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Maldives: Girl rape victim to be spared outrageous flogging sentence

A flogging sentence against a 15-year-old rape victim in Maldives has been annulled, but the girl should never have been prosecuted at all, Amnesty International said.

A Maldives High Court today quashed a sentence of 100 lashes and house arrest against a 15-year old girl for the “offence” of extra-marital sex. The girl, who was convicted of “fornication” in February this year, had reportedly also been sexually abused repeatedly by her step father.

“Annuling this sentence was of course the right thing to do. We are relieved that the girl will be spared this inhumane ‘punishment’ based on an outrageous conviction, which we hope has also been quashed,” said Polly Truscott, Amnesty International’s Deputy Asia-Pacific Director.

“No one should ever be prosecuted for sex outside marriage in the first place. And victims of sexual abuse need counselling, not punishment. The government must make sure that she has continuing access to appropriate support services.

“Flogging violates the most basic standards prohibiting torture and other cruel, inhuman and degrading treatment. The Maldives authorities must comply with their international law obligations. This means urgently establishing a moratorium on flogging, annulling all outstanding flogging sentences, and making sure that the penal code does not permit prosecution or punishment for ‘fornication’.”

Prosecutions for “fornication” violate individuals’ rights to privacy and freedom of expression, and bodily autonomy. They are used disproportionately and discriminatorily against women in Maldives.

Background

The girl was first arrested in June 2012, after the body of a baby she had given birth to was found buried outside her home on Feydhoo island. The girl’s step-father has reportedly been charged with sexual abuse and murder, and her mother for concealing a crime.

A juvenile court in the Maldives capital, Malé, on 25 February 2013 sentenced the girl to 100 lashes and eight months house arrest for “fornication”. The court said the ruling was unrelated to the sexual abuse by the step father.

In 2009, at least 180 people faced the punishment of flogging for “fornication”. Some of them have been survivors of rape and other forms of sexual abuse. During its April 2013 visit to Maldives, Amnesty International met a woman and a girl who gave personal accounts of having been subjected to this treatment.

Media reports indicate that almost 90 per cent of the individuals convicted of “fornication” in Maldives in

2011 were female.