



Plenary sitting

B8-0556/2017

3.10.2017

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the situation in the Maldives
(2017/2870(RSP))

Fabio Massimo Castaldo, Ignazio Corrao, Isabella Adinolfi
on behalf of the EFDD Group

B8-0556/2017

**European Parliament resolution on the situation in the Maldives
(2017/2870(RSP))**

The European Parliament,

- having regard to the core international human rights treaties to which the Maldives is party, including the International Covenant on Civil and Political Rights (ICCPR), and to the Convention on Enforced Disappearances, to which Maldives is signatory,
- having regard to the statement by the EEAS spokesperson on the murder of Yameen Rasheed on 25 April 2017;
- having regard to the concerns about Maldives raised by the UN High Commissioner for Human Rights' most recent annual update to the UN Human Rights Council, at its 36th session, 11 September 2017
- having regard to the issues raised by the EU heads of missions in the 3rd annual EU-Maldives policy dialogue on 23 May 2017
- having regard to the European Union's "strong and principled position against the death penalty", which establishes global abolition of capital punishment as "a key objective of the Union's human rights policy"
- having regard to the legal framework underpinning the European Union's opposition to the death penalty, which comprises Protocols 6 and 13 to the European Convention on Human Rights and Article 2 of the Charter of Fundamental Rights of the European Union;
- having regard to the EU Minimum Standards on the Death Penalty;
- having regard to the European Parliament's previous resolutions on the Maldives in particular, 16 September 2004, 30 April 2015 and 17 December 2015;
- having regard to the Statement on the situation in the Maldives by the European Delegation of the European Union to Sri Lanka and Maldives on 25 July 2017;
- having regard to the statement by the International Commission of Jurists in September 2017, calling on the Maldives to revoke the suspension of 54 lawyers,
- having regard to the concerns about Maldives raised by the UN High Commissioner for Human Rights' most recent annual update to the UN Human Rights Council, at its 36th session, 11 September 2017

A. Whereas on 22 of August 2017 the Maldives military locked down the Majilis, the national parliament, in an attempt to block a motion to impeach the speaker of the

house; whereas MPs who were finally able to enter the assembly were denied the chance to vote for a no-confidence motion as the session was opened and closed in five minutes; whereas in several previous occasions MP were prevented to fully exercise their rights as elected members of the parliament because of the executive interference in the Parliamentary and judicial process, including by obstructing impeachment motions against the Speaker of Parliament;

- B. Whereas opposition MPs lament they are unable to scrutinise the government or summon any government officials as the Speaker of the House systematically overrides standing order of the Parliament and conducts the sessions surrounded by soldiers inside the chamber, with the agents regularly manhandling opposition MPs; whereas seven opposition MPs have been stripped of their seats through highly irregular procedures; whereas leader of the Jumhooree Party MP Qasim Ibrahim has been jailed for 3 years, following an irregular trial, and MP Faris Maumoon remains indefinitely remanded on highly politicised charges
- C. whereas the Maldives have been identified by the Inter-Parliamentary Union Committee on the Human Rights of Parliamentarians as one of the worst countries in the world for attacks against opposition MPs, with 12 opposition MPs being prosecuted on political charges;
- D. whereas many opposition politicians are now in political exile, including as refugees in member States of the European Union, including former President Mohamed Nasheed, and former Vice President Mohamed Jameel.
- E. Whereas Maldives are tilting toward authoritarianism as journalists have been facing a variety of threats, including arrests, media offices have been attacked, the space for legitimate dissent has been rapidly shrinking and a number of opposition political figures have been given long term jail terms;
- F. Whereas authorities have invoked anti-terrorism legislation to silence government critics and the introduction of the Defamation and Freedom of Speech Act of August 2016 severely limits people's freedom of expression and seems a clear attempt to quash media reporting on allegations of government corruption; whereas August 2016 amendments to the 2013 Freedom of Peaceful Assembly Act have severely restricted the right to peaceful protest; whereas Maldives is now ranked 117 out of 180 countries, down from 112 the previous year, according to the RSF 2017 annual press freedom index.
- G. Whereas the judicial system continues to be deeply politicized and authorities increasingly ignore constitutional safeguards on the right to a fair trial; whereas the International Commission of Jurists and South Asians for Human Rights has noted that the Maldivian courts have become “an instrument to further the vested interests among the government and the ruling party” and that “the judiciary has been a willing participant in this politicisation”;
- H. Whereas on 23 April 2017, Yameen Rasheed, a prominent human rights defender, blogger and vocal critic of rising religious extremism, human rights abuses and corruption in the government, was murdered in his home in Male; whereas he had

received multiple death threats that he reported to the police that failed to respond or to offer protection; whereas journalist Ahmed Rilwan Abdulla has been missing since August 2014 and feared dead;

- I. Whereas a number of statements from government officials and the president himself seem to justify violence against those who have allegedly offend Islam
- J. Whereas the Human Rights Commission of the Maldives (HRCM) and the National Integrity Commission, a police watchdog, seems unable to respectively engage with the UN human rights system and to enquire into reports of police misconduct
- K. Whereas over thirty nations in a joint statement voiced concerns over the state of human rights in the Maldives at the United Nations' 35th session of the Human Rights Council of 7 June 2017; whereas Maldives dismissed these concerns.
- L. Whereas there are strong concerns about increasing radical Islamist militancy and about the number of radicalised young men and women alleged to have joined ISIS; whereas the Maldives is estimated, on a per capita basis, to have the largest number of ISIS recruits per capita
- M. Whereas President Abdulla Yameen Abdul Gayoom of the Maldives has repeatedly and forcefully declared his intention to resume executions, a move he claims is essential to uphold public order and Maldivian values, "by the end of September" 2017;
- N. Whereas in April 2014 the Maldivian Government passed a Regulation, which human rights groups argue to be unconstitutional, reintroducing the death penalty for crimes involving intentional killing (the 'Death Penalty Regulation').
- O. Whereas under the Death Penalty Regulation, children as young as seven years old may be sentenced to death, stipulating only that the execution must be delayed until they have turned 18, in contravention of international law;
- P. Whereas at least 20 individuals are currently under the sentence of death in the Maldives, at least 5 of whom were juveniles at the time of their arrest;
- Q. Whereas at least 3 individuals, Hussein Humaam Ahmed, Ahmed Murrath and Mohamed Nabeel, have had their death sentences confirmed by the Supreme Court of Maldives, in trials which failed to uphold internationally recognised rights of fair trial, and are at risk of imminent execution;
- R. Whereas the International Commission of Jurists has recently condemned the suspension of 56 Maldivian lawyers in response to the lawyers' calls for reforms to ensure the independence of the judiciary;
- S. Whereas the Maldives quit the Commonwealth in October 2016, immediately following mounting pressure from the group over corruption and deteriorating human rights in the Indian Ocean state

- T. Whereas attempts at UN- mediated talks between the Government and the opposition parties have been suspended indefinitely
1. Expresses its deep concern at the human rights situation in the Maldives, which is marked by the systematic violation of international norms and of the Maldives' obligations under international human rights law and expresses its concern at the rapid deterioration of democratic standards and the increasing authoritarian tendencies of the Government of the Maldives, which in turn creates a climate of fear and political tension;
 2. Deplores the crackdown on and intimidation of political opponents; the disappearance and killing of journalists and bloggers, the manipulation of the judiciary for political ends, the weakening of independent institutions, the breakdown of the rule of law, the rampant corruption and impunity and the politicisation of the Maldives' police and security services;
 3. Notes that the Government of Maldives has failed to abide by the UN Working Group on Arbitrary Detention's calls for the immediate release of former President Mohamed Nasheed and former Minister of Defense Colonel Mohamed Nazim; urges the Government of Maldives to comply with UNWGAD's call and release them;
 4. Urges the Government of Maldives to immediately release all political detainees, including MP Qasim Ibrahim, MP Faris Maumoon and Sheikh Imran;
 5. Calls on Maldivian authorities to Conduct a credible, impartial and transparent investigation in to the murder of Yameen Rasheed and the alleged abduction of journalist Ahmed Rilwan Abdulla and to give international observers and experts unimpeded access to monitor the progress of these investigations;
 6. Calls on Maldivian government to bring all national laws in line with international human rights law, and in particular to repeal or reform the Anti-Defamation and Freedom of Expression Act 2016 and the Freedom of Peaceful Assembly Act 2013;
 7. Calls on the European Commission to verify that remaining EU development assistance programmes and EU climate change adaptation support programmes in the Maldives are being implemented in a manner that benefits the human rights of all people in the Maldives, without discrimination and with a particular focus on the needs of the most vulnerable and to verify that no EU funds are being misappropriated; calls on the European Commission, in light of the fact that the EU is the Maldives' largest export partner, to consider reviewing its trade relations with the Maldives,
 8. Calls for the EU and its Member States, in the face of continuing democratic backsliding and deterioration of the human rights situation in the Maldives, to introduce restrictive measures in the form of targeted sanctions to freeze the assets abroad of certain members of the Maldivian Government and their leading supporters in the Maldivian business community, and to impose travel bans on them;

9. Calls on the European External Action Service to monitor closely the human rights and political situation in the Maldives and the upcoming Presidential elections of 2018 and to ensure that all parties are able to field candidates of their choice and the elections are free, fair and all- inclusive; calls for a fact- finding mission to the Maldives in advance of elections and believes the vote should be monitored by an EU election Observation mission;
10. Calls on the Maldivian authorities to ensure that the Human Rights Commission of Maldives, the National Integrity Commission and the Election Commission can operate independently and without government interference; calls on the Maldivian government to Fully cooperate with UN human rights mechanisms, including Special Procedures and the Office of the High Commissioner for Human Rights;
11. Urges the government and the authorities to do everything in their power to create a safe and enabling environment for human rights defenders, journalists and activists, in accordance with international norms and standards;
12. Reiterates its longstanding opposition to the death penalty in all cases, and the formal position of the European Union that “the death penalty is cruel and inhuman, and has not been shown in any way to act as a deterrent to crime”;
13. Calls on the Commission and Member States to publicly urge President Yameen and the Government of the Maldives to maintain its longstanding moratorium on the death penalty and amend the Death Penalty Regulation, as a first step toward full abolition of capital punishment;
14. Calls on the Commission and Member States to publicly urge President Yameen and the Government of the Maldives to review all death row cases to ensure that internationally recognised and constitutionally safeguarded rights of fair trial are respected;
15. Calls for the Commission to undertake a review of any and all security and justice cooperation between the EU and the Maldives, with a mind to ensuring that EU taxpayers’ money does not end up enabling human rights abuses such as the death penalty, and encourages member states to take similar action;
16. Calls for the Commission and member states to issue comprehensive warnings about the Maldives human rights record to tourists planning to go to the country; also calls on the European External Action Service to monitor closely the human rights and political situation in the Maldives;
17. Instructs its President to forward this resolution to the Commission, the Council, the Member States, the EU Delegation in Geneva, and the Government and Parliament of the Maldives.