



Plenary sitting

B8-1417/2015

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 PPE Group

B8-1417/2015

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

The European Parliament,

- having regard to its previous resolution on situation in the Maldives of 30 April 2015,
 - having regards to the statement by the Spokesperson of the Vice-President of the European Commission/High Representative for Foreign Affairs and Security Policy (VP/HR) on the conviction of former President of the Maldives Mohamed Nasheed, of 14 March 2015,
 - having regard to the statement by the 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 of the spokesperson of the Vice-President of the European Commission/High Representative for Foreign Affairs and Security Policy (VP/HR) on the Declaration of the State of Emergency by the President of the Maldives of 5 November 2015,
 - having regard to Opinion No. 33/2015 (The Maldives) of the United Nations Working Group on Arbitrary Detention,
 - having regard to the International Covenant on Civil and Political Rights (ICCPR), to which the Maldives is a party,
 - having regard to Rule 135(5) and Rule 123(4) of its Rules of Procedure,
- A. whereas the EU has good, long-standing relations with the Maldives;
- B. whereas former President Mohamed Nasheed was arrested on terrorism charges on 22 February 2015 for the alleged unlawful arrest in January 2012 of the then Chief Judge of the Criminal Court, when he was President;
- C. whereas Mohamed Nasheed was denied access to a lawyer at the start of his trial, and even when he was allowed legal representation the lawyers were not given enough time to prepare his defence;
- D. whereas two of the three judges assigned to his case had acted as state witnesses against him during the investigation;
- E. whereas Mohamed Nasheed was sentenced on 13 March 2015 to 13 years of jail on terrorism charges; whereas in August 2015 Mohamed Nasheed was sent back to prison after two months spent under house arrest;
- F. whereas Mohamed Nasheed health conditions have deteriorated and whereas he requested urgent medical assistance;

- G. whereas Mohamed Nazim, the country's former defence minister, was imprisoned for 11 years for firearm possession on 26 March 2015;
- H. whereas on 4 September 2015, the Human Rights lawyer Mahfooz Saeed who has written blog entries criticising the Maldives judicial system, the increasing crime rate and the socioeconomic situation in the country and who has repeatedly called for judicial reform, was attacked and stabbed in the head by two unidentified men as he was sitting on his motorcycle;
- I. whereas on 4 November 2015, President Abdulla Yameen declared a 30 day state of emergency in the Maldives suspending basic citizen's rights and giving the security forces sweeping powers to arrest suspects; the state of emergency came ahead of planned anti-government protest, citing a security threat following a September blast on his speedboat and the subsequent recovery of weapons and the alleged discovery of a homemade bomb near his official residences;
- J. whereas this state of emergency was later revoked by the President on 10 November, following widespread international condemnation;
- K. whereas during the emergency state, on 5 November, the People's Majlis (Maldives parliament) voted with 61 votes in favour and none opposed to impeach the Vice-President, Ahmed Adeen, who has been arrested on 24 October 2015 on the accusation of plotting to kill the president and faces charges of high treason;
- L. whereas hours before Adeen's arrest, the president dismissed his police chief, Hussain Waheed, the latest in a series of firings seen by some as a purge of individuals whose loyalties may be in doubt;
- M. whereas on 10 November 2015, the People's Majlis passed the motion of no confidence with 57 votes in favour in order to remove Prosecutor General Muhtaz Muhsin from his position, allegedly because he was disinclined to charge the vice president of bribery without concrete evidence;
- N. whereas the dismissal of the Prosecutor General constitutes a clear violation of the international principles of separation of powers enshrined in both international law and the constitution of Maldives;
- O. whereas the the Majlis' sitting in which his removal was voted was held at midnight with only the ruling party's Members of Parliament;
- P. whereas the Government of the Maldives has passed anti-terror legislation restricting constitutional fundamental rights;
- Q. whereas on 29 November 2015, Home Minister Umar Naseer has announced a ban on street protests as a means of political action;
1. Calls on the Maldivian government to guarantee full impartiality of the judiciary and to respect due process of law and the right to a fair, impartial and independent trial;
 2. Calls on the Government of the Maldives to respect and fully support the right to

protest, the right to freedom of expression, and the right to assembly, and not seek to restrict those rights;

3. Calls on the Maldivian government to release political prisoners, including former President Nasheed;
4. Calls on the Government of the Maldives to provide careful justification for any decision to proclaim the state of emergency and any specific measures it includes and to ensure that it is acting in accordance with international human rights law at all times;
5. Calls on all parties to act responsibly and to exercise restraint; furthermore calls for the establishment of a genuine dialogue of all political parties on the future of the country;
6. Expresses its concern about the violations of conduct, procedure and politicization of the security services;
7. Expresses its concern about the dismissal of the Prosecutor General and reminds the Government that the Prosecutor General's office is an independent constitutional body under Maldives constitution and the prosecutor has to be enabled to carry out his legitimate constitutional mandate without arbitrary political interference or intimidation by other branches;
8. Urges the Government of the Maldives to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference and shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics;
9. Calls on the Government to guarantee in all circumstances the physical and psychological integrity of bloggers and journalists and to conduct a fair, impartial and independent investigation into the attack on Mahfooz Saeed in order to identify all those responsible, bring them to trial and apply to them civil, penal and/or administrative sanctions provided by law;
10. Calls on the European External Action Service to monitor closely the human rights and political situation in the Maldives;
11. Calls on the EU to make full use of all instruments at its disposal in order to promote the respect of human rights and democratic principles in the Maldives, including by considering the possibility of introducing temporary individual targeted sanctions against those undermining human rights;
12. Instructs its President to forward this resolution to the Vice-President of the European Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the UN Secretary General, the UN Human Rights Council and the Government and Parliament of the Maldives.

