

**Update on Human Rights Related Developments in the Maldives for the
Annual Meeting of the UK All Party Parliamentary Group,
London, 10 July 2012**

Respect for human rights in the Maldives appears to have deteriorated from a highpoint reached at the UPR in March 2011. This decline is evident in the following events and issues, attributable by and large to rising Islamist influence and return of the former dictatorship.

- 1) Adoption of **Religious Unity Regulations**, in September 2011, which violate freedom of expression and right to information. The regulations give the Minister for Islamic Affairs arbitrary powers to ensure that only officially sanctioned views on religion can be expressed.
- 2) **Condemnation of UNHCHR Ms Navi Pillay** in November 2011 for calling for a national debate to end flogging, as agreed by the Maldives at the UPR.
- 3) Formation of “**December Coalition in Defence of Islam**”, in direct opposition to human rights commitments. The coalition was led by radical Islamists and were joined by all opposition parties, all advocating Islamic supremacist ideas.
- 4) **Arrest of Chief Judge of the Criminal Court** on 16 January, on allegations that he was willfully perverting the course of justice.
- 5) The controversial **overthrow of the democratically elected government** on 7 February by the December Coalition, and negating the electoral outcome of 2008.
- 6) On 24 February 2012 and on several occasions since, including on 2 May, the new president publicly declared that **dissent will not be tolerated**, labeling those who opposed his regime as traitors and terrorists. This view has been repeated by his Advisors and Spokesperson.
- 7) Since 7 February, **resurgence of police brutality** and growing violations of freedom of assembly, freedom of association, and freedom of expression.
- 8) The police have dismantled a number camp sites used by the opposition, **arrested over 600 protestors**, charged scores of protestors on politically motivated charges, violated due process rights, and acted with impunity.
- 9) The new government is seeking **voluntary and enforced restrictions on fundamental rights**. Demands have been made in all-party political dialogue to restore democracy, for the opposition party to give up its fundamental rights relating to freedom of expression, association, and

assembly. They have also stated that they will introduce legislation to curtail these rights.

- 10) **De facto government control of electronic media** has seriously undermined the right to information and media freedom. The state broadcaster was violently taken over by police and the army on 7 February. Shortly afterwards, the president appointed his brother as the CEO of the broadcaster.
- 11) The only TV station critical of the government, *Raajje TV*, has had its national reach curtailed and its **journalists are frequently harassed, attacked and arrested by the police**, while covering protests.
- 12) **Right to life is under threat** from growing lawlessness, and religious incitement. The police have not properly investigated an attempted execution of an advocate of religious freedom. In the last murder, the police completed the investigation in two days on the basis of the confession of a suspect and the trial commenced two days later.
- 13) Strident calls are now being made by the Home Minister, the Attorney General and the Chief Justice to **end the unofficial moratorium on death penalty**, in direct rejection of UPR commitments. These calls are couched in sharia law terms, making it likely that children under the age of 18 could also be executed, including the minors currently facing murder charges.
- 14) There are growing public complaints that after the transfer of power, **means of recourse and redress have been further weakened**. Such complaints are most frequent from pro-democracy activists who deposed the 30-year old dictatorship. The judiciary, trained almost exclusively in sharia-law, is perceived to be either controlled by the elements of the former dictatorship (who now comprise the major force behind the government) or sympathetic towards the sharia norms espoused by the government.
- 15) The **Human Rights Commission has often sided with the police**, condoning the violent manner in which peaceful protesters are dealt with, such as on 29 May, even when international NGOs like Amnesty International had criticized police conduct. The perception is reinforced by the fact that members of the Commission are seen to be sympathetic to the former dictator and have hired a nephew of the former dictator in a key position in the Commission.
- 16) This view is further reinforced by the fact that hundreds of victims of human rights violations of the former dictatorship have had no means of recourse to justice. The **brutal murders of Evan Naseem and 3 other inmates in prison in September 2003 have still not been properly investigated to identify full extent of culpability**, although some junior security officers were tried and sentenced, and possibly pardoned or

granted furlough shortly thereafter. The Commission set up by the former dictator to investigate the killings had stated that it could not establish full culpability due to non-cooperation of senior Army and Police officers, and the report itself was censored in the interest of “national security”.

- 17) Similarly, the **custodial death of Hussain Solah in 2007 has not been fully investigated** by the Commission; the remains were never returned to the family, and the family is still being refused a full investigation.
- 18) The **Police Integrity Commission** is also perceived to have lost its previous commitment to be vigilant against abuse. This is attributed to the slow response to the widespread instances of police brutality since 7 February. Many pro-democracy activists note that a niece of the former dictator, and who formerly served as one of his senior aides, is an influential member of the Commission.
- 19) The events that led to the overthrow of the democratically elected president are being investigated by a Commission of National Inquiry. Although the CONI has now been restructured to meet international demands, there is clear **intimidation of potential witnesses**. This includes the arrest of the former intelligence chief of the police, although he has now been released under international pressure.

Report prepared by Maldives Watch, a UK-based NGO.