



EUROPEAN PARLIAMENT

2014 - 2019

---

*Plenary sitting*

---

27.4.2015

B8-0395/2015

## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the situation in the Maldives  
(2015/2662(RSP))

**Victor Boştinaru, Richard Howitt, Vilija Blinkevičiūtė, Nicola Caputo, Andi Cristea, Viorica Dăncilă, Doru-Claudian Frunzuliță, Marlene Mizzi, Alessia Maria Mosca, Victor Negrescu, Claudia Tapardel, Neena Gill**  
on behalf of the S&D Group

**European Parliament resolution on the situation in the Maldives  
(2015/2662(RSP))**

*The European Parliament,*

- having regard to its previous resolutions,
  - having regard to the statement by the Spokesperson of the EU High Representative/Vice President of the Commission on the conviction of former President of the Maldives Mohamed Nasheed of 14 March 2015,
  - having regard to the statement by UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein on the trial of former President Mohamed Nasheed of 18 March 2015,
  - having regard to the statement by UN Special Rapporteur on the Independence of Judges and Lawyers Gabriela Knaul on no democracy is possible without fair and independent justice in the Maldives of 19 March 2015,
  - having regard to the final report of the EU Election Observation Mission to the Parliamentary Elections in the Republic of Maldives of 22 March 2014,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas political tension is growing in the Maldives with regular protests, clashes between demonstrators, gangs and the police, and at least 140 protesters arrested since February, many of them released on conditions that severely limit their rights to take part in further demonstrations according to Amnesty International;
- B. whereas, on 13 March 2015, former President Mohamed Nasheed was sentenced to 13 years under the Maldives’ Anti-Terrorism Act 1990 on the charge that he had ordered, as then president of the country, the unlawful detention of Criminal Court Chief Judge Abdullah Mohamed in 2012; whereas Mr Nasheed has denied this charge;
- C. whereas the trial of former President Nasheed began the day after his arrest and was completed after only 11 hearings in 19 days; whereas UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein described his trial as “a rushed process that appears to contravene the Maldives’ own laws and practices and international fair trial standards in a number of respects”; whereas UN Special Rapporteur on the Independence of Judges and Lawyers Gabriela Knaul expressed deep concern “about the lack of respect for the most basic principles of fair trial and due process during Mr Nasheed’s criminal proceedings” and claimed that this trial “was not only a clear violation of the Maldives’ international human rights obligations under the International Covenant of Civil and Political Rights, but it also made a mockery of the State’s own Constitution”;
- D. whereas the Spokesperson of the EU High Representative/Vice President of the Commission said that the conviction of former President Nasheed raised very serious

questions about due process of law and that, should the conviction be appealed, the appeal process must be fair and transparent, while adding that the European Union calls on all sides in the Maldives to act responsibly and uphold constitutional freedoms;

- E. whereas no appeal has been filed in the case of former President Nasheed so far; whereas his legal team has accused the criminal court of preventing him from lodging an appeal through procedural obstacles; whereas the Maldivian government announced on 24 March 2015 an invitation to the United Nations, the European Union and the Commonwealth of Nations to observe Mr Nasheed's appeal process;
  - F. whereas former Ministers of Defence Tholhath Ibrahim and Mohamed Nazim have recently been sentenced to 10 and 11 years in prison respectively, while former Deputy Speaker of the Majlis Ahmed Nazim has been condemned to 25 years in jail in the Maldives; whereas these trials were reportedly marred with irregularities, as well;
  - G. whereas political interference in the Maldivian judiciary undermines the domestic and international credibility of the country's judicial system; whereas the reported detention and intimidation of government opponents contributes to a climate of instability in the country; whereas Amnesty International claims that human rights in the Maldives have been seriously eroded and are at risk of further deterioration as the government is failing its duty to stop this trend, while human rights NGOs face increasing attacks, intimidation and harassment in the country;
1. Expresses its concern about the deepening political crisis in the Maldives; calls on all parties to refrain from any action that may further aggravate this crisis, and to behave in the spirit of democracy and the rule of law;
  2. Calls for an immediate end to violence against peaceful protesters and reminds the security forces of their duty to protect peaceful demonstrators against violent gangs; calls for the perpetrators of such violent attacks to be brought to justice;
  3. Calls for a credible and inclusive political process, with the participation of all democratic forces, with the aim of restoring and preserving stability in the Maldives and putting the country back on the track of transition to democracy; calls for an immediate end to the intimidation of political opponents;
  4. Deplores the serious irregularities in the trial of former President Mohamed Nasheed; calls on all sides to work together for repairing the negative consequences of these irregularities with the aim of ensuring that justice prevail in a free, fair and transparent process; calls on the judicial authorities concerned to facilitate the filing of an appeal by Mr Nasheed; insists that should his conviction be appealed, Mr Nasheed's rights must be fully respected in line with the Maldives' international obligations, its own national constitution, and international standards; urges the EU Delegation to Sri Lanka and the Maldives to follow closely the appeal process;
  5. Calls for an immediate end to political interference in and for the de-politicisation of the judicial system in the Maldives; calls for urgent reforms to ensure the independence and the impartiality of the Maldivian judiciary with the aim of restoring domestic and international confidence in its functioning; underlines that these reforms should be

approved and implemented without any further delay;

6. Urges the EU High Representative/Vice President of the Commission and the European External Action Service to continue to monitor closely the political situation in the Maldives and to play a proactive role in the EU's bilateral relations with the country and in international multilateral fora in order to achieve stability, strengthen democracy and the rule of law, and ensure full respect for human rights and fundamental freedoms in the country;
7. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for the Common Foreign and Security Policy/Vice President of the Commission, the parliaments and governments of Member States, and the parliament and government of the Republic of Maldives.