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## **MOTION FOR A RESOLUTION**

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

pursuant to Rule 115 of the Rules of Procedure

tabled by Messrs. Nirj Deva, Charles Tannock, Geoffrey Van Orden and Thomas Mann

on behalf of the EPP-ED Group

on the Maldives

PE 347.468

**European parliament resolution on the Maldives**

*The European parliament,*

A. Having regard to the fact that the Republic of Maldives has been ruled under a dictatorship, which has a one party system and is controlled by President Gayoom and his supporters for the past 26 years, which is more than half of the period from which it has enjoyed independence

B. Whereas President Gayoom has in the past established successfully a thriving tourism industry, he has also established what can only be described as a thriving family business and political network throughout the country.

C. Whereas the election system in the Maldives is fundamentally flawed; the President's party has a monopoly on all levels of Government and is the only party allowed to canvass for support during elections.

D. Having regard to the fact that the judicial system is biased, with Gayoom as the ultimate judicial authority who appoints and sacks judges at will depending upon their loyalty to the regime.

E. Considering the Commission's most recent Country Strategy Paper which listed the following as problems known to exist in the Maldives: "*arbitrary arrest*", "*incommunicado detention*", and the "*lack of an independent judiciary*" and which notes that "*individual freedoms are restricted in areas such as speech and press, freedom of assembly and association, religion, [and] the citizen's ability to change their government (as the president appoints one sixth of the members of parliament).*"

F. Noting that each of the above, amongst other attacks on individual liberty, have been used by the president to reassert his status as a dictator in the course of the last month.

G. Whereas international pressure groups such as *Amnesty International* and *Reporters Without Borders* have time and again stressed the lack of human rights and fundamental freedoms in the Maldives, and the harsh punishments to those who dare to criticise President Gayoom.

H. Whereas following widespread international reaction to reported human rights abuses, in 2002, the President declared a commitment to parliamentary democracy, human rights and the rule of law.

I. Whereas President Gayoom has failed to implement meaningful and necessary changes to the way the Maldives is governed, but rather, faced with rising national and international concern over the undemocratic and non-transparent nature of his regime, has tried to deceive the international community by hiring Public Relations consultants, reshuffling his ministers and making empty promises.

J. Having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) which the Maldives signed in May earlier this year, but which it has subsequently consistently breached thereafter.

K. Whereas the Maldives declared its international commitment to eliminate all forms of

gender discrimination by signing the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on 31 July 1993, however, still limits the role of women in government, not permitting women to stand in elections for the President and his party.

L. Noting that the Maldives signed the UN Convention on the Rights of the Child (CRC) on 13 March 1991, yet continues to detain minors in prison.

M. Whereas in this atmosphere of intimidation, Maldivian citizens do not have freedom of speech and expression as the President controls the media.

N. Noting that despite the so called reform agenda, on the 13th August 2004, President Gayoom, declared a State of Emergency at a strategic moment in the power struggle between the President and pro-reform politicians in order to crush his opposition.

O. Whereas President Gayoom subsequently arrested 194 activists for democracy (including children), and has continued to hold between around 80 citizens in prison in appalling conditions without charges and without lawyers, thereby depriving them of internationally accepted basic human rights.

P. Noting that President Gayoom uses imprisonment to suppress parliamentary democracy and that he is currently holding the leadership of the Maldives Democratic Party in prison, including, Mohamed Munavvar MP (former Attorney General), Ali Faiz MP, Ilyas Hussein MP, Ahmed Shafeeq MP, Ahmed Adil MP, Dr Hussein Rasheed MP (member of the National Human Rights Commission), Ibrahim Hussain Zaki (the widely respected diplomat and former Secretary General of SAARC), Ibrahim Ismail and Gasim Ibrahim MP, (former President of SAARC and the pro-reform candidate for the post of Speaker in the Maldivian Parliament).

Q. Whereas the following public figures are being held in incommunicado detention and have reportedly been subjected to torture: Husnoo Alsnood (lawyer and member of the National Human Rights Commission), Fathimeen Nisreen, Mohammed Niyaz, Ahmed Ibrahim Didi, Maria Manike, Jennifer Latheef, Aminath Najeeb, Mohammed Naseem and Asad Whaeed.

R. Whereas none of the above mentioned prisoners who have been charged are known to hold extremist views nor are they linked to terrorist organisations of any kind.

S. Whereas the Maldives is an "emerging state", seeking a special relationship with the European Union, and is benefiting from development assistance.

T. Whereas trade with the Maldives has increased with imports from the Maldives into the EU reaching 38 million Euros in 2002.

U. Noting that the European Commission has made available a co-operation budget for the Maldives of 2 million Euros.

V. Whereas European Union aid should not be given to corrupt regimes, who ignore their international commitments, but rather is conditional upon the recipient's record of good governance, the rule of law, human rights and their commitment to reform.

W. Noting that Article 6 of the Treaty on European Union (TEU) clearly states that the principles of liberty, democracy, respect for human rights, and the rule of law are fundamental European values.

X. Noting that the European Regulations 975/99 and 976/99 of 29th April 1999 provide the legal basis for Community activities intended to further and consolidate global democracy, the rule of law and respect for human rights.

Y. Noting that the Maldives has failed to establish a Financial Intelligence Unit, which is a key step towards the prevention of money laundering.

Z. Whereas each year around 106,451 Italians, 77,642 Germans, 71,440 Britons, not to mention those from other Member States continue to travel to the Maldives unaware of the lack of respect of the Maldivian authorities for fundamental human rights and the number of people who are detained without trial.

AA. Having regard to the fact that despite having an average growth rate of around 10% per annum in the 1980s, 8.4% throughout the 1990s and 4.6% in 2000, in reality 43% of the Maldivian population is estimated to live below the income poverty line of US\$ 1.27 per person per day.

BB. Noting that the wealth generated by tourism, which accounts for over 50% of Maldivian GDP, is not distributed, but rather is used to enrich a small group of the close supporters of the Presidents.

1 Calls upon President Gayoom to immediately repeal the state of emergency in the Maldives, guarantee the fundamental human rights of his citizens, and release the pro-democracy reformers he arrested on 14<sup>th</sup> August 2004.

2 Calls on the European Council to issue a statement condemning the recent behaviour of the Maldivian President.

3 Calls on the European Council to demand the immediate release of the pro-democracy prisoners, many of whom are potentially the leadership of the parliamentary opposition party.

4 Calls on the Commission and Member States to immediately cease all non-humanitarian aid to the Maldives, as this money is not going to those who need it most, but rather is being used to support the regime and to enrich a small group of President Gayoom and his close supporters.

5 Calls on the European Union to place an immediate travel ban in order to prevent Members of the Government and other officials of the Maldives from entering the Member States of the European Union.

6 Calls on the EU and Member State Governments to determine where Maldivian government funds are being banked overseas.

7 Calls on the European Union to issue thorough warnings, through national foreign ministries, to all tourists planning to go to the Maldives, of the human rights record in the Maldives.

8 Calls on the European Commission to initiate an official, longer term, European Union educational programme whereby tourists are made aware of countries human rights records whilst choosing their travel destinations and are warned of countries where these are not in accordance with internationally agreed standards.

9 Calls on the European Union to send warnings to travel agents of the situation in the Maldives and to devise a system whereby travel agents will no longer be able to portray areas with bad human rights records as "paradise" destinations without warning their customers of potential dangers.

10 Instructs its President this Resolution to the Commission, the Council, the Secretary General of the United Nations, the Commonwealth, the Government of the United States, the World Tourism Authority and all tourism related bodies, IATA and ATOL licensed tour operators and airlines, the Government of India and the Governments of SAARC countries.

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