



Plenary sitting

B8-0561/2017

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))

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on behalf of the Verts/ALE Group

B8-0561/2017

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

The European Parliament,

- having regard to its previous reports and resolutions on the Maldives, in particular its resolution of 17 December and 30 April 2015 on the situation in the Maldives.
- having regard to the statement by the EU Delegation to Sri Lanka and the Maldives of 25 July 2017 on the situation in the Maldives,
- having regard to the joint local statement by European Union and the Embassies of Canada, Norway, Switzerland and the United States of America on democracy in the Maldives of 8 April 2017,
- having regard to the Statement by the EEAS Spokesperson of 1 July 2016 on a death sentence in the Maldives
- having regard to the meeting of the UN Secretary-General with Mohamed Asim, Foreign Minister of the Republic of Maldives on 28 September 2017 expressing concern over the political situation in the country,
- having regard to the statement by United Nations Secretary-General of 27 July 2017 on the Maldives, citing the gradual erosion of basic democratic norms and principles in the country, and calling on the Government “to uphold the constitutionally guaranteed rights of speech and assembly”,
- having regard to the statement by the Spokesperson for the UN High Commissioner for Human Rights Ravina Shamdasani of 27 April 2017 on the killing of blogger Yameen Rashid,
- having regard to the statement of Special Rapporteur Agnes Callamard of 3 August 2017 on the imminent resumption of executions in the Maldives,
- having regard to the UN Special Rapporteur on freedom of expression, David Kaye, on 10 August on the adoption of the “Protection of Reputation and Good Name and Freedom of Expression Bill” by the Parliament of the Maldives, warning that it limits the right to freedom of expression to such extent that the right itself is in jeopardy,
- having regard to the recommendations of the Universal Periodic Review Second cycle of the Maldives of May 2015, of which the government accepted 198 and rejected 60,
- having regard to the statement of Gabriela Knaul, UN Special Rapporteur on the independence of judges and lawyers, on the seriously deteriorating situation in the independence of the justice system in the Maldives of 19 March 2015,
- having regard to the Maldives’ withdrawal from the Commonwealth over disagreements on human rights on 14 October 2016,
- having regard to Rule 135(5) and Rule 123(4) of its Rules of Procedure,

A. Whereas the EU has long-standing relations with the Maldives and hundreds of thousands of European tourists travel to the Maldives every year;

B. Whereas the first democratic elections in 2008 and the adoption of a new constitution had raised high hopes that the country would overcome decades of authoritarian rule towards a democratic system but since Mohamed Nasheed, its first democratically elected president, was ousted in 2012 the country has been mired in political unrest;

C. Whereas, after President Abdulla Yameen, leader of the Progressive Party of the Maldives (PPD) came to power on 17 November 2013, concerns have steadily increased over human rights violations, corruption, lack of independence of the judiciary and the detention of political opponents, with all opposition leaders now in exile or in jail; whereas the military has repeatedly blocked the Parliament in order to prevent the members of voting on a notion of impeachment;

D. Whereas on 25 August 2017, the last remaining opposition leader, Qasim Ibrahim head of the Jumhooree Party, was sentenced to 38 months in jail, thus disqualified from holding a seat in Parliament, on allegations of ‘attempted’ bribery for calling on members of Parliament to join the opposition for an impeachment vote against the Parliament’s speaker; whereas out of the 85 member parliament, 10 opposition lawmakers are on trial, three have their passports confiscated and at least one remains arbitrarily detained; whereas parliamentary elections are scheduled for 2018;

E. Whereas since the enactment by the PPD in 2013 of the “Political Parties Act”, restricting parties from registering and accessing public funds, and the “Prisons and Parole Act” banning inmates from membership in political parties, political pluralism in the country has taken a serious blow;

F. Whereas despite government attempts to curtail the opposition, the Maldives Democratic Party (MDP) took more than 300 seats in the country’s third municipal elections of 6 May 2017- including almost all seats in the three cities -while the ruling Progressive Party of Maldives won 191 seats; whereas the government dominated Parliament had since 2014 gradually stripped the opposition dominated city councils of their competences, including salary cuts to half;

G. Whereas on 11 September 2017, Maldives authorities suspended 56 lawyers - a third of the country’s practicing lawyers - for signing and trying to submit a petition to the Supreme Court calling to uphold the rule of law; whereas the petition cited court violations primarily in cases against opposition politicians;

H. Whereas the “Protection of Reputation and Good Name and Freedom of Expression Bill”, adopted by the Parliament on 9 August 2016, criminalises any expression that “contradicts a tenet of Islam, threatens national security, contradicts social norms, or encroaches on another’s rights, reputation, or good name”; whereas since then the formerly active and independent media scene in the Maldives has evaporated, shut down of newspapers, intimidation and arrests of media workers, members of civil society and activists are common occurrence and self-censorship has reportedly become the norm;

I. Whereas freedom of expression, assembly and association has increasingly come under pressure; whereas the prominent blogger Yameen Rashid, who advocated for human rights and free speech, was stabbed to death on 22 April 2017, while blogger Ismail Rasheed

narrowly escaped death when he was stabbed by an unidentified attacker in 2012 and a journalist with the independent Minivan News, Ahmed Rilwan, was likely abducted in August 2014 and has been missing ever since;

J. Whereas over the last years, the Maldives have shifted towards a more hardline version of Islam, and whereas in 2014 the President announced the strict enforcement of Sharia law in the country; whereas reportedly now more than 100 public floggings are carried out each year for “fornication” (extra- marital intercourse), the majority on women and girls;

K. Whereas in April 2016 the government ended the 60-year moratorium on capital punishment; whereas executions would be carried out within 30 days of the Supreme Court upholding death sentences; whereas on 28 July 2017, Home Affairs Minister Azleen Ahmed said that executions would take place within the next few days; whereas of the 20 prisoners on death row at least five are juvenile offenders;

1. Expresses its grave concern about the dramatic deterioration of democracy, rule of law and respect for human rights in the Maldives
2. Recalls that successive governments have recognised the need to improve the quality of the legal system within the country at all levels and is dismayed about the persistent politicization of the judiciary and the security forces, systematic violations of the rules of conduct and excessive use of force;
3. Calls on the Maldivian Government to profoundly reform the judicial corps, to establish the impartiality of the Judicial Service Commission, to re-establish the independence of the Prosecutor General, and to respect due process of law and the right to a fair, impartial and independent trial;
4. 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 from, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognised professional duties, standards and ethics;
5. Regrets that neither the Anti-Corruption Commission nor the Human Rights Commission of the Maldives can do their work efficiently, and appeals to the government to stop political interference and establish adequate legislation and resources for the two bodies to do the work efficiently;
6. Calls on the Government of the Maldives to respect and guarantee the right to protest, the right to freedom of expression, and the right to assembly, notably to revise the “Protection of Reputation and Good Name and Freedom of Expression Bill”, the “Political Parties’ Act” and the “Prisons and Parole Act”;
7. Calls on the Maldivian Government to release all political prisoners and to drop all politically motivated charges against and convictions of law makers, , lawyers, journalists and members of civil society, notably to liberate MP Ahmed Faris Maumoon and to allow Jumhoory party leader Qasim Ibrahim to travel abroad for urgent medical treatment;

8. 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 murder of Yameen Rashid and the assault against Ismail Rasheed, to identify all those responsible and bring them to trial; calls on the authorities to urgently shed light on the whereabouts of Ahmed Rilwan;
9. Urgently calls for the re-establishment of the moratorium on the death penalty, a prohibition of the execution of juvenile offenders and a revision of the penal code in order to stop the use of corporal punishment such as flogging;
10. Calls on the European External Action Service and the member States to express serious concern about the developments in the country in all its contacts with Government representatives; urges to publish travel information, warning European citizens about the great discrepancy in the Maldives between the liberal treatment reserved to foreign tourists in complete segregation from the Maldivian population and the increasingly repressive rules applying to its citizens;
11. Expresses concern at the significant number of young people who have left the country to join violent-extremist organisations and asks the Government to take consistent action to counter the teachings and propaganda giving rise to this extreme ideology;
12. Underlines that if the government does not make decisive moves to re-establish the rule of law in the country, the authoritarian development of the Maldives will on the long run impact negatively on the tourist industry;
13. Considering that some 80% of Maldives' land mass lies a meter or less above sea-level and that the Maldivian economy is largely dependent on tourism and conservation of the eco-system, expresses its concern, that in recent years the government has prioritised fast growth investments over policies to render the country more resilient to climate change and expresses doubt, whether EU support from the Climate Change Fund for the Maldives can deliver effective policies without basic conditions of good governance in place;
14. Instructs its President to forward this resolution to the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the European Commission, 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.