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## TEXTS ADOPTED

*Provisional edition*

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### **P8\_TA-PROV(2015)0464**

#### **Situation in the Maldives**

#### **European Parliament resolution of 17 December 2015 on the situation in the Maldives (2015/3017(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the Maldives, in particular those of 16 September 2004<sup>1</sup> and of 30 April 2015<sup>2</sup>,
- having regard to the final report of 22 March 2014 of the EU Election Observation Mission to the parliamentary elections in the Republic of Maldives,
- 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 in agreement with the Embassies of EU Member States and the Embassies of Norway and Switzerland in Colombo accredited to the Maldives,
- having regard to the statement of 12 March 2015 by the Chair of its Delegation for relations with the countries of South Asia on the arrest of former president Mohamed Nasheed in the Maldives, and to the letter of 10 April 2015 from the Chair of its Committee on Foreign Affairs to the Minister of Foreign Affairs of the Republic of Maldives,
- having regard to the statement of 14 March 2015 by the spokesperson for the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy on the conviction of former president Mohamed Nasheed,
- having regard to the statement of 5 November 2015 by the spokesperson for the Vice-President of the Commission/High Representative for Foreign Affairs and Security Policy on the declaration of a state of emergency by the President of the Maldives,
- having regard to the International Covenant on Civil and Political Rights (ICCPR), to which the Maldives is a party,

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<sup>1</sup> OJ C 140 E, 9.6.2005, p. 165. .

<sup>2</sup> Texts adopted, P8\_TA(2015)0180.

- having regard to the statement of 18 March 2015 by the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, on the trial of former president Mohamed Nasheed,
  - having regard to Opinion No 33/2015 (Maldives) of 4 September 2015 of the UN Working Group on Arbitrary Detention,
  - having regard to documentation related to the latest Universal Periodic Review (UPR) before the UN Human Rights Council concerning the Maldives, of 6 May 2015,
  - having regard to Rules 135(5) and 123(4) 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;
  - B. whereas on 13 March 2015 Mohamed Nasheed, the first democratically elected president of the Maldives, was sentenced to 13 years in prison on politically motivated charges, and whereas this was condemned by the UN Working Group on Arbitrary Detention; whereas his trial was marred by irregularities; whereas other former officials, including former vice-president Ahmed Adeen and former defence ministers Mohamed Nazim and Tholhath Ibrahim, have also been arrested and imprisoned;
  - C. whereas concerns have been raised over the highly politicised Maldivian judiciary, which over the years has abused its powers and acted in favour of the current ruling party and against opposition politicians;
  - D. whereas on 4 November 2015 the Government of the Maldives declared a state of emergency, revoked six days later, which appeared to be a means of preventing mass anti-government protests, and whereas the government was widely condemned for suspending citizens' basic rights and for giving the military and the police the power to search and arrest arbitrarily;
  - E. whereas on 27 and 28 November 2015 police in the Maldives dispersed opposition protesters, using tear gas and pepper spray and arresting more than a dozen demonstrators who were demanding the release of a former president and other jailed political leaders;
  - F. whereas Mahfooz Saeed, a human rights lawyer and member of the legal team of former president Mohamed Nasheed, was attacked on 4 September 2015;
  - G. whereas a moratorium on the death penalty in the Maldives (including delayed sentences imposed on minors) which had been enacted in 1953 was overturned in April 2014;
  - H. whereas the parliament 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;
  - I. whereas the Maldives has 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 opposition politicians routinely being intimidated, arrested and imprisoned; whereas freedom of expression (including freedom of the

media), freedom of association and democratic pluralism have been increasingly under threat, with the arrest and charging of hundreds of anti-government protesters;

- J. whereas there are also 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 of any country;
  - K. whereas Ahmed Rilwan, a journalist critical of the government who ‘disappeared’ in August 2014, is still missing and is now feared dead;
  - L. whereas gangs and radical Islamist groups – allegedly in cooperation with the police – often attack institutions, organisations and individuals who are critical of the government’s actions or accused of promoting atheism, and whereas this creates a climate of intimidation;
  - M. whereas there is increasing harassment of, and threats and attacks against, civil society organisations and human rights defenders, including the former 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. Expresses its deep concern about the gradual deterioration of democratic standards and the increasing authoritarian tendencies in the Maldives, which are creating a climate of fear and political tension that could jeopardise any gains made in recent years in establishing human rights, democracy and the rule of law in the country;
  2. Deplores the crackdown on political opponents; calls on the Government of the Maldives to release, immediately and unconditionally, former president Mohamed Nasheed, former vice-president Ahmed Adeb and former defence ministers Tholhath Ibrahim and Mohamed Nazim, together with Sheikh Imran Abdulla and other political prisoners, and to clear them of all charges; is also concerned about the former president’s deteriorating health;
  3. Reiterates its gross dissatisfaction with the serious irregularities in the trial of former president Mohamed Nasheed;
  4. 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; stresses the need to depoliticise the country’s judiciary and security services;
  5. Expresses its strong concern, in this context, about the dismissal of the prosecutor-general, and reminds the government that the prosecutor-general’s office is an independent constitutional body under the Maldives constitution and that the prosecutor-general must be enabled to carry out his legitimate constitutional mandate without arbitrary political interference or intimidation by other branches of government;
  6. Is deeply worried by the constant erosion of human rights, including the misuse of the state of emergency by executive powers in the Maldives, and by the risk of further deterioration; reminds the Republic of Maldives of its international commitments regarding respect for human rights, including children’s rights and fundamental freedoms;

7. Calls for the establishment of a genuine dialogue among all political parties on the future of this fragile island state;
8. Calls on the Government of the Maldives to respect and fully support the right to protest and the right to freedom of expression, association and assembly, and not to seek to restrict those rights; also calls on the Government of the Maldives to end impunity for vigilantes who have used violence against people promoting religious tolerance, peaceful protesters, critical media and civil society; calls on the Maldives to respect fully its international obligations;
9. Calls on the Maldivian Government to safeguard the rights of pro-democracy campaigners, moderate Muslims, supporters of secularism, and those who oppose the promotion of Wahhabi-Salafist ideology in the Maldives, and to ensure their right to participate in all areas of public life in the Maldives;
10. Recalls that media freedom is the cornerstone of a functioning democracy; calls on the Maldivian Government and authorities to ensure adequate protection of journalists and human rights defenders who face threats and attacks on account of their legitimate work, and, in this context, to allow a proper investigation into the disappearance of Ahmed Rilwan, the assault on Mahfooz Saeed and the attacks and threats against journalists, members of civil society, and independent institutions;
11. Calls, as a matter of urgency, for the re-establishment of the moratorium on the death penalty with a view to its abolition, and for a revision of the penal code with the aim of stopping the use of corporal punishment;
12. Calls on the Commission and the 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;
13. 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;
14. Instructs its President to forward this resolution to the Commission, the Council, the Member States and the Government and Parliament of the Maldives.