GLOBAL INFORMATION SOCIETY WATCH 2016

*Economic, social and cultural rights
and the internet*

ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
AND INTERNATIONAL DEVELOPMENT RESEARCH CENTRE (IDRC)

Global Information Society Watch

2016

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Global Information Society Watch 2016
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MALDIVES

SOCIOECONOMIC RIGHTS AND THE INTERNET IN THE MALDIVES

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Introduction

The internet has brought many changes to the Maldives, where the communications infrastructure is considered one of the most advanced in the region.[1] Yet despite the government's commitment to economic, social and cultural rights (ESCRs) on paper – and its apparent success in meeting a number of the 2015 Millennium Development Goals – there is little evidence that the internet is being used effectively to meet the rights of the people in a country facing poverty and class divides.

This report considers the deepening socioeconomic crisis in the island state and suggests ways in which the internet can be used to enable the ESCRs of the country's citizens. It also implicitly asks the question: If a government disregards fundamental civil and political rights, can it be committed to the full realisation of ESCRs?

Policy, economic and political background

The International Covenant on Economic, Social and Cultural Rights (ICESCR) was ratified by the Maldives in 2006.[2] The right to an adequate standard of living, as stipulated in Article 11 of the Covenant, is captured in Chapter II, Article 23 of the Maldives constitution.[3]

The Maldives met five of the eight 2015 Millennium Development Goals (MDGs)[4] ahead of the agreed timeline and has been labelled as an "MDG plus" country, showing potential to go beyond the agreed MDG targets. However, the country lags behind on MDG 3, Promote gender equality and empower women; MDG 7, Ensure environmental sustainability; and MDG 8, Develop a global partnership for development.[5]

At the UN climate meeting in Paris on 22 April 2016, Maldives was the 97th signatory to the 2030 Sustainable Development Goals (SDGs).[6]

Meanwhile, the Maldives is believed to be the first country in the world to cut off internet access to its citizens.[7] This happened in 2004, when then-president Maumoon Abdul Gayoom shut down the internet in the wake of protests against his ruling regime.[8] Media freedom improved in the country following the end of Gayoom's 30-year rule. However, in 2008, physical attacks on journalists escalated after former president Mohamed Nasheed left office.[9] The internet was instrumental in reporting these attacks and in coordinating demonstrations to protest the attacks.

The country's constitution states that a non-Muslim cannot be a citizen of the Maldives[10] – it is also illegal for any other religion apart from Islam to be practiced in the Maldives. There has been an ongoing religious revival in the Maldives led by so-called Revolutionary Islamists, which has also been facilitated by the internet and social media.[11] Today, national borders are crossed with ease, terrorist and violent

1   Noor-Drugan, N. (2015, 17 December). Huawei & Ooredoo partner on Maldives subsea telecoms cable. *Wire and Cable News.* wireandcablenews.crugroup.com/wireandcablenews/news/free/2015/12/4557701

2   Ministry of Foreign Affairs. (2014, 8 June). "We must celebrate the successes and plan for the road ahead in consolidating democracy" says Minister Dunya Maumoon. foreign.gov.mv/v2/en/media-center/news/article/852

3   Article 23. Every citizen [has] the following rights pursuant to this Constitution, and the State undertakes to achieve the progressive realisation of these rights by reasonable measures within its ability and resources: (a) Adequate and nutritious food and clean water; (b) Clothing and housing; (c) Good standards of health care, physical and mental; (d) A healthy and ecologically balanced environment. www.maldivesinfo.gov.mv/home/upload/downloads/Compilation.pdf

4   Asian Development Bank. (2014). Interim Country Partnership Strategy 2014-2015. www.finance.gov.mv/v2/uploadedcontent/posts/intpub/Post1386-2014.pdf

5   United Nations Development Programme. (2014). Maldives Human Development Report 2014. www.mv.undp.org/content/maldives/en/home/library/poverty/maldives_human_development_report_2014.html

6   www.un.org/sustainabledevelopment/blog/2016/04/parisagreementsingatures

7   York, J. (2012, 16 July). This Week in Internet Censorship: Netizens Sentenced in Oman, Malaysia, and Bahrain; Maldivian Blogger Attacked; New Human Rights Watch Report on Iraqi Cybercrime Bill. *Electronic Frontier Foundation.* https://www.eff.org/deeplinks/2012/07/week-internet-censorship

8   Reporters Without Borders. (2004, 13 August). President Gayoom cuts off Internet links with outside world. https://rsf.org/en/news/president-gayoom-cuts-internet-links-outside-world

9   Reporters Without Borders. (2009, 30 July). A series of incidents revives concern about press freedom. https://rsf.org/en/news/series-incidents-revives-concern-about-press-freedom

10 www.presidencymaldives.gov.mv/Documents/ConstitutionOfMaldives.pdf

11 Naseem, A. (2015, 13 May). Leaving 'paradise' for Jihad: Maldivian fighters in Syria, and the Internet. *VOX-Pol.* voxpol.eu/leaving-paradise-for-jihad-maldivian-fighters-in-syria-and-the-internet

extremist organisations operating overseas are able to easily infiltrate and spread their influence into the Maldives, and the internet helps them do this.[12]

President Abdulla Yameen, who came into power in 2013, announced that he would enforce Sharia law.[13] Under Sharia law, the death penalty can apply to children involved in murder. Both the United Nations and the European Union have condemned this.[14]

The Maldivians who are the most affected by the Maldives interpretation of Sharia law are women and girls. In 2013, a 15-year-old girl who was abused by her stepfather for a number of years was taken to court for fornication and sentenced to 100 lashes. An online petition was launched and received two million signatures. The sentence was overturned by the high court.[15] Between 2005 and 2011, 85% of people flogged were women; and several of the floggings were against women who had been sexually abused.[16]

The country has a large number of institutions and NGOs working on human rights issues such as the rights of children, women and people with disabilities, reflecting immediate concerns in the country. However, in personal communication, Ahmed Tholal, senior projects coordinator for Transparency Maldives and former Maldives Human Rights Commission member, confirmed there no institutions in the Maldives specifically working on ESCRs.[17]

Tholal explained that there are huge gaps when it comes to gender equality, as well as social and economic equity, in projects implemented by the government. Most of the developmental programmes in Maldives are not aligned with the international bill of human rights and its principles.

The uneven role of ICTs in enabling ESCRs in the Maldives

It has long been considered paramount that the Maldives needs high-quality communications. In 2004 a tsunami hit the islands, with low-lying islands, including some of the major resorts, completely submerged by the tsunami. Infrastructural damage can still be seen at some of the resorts and many Maldivian citizens are still displaced. A state of national disaster was declared and a special task force was set up to provide aid and supplies. Rescue efforts were hampered by a loss of communication capabilities over the 1,000 islands that make up the nation.

Since then, cooperation with the private sector has boosted the availability of information and communications technologies (ICTs). Dhiraagu,[18] the main telecommunications operator – part-owned by the government, and having been criticised in the early stages of infrastructure roll-out for its high price structure while operating as a monopoly – has played an important part in building networks and delivering broadband and telephone services across the islands. There are currently two broadband providers in Maldives and a licence for a third has just been announced.[19]

The country now prides itself on having built one of the most advanced telecommunications systems in the region, even though internet access costs are among the most expensive in South Asia.[20] In 2008, some 20,000 people had access to the internet. Eight years later this figure stands at over 260,000[21] (out of a current estimated population of 372,000). According to the government, "during 2014, internet subscriptions increased by 74% compared to 2013."[22]

The government also has plans to connect 20 atolls to the capital Malé through a local area network. According to a report by the International Telecommunication Union (ITU),[23] a large percentage of government staff has access to the internet. However, the socioeconomic challenges that the Maldives faces are severe, and despite the extensive roll-out of the internet, time will tell if it meets its objectives.

Malé is a good example of the socioeconomic challenges faced in the country. The 2014 census shows that 38% of people living in the Maldives – or 154,000 people – reside in the capital, Malé.[24] The Maldives is one of the most densely populated countries in the world,[25] and Malé is in the top ten

12 Office of the President. (2016). State Policy: Terrorism and Violent Extremism. www.presidencymaldives.gov.mv/Documents/4560_ ee6e0576-8_.pdf

13 AsiaNews. (2014, 23 May). Under Sharia, the Maldives set to impose the death penalty on 10-year-old children. *AsiaNews.it*. www.asianews.it/news-en/Under-Sharia,-the-Maldives-set-to-impose-the-death-penalty-on-10-year-old-children-31157.html

14 Ibid.

15 minivannewsarchive.com/politics/justice-%E2%80%9Cstill-out-of-reach%E2%80%9D-for-maldivian-women-girls-avaaz-org-63175

16 Lubna, H. (2016, 20 March). Islam, patriarchal discourses and gender-based violence in the Maldives. *Maldives Independent*. maldivesindependent.com/feature-comment/islam-patriachal-discourses-and-gender-based-violence-in-the-maldives-122905

17 Interviewed for this report in September 2016.

18 www.dhiraagu.com.mv

19 www.budde.com.au/Research/Maldives-Telecoms-Mobile-and-Broadband-Statistics-and-Analyses.html

20 www.adb.org/publications/basic-statistics-2016

21 www.cam.gov.mv/Statistics.htm

22 planning.gov.mv/nbs/wp-content/uploads/2015/10/Statistical-Pocketbook-of-Maldives2015.pdf

23 ITU. (2011). Maldives: Moving up the development ladder. *ITU News*. www.itu.int/net/itunews/issues/2011/06/pdf/201106_22.pdf

24 statisticsmaldives.gov.mv/nbs/wp-content/uploads/2015/10/Census-Summary-Tables1.pdf

25 statisticstimes.com/population/countries-by-population-density.php

of the most densely populated cities on the planet.[26] As an indication of its growth, the neighbouring islands of Villimalé and Hulhumalé are being developed as part of the capital.[27]

This overpopulation in Malé has resulted in people being deprived of an adequate standard of living and the right to food and housing, with 15% of the population[28] living in unhealthy, unhygienic conditions. Environmental hazards, degradation and pollution are other major issues starting to emerge. This requires the attention of policy makers. However, the Maldives has no legislative framework to address these challenges.

Malé has 26,739 households, 40% of the total number of households in the whole of the Maldives. The average household size in Malé is 5.5 people.[29] Islanders migrate to Malé to find better work opportunities and educate their children. Contributing to this migration is the low-quality basic infrastructure in the outer islands as well as the present government's policy of centralisation.[30]

Many people who have lived in Malé all their lives own a property and are knocking down one-story houses and building apartment blocks of 10 to 12 storeys. The people migrating from the outer islands have to rent from these private landlords. Because of this a class divide is becoming apparent, with people in Malé getting richer and those from the outer islands getting poorer.

Colombo, Sri Lanka is 1.15 hours away by airplane. The cost of living there is 52% cheaper than in Malé, where the price of food is very high due to the fact that over 80% of products have to be imported into the Maldives. A number of the islands are designated as agriculture farms, but due to swells and sea rising, the soil has become unusable through seawater contamination.

A large percentage of the male population in the Maldives works on resorts, and wives are left at home to look after children and the household. Women are the primary carers and responsible for the family's health and welfare. The Maldives has one of the highest divorce rates in the world, although divorce carries no stigma. Half of the households in the Maldives are headed by women (42% of households).[31] The combined influences of South Asian heritage and Islamic traditions have played a part in conditioning social behaviour towards women. These have had a negative impact on the role of women in society, creating cultural barriers, limited opportunities, and restricting the choices available to them,[32] including access to the internet.[33] However, the Gender Equality Act that the president ratified on 16 August 2016 may go some way towards countering this situation.[34]

All of the above represent key areas of socioeconomic rights where the internet could be used as an enabler of these rights. However, statistics suggest this is not the case. According to a 2013 report from the UN Broadband Commission, women are 21% less likely to own a mobile phone than men.[35] The best infrastructure and funding initiatives also amount to nothing if the end user is unable to use a device. Reports suggest that literacy and technological ability are usually determined by social status and gender, with the poorer and less-literate 15% of Maldivians finding mobile platforms complex. Many people are also unaware of what is available on the internet, and how to access and use what is there. This is however changing. According to the 2014 census, the literacy rate in the Maldives is 97.7%. There is also an increase in the number of Maldivians being awarded higher education degrees.[36]

Nevertheless, the internet and mobile technologies have great potential to bring vital improvements to the lives of the most vulnerable populations. For example:

- Health care delivery through remote consultations: The previous president advocated setting

26 Ministry of Environment and Energy. (n/d). PEMPHIS Environmental Newsletter.

27 Zahir, M. (2011, 21 April). Population explosion; a major environmental issue in Malé. *Ecocare Maldives*. ecocare. mv/population-explosion-a-major-environmental-issue-in-male%E2%80%99

28 www.adb.org/publications/basic-statistics-2016

29 statisticsmaldives.gov.mv/nbs/wp-content/uploads/2015/10/Census-Summary-Tables1.pdf

30 Zahir, M. (2011, 21 April). Op. cit.

31 National Bureau of Statistics. (2014). 2014 Population and Housing Census. statisticsmaldives.gov.mv/census-2014 These figures include households where the male breadwinner is working and residing away from home.

32 Quinn, I. (2011). *Women in Public Life in the Maldives*. UNDP Maldives. www.undp.org/content/dam/maldives/docs/Democratic%20Governance/Women_in_Public_Life_Report.pdf

33 Martinez Soliman, M. (2013, 10 January). The Internet Gender Gap. *UNDP Maldives*. www.mv.undp.org/content/maldives/en/home/ourperspective/ourperspectivearticles/2013/01/10/the-internet-gender-gap-magdy-martinez-soliman.html

34 Office of the President. (2016, 23 August). President ratifies Bill on Gender Equality. www.presidencymaldives.gov.mv/Index.aspx?lid=11&dcid=17139

35 UNDP. (2013, 21 September). UN Broadband Commission releases first global report on 'broadband and gender': 200 million fewer women online. www.undp.org/content/undp/en/home/presscenter/pressreleases/2013/09/21/un-broadband-commission-releases-first-global-report-on-broadband-and-gender-200-million-fewer-women-online.html

36 National Bureau of Statistics. (2014). Op. cit.

up e-health systems for remote islands.[37] In order to see a specialist doctor, outer islanders have to travel for a day by boat to the Indira Gandhi Memorial Hospital (IGMH) in Malé, and the cost can be quite substantial.

- Education and learning through online resources. The outer islands have very few colleges, and students taking higher education need to relocate to Malé or travel to other countries.[38]

- Participation in decision-making processes by enhancing access to public information: Under President Nasheed a decentralisation programme[39] was enacted giving more power to the island councils to govern independently. After he resigned, the decentralisation programme was rescinded and all the powers returned to Malé.

Conclusion

The internet has brought many changes, some positive, some negative, to the country. The most important change has been the democratisation of information – the use of the internet and of social media to break the state's stranglehold on the news media. As of June 2016, the country had 270,000 Facebook users, or a 68.7% penetration.[40] In March 2016, fixed broadband subscribers stood at 23,803 (or 29% of households), while mobile broadband subscribers stood at 236,252 (or 28% of mobile users).[41] However, the extent to which the internet has been useful as an enabler of ESCRs is unclear.

The Maldives internet community is a vibrant space which for the last five years or so has witnessed a wide range of topics discussed online: religion, politics, women's rights, sexuality, and drug abuse have been debated on the internet in greater depth than in the conventional media.[42] As more people are accessing the internet, Maldivians are becoming aware of the conditions they live in and are voicing their concerns on social media.

In addition, many Maldivians are migrating overseas so they can voice their concerns using the internet without fear of reprisal from the government. Even the government has realised the impact of social media and is starting to use it to promote its own political agenda.

To hold public officials accountable and to reduce corruption, public participation is essential. It creates a community that is well informed on policy and decision making in their local and national governments – a community that can work together and understand how to address local issues to reach solutions.[43] The internet is a critical component of this participation, and a key way for Maldivians to articulate their socioeconomic needs.

Action steps

The following action steps are suggested for the Maldives:

- The Maldivian government needs to put programmes, policies and structures in place that can lead to internet-based initiatives to target the vulnerable in society and aid human development. These need to be done in partnership with local entrepreneurs and NGOs already on the ground. Without this interaction, the potential for internet technologies to enable ESCRs will remain just that, a potential.[44]

- The government has to be transparent and committed to good quality information that can be easily accessed by Maldivians. Information needs to be in formats easily understood and publicly available through mobile platforms and websites. People have to be made aware that this information is available and taught how to use the information.[45]

- The quality of public service delivery can be enhanced by having a national database of socioeconomic data. In order to more effectively understand socioeconomic problems, track progress and analyse policy impacts, both qualitative and quantitative data are required.

- To enable ESCRs, projects using the internet need to be developed. For example, for Maldivians to be able to enjoy their right to adequate housing, a monitoring system could be established. This monitoring system could gauge if housing programmes are effectively implemented.[46]

37 Ministry of Health. (2016). Maldives Health Profile 2016. www.health.gov.mv/publications/50_Maldives_Health_Profile_2016_D1%203rd%20May.pdf

38 Zahir, M. (2011, 21 April). Op. cit.

39 UNICEF. (2013). *Study on the Decentralization Process in the Maldives*. www.unicef.org/maldives/2013_Decentralization_Study_Final.pdf

40 www.internetworldstats.com/asia.htm#mv

41 www.cam.gov.mv/Statistics.htm

42 dissidentmaldives. (2009, 15 March). Maldives president blocks websites and cracks down on protests. *Maldives Dissent*. maldivesdissent.blogspot.com/2009/03/crackown-begins-in-ernest.html

43 Transparency Maldives. (2014, 5 June). Island residents battle against climate change: Case Study. transparency.mv/2014/page/3

44 Human Rights Commission of the Maldives. (2008). *Rapid Assessment of the Housing Situation in the Maldives*. www.hrcm.org.mv/Publications/otherreports/HousingAssessmentReportEnglish.pdf

45 Ibid.

46 Ibid.

Economic, social and cultural rights and the internet

The 45 country reports gathered here illustrate the link between the internet and economic, social and cultural rights (ESCRs). Some of the topics will be familiar to information and communications technology for development (ICT4D) activists: the right to health, education and culture; the socioeconomic empowerment of women using the internet; the inclusion of rural and indigenous communities in the information society; and the use of ICT to combat the marginalisation of local languages. Others deal with relatively new areas of exploration, such as using 3D printing technology to preserve cultural heritage, creating participatory community networks to capture an "inventory of things" that enables socioeconomic rights, crowdfunding rights, or the negative impact of algorithms on calculating social benefits. Workers' rights receive some attention, as does the use of the internet during natural disasters.

Ten thematic reports frame the country reports. These deal both with overarching concerns when it comes to ESCRs and the internet – such as institutional frameworks and policy considerations – as well as more specific issues that impact on our rights: the legal justification for online education resources, the plight of migrant domestic workers, the use of digital databases to protect traditional knowledge from biopiracy, digital archiving, and the impact of multilateral trade deals on the international human rights framework.

The reports highlight the institutional and country-level possibilities and challenges that civil society faces in using the internet to enable ESCRs. They also suggest that in a number of instances, individuals, groups and communities are using the internet to enact their socioeconomic and cultural rights in the face of disinterest, inaction or censure by the state.

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