

V. Annexure:

Annex 1: Statement delivered by H.E. Dr. Mariyam Shakeela, Acting Minister of Gender, Family and Human Rights to the High Level Segment of the 22nd Regular Session of the Human rights Council

Tuesday, 26 February 2013

Mr. President, Madam High Commissioner,

Excellencies, Distinguished Delegates, Ladies and Gentleman

Assalam Alaikum and a very good afternoon to you,

It gives me immense pleasure today to stand before you, representing the Maldives. On behalf of The President of Maldives and our people, let me take this opportunity to congratulate His Excellency, Remigiusz Henczel for presiding over this meeting as your first, and also thank Human Rights Council for its invaluable work to uphold the rights of all global citizens.

By the end of this year, the Maldives would have completed its first term as the smallest country member ever to serve in the membership of this esteemed Council. Although, the membership of the Maldives in this Council has gone through trials and tribulations we have stood on principle, advocated for the rule of law and have always tried to stand on the right side of history. Our approach to issues has been forward-looking and progressive and they have been based on the fundamental principles of human rights and dignity for all. Maldives is in the process of formulating a national strategy to strengthen national capacities to more effectively comply with the eight of the nine most important international human rights instruments while working on ratifying or acceding to other key international instruments, such as the ILO's Eight Core Conventions on Fundamental Human Rights and International Convention for the Protection of all persons from Enforced Disappearance. We are also on the verge of completing all necessary steps to establish a systematic procedure to address the issue of human trafficking.

Let me sum up the Maldives at the Council:

We believe in the right of all to live in a peaceful society, where the right to life is guaranteed. We believe in the protection of the rights of all vulnerable groups including women and children. We believe in the right to be free from torture and other humiliating and degrading treatment. We believe in the right of all to live in a safe environment.

And we believe in protection of the rights of all beings affected by Climate change

We believe in accountability for all actions that breach international human rights law.

We also believe in a democratic society where the rule of law is upheld.

And we believe in the rights of Palestinians to self-determination.

Excellencies,

Our primary aim has been to realise the principles that are espoused here into the domestic sphere. Although we have made good progress, much remains to be done, when new challenges are emerging, especially regarding that of the impacts of climate change that is predicted to become the most pressing challenge facing not only small island states like Maldives, but the whole humanity. It is for this reason that the Maldives will seek re-election

to the Council for the term 2014-2016. We pledge to continue our work in a constructive manner with a view to enhancing the protection and promotion of all human rights; and to responsibly carry out the work of this Council based on universality, objectivity, non-selectivity and impartiality.

Excellencies,

The past year has not been an easy one for the Maldives. In February 2012, we saw a Presidential transfer of power that has produced divisions within the population and caused the political atmosphere to be highly polarized. Although after Commission of National Inquiry, supported by the Commonwealth and the United Nations, and led by a Commonwealth nominated international jurist declared the transfer of power legal, the situation calmed down. Nevertheless, political tensions in my country remained high.

There have been instances when our democratic fabric has been confronted; and our democratic institutions including the judiciary have been challenged by those in office. The result of such clashes over the last three years has rendered the institutions weak and the democratic system fragile.

In Maldives, just like in many other vulnerable countries, climate change is emerging as a key challenge to Fundamental Human Rights of our people in all fronts, as the predictability, frequency, and severity of extreme climatic events are on the rise. Almost all of our islands are eroding, in some cases along with homes and people's livelihood, while, ground water is contaminated to a level it is not fit for human use without treatment. Trans boundary pollutants are causing numerous issues, while our reefs are being reduced to nothing but rock as global warming, ocean acidification and several other factors are devouring rich flora and fauna upon which 350 thousand people built their livelihood on. Sadly, in general, the human solemnity of the problem is heightened by the fact that climate change and its consequential effect is dramatically and unduly affecting the already vulnerable, poor and marginalized people, highlighting predominant susceptibilities and spreading more inequalities, intensifying existing social inequity at both the local and international level. Conflicts are arising over our inability to meet the increasing variety of related demands due to inadequate resources, while masses of claims are emerging that is translating into financial, political and societal implications.

Excellencies,

While Maldives recognizes and hail the existing resolutions passed by the Human Rights Council, we feel much ground needs to be covered in light of emerging issues, especially that of climate change after all, major human rights treaties were established before climate change was understood to be a pending hazard to overall human security and hence, are too broad and vague to address emerging issues. As we head towards a 9 billion population and a possible 4 degree world by 2060, Maldives urges all institutions not to underscore the urgency of meaningfully addressing climate change and not to view climate change only through scientific and economic forecasts, but to view it through a human rights lens. Extreme poverty and social deprivation of enormous proportions are depicted along with immense challenges, if we do not align our thoughts, and strategies along these lines.

Hence we urge all UN Agencies, including Human Rights Council, to devise strategies to integrate climate change in the post 2015 development agenda and align SDG's with MDG's and not view them in isolation in view of the human rights consequences that will arise otherwise.

Maldives asserts that without immediate and rigorous international action on climate change, essential freedom and full enjoyment of basic human rights of its people and many others, who are suffering for no fault of theirs are getting jeopardised by climate change.

Mr President,

Events of recent past convinces Maldives that it does not have the luxury of time to wait. In view of the looming threats and in light of the post 2015 developmental agenda, Maldives, urges that the inherent link between human rights and climate change is reinforced and refocused, so that this inherent link is globally assessed and appropriately addressed. We also look forward to the report by the Independent Expert on Human Rights and Environment, to be submitted to this session, to positively contribute to the Council's debates on human rights and climate change and renewed strategies. In the near future, standards must be solidified in the creation of an international mechanism to strengthen institutions and cultivate a more dependable and consistent approach and reinforce strategies and commitments towards climate change and the consequent Human Rights issues that is predicted to become the most pressing challenge facing humanity. The relationship between, Human Rights and environment and the relationship between Human Rights and climate change must be reassessed and acknowledge that while having similarities, both aspects are different and yet must be viewed alongside each other, and not independent of the other.

Despite the enormous challenges, the current coalition government led by President Dr. Mohamed Waheed, has made government's position very clear- that it would do whatever it takes to protect the rights of its people and to prevent confrontations that may derail democratic growth. It has pledged its commitment for political dialogue and to hold a free, fair and inclusive election this year in which all political parties participate; observed by recognized, election observers from international partners. Undoubtedly, elections constitute the fundamental measure of any democracy. Therefore, there should be no doubt that the Maldives is fully capable of holding multi-party credible elections as demonstrated in 2008 and 2009. The independent elections commission will be deciding the eligibility of candidates based on criteria which is already open and public and therefore, no country or organisation should influence the judiciary or force anyone's hand to ensure participation of a particular candidate. Moreover, the Government has upheld the rule of law and respected democratic institutions.

Excellencies,

The Maldives remains committed to democratic consolidation at home and abroad. We believe in essential principles of popular sovereignty, the accountability of those in Office, fundamental freedoms and liberties, and an absolute maintenance of the rule of law. Moreover, we believe that adherence to these principles is the foundation of ensuring that the unalienable rights of all peoples are maintained, protected, and promoted. In this spirit, let these ideals be solidified in the creation of an international mechanism to strengthen institutions in emerging democracies, to develop a more reliable and consistent approach and establish and reinforce strategies and commitments towards climate change and the consequent Human Rights issues.

As a wave of democratic fever spread across the Middle East and North Africa, the world is seeing other Islamic nations follow in the footsteps of the Maldives towards introducing a system of democratic governance premised on inclusion, transparency, participation and accountability. This trend is one that deserves to be embraced by the world community. The Maldives said it then, and we say it now again; there is no choice for this Council, but to welcome these transformations and support them to fruition. The Maldives believes that the

question of democratic development in Muslim nations needs an answer that is holistic that recognizes the inherent linkages between human rights and democratic consolidation and that places these ideals as both an end goal and as a modus operandi for the journey forward. A journey we WILL make together.

As we move forward, maintaining a democracy is edged with budding shoots of expectation. I call here today to deliver to that expectation with a commitment to institutional strengthening and democratic encouragement. Let us work together to redefine them and ensure that democratic deficits are reduced, that weak institutions are strengthened, and poor leadership better guided. Let us look to 'the future we want', when expectation is made to blossom, through a cooperative model, into tangible assistance for enhanced capability.

We know, better than most, that to be an emerging democracy constantly challenged by volatile, new and emerging issues in today's inter-connected-world, is not an easy thing to be. There is no leeway to stumble and falter. No room to hesitate in an ever-present threat of regression. But as an emerging democracy, we now walk a path made firm by the footfalls of history. We proceed with the certainty that all rights and responsibilities, whether defined as human or democratic, go hand in hand with the cultivation of political will and institutional capacity.

Mr President,

Before concluding, let me applaud you and the High Commissioner for your untiring efforts to advance the lives and safeguard the rights of people around the world. The Maldives once again pledges its strong support to the Council and the Office of the High Commissioner.

Thank You.