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*Plenary sitting*

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27.4.2015

B8-0399/2015

## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

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

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

**Marie-Christine Vergiat, Patrick Le Hyaric, Kostas Chrysogonos,  
Younous Omarjee, Malin Björk**  
on behalf of the GUE/NGL Group

**B8-0399/2015**

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

*The European Parliament,*

- having regard to its previous resolutions on the Maldives, and in particular its resolution of 16 September 2014 on the political situation<sup>1</sup>,
- having regard to the Universal Declaration of Human Rights,
- having regard to the statement by the spokesperson of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy of 14 March 2015 on the conviction of former President of the Maldives Mohamed Nasheed,
- having regard to its recommendation to the Council of 13 June 2013 on the draft EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief<sup>2</sup>,
- having regard to the International Covenant on Civil and Political Rights, and in particular Article 18 thereof and the second optional protocol thereto on the death penalty,
- having regard to the International Covenant on Economic, Social and Cultural Rights,
- having regard to the international Arms Trade Treaty,
- having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
- having regard to the United Nations resolutions on capital punishment, and in particular resolution 69/186 of 18 December 2014,
- having regard to the statement of 14 March 2015 by the EEAS spokesperson on the conviction of former President of the Maldives Mohamed Nasheed,
- having regard to the report of 22 March 2014 by the European Union Electoral Observation Mission on the parliamentary elections in the Maldives,
- having regard to the joint local statement of September 2014 by the European Union and the embassies of the Member States and of Norway and Switzerland on threats to civil society and human rights in the Maldives,
- having regard to the Amnesty International report of 23 April 2015 entitled ‘*Maldives: Assault on Civil and Political Rights*’,

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<sup>1</sup> Texts adopted, P6\_TA(2004)0017.

<sup>2</sup> Texts adopted, P7\_TA(2013)0279.

- having regard to the Amnesty International report of 16 April 2015 entitled ‘*Suggested recommendations to States considered in the 22nd round of the Universal Periodic Review, 4-15 May 2015*’, and its chapter on the Maldives,
  - having regard to the Amnesty International press release of 13 March 2015 entitled ‘*Maldives: 13 year sentence for former president “a travesty of justice”*’,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the first democratically elected President of the Republic of Maldives, Mohamed Nasheed, who had been accused of ‘terrorism’, was sentenced on Friday, 13 March 2015 to 13 years in prison; whereas a former defence minister and a member of parliament were convicted in the same case of the detention of a serving chief judge accused of corruption in 2012; whereas two of the three judges in the case also testified against Mohamed Nasheed during the course of the investigation;
  - B. whereas the United Nations and the European Union have expressed strong doubts about the impartiality of Maldivian justice in this case, taking into account the views of NGOs on what appears to be an attempt to sideline former President Mohamed Nasheed, who was elected in 2008;
  - C. whereas Mohamed Nasheed, a human rights activist and political opponent, was imprisoned on many occasions during the 30-year regime of Maumoon Abdul Gayoom; whereas four years after coming to power, he was forced to resign, following mutinies in the police and army;
  - D. whereas Mr Nasheed’s lawyers have denounced this judgment as a distortion of justice which seeks to undermine his political career; whereas people demonstrating against the decision, including members of his party, the Maldivian Democratic Party (MDP), have been arrested; whereas his party’s lawyers have said they wish to appeal the decision at the High Court;
  - E. whereas the Government of Abdulla Yameen has conducted a campaign of repression against NGOs, journalists and political opponents;
  - F. whereas the next presidential elections will take place in 2018;
  - G. whereas the first multiparty elections in 2008 and the adoption of a new constitution were signs of hope for a democratisation that would draw a line under the country’s authoritarian past; whereas, however, the 2013 presidential elections and the 2014 parliamentary elections revealed persistent problems with the rule of law and the independence of the judiciary, including the lack of a precise definition of the powers of the electoral commission, six of whose members were suspended and imprisoned;
  - H. whereas the Maldivian judicial authorities issued a judgment against the Human Rights Commission of the Maldives shortly after the publication of its report to the UN on the 2015 periodic review of the Maldives in September 2014; whereas its members are accused of high treason;

- I. whereas the Maldives is a country in which Islamic law is applied, stoning and flogging take place (particularly of women in cases of adultery), atheists are subject to repression and, more broadly, freedom of expression is threatened;
  - J. whereas armed gangs are attacking citizens, some of whom are accused of promoting atheism; whereas this Parliament seeks to promote and protect the principles of freedom of religion or belief in order to keep the peace between believers and between non-believers and believers; whereas, in its recommendation to the Council of 13 June 2013 on the draft EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief, Parliament ‘considers that secularism ... implies the rejection of any religious interference in the functioning of government and of any public interference in religious affairs’;
  - K. whereas the death penalty was reinstated in April 2014, including for minors and in certain cases for children from age 7, following a 60-year moratorium; whereas the Maldives has signed and ratified the Convention on the Rights of the Child, and whereas that Convention explicitly prohibits the imposition of the death penalty on minors aged under 18;
  - L. whereas the efforts of the international community remain inadequate to cope with the challenge of climate change, which is a direct threat to the approximately 1 200 islands of the Maldives, whose mean elevation is two metres above sea level; whereas the devastating tsunami in 2004 was one of the greatest natural disasters in recent history;
1. Reminds the Republic of Maldives of its international commitments with regard to independence of the judiciary and respect for human rights and fundamental freedoms, particularly with a view to guaranteeing freedom of expression and the right to a fair trial under all circumstances; considers the promotion of these elements to be essential to the country’s democratisation;
  2. Calls for a fair and transparent trial to be held in accordance with international standards if an appeal is lodged against the decision to imprison Mr Mohamed Nasheed;
  3. Condemns the harassment, intimidation and violence directed against human rights activists, journalists and political opponents who express their opinions peacefully; calls on the authorities to release immediately from prison or pre-trial detention people who have been detained for political reasons;
  4. Stresses the need for the Maldivian authorities to ensure freedom of assembly and association and to take all necessary measures to enable human rights activists to act freely and independently, and also to conduct impartial inquiries into all allegations of attacks;
  5. Calls on the Maldivian Government to abolish capital punishment as a matter of urgency or, failing that, to reinstate the moratorium on the cruellest and most inhuman and degrading punishment which exists, irrespective of the acts committed; calls on the Maldives, in this context, to ratify without reservation the Second Optional Protocol to the International Covenant on Civil and Political Rights; calls on the authorities, also, to institute an immediate moratorium on corporal punishment, with a view to abolishing it;

6. Reaffirms freedom of thought, conscience, religion – which includes the rights of belief and non-belief – and freedom to practise the religion of one’s choice and to change religion; condemns any form of discrimination or intolerance; calls on the Maldivian authorities, in this context, to apply Article 18 of the International Covenant on Civil and Political Rights and to revise the articles of national law which restrict these rights;
7. Calls on the Republic of Maldives to accede to and apply without delay the Arms Trade Treaty; reminds the Maldivian authorities that laws on combating terrorism cannot on any account fail to respect human rights and international law; recalls more generally that, around the world, Muslims are the prime victims, both literally and figuratively, of terrorist violence and the development of religious fundamentalisms;
8. Expresses its concern about the climate of fear and political tension which is developing in the country; calls on the Maldivian authorities, with a view to the 2018 elections, to take into account the recommendations in the report of the electoral observation mission of the European Union, particularly regarding clarification of the powers of the Electoral Commission, respect for the principle that elections should be held by secret ballot, efforts to combat cronyism, and transparent financing, with a view to ensuring the fairest possible contest;
9. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, and the Government and National Assembly of the Republic of Maldives.