

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



Response from Maldives for the questions posed in the Joint Communication from United Nations Special Rapporteurs.

1. Please provide any additional information and/or comments you may have on the above-mentioned allegations.

- The Government of Maldives has not received any information or communication, through official or unofficial channels, in regards to the registration exercise or transfer of persons between camps within Syria.

2. Please provide any additional information and/or comments you may have on the above-mentioned transfer of families to the newly-extended camp in Roj and on the legal basis for their transfer and detention. Please provide any information you may have on the measures your Government has taken to maintain contact and ensure their well-being since the transfer.

- The Government of Maldives has not received any information or communication, through official or unofficial channels, in regards to the registration exercise or transfer of persons between camps within Syria.
- As no information has been received, no such measures have been taken.



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3. Please clarify whether your Government was informed about the registration, data-collection and relocation exercise and its purpose

- The Government of Maldives has not received any information or communication, through official or unofficial channels, in regards to the registration exercise or transfer of persons between camps within Syria.

4. Please explain whether your Government has been informed by the authorities carrying out this exercise about the next step following their relocation to the other camp

- The Government of Maldives has not received any information or communication, through official or unofficial channels, in regards to the registration exercise or transfer of persons between camps within Syria.

5. Please explain whether your Government was in any way involved in requesting this exercise, or if the data collected or assessments made were communicated to your Government.

- The Government of Maldives was in no way involved with the request or operations of this exercise. The data and/or assessments were not communicated either.



6. Please explain what data-protection measures are available in your national legal system to protect against the exploitation and use of such data collected, stored, and used by other State actors with whom data was shared as well as non-state actors against your nationals.

- While Maldives has not enacted a comprehensive data protection legislation yet, the Ministry of Environment, Climate Change and Technology has formulated a draft Privacy and Personal Data Protection Bill, which is currently open for public comments.
- Nevertheless, disclosure and sharing of data is, in various respects, regulated under relevant laws and regulations of Maldives. As such, with respect to data or information associated with terrorism, Law Number 32/2015 (Prevention of Terrorism Act) mandates a mechanism for the safe exchange of information and intelligence associated with terrorism. This mechanism or framework is established by the Minister of Home Affairs, who is responsible for ensuring that the exchange of such information is done so within the parameters set out by the law.
- Furthermore, other State institutions are obliged to disclose any terrorism related information acquired within their official scope of work, to the relevant counterterrorism intelligence body without delay. In this regard, personal information or data that is generated and provided to those State institutions may need to be disclosed to counterterrorism intelligence bodies, if such data is associated with terrorism.



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- It is also important to note that the Prevention of Terrorism Act creates a proper framework within which an information and intelligence sharing network is established among counterterrorism intelligence bodies such as the Maldives National Defence Force, Maldives Police Service, Maldives Customs Service, Maldives Immigration and the Financial Intelligence Unit of Maldives Monetary Authority, at the domestic or local level. Intelligence or information received from foreign parties, including other States and international organisations, will also be circulated within this network as required. This mechanism ensures that information exchanged is duly monitored and properly done so, regardless of where the information comes from. As such, the confidentiality of any data that is shared or exchanged within this network in relation to terrorism is protected under adequate safeguards and such an exchange is done within the ambit of the framework under the oversight of the Minister.
- As for the exchange of data or information shared between Maldives and other States in respect to criminal proceedings or a criminal investigation, this is strictly governed under Law Number 2/2015 (Mutual Legal Assistance in Criminal Matters Act) which facilitate mutual legal assistance. Under the Act, information or evidence that is shared for purposes of mutual legal assistance will be done so within the ambit of an agreement signed between both States.



7. Kindly also explain how the collection of biometric data has complied with medical ethics, the adequate provision of information and with people's right to informed consent.

- We are unable to comment about the actions taken during this exercise, as the Government of Maldives did not receive any information regarding the exercise.

8. Please provide information on the actions taken by your government to protect the rights of children from your country being held in Al-Hol and Roj camps to prevent irreparable harm to the lives, health and security.

- The Government of Maldives has a policy to repatriate, rehabilitate and reintegrate Maldivian families in Syria. The affected Maldivian nationals would receive access to medical and psychological support that they require within the rehabilitation process in the Maldives.

9. Please provide any information available on specific measures taken to protect women and girls against acts of gender-based violence they may face within the detention facilities and in the camps and to ensure their access to health services, specifically in relation to their reproductive health

- The Government of Maldives has a policy to repatriate, rehabilitate and reintegrate Maldivian families in Syria. The affected Maldivian nationals would receive access to medical and psychological support that they require within the rehabilitation process in the Maldives.



10. Please indicate the steps that your Excellency's Government has taken, or is considering to take, to ensure access to an effective remedy, including through domestic judicial mechanisms, for your nationals being held in Al-Hol and Roj camps who may be victims of human rights abuses, including trafficking in persons.

- The Government of Maldives has a policy to repatriate, rehabilitate and reintegrate Maldivian families in Syria. While relevant Government authorities are constantly monitoring the situation of Maldivians in Syria and specifically those in camps, and working to provide any required assistance, the end objective is to repatriate these nationals and provide them with an effective remedy.
- As such, legislative amendments have been brought to Law Number 32/2015 (Prevention of Terrorism Act), which has established mechanisms and procedures to enable rehabilitation and reintegration of foreign fighters as well as their families, once they are repatriated. These amendments stipulate that, once a foreign fighter or their family members are repatriated, they will undergo the process of rehabilitation and reintegration, and ensures that during this process adequate safeguards are guaranteed. A risk assessment is conducted by the Maldives Police Service to determine the level of exposure to terrorist activities and the risk of harm the person may pose to the community. During this process, they are entitled to legal representation. Special measures may be taken in relation to the best interests of children involved. The process itself goes through judicial review to ensure that the persons involved are brought before a Judge to ascertain administrative detention and rehabilitation. With respect to persons subject to human trafficking, victim identification procedures may be triggered under Law Number 12/2013 (Prevention of Human Trafficking Act).



11. Please provide any information you may have about the basis for the transfer of families from Al-Hol to Roj, and the measures your Government has taken maintain contact and ensure their well-being since the transfer.

- The Government of Maldives has not received any information or communication, through official or unofficial channels, in regards to the registration exercise or transfer of persons between camps within Syria. However, the Government of Maldives has a policy to repatriate, rehabilitate and reintegrate Maldivian families in Syria.

12. Please explain the measures that your government might have taken to ensure that the rights of your citizens mentioned in this communication were respected in this exercise.

- As there was no prior knowledge of the exercise, there were no such measures taken in regards to this exercise.

05 October 2023