

Press Release

Appointment of President and Vice-President to the Human Rights Commission of the Maldives

2nd September 2010:

The NGOs participating in this statement regret the People's Majlis (Parliament) having gone into recess without concluding the issue of the President's nominees for President and Vice-President of the Human Rights Commission of the Maldives (HRCM) as per Article 8 of the HRCM Act. We also condemn comments made by some members of Parliament during the debate on the matter, which implied that it was not appropriate for women to run a Commission such as the HRCM without a male member as either President or Vice-President.

According to Article 9 of the HRCM Act, the President of the Commission holds the chair in all meetings of the Commission and is also tasked with assigning complaints that the Commission receives to the different members. The Vice-President of the Commission takes over these responsibilities when the President is either absent or unable to perform these duties. Thus, the non appointment of either a President or a Vice-President is an immense obstacle to the effective functioning of the Commission.

It is the duty of the People's Majlis to ensure that an important institution such as the HRCM does not fall into a legal void. The NGOs participating in this statement believe that keeping the HRCM in this legal void until the Majlis reconvenes in October 2010 would be a great disservice to the people of the Maldives. We call upon the Majlis to conclude the matter of the President's nominees to the Presidency and Vice-Presidency of the HRCM at the earliest possible before October 2010.

Given that the Constitution states that one of the main sources of all laws in the Maldives is Islam; and given that Maldivian law allows for women to take up not only the Presidency of the Republic, but also for women to become judges, commission members, commission presidents, and to take up other important posts in the State, there is no room to claim that women being appointed as both President and Vice-President of the HRCM is contrary to Islamic norms. Further given the fact that the Presidency and Vice-Presidency of most other commissions and bodies in the country are dominated by men, there is also no room to claim that women being appointed as both President and Vice-President of the HRCM is contrary to the rule of equality among the sexes. To not appoint a person to a particular post on grounds of the person's sex would in fact be contrary to Article 17 of the Constitution which enshrines the principle of non-discrimination. The fact that the cabinet, the People's Majlis and other state institutions are male dominated speaks to the struggle that Maldivian women still face in achieving full equality with their male counterparts. The NGOs participating in this statement are concerned and saddened that some members of parliament felt that appointing women as both President and Vice-President of the HRCM was somehow contrary to the norms of human rights, especially given the context of inequality and discrimination faced by women in the Maldives. We call upon the People's

Majlis to not regard gender as a factor when making their decision on the matter, and to appoint the most appropriate and capable members as President and Vice-President of the HRCM. We also request that members of parliament ensure that they remain free from gender based prejudices during their discussions, deliberations and decisions. We hope that the People's Majlis will work more effectively for the rights of the Maldivian people in the future and will conduct itself, in both the words and actions of its members, in a manner which will provide a positive example for the country.

ENDS

NGOs participating in this statement: Maldivian Democracy Network, Maldives NGO Federation, Maldivian Network on Violence Against Women, Transparency Maldives, Democracy House, Madulu, Strength of Society, Huvadhoo Aid, Maldives Youth Action Network.