women's Council (**NWC**). The National Women's Council was responsible for providing policy guidelines and advising the Government on policy matters. The Council members comprised senior level government officials from key Ministries and Ward Women's Committees and were active in creating gender awareness in their respective fields.
45. The members of the NWC represented Maldives in regional and international meetings and seminars. There were a total of 19 members, 12 of whom were female and 7 male. The NWC also helped plan activities to commemorate special occasions such as International Women's Day.
46. The administrative unit for NWC, named the Office for Women's Affairs, was established in 1981, and became the Department of Women's Affairs in 1989 and was subsequently elevated to a fully-fledged Ministry in 1993 under the title Ministry of Youth, Women's Affairs and Sports. The Ministry underwent structural changes in 1996 to become the Ministry of Women's Affairs and Social Welfare (**MWASW**). The Ministry and its departments have remained intact since then however, it was renamed in 1998 as the Ministry of Women's Affairs and Social Security (**MWASS**).

47. A new council called "Gender Equality Council" was established in December 2000 with the President of the Republic as the chairperson, to replace the National Women's Council. Members of this council are high-level government officials from key areas and members of the Key NGOs. The council will begin to operate early this year (2001).
48. The Government is implementing a wide range of measures and programmes aimed at creating greater gender equality. These measures relate to health, education, access to employment and economic and social development.
49. The Government is fully committed to gender issues. It has thus ratified CEDAW; is in the process of implementing the Beijing Platform of Action and the Commonwealth Plan of Action on Gender and Development and the SAARC Plan of Action on the Girl-Child.

### **RECENT POSITIVE ACTIONS UNDERTAKEN**

50. A separate section on gender has been included in the National Development Plan since 1990. In the Fifth National Development Plan (1997-1999), emphasis was placed on broadening the role of women in society and ensuring their full participation in the development process.
51. A National Policy on Women has been drawn up and is awaiting endorsement by the Cabinet. Measures are also underway for establishing a Gender Management System for the purposes of mainstreaming gender.
52. A National Plan of Action on the basis of the Beijing Platform for Action and the Commonwealth Plan of Action on Gender and Development too has been drawn up following nationwide consultations.
53. National laws have been reviewed with a view to eliminating gender bias. As a positive outcome of this process a new Family Law has been enacted, having codified the *Shari'ah* Laws already in effect. The new Family Law will come into effect in July 2001.

54. Further efforts are needed to strengthen the existing structures and mechanisms for the advancement of women. In particular, the Island Women's Committee **(IWCs)** that work at the community level to encourage women's participation in the development process need to be strengthened.
55. The MWASS has been conducting various programmes to increase women's participation in economic and social development.
56. The Ministry has also been conducting advocacy and awareness programmes. More recently, the MWASS has conducted a series of successful workshops on gender sensitisation, as well as on legal literacy and political participation of women for different target groups.

## PART TWO

### PROGRESS REPORT ON EACH ARTICLE OF THE CONVENTION

#### Article 1 Definition of Discrimination Against Women

Discrimination against women - distinction, exclusion or restriction made on the basis of sex which has the effect or the purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in political, economic, social, cultural, civil or any other field.

57. The Maldives is committed to the equality of sexes in all fronts.
58. Islam clearly establishes the equality of women and men. Islam, being the state religion The Constitution of Maldives grants women and men equal rights before the law, with the exception of Article 34.
59. Article 34, clause (c) of the Constitution (1998) postulates that the Head of State of the country and the Vice President, if any, must be a male.

#### Article 2 Obligations to Eliminate Discrimination

General policy of non-discrimination as reflected in the constitution; adoption of positive measures; refraining from engaging in any discriminatory activities; modification of laws etc.; adoption of social, political, economic and cultural measures to ensure advancement of women; adoption of temporary special measures to accelerate de facto equality including measures aimed at protecting maternity.

60. In 1997, all laws were appraised for gender biases.

61. Existing laws and policies do not discriminate against women in terms of access to health services, education and employment. However, there are some socio-cultural factors that restrict women's ability to utilize the available resources.
62. Recent legislative measures for ensuring women's rights include the granting of Maldivian nationality to children of Maldivian mothers and foreign fathers. This came into effect following the constitution reform on 1<sup>st</sup> January 1998.
63. Maternity leave has been extended from 45 days to 60 days. Women are also entitled to 1 year of unpaid leave for looking after their infants and return to their positions of work. Flexible working conditions allow women a break of 1 hour from work for breast-feeding the baby.

### Article 3 The Development and Advancement of Women

Take all appropriate measures, in all fields, in particular in the political, social, economic and cultural fields to ensure the full development and advancement of women.

64. A special machinery has been set up to promote and protect the rights of women.
65. The Fifth National Development Plan (1997–1999) has a number of specific programmes and projects planned as a mechanism to ensure that gender concerns are considered in development planning.
66. Policies to reduce early marriage and frequent divorce are currently in place. Regular programmes are conducted for gender sensitisation of policy makers and the general public.

#### Article 4 Acceleration of Equality between Men and Women

67. At present no affirmative action is taken to ensure gender equality. There are no special measures for women such as quotas of jobs etc.

#### Article 5 Sex Roles and Stereotyping

Adoption of measures to modify socio-cultural patterns of conduct toward eliminating stereotyped roles for men and women; and ensuring sharing of responsibility in the upbringing and development of children.

68. Traditional practices have continued to reinforce stereotypes such as domestic work and childcare mainly as the responsibility of women.
69. Women have not worked outside the home and have shown little inter-island mobility in pursuit of employment. However, the situation has begun to change and there is increasing social approval of women to pursue higher education and work outside the home.
70. The stereotyping of the roles of men and women is reinforced by images in books and the media. Attempts are currently underway to address the problem by creating awareness and promoting family life education to encourage the sharing of child-care and domestic responsibilities between men and women.
71. Programmes to raise public awareness on domestic violence have been carried out. Women can report cases and instances of domestic violence to the National Security Service who deal with such cases under the category of assault and battery which is a criminal offence. However, there is some reluctance amongst women to report cases of domestic violence, assault and rape. As it is often difficult to prove the perpetrators guilty and hence the increased possibility of such women to be revictimised.

## Article 6      Suppression of the Exploitation of Women

Suppression of trafficking in women and exploitation and prostitution.

72. The Maldives is fortunate to be a country where “trafficking in women” is not a known problem. However, with a growing population of expatriates who come to seek employment we need to strengthen measures to avoid being host to trafficking and/or other forms of related exploitation.
73. Prostitution is illegal and there are strong religious and social sanctions against it. However, we cannot guarantee that it is non-existent, in any form especially since our society is fast experiencing the pressures of a modernising economy.

## Article 7      Political and Public Life

Equal rights with men in political and public life.

74. Women have the right to vote in all elections and are eligible for candidature to elected bodies and all public positions except that of Head of State. This right to suffrage is not dependent on any property or literacy requirement.
75. Measures are being taken to increase the participation of women in the political and legal literary and the decision-making processes through public awareness programmes.
76. Although women can contest for election to the People's Majlis, the percentage of women candidates is small. Only 5 out of the 50 members of the Majlis are women out of which, 2 are elected and 3 are nominated by the President.
77. Gender disaggregated data collection is not the national norm. However, the need for sex differentiated data is increasing and certain sectors have already begun the process.

78. Some of the NGOs that are organised and run primarily by women are working towards increasing public awareness on health and gender issues. They have also been involved in providing many social services at the grass-roots level.

## Article 8 International Representation and Participation

Equal opportunity to represent governments at the international level and to participate in the work of international organisations.

79. There are no legal barriers to women's participation in international forums. A number of Maldivian women have been part of delegations to international conferences, but only a very few.

80. Women have been active in the work of international organisations such as the United Nations. Incidentally, not many men either have been active in the field. Perhaps because of their responsibilities and duties towards the family and children limit their mobility.

81. The MWASS encourage women to participate in international events. In certain instances the Ministry has supported women in the private sector to participate in international forums.

## Article 9 Nationality

Equal rights of women and men to acquire, change or retain their nationality and that of their children.

82. Women have equal rights with men to acquire, change or retain their nationality.
83. Marriage to a non-national does not automatically change a woman's nationality. She retains her own nationality and surname and by virtue of that her offspring can also be Maldivian nationals.

84. Parentage determines a person's citizenship. A significant achievement, under the new Constitution, which came into effect on 1<sup>st</sup> January 1998, is the automatic conferring of citizenship on the children born to Maldivian mothers and foreign fathers.
85. Foreign women and men have the same rights with respect to gaining residence and employment status in the Maldives.
86. Children between the ages of 10-16 can have their own passports with the permission of both parents. However, children below the age of 10 are usually included in one of the parent's passports unless special permission is requested from the Department of Immigration and Emigration.
87. Women can obtain a passport and travel without obtaining specific permission from husband or male guardian unlike in most Islamic countries.

#### Article 10 Education

Equality in education; career and vocational guidance at all levels; access to same curricula; elimination of stereotypes; scholarship opportunities; access to continuing education; reduction of female drop-out rates; sports and physical education opportunities.

88. The educational system in the Maldives has seen major changes in the past 15 years. The focus has been on establishing a modern system of primary education in the atolls to facilitate equal access to education in all parts of the country and to promote basic literacy. It is the policy of the government to develop the human resource base of the country to promote and sustain social and economic development.
89. Education for all children under the age of 16 is promoted and encouraged. In 2000, there were a total of 51,901 female and 53,455 male students enrolled at primary and secondary level.

90. There is no disparity in the enrolment numbers of girls and boys up to grade 10. Even at higher secondary level, 49% of the students were female whilst 50% were male in 2000. However, there are disparities at the tertiary level due to restricted mobility of girls.
91. There is no bias in terms of the subjects taught to girls and boys. Exactly the same curriculum is taught at single sex schools and at co-educational schools. From the data available, neither seems to be disadvantaged. They both have access to the same quality teaching staff, equipment, examinations and curricula.
92. There is no university in the country, and students have to go abroad for tertiary studies. Therefore, only a limited number of students gain access to higher education which again puts girls at a disadvantage.
93. There are very few female graduates particularly in the fields of law and engineering. From 1995 to 2000 a total of 876 students were awarded government scholarships abroad out of which 367 were female. While 85 boys undertook to do law and engineering there were only 35 girls to do the same. There is no quota system for scholarships and scholarships are awarded mainly on the basis of merit.
94. Adult literacy rates are very high in the Maldives. The combined literacy rate in 1997 was 98.65%, whilst it was 99.10% for females alone.
95. There are educational programs and training courses available to girls who drop out of school at an early age.
96. Dropout rates are difficult to verify due to insufficient data. There are a large number of students who change schools but do not drop out of the education system represented in the statistics.
97. The Educational Development Centre (**EDC**) is currently reviewing and revising all the curriculum material with a view to incorporating greater awareness of stereotyping of gender roles.

98. The Institute for Teacher Education (**ITE**), established in 1984 provides local training for teachers, strengthening the human resource base of the country.

## Article 11 Employment

Elimination of discrimination in all aspects of employment; appreciation of marriage and maternity concerns.

99. There is no discrimination in the Maldives in terms of access to employment opportunities, and a system of equal pay for equal work exists. However, some types of work are considered to be more suitable for men than for women and vice versa according to cultural practices.
100. Some studies show that displacement from the traditional fish processing activities following the modernisation of the country's fishing industry and their decreasing involvement in craft-making due to dwindling markets has decreased women's labour force participation.
101. There is also a noticeable lack of female participation in fields that are traditionally considered to be male dominated such as business, engineering and the technical fields, mainly because of cultural benefits that discourage women from entering such field.
102. Female labour force participation rate is currently very low. This is due to the structural adjustments that dwindled the informal sector. *i.e.* the traditional fish processing and craft making activities. This together with, women's almost non-existent involvement in the growing tourism industry which does not have an enabling environment for women, continue to deprive women of employment.
103. There is no cited evidence of sex segregation of work. However, there are cultural resistance to women seeking employment away from their home island and in certain occupations. Thus women tend to be concentrated in certain areas of employment.

104. In the Maldives, people have tended to live in extended family units and there has not been a need for childcare facilities in the past. However, nuclear family units are becoming more common now and there is a growing need for childcare facilities to enable women with children to work away from home.

### Article 12 Equality in Access to Health Care

Equality in the field of health care; access to health care services including family planning; appropriate and free services pertaining to pregnancy, confinement and the post-natal period; adequate nutrition during pregnancy and lactation.

105. There have been vast improvements in the overall health of Maldivians in the last two decades due to improvements in access to health and medical services. Public health campaigns and huge increases in locally trained personnel have been vital factors in this process.
106. Crude death rate has remained rather constant over the past 10 years (6 per 1000 population in 1990 to 4 per 1000 population in 2000). Whilst the crude birth rate decrease from 41 per 1000 population in 1990 to 91 per 1000 population in 2000. In that period, life expectancy has also improved from 44 years to 71.12 years.
107. Women have the same access to health care in principle. Nevertheless since women's mobility is restricted due to social and cultural factors as well as domestic and childcare responsibilities, their access to hospitals and hence quality medical care is less.
108. There are no marked disparities in the health status of girls and boys in Maldives. There are no substantial differences in growth rate or infant mortality rates on the basis of gender.
109. However, large disparities in relation to nutritional and health status can be observed during the reproductive years. Following the onset of puberty a sharp decline in the female health status can be noticed.

110. The health sector has invested large amounts of money in maternal and child health and health education in the last two decades. Consequently there has been a large reduction in maternal and infant mortality rates.
111. The increased awareness of women in the area of reproductive health, particularly family planning has reduced maternal and infant mortality and morbidity rates. Maternal mortality has decreased from 454 per 1000 live births in 1980 to 172 per 1000 live births in 1999 and infant mortality has decreased from 121 per 1000 live births in 1977 to 20 per 1000 live births in 1999.
112. Health Centres in the islands and the Malé Health Centre provide free medical care for women during pregnancy and the post-natal period. Safe delivery rooms have been created included both in the Island Women's Centres and in all the Atoll Health Centres. The Health Centres provide supplementary vitamins and minerals free of charge during the antenatal period.
113. Maternal and child health services are provided in the Atoll Health Centres. There is a trained midwife and a family health worker (six months training in basic health care) in each island and a doctor and a community health worker (two years training) at the atoll level. Most health needs of the people are taken care of at the Atoll Health Centres. There are also 4 regional hospitals that provide basic tertiary medical care.
114. The maternal mortality rate used to be significantly high in the islands due to obstetric emergencies such as pre and post-partum haemorrhages and obstructed labour. However, the presence of medical personal who can handle such emergencies at the Regional Hospitals, there has been a further reduction of maternal mortality rates in the last 2-3 years.
115. Free contraceptives are available to married couples throughout the Maldives, Health Centres and government hospitals as well as some NGOs provide the contraceptives.

116. The bias of responsibility for using temporary and permanent methods of contraception remains heavily on women's shoulders as men are reluctant to utilise the services.
117. Family planning advice is provided in Malé by Department of Public Health and Society for Health Education (SHE - a local NGO). The Department of Public Health conducts workshops and holds information sessions in the islands. Radio and TV programs are also broadcasted in order to create awareness among the population.
118. Women dominate the health sector. In 1999 65% of employees in the health sector are women. However, women tend to be concentrated at the lower paying posts.
119. Family health workers who are island based, and receive basic training in preventive health and first aid, are largely female, while community health workers who receive two years training and are atoll based are largely male. The tendency for girls not to undertake the responsibilities of the community health workers is because it requires extensive travelling within the atolls

### Article 13 Social and Economic Benefits

Equal access to social and economic benefits.

120. There is no gender bias in the distribution of social benefits. Each case is considered individually on the basis of need. However, women's access to economic benefits and control over resources is restricted due to the traditional patriarchal attitudes and values.

Article 14 Rural Women

Problems faced by rural women and their roles in their families economic survival including their work in the non-monetized sectors of the economy; eliminating discrimination against rural women and equality to participate in development planning; access to health care and family planning and education; participation in self-help groups and community activities; access to agricultural credit and other facilities and adequate living conditions.

121. The island women have traditionally been highly active in community development as well as social and religious activities. They have been informally organising themselves, working together and forming support groups, even before official Island Women's committees (IWC's) were formed in 1983.
122. The traditional division of labour which continues to be applicable across the board means that island women have to be responsible for children, home and agricultural activities which are home and island based whilst the men are away fishing.
123. This pattern continues even today with men being largely absent from the island for employment elsewhere.
124. Rural women are engaged in a number of productive activities including agriculture and fish processing, although their participation in the fisheries sector has greatly declined when fish processing is switched from traditional to industrial methods.
125. Almost all agricultural work is carried out by women and this includes farming, maintaining vegetable gardens (for family consumption), harvesting and gathering food and marketing and selling the produce.
126. The absence of regular inter-island transport means that women face great problems in marketing their produce. The government has taken initiative to encourage production and act as a mediator, helping the women to market their produce and introducing them to commercial agents.

127. Women can and do hold title to land. Land is allocated to individuals by the government on the basis of the degree of need. Furthermore joint ownership is possible between husband and wife when either of the spouses specifically requests for such. Divorced and widowed women are also eligible to apply for land.
128. The IWCs play an active role in the development of some islands and in particular, voluntary fundraising work. They are responsible for the dissemination of much health information regarding women, children and the family. Furthermore, IWC provides women a forum to air their views.
129. Women are represented in the Island Development Committee (**IDC**), although minimal.
130. Despite the positive trends and general egalitarian situation, women are hardly represented in positions of leadership in the atolls or islands.
131. This tradition of male leadership was originally based on the role of the Island Chief as a religious leader and hence they were required to lead the Friday prayers. Nevertheless since the Island Chief now performs a largely administrative role, the scope for encouraging women into such decision-making positions has increased.
132. This year two women were appointed to the post of assistant island chief, the second highest ranking official on an island. One woman is also appointed as the acting Atoll Chief.
133. There is a gap between urban and rural people in terms of access to health services and higher education. This is largely due to the physical geography of the country and the difficulties this imposes on the provision of adequate education, health care facilities and access to the economic centre of the country.
134. As there are no secondary schools in most islands, access to higher secondary education is limited. This is especially true for girls since they are unable, in most

cases, to travel to the capital island, Male' or other islands of the atoll to complete their secondary education. The situation however, is changing for the better.

135. The contraceptive prevalence rate has increased from 15% in 1997 to 32% in 2000. All, married couples in the islands have access to contraceptives through the Island Health Centres.

### Article 15 Equality Before the Law and in Civil Matters

Equality before the law, legal capacity in concluding contracts and administration of property; equal right to mobility and choice of domicile.

136. The law provides for women and men to be treated equally with respect to concluding contracts and to own and administer property except within the inheritance laws.
137. Women have the right to administer property without interference or consent of a male. Even after marriage, male consent is not required regardless of whether the property is acquired during the marriage or before the marriage. Women can and do continue to administer the property which they own even though they have entered into marriage.
138. Women are treated equally in courts except in the certain specific areas where the weight of women's testimony is restricted under the *Shari'ah*.
139. Further extensive research needs to be carried out regarding judicial reasoning and judicial practices in order to examine any differences on the basis of gender.
140. Marriage does not limit a woman's right to choose residence. It is common of a couple to reside with either spouse's family.

Article 16 Equality in Marriage and Family Law

Equality rights with respect to marriage and family relations.

141. It is easier for men to divorce as well to enter into polygamous unions. The new family law provides for the conclusion of prenuptial agreements which give women the freedom to set conditions that can restrict men's privilege to divorce and polygamy.
142. *Shari'ah* Law requires the women to obtain the consent of the male guardian for her marriage contract to be valid. However, in practice women do have autonomy to choose a marriage partner. Forcing a man or a woman to enter into marriage is an offence.
143. Under *Shari'ah* law an individual can enter into marriage once maturity (or puberty) has been reached. However, the Family law determines the minimum legal age of marriage for both men and women as 18 years except under special circumstances and that too at the discretion of the marriage registrar.
144. Polygamy is allowed under *Shari'ah* Law and is practised by men although it is not very common. Men have the freedom to take up to four wives at a given time.
145. However, men have an obligation to treat all the wives within a polygamous union equally. This is in terms of economic and material provisions as well as love and affection. In practice it is difficult – if not impossible to enforce this injunction.
146. Women can choose a profession and occupation just as men do.
147. Husband and wife do not maintain and manage their property and finances separately. Therefore, there are drawbacks for women (and men) when divorced, as men are seen to be the head of the household, and hence the control of finance.

148. With increasing education and awareness among women, they are beginning to take charge of their property and finances. Besides, the family law provides for the settling this uneven control on resources through the prenuptial agreement.
149. The Maldives has one of the highest divorce rates in the world. Statistics reveal that 59% of the total number of marriages ends in divorce. A large number of these divorces however, do not reflect permanent separation as re-marriage is frequent.
150. Men will no longer have the right to unilateral divorce based on a verbal formula under the new Family law. They are required to present their case in court if they want to get a divorce. Once the Family Court receives an application for divorce, the matter will be investigated by interviewing both sides in the dispute. Efforts are then made towards reconciling the parties, following which the judge makes a decision
151. Similarly women also have the right to file divorce. Women can and do apply to the courts for divorce on the grounds of assault and battery and for other valid reasons.
152. Divorce is also available to women on the basis of prolonged absence of the husband (*i.e.* 6 months without any knowledge of his whereabouts) under Maldivian Law 10/95. A woman is also granted divorce 6 months after she applies to the Court in cases where the husband is living abroad and refuses to grant her divorce.
153. In the event of divorce, any property, which has been registered as joint property, is divided equally. Any property which is seen by the court to have been acquired by the couple during their joint partnership in marriage (the woman's domestic and child-care contributions are taken into account) are also divided between the two.
154. The husband has legal obligations to provide for the wife and pay maintenance for the duration of the *idda* period following divorce. The *idda* period is the

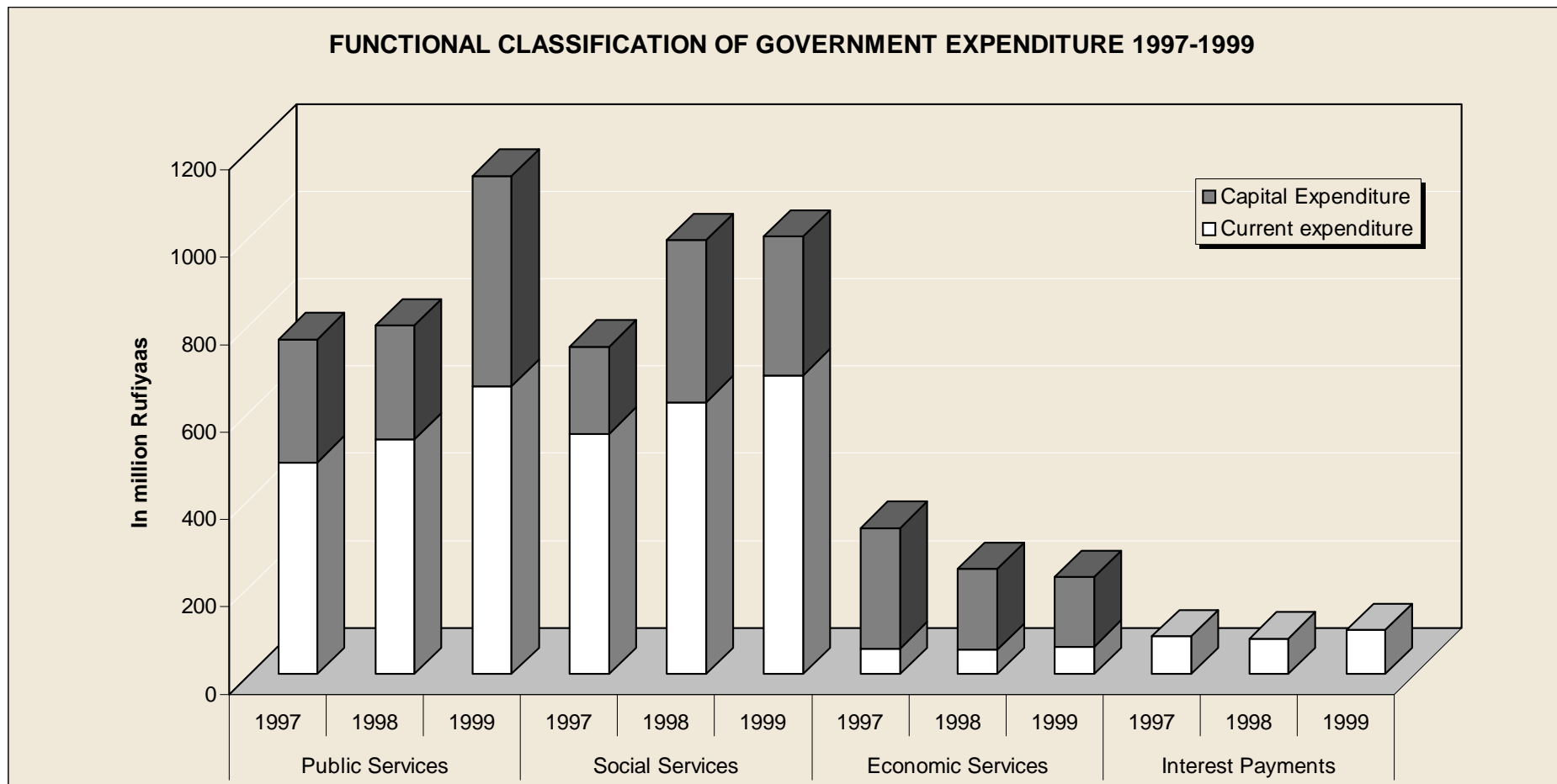
equivalent of three monthly menstrual cycles for a woman who is not pregnant, and until she gives birth for a pregnant woman.

155. The woman is given priority for the custody of the young child (until he/she reaches 7 years of age). Once the child has attained that age, and in the event of a dispute, the family court gives the child the choice of choosing which parent he/she prefers to live with.
156. The father is obligated by law to provide child support and maintenance to a child following divorce. The actual process needs to be monitored and their enforcement needs to be strengthened.

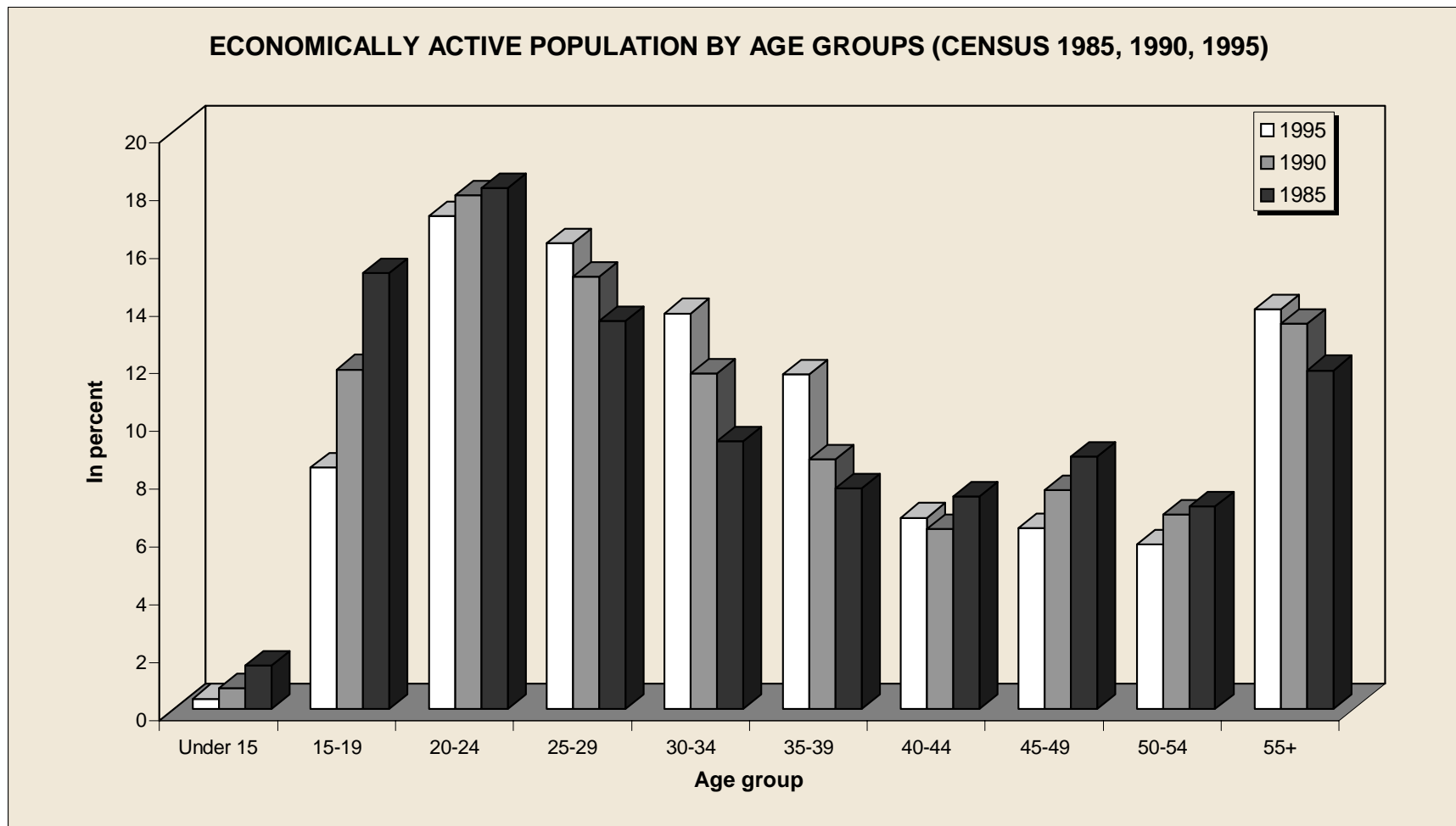
**ANNEXE****BASIC INDICATORS 1985 - 1999**

	<b>1985</b>	<b>1990</b>	<b>1995</b>	<b>1999</b>
Population	180,088	213,215	244,814	277,579
Sex ratio	108	105	104	105
Growth rate	3.2	3.4	2.7	1.88
GDP (in million Rf.)	683.0	980	1,359.4	1,895.2
Total revenue (in million Rf.)	177.3	503.6	1,227.7	2,077.4
Total expenditure (in million Rf.)	199.3	747.2	1,708.5	2,481.8
Tourism revenue (in million Rf.)	38.40	141.70	372.02	628.5
Fisheries revenue (in million Rf.)	3.14	15.00	n/a	-
Life expectancy - M	62	66	70.6	72.05
- F	60	64	71.6	73.23
Maternal mortality rate (per '000)	3.3	2	2	1.72
Infant mortality rate	63	34	32	20
Literacy rate	86.6	95.4	98.0	98.94

Source: Statistical Yearbook 2000, MPND



Source: Statistical Yearbook 2000, MPND



Source: Statistical Yearbook 1999, MPND

## BASIC HEALTH INFORMATION (1990 – 1999)

	1990	1995	1997	1999
Number of Hospital Beds				
Total	167	305	367	404
Central Hospital (gov)	95	-	-	-
Government hospital (IGMH)	-	184	200	204
Regional Hospitals	72	121	127	145
H. Dh. Kulhudhuffushi	20	15	17	30
R. Ugoofaaru	16	30	30	35
S. Hithadhoo	20	46	50	50
M. Muli	16	30	30	30
ADK	-	-	40	55
Population per hospital bed	1277	817	705	687
Nurse per bed :				
Republic	1	1	1	1
Government hospital	1	1	1	1
Population per practicing Staff Nurse	11845	1,994	1369	1068
Population per practicing Doctor	5330	2,493	1354	1328
Doctor / 10,000 population	2	4	7	8
Community Health Workers / 10,000 population	2	2	3	3
Family Health Workers / 10,000 population	8	10	10	10
Health Expenditure as % of National Budget	15.47	10.00	10.94	11.27
Per capital Health Expenditure (in Rf.)	190	690.40	819.55	1002.24

Source: Statistical Yearbook 2000, MPND

## SCHOLARSHIPS AWARDED TO STUDENTS BETWEEN 1995 & 2000 BY CATEGORY

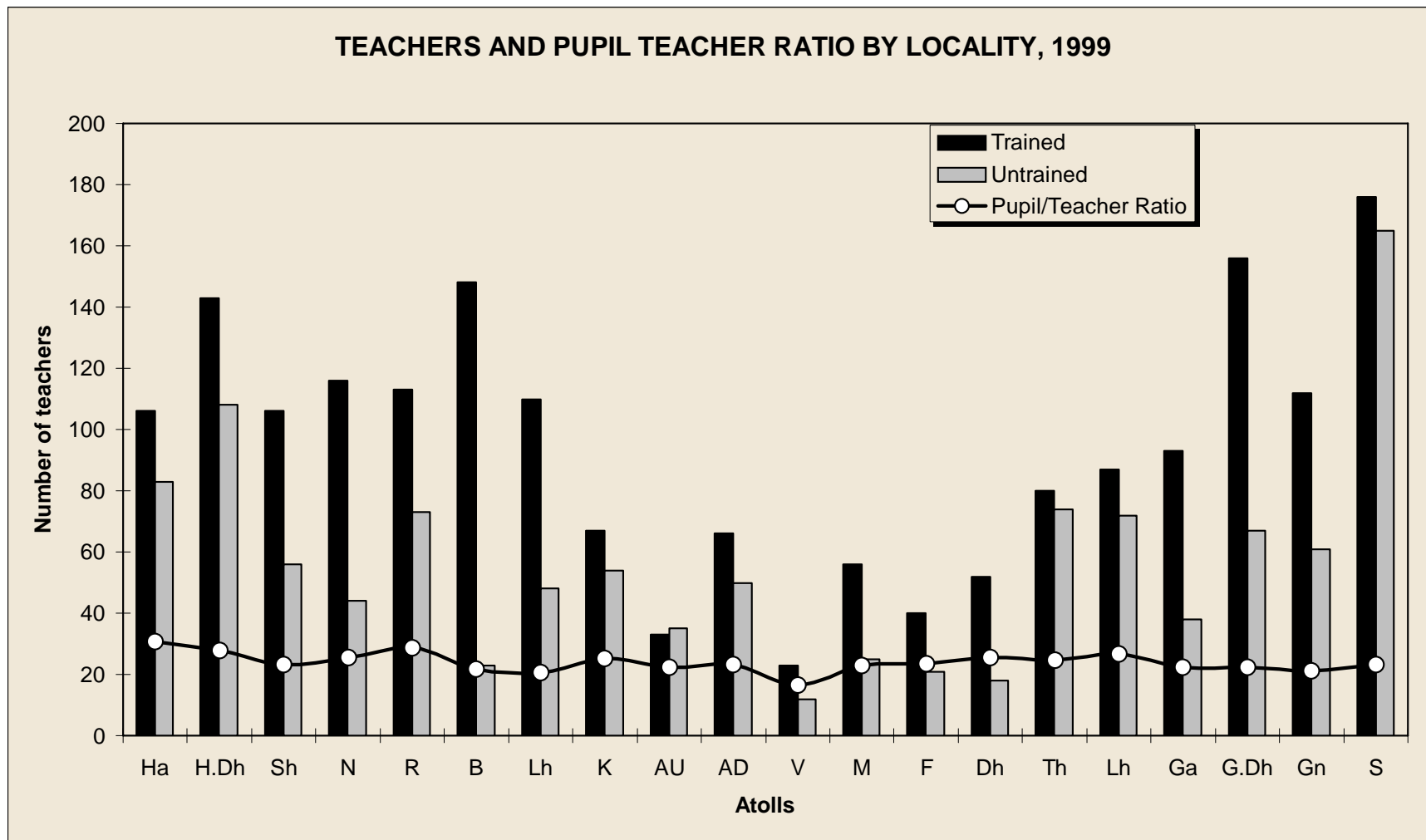
Category	1995			1996			1997			1998			1999			2000			Total Female	Total Male	Grand Total
	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total	Female	Male	Total			
Programmes in education, teacher training	11	4	15	15	2	17	26	29	55	10	8	18	7	11	18	4	6	10	73	60	133
Fine and applied arts programmes	1		1								2	2							1	2	3
Humanities programmes							1	1	2		1	1	1	1	2	2	1	3	4	4	8
Religion and theological programmes		2	2																	2	2
Social and behavioural sciences programmes	4	2	6	3	1	4	6	4	10	4	5	9	2	3	5	5	2	7	24	17	41
Commercial, clerical, business and public administration programmes	8	15	23	11	22	33	18	39	57	33	19	52	13	33	46	13	18	31	96	146	242
Programmes in law	2	5	7	2	7	9	4	5	9		3	3	2	3	5	2		2	12	23	35
Natural science programmes		2	2	3		3		1	1	2	4	6	1	3	4	2		2	8	10	18
Programmes in mathematics and computer science		3	3	2	9	11	5	7	12	21	21	42		13	13	6	1	7	34	54	88
Health related programmes	17	17	34	18	13	31	18	10	28	27	11	38	20	15	35	9	8	17	109	74	183
Engineering programmes		8	8		11	11		35	35		11	11		15	15		5	5		85	85
Architectural and town planning programmes		1	1		1	1		6	6	1	2	3		3	3				1	13	14
Agricultural, forestry and fishery programmes		1	1		1	1		4	4	1		1							1	6	7
Transport and communication programmes		1	1		1	1		3	3		1	1					1	1		7	7
Service trades programmes		1	1					1	1				3	2	5				3	4	7
Programmes in mass communication and documentation								1	1		1	1	1		1				1	2	3
<b>Total</b>	<b>43</b>	<b>62</b>	<b>105</b>	<b>54</b>	<b>68</b>	<b>122</b>	<b>78</b>	<b>146</b>	<b>224</b>	<b>99</b>	<b>89</b>	<b>188</b>	<b>50</b>	<b>102</b>	<b>152</b>	<b>43</b>	<b>42</b>	<b>85</b>	<b>367</b>	<b>509</b>	<b>876</b>

Source: Ministry of Planning and National Development

**EDUCATION**

	<b>1995</b>	<b>1996</b>	<b>1999</b>
Total number of students	87,878	90,597	101,081
Government Schools	39,032	40,935	49,721
Private Schools	39,581	40,153	42,524
Community Schools	9,265	9,509	8,836
Student Enrolment			
Male'			
Both Sexes	24,570	25,641	27,714
Male	12,639	13,214	14,041
Female	11,931	12,427	13,673
Atolls			
Both Sexes	63,308	64,956	73,367
Male	32,004	32,876	37,353
Female	31,304	32,080	36,014
No. of Educational Institutions			
Male'	17	17	20
Government	9	9	11
Private	4	4	5
Community	4	4	4
Atolls	245	246	264
Government	50	51	55
Private	25	28	41
Community	170	167	168

Source: Statistical Yearbook 2000, MPND



Source: Statistical Yearbook 2000, MPND

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