



Plenary sitting

B8-1414/2015

15.12.2015

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 Situation in the Maldives
(2015/3017(RSP))

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on behalf of the ECR Group

**European Parliament resolution on Situation in the Maldives
(2015/3017(RSP))**

The European Parliament,

- having regard to the International Covenant on Civil and Political Rights,
- having regard to the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy,
- having regard to the Joint Local Statement of 30 September 2014 on Threats to Civil Society and Human Rights in the Maldives, issued by the EU Delegation and the Embassies of EU Member States, Norway and Switzerland in Colombo accredited to the Maldives,
- having regard to the statement of 12 March 2015 by the Chair of its South Asia Delegation on the arrest of former President Nasheed in the Maldives and to the letter of 10 April 2015 of the chair of its Committee on Foreign Affairs to the Minister of Foreign Affairs of the Republic of the Maldives,
- having regard to the previous resolution on the Maldives of the 29th April 2015,
- having regard to Rule 135 of its Rules of Procedure,
- A. whereas the presidential election process in 2013, which brought Abdulla Yameen Abdul Gayoom to power, was marred by irregularities, delays, judicial interference in the timing of the rounds and the conduct of the election, raids on the independent Elections Commission, and political intimidation;
- B. whereas on 13 March 2015, Mohamed Nasheed, the first democratically elected president of the Maldives, with a long personal history as someone dedicated to non-violent struggle and pluralistic democracy, has been sentenced to 13 years in prison under politically motivated charges of terrorism; and the UN Working Group on Arbitrary Detention has unanimously declared his detention in violation of international law;
- C. whereas Nasheed's arrest came only weeks after a key ally defected from incumbent president Abdulla Yameen's governing coalition to join hands with Nasheed's opposition Maldivian Democratic Party (MDP);
- D. whereas the highly politicised Maldivian judiciary, which often lacks recognised legal qualifications, has been a cause of concern for years since judges, and particularly members of the Supreme Court – the guardians of the Constitution –, have over the years abused their powers and acted in favour of the current ruling party;
- E. whereas other opposition politicians, such as former defence minister Tholath Ibrahim, and rivals within Abdulla Yameen's own party and government coalition, such as Mohamed Nazim, have been convicted with the help of the politicised judiciary;

F. whereas the now former Vice President, Ahmed Adeb, has been arrested and charged with terrorism and corruption in which he is accused of the attempted assassination of Abdulla Yameen in an explosion that occurred on 28th September 2015 on board of a speedboat carrying the President;

G. Whereas the government of the Maldives declared a state of emergency on the 4th November 2015 lasting for six days that appeared to be used as a means for preventing a mass anti-government protest and was widely condemned for suspending basic citizens' rights and for giving the military and the police the power to search and arrest arbitrarily.

H. Whereas the High Court amended the Clemency Act on 30th November 2015 so as to restrict the President's discretion over presidential pardons relating to the commuting of death sentences to life imprisonment; whereas a moratorium on the death penalty in the Maldives enacted in 1953 was overturned by the Government in April 2014;

I. Whereas the Government has passed legislation making it a treasonable offence to call for restrictive measures and other associated penalties against the Government of the Maldives and its members;

J. whereas opposition politicians continue to be routinely intimidated and a report by the Inter-Parliamentary Union's Committee on the Human Rights of Parliamentarians identified the Maldives as one of the worst countries in the world for attacks against, and the torture of and intimidation of, opposition MPs;

K. whereas the political turmoil comes amid worry about increasing Islamist militancy in the Maldives and about the number of radicalised young men and women alleged to have joined ISIS; the Maldives is estimated to have the largest number of ISIS recruits of any other country on a per-capita basis;

L. whereas press freedom has been severely inhibited in recent years and increasingly so during the past year following protests in opposition to Mr. Nasheed's detention and in support of the wider opposition movement;

M Whereas freedom of expression, freedom of association and democratic pluralism have been increasingly under threat with the arrest and charging of hundreds of anti-government protestors and opposition figures;

N. whereas Ahmed Rilwan, a journalist critical of the government who 'disappeared' in August 2014, is still missing and feared dead;

O. whereas gangs and religious groups – allegedly in cahoots with the police – often attack institutions, organisations and individuals critical of the government's actions, thus creating a sphere of intimidation of civil society;

P. whereas civil society organisations and human rights defenders have increasingly faced harassment, threats and attacks, including the former composition of the Human Rights Commission of the Maldives (HRCM), which the Supreme Court criticised for submitting a report for the UN Human Rights Council's Universal Periodic Review;

1. Calls on the Government of the Maldives:

- to immediately and unconditionally release former president Nasheed, former Vice President Ahmed Adeeb, and former defence ministers Ibrahim and Nazim, as well as Sheikh Imran Abdulla, and other political prisoners, and clear them of all charges;
 - take the necessary steps to restore confidence in its commitment to democracy, judicial independence, and rule of law, including respect for the freedoms of expression and of assembly and respect for due process;
 - safeguard the rights of pro-democracy campaigners, moderate Muslims and supporters of secularism, who oppose Wahhabi-Salafist ideology being promoted in the Maldives; and ensure their right to participate in all areas of public life in the Maldives;
 - allow for a proper investigation into the disappearance of Ahmed Rilwan, and the attacks and threats against journalists, members of civil society, and independent institutions;
2. Calls on the Commission and the Member States to issue thorough warnings about the Maldives' human rights record to tourists planning to go to the country;
 3. Calls on the EU and the 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 Maldives Government and their leading supporters in the Maldivian business community and to impose travel bans on them;
 4. Instructs its President to forward this resolution to the Commission, the Council, the Member States and the Government of the Maldives.