

# Women in Prison: Maldives

Analysis from the National Preventive Mechanism

| September 2024





# Maldives



|  |                           |
|--|---------------------------|
| UNCAT Ratification                             | OPCAT Ratification        |
| 20 April 2004                                  | 15 February 2006          |
| National Preventive Mechanism (NPM)            |                           |
| Human Rights Commission of the Maldives (HRCM) |                           |
| NPM legal framework                            | NPM operationalisation    |
| Anti-Torture Act (13/2013)                     | Since April 2008          |
| NPM structure                                  | NPM composition           |
| Separate department within the HRCM            | 4 staff members (2 women) |

## I. Facts and Figures

| Prison population  | Women in prison - Characteristics                               | Prisons for women <sup>1</sup>            |
|--|---|---|
| Total prison population  | Foreign women   | Total number of women's prisons           |
| 1,347  | 14  | 1   |
| Women in prison (total)  |   | Mixed prisons with special unit for women |
| 56   4.15%   |   | 1   |
| Women in pre-trial detention   |   |   |
| 20   |   |   |
| Sentenced women  |   |   |
| 36   |   |   |
| Source: Ministry of Homeland Security and Technology, June 2024 <sup>2</sup> | Source: Ministry of Homeland Security and Technology, June 2024 |   |

<sup>1</sup> The Maldives has one major prison where women are kept in detention in a special wing exclusively dedicated to women, Maafushi Prison. In addition to this, there are a few police stations where women can be kept in detention as well. These facilities usually have one or two cells that are partitioned and designated for women prisoners. Apart from the aforementioned facilities and Immigration Detention Centers, there is no facility in the Maldives that detains women.

<sup>2</sup> Quarterly reports on places of detention, submitted to the Human Rights Commission of the Maldives by the Ministry of Homeland Security and Technology for the quarter of 1<sup>st</sup> April to 30<sup>th</sup> June 2024, under Article 17 of the Anti-Torture Act (13/2013).



## II. Recommendations

### Access to healthcare

- + Ensure that women prisoners and detainees undergo a medical screening and gender-sensitive risk assessment upon entry and that it is repeated on a regular basis to determine their needs.

### Mental health

- + Ensure that therapeutic interventions are available to women prisoners and detainees with mental health conditions.

### Non-discrimination

- + Ensure that women detainees and prisoners are not discriminated on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status and that their individual needs are taken into account.

### Foreign women

- + Ensure that all foreign prisoners and detainees, upon arrival, receive updated verbal and written information about their rights and the prison's procedures in a language they understand.
- + Document if an interpreter was used during the admission interview.

## III. Detention Issues

### Body searches

#### a) Legal and regulatory framework

Rules on conducting body searches on detainees (2015/R-3) formed under Article 150 of the Prison and Parole Act (14/2013) dictate the modalities under which searches should be conducted on detainees.

Article 8 of the Rules dictate that body searches for women detainees must be conducted by women prison officers. It also dictates that the human dignity of a detainee must be protected when searches are conducted. The rules also specify the circumstances under which body searches of different kinds can be done. Apart from these provisions, the rules on conducting searches don't specify any special procedures to be followed when conducting searches on women detainees. Searches are conducted on every detainee, under the circumstances dictated in (2015/R-3).

Invasive body searches are also practiced in the Maldives. The Rules on conducting body searches (2015/R-3) dictate that if the officer conducting a body search on a detainee suspects that the detainee is hiding a prohibited item inside their body after a body search, an invasive body search can be conducted. The same article of the regulation (Article 11) dictates that searches must be conducted using modern equipment, and that an officer with the relevant training, or a medical officer, can conduct the search. Invasive searches on detainees must be conducted with the permission of the Director of Prisons.

#### b) In practice

During its visit to Maafushi Prison's Women's unit in 2022, the NPM observed that strip searches are conducted in the presence of two women prison officers. Some detainees reported that a cloth or sheet was not provided to cover their bodies during the search. Further, some inmates noted that they



opted out of going outside the prison for medical purposes to avoid invasive strip searches done in the facility.

During a previous visit conducted to Maafushi Prison in November 2018, women prisoners informed that prison officers had harassed them, body shamed them, and humiliated them during searches, and that prisoners try not to go outside for medical consultations as well, to avoid searches.

The NPM also observed that the room used by prison officers to conduct body searches was not up to standard, as it did not have adequate lighting, and the ceiling of the room was damaged. The NPM also observed that documentation related to strip searches conducted in this facility was not properly maintained.

In light of these findings, the HRCM has recommended that alternative methods are used to conduct searches on detainees in the facility. However, the NPM has not observed the usage of alternative screening methods in facilities, to replace strip searches on detainees.

### c) Body searches of visitors

Body searches are also done on visitors that go in and out of Maafushi Prison. Rules on the basic necessities and services that detainees are entitled to (2020/R-29), formed under Article 150 of the Prison and Parole Act (14/2013), dictate that visitors coming in to the prison for family visits, or conjugal visits, must first be searched with a metal detector, or go through a walkthrough gate before entering a prison. If it is suspected that the visitor is carrying a prohibited item after this, a pat-down search must be done before the visitor is allowed entry. If it is still suspected that the visitor is carrying a prohibited item, they will be given the option to go through a strip search before entering the prison, or decline, and cancel the visit. The rules also dictate that the prison director must grant permission for such a search in writing, before a search is done. For women visitors, body searches are conducted by women prison officers, out of sight of male staff working in the facility.

### Solitary confinement, isolation

The NPM observed that some prisoners are kept in isolation for extended periods of time with no human contact outside of interactions with prison staff in Maafushi prison. There are provisions in the Prison and Parole Act of the Maldives that allow detention facilities to isolate prisoners as a disciplinary measure.

As such, Article 102 of the Prison and Parole Act dictates that prisoners can be isolated for up to 30 days as a disciplinary measure. Article 103 of the Prison and Parole Act specifies that such a decision can be taken by the Direction of Prisons. It also specifies that the status of the detainee in isolation must be monitored by an officer allocated by the Director of Prisons at least every 6 hours.

Further, this article also specifies that a prisoner must not be kept in isolation in cases where the prison officer tasked with monitoring the isolated prisoner believes the prisoner's mental or physical well-being may deteriorate due to the isolation.

### Access to mental healthcare

Article 49 of the Prison and Parole Act dictates that a medical assessment must be done on every detainee before they are admitted to the prison. The Article specifies that the medical assessment must include information on whether the detainee has had any mental health condition, and whether such condition might be a barrier to providing treatment to the detainee.

However, the Act does not specify that such medical assessment, determining medical health care needs of the prisoner, should include information related to post-traumatic stress disorder or risk of suicide and self-harm.



The NPM has observed that a health screening is done for every detainee upon being admitted to Maafushi Prison. During this screening, detainees are asked by medical staff about their mental health care needs. However, a comprehensive psychiatric assessment of prisoners is not carried out, and there is no established mechanism to detect mental healthcare needs, and risk of suicide and self-harm among detainees.

Mental health treatment is available for women in Maafushi Prison through the medical center in the Prison. The medical center currently has a psychiatrist who can be consulted regarding mental health issues.

During its visit to Maafushi Prison in 2022, the NPM observed that many inmates had mental health conditions, and needed therapeutic intervention along with psychiatric medication. However, there was no inhouse psychologist or counselor in the facility. The immediate need for inhouse psychologists or counselors was highlighted by the psychiatrist as well. The NPM observed that there had been several incidents of self-harm by women inmates in the prison. Some detainees who self-harmed or were involved in violent outbursts were isolated by prison officers. Therapeutic intervention alongside medical intervention is crucial for such patients, and the lack of provision of such services increases the risk of self-harm by detainees.

### Sanitary facilities and personal hygiene

In women's detention centers in the Maldives (Maafushi Prison in particular), the NPM also observed difficulties faced by women in receiving basic items such as sanitary napkins. During the NPM's visit to Maafushi prison in 2022, women reported that they were provided a limited number of sanitary napkins per month. If a prisoner ran out of sanitary napkins, they had to get a written document from the doctor in order to get more.

In Maafushi Prison, the only prison in the Maldives with a separate unit for women, the NPM found low conditions of the cells, with the general cleanliness of the cells being low due to a lack of maintenance, and very high temperature in the cells. The NPM also observed that the toilets of the cells didn't have a door separating them from the room, and that prisoners had little to no privacy when using the lavatory.

## IV. Women in a special situations of vulnerability

The NPM of the Maldives has observed that the time in detention for women in the Maldives is largely affected by other factors in addition to their gender. Major factors that affect the experiences of women in detention in the Maldives include religion and country of origin, as well as disabilities that they might have. Such issues were observed most recently in the NPM's thematic visit to Maafushi Prison in 2022.

### Foreign women

Foreign women in Maafushi prison reported that basic information related to the rules and regulations of the prison, and complaint mechanisms established in the prison, were not communicated to them in a language that they could understand. In addition to the lack of interpretation when it came to the aforementioned information, detainees also reported difficulties getting access to interpretation and contacting their respective consulates.

Some foreign women faced difficulties getting access to food as well. In Ramadhan, foreign detainees that were not observing the fast did not have access to food before Iftar, and had to save food from the previous day in order to eat during the day. Furthermore, detainees who cannot eat specific types of food because of their religious beliefs have to get an approval from the medical officer of the prison



in order to get access to food items that fall in line with their respective diets.

### Women with disabilities

In its visit to Maafushi Prison in 2022, the NPM observed that women prisoners with disabilities - such as hearing impairments - did not have the opportunity to participate in educational and rehabilitation programs conducted in the prison, as the programs were not tailored to cater to their needs. Additionally, the Prison did not have trained staff who could communicate with them in sign language.

## V. Other relevant NPM information on women in prison

+ [Annual and visit reports](#)

This report is part of the Global NPM report on Women in Prison.  
Access the full report here: [www.apr.ch/global-report](http://www.apr.ch/global-report)