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The Maldives in Meltdown

Past the white sand beaches, the country's human rights situation has gone from bad to worse - and this paradise has become anything but.

By Jared Genser and Amal Clooney

The Maldives, a beautiful country in the Indian Ocean, might be best known as a tropical vacation destination. The white sand beaches of its 1,200 islands, dotted across more than 35,000 square miles of crystal clear water, drew more than 1 million tourists last year — roughly three times its population. And, indeed, it does look like a piece of paradise. But against this scenic backdrop, a major battle between the forces of democracy and dictatorship is underway.

In the last 10 months, however, the country has fallen into a tailspin. Plummeting support for the government prompted crackdowns against opposition leaders, attacks on public dissent, and purges within autocratic President Abdulla Yameen's ruling party. In April, Amnesty International warned that human rights were "in free fall." And it's past time for the international community to do something about it.

Reports on the current situation by major human rights groups are quick to contrast the country's natural beauty with its ugly political reality. The Maldivian people are used to this duality. The small islands that travel books extol are the same places where prisoners were tortured under the dictatorship of Maumoon Abdul Gayoom, who ruled from 1978 until 2008. The widespread abuses were well-documented both at home and abroad.

Given the country's history, it is easy to understand why Mohamed Nasheed, the imprisoned former president, is so popular.

A former journalist who often wrote critically of Gayoom's dictatorship, Nasheed was imprisoned and repeatedly tortured. Twice named a prisoner of conscience by Amnesty

International, he founded the Maldivian Democratic Party, which began operating in the country after parliament allowed the registration of political parties for the first time in 2005. In 2008, Nasheed was elected president of the Maldives in the country's first multiparty, democratic elections. Nasheed ruled until 2012, when forces loyal to the previous government, unhappy with his efforts to institute judicial and constitutional reform, orchestrated a police coup and made him resign at gunpoint.

The change in power has had international consequences. Since the coup, the new government's most important partner has shifted from the United States to China. And with a poor economy, increased domestic repression, and a lack of opportunities for youth, the island-state has also become a hotbed for radical Islam, sending more fighters per capita to Iraq and Syria than any other country in the world.

Although the country was a fledgling democracy under Nasheed, autocracy has now returned as a blunt force instrument: The new government is led by Abdulla Yameen, Gayoom's brother; the former dictator Gayoom is head of Yameen's political party; and Gayoom's daughter — the current president's niece — is foreign minister. Every political opposition leader has been imprisoned or has faced terrorism charges or other selective persecution. On top of that, some 1,700 Maldivians are facing charges for participating in nonviolent protests against the government. The imprisonment of the country's first democratically elected president led to the largest protest movement in Maldivian history, and protesters have in turn become new victims.

Nasheed himself is facing a Kafkaesque nightmare. In a recent decision, the United Nations concluded it was "impossible to invoke any legal basis justifying" his 13-year prison term on terrorism charges, on which he was "targeted" because of his "political opinions." In a trial replete with due process abuses, Nasheed was even prohibited from presenting defense witnesses because, according to the judges, they "would not be able to refute the evidence submitted by the prosecution."

Despite intense pressure to release Nasheed from the U.N. secretary-general, U.N. high commissioner for human rights, U.N. working group on arbitrary detention, U.S. Secretary of State John Kerry, British Prime Minister David Cameron, and the European Parliament, among others, the government has acted with total impunity. And as pro bono counsel to Nasheed, we've borne witness to just how far the country's leadership has been willing to go to keep power.

After our local counsel was stabbed in the head in broad daylight, the attorney-general insisted the attack must have been related to one of his other cases — even though the police did not appear to have conducted an investigation. The government commuted Nasheed's sentence to house arrest in July 2015 and confirmed this with an official order, but a month later it claimed the order was "forged," returning him to prison. Our private attorney-client communications with Nasheed were monitored. And after we urged travel bans and asset freezes be imposed on serious human rights abusers in the Maldives, President Yameen's

party group leader in the parliament labeled us “enemies of the state.” On Oct. 13, the parliament voted 53 to 13 to consider a new bill to criminalize anyone calling for sanctions domestically or abroad, which is in flagrant violation of the right to freedom of opinion and expression protected under international law and is transparently aimed at the domestic political opposition as well as Nasheed’s lawyers..

The rapid descent of the Maldives back to dictatorship should be a clarion call for action.

First, the United States must follow up its strong rhetoric with meaningful action. Specifically, President Barack Obama should impose travel bans and asset freezes on serious human rights abusers in the Maldives by executive order or otherwise press for the adoption of the Global Magnitsky Act, which would enable these actions to be taken on broader terms in the future.

Second, the international community must demand that the Maldives release all political prisoners and that the charges against nonviolent protestors be dropped. While many have urged change in the Maldives, many more must join. For example, the Commonwealth of Nations, an intergovernmental organization of 53 countries, should engage on the situation and press for change during its heads of government meeting in Malta next month. India, whose foreign secretary visited the Maldives earlier this month, could also play a more meaningful role.

And finally, while it was encouraging to see U.N. Secretary-General Ban Ki-moon urge that Nasheed be granted clemency, the United States should press the U.N. Human Rights Council — where both countries are members — to make it clear to President Yameen that a failure to change course will result in further isolation.

There will be some who ask why the world should bother itself with such a small country of 350,000 people. The answer is that there are some big principles at stake. The world cannot afford to let the forces of dictatorship displace those of democracy in any country, let alone one where China’s influence is on the rise and Islamist recruitment is at its highest rate. While Nasheed is but one man, his detention is symbolic of the broader repression facing all Maldivians. Until he is released — alongside all the other political prisoners — there is no hope for the restoration of human rights and democracy to this beautiful country.

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