

Newsletter

Maldivian Democratic Party

15 - 31 March 2004

MALDIVES *in need of help*

In this post-Sadam era, people can be wary of regime change. It's not only brutal, but also its process is inherently infested with all sorts of improper dealings. Such wariness cannot be a reason to tolerate totalitarianism, suppression and gross human rights abuse; this cannot be reason enough to aid and assist despots to remain in power with a free hand to maim and torture more humans, even if they are their own kith and kin. The need for the international community to assist



Tortured remains of Eevan Naseem

becomes clearer, given the situation now prevalent in the Maldives.

The regime of Maumoon Abdul Gayoom has been in power in the Maldives for the last 25 years. His longevity is more to do with his heavy-handedness than to do with the extent of support that he gets from the people of the Maldives. Through intimidation and torture of a good cross-section of the Maldivian population, with the expressed intention of setting a paradigm, the regime has created an atmosphere of fear among the local populace. Frederica Jansz, one of the leading Sri-Lankan commentators puts it more appropriately:

"Maldivians afraid to be identified spoke on condition of anonymity to The Sunday Leader and said that combined with the breakdown of the court system, oppressive social and sexual laws and chronic overcrowding and unemployment in the capital where over 25% of a population of some 300,000 live, this NSS intimidation and



Rt. Hon. Robert Key, MP

violence has been the catalyst for the first serious internal political crisis in the Maldives since the fall of the last President, Ibrahim Nasir, in the 1970s."

In the face of Gayoom's iron fisted rule, people are afraid to openly push for change. Reading this as Gayoom's popularity will be highly naïve and dangerous. That which the majority of the people cannot do openly, will be done by a minority of people in hiding. This is now happening. In the past few months clandestine and violent activities began to rise. The conclusion of this path cannot be in anyone's interest.

If the international community remains blind to this coming-together of events, Maldives can only fall into chaos. Then they will have more to be wary of. They would not only lose their tourist paradise of crystal clear water, the milk white beaches, the lush tropical vegetation and the sun. The make-believe stability of the regime in the Maldives would also vanish into thin air, only to be replaced by a failed state. To prevent such a disastrous outcome, many who understand the dire straits that the Maldives is faced with, are already taking action.

International politicians do understand this exact line of thinking. In early March, 2003, Rt. Hon. Robert Key MP for Salisbury and Rt. Hon. Bob Laxton MP for Derby North, have been questioning and prompting the United Kingdom government to take leadership in bringing about reform in the Maldives, a country which was once a British protectorate.

Rt. Hon. Mr. Robert Key has asked the Secretary of State for Foreign and Commonwealth Affairs, when (a) Ministers and (b) officials of his Department last met members of the (i) government of the Maldives and (ii)

Maldivian Democratic Party; and what was discussed. He also questioned the Secretary of State, as to what assessment the Secretary has made, in respect of human rights in the Maldives.

He also went on to ask the Secretary of State for Foreign and Commonwealth Affairs, if the latter will make a statement on relations between the EU and the Maldives. The MP also wanted to know from the Secretary of State, if he will list the current (a) bilateral treaties, (b) agreements and (c) protocols between the British Government and the government of the Maldives.

Among more questions that the Rt. Hon Minister asked the British government was what representations that the British government has received about the activities of the National Security Service of the Maldives, and what assessment the government has made of these activities. Also, he questioned the Secretary as to what representations that the government has received on behalf of prisoners at Maafushi Island Prison in the Maldives.

Rt. Hon. Mr Bob Laxton, Member of Parliament for Derby North, asked the Secretary of State for Foreign and Commonwealth Affairs, if he will make a statement on the arrests of members of the Maldivian Democratic Party on 13th February by the Maldivian authorities and to what extent human rights are protected in the Maldives.

Britain as the former protector of the Maldives has a moral obligation to assist the people of the Maldives. In a statement made by the former Attorney General of the Maldives Dr. Munavvar, presently a member of the opposition MDP said that the root cause of what many call the Maldives' uneasy relationship with democracy is the lack of a national precedent. "We never had a foreign presence here, we were never a colony. When the British left in '65 they did not leave us with a legal system, a judiciary system or an administrative system and we find that we were very much left to fend for ourselves."

Maldives of course, have not been able to fend for herself in many respects, and Britain has the opportunity to act as a catalyst for change in the Maldives. When this is done with a cool head, Britain can come out winning as much as the Maldivians. Maldives has the potential of becoming an exemplary case in the Muslim world, if assisted to attain a democratic way of life.

Accused as terrorists

“One had the feeling that the whole scenario had been set up for the benefit of prosecuting Ms. Jennifer Latheef only, since the State Prosecutor, Mr. Mohamed Nashid seemed to have prepared a more thorough case, with more evidence and more witnesses, against her than anyone else!”

This is the comment made by a careful observer who had been present in Court on March 09, 2004. An examination of the chronology of events that took place after September 20th, also reveals that Mohamed Latheef, father of Jennifer Latheef, a member of the MDP General Council (who is the main focus of the court case according to observers) had flown to neighbouring Sri Lanka and shortly thereafter Mr. Latheef had declared the Maldivian Democratic Party in exile. It can thus be argued thus that the whole intention of the Gayoom government in prosecuting the six individuals is only for the specific purpose of attacking Mr. Mohamed Latheef, a political dissident prepared to challenge the authoritarian rule of Gayoom.

It remains to be seen, whether the government is prepared to allow justice to take its natural course. It is hardly possible to overlook that fact that these judges have been, since their first breath, programmed to tow the government line.

The Proceedings : On March 09, 2004, the first hearing of the trial against 6 people charged by the Maldivian Government, with carrying out the disturbances in Male’ on September 20, 2003, following the deaths of inmates at the hands of the police at Kaafu Maafushi Jail, took place at a session conducted under the Criminal Court of the Maldives at Dharubaaruge.

The 6 people were charged under Article 2 (f) and (g) of the Anti-Terrorism Act of the Maldives. The State proposed to establish the degree of responsibility on, and the amount of compensation to be extracted from the 6 defendants pertaining to the acts committed on 20 September 2004 which caused damage to government and public property.

Defendant: Mr. Ahmed Zia Abbas (Zia), M. Silver Cloud, 34 yrs, A nephew of the First Lady. Zia Abbas was not present at the hearing. His lawyer Mr. Ibrahim Nasir Mohamed requested for this hearing to be postponed on medical grounds which was granted. Mr Ziya Abbas is a member of the MDP.

Defendant: Mr. Abdullah Alexander Nasheed (Alec), M. Arrow Villa, 23 yrs was undergoing medical treatment in Male’ on Sept. 20th, 2003. He had been

serving a sentence at Maafushi jail. After the day’s incidents, Mr. Nasheed was accused of causing trouble on that day, and he had signed a confession thinking that it would not make much of a difference as he was already under imprisonment. Soon after he had signed it, he was pardoned by the President and released. Before his release, he was told that if he stayed out of trouble no charge would be brought against him, and that he would be deported to the Netherlands. Mr. Nasheed holds dual citizenship, Maldives and Dutch. In court, Mr. Nasheed denied the charges brought against him. The State prosecutor Mr. Mohamed Nashid proceeded to read out the statement signed during interrogation. The State Prosecutor reiterated that the statement and accounts of various witnesses were testimony to Nasheed’s guilt. The witnesses were not presented at the hearing, nor were their names read out. The State Prosecutor also said that fortunately the police had used tear gas that day, thereby preventing Mr. Nasheed from carrying out further acts of violence.

Mr. Nasheed denied that he could be categorized as a terrorist since some of his actions read out from his statement belied the charges, such as: Mr. Nasheed claimed that the IGMH hospital (where the inmates who had been shot were being treated), had been cordoned off by the police. Thus he had armed himself with a piece of wood that had nails driven into. He said that he had removed the nails before proceeding. He said that if his intention had been to harm anyone he would not have removed the nails. He had taken this precaution because his intention had not been to terrorize anyone. Mr. Nasheed indicated towards himself and asked the court how he could possibly have overturned not one, but three police vehicles, as claimed in the statement. Mr. Nasheed asked the judge for a fair verdict.

Mr. Ahmed Moosa (Jordon), M. Hathikandu, 18 yrs, pleaded guilty. He seemed not to really know or care about what was going on, as open trial is something that Maldivians are not really familiar with. They have no faith in it. He did not ask for his signed statement to be read out or for any detailed evidence against himself. He just accepted that whatever could have been claimed against him was true. It was almost as though he was accepting the incriminatory acts contended in the statement against Mr. Nasheed. He added that he had set fire to and vandalized government property held by the police.

Mr. Abdullah Shabeer (Shabeer), Seenu, Hulhudhoo, Welcome Villa, 21 yrs

Mr. Shabeer also looked extremely young. He is already serving a sentence in jail.

Mr. Shabeer also accepted that he had committed incriminatory acts that day but he denied it was in any way to terrorize the general public. He told the court that he had carried out his actions only against the State police because been brought to a close. The State Prosecutor replied that those, whose investigations had been completed, would be presented in court, but that the investigation of the entire case was still incomplete.

There upon, Mr. Muizzu asked the judge for a postponement of the hearings against his client, until the investigations had been completed, as legal problems that may arise if verdict was passed against some of the accused before the investigation of the others ere completed. He also asked the State Prosecutor, for details of Ms. Latheef’s involvement in the case, claiming that the charges against her were not specific enough. He also enquired as to what degree of compensation the State was claiming from his client for her alleged actions. Mr. Muizzu stated that it would be extremely difficult to present a case based on allegations the State Prosecutor might have in his own mind against Ms. Latheef. Mr. Muizzu told the court that any incriminating material had to be shared with the defence, since it was an open court, and that no evidence could be kept from the defence, or from the court, as confidential material. He also asked for copies of Presidential notifications on sections of the Anti-Terrorism Act under which his client was being charged. These are such notifications that are circulated in order to bring further clarifications or explanations pertaining to various Laws and Acts. He also presented names of 6 witnesses who would attest to Ms. Latheef’s movements on September 20, 2003, and disclaim any charges that the State may bring against her. The Judge then quite abruptly adjourned court.



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Gayoom's Justice

Respect for the right to a fair trial has never been a forte of Gayoom's. He frequently, directly and systematically interferes with the process of law.

When Gayoom formulated his 'perfect constitution' with the help of his rubber stamp Constitutional Majlis, he ensured that all judicial powers too are concentrated around him. According to the constitution, he is the supreme judicial authority with powers to directly interfere with the judicial process - which he does on a routine basis. The Attorney General, of course, is completely subservient to him.

NSS personnel (with Gayoom as Commander in Chief) killed unarmed prisoners. In order to appease local and national outrage, Gayoom then forms a commission of inquiry directly reporting to him. He then edits and manipulates and reconstitutes the findings to cover himself and the senior officials who work under him. Gayoom then removes the most senior officer officially and publicly implicated by the Commission - Major Latheef - from the list of suspects and

reinstates him to his former position as Deputy Commissioner of Police. He does so because, as Commander in Chief of a police state, he naturally does not feel secure enough to antagonize senior NSS personnel.

Gayoom has manipulated the case so that only twelve comparatively low-ranking personnel will have to go through the motion of a trial. Judging by the first hearing, it does not look like that the twelve charged will have much to worry about either. The men behaved more like conquering heroes than people being charged in connection with murder. Chewing gum, waving to the crowd and generally in a happy mood they seemed nonchalant - perhaps taking comfort in the certainty that their Commander in Chief will do 'right' by them.

They have every reason to feel good with their Commander in Chief. As a start, the Sattar Commissions finding will not be admissible to courts as evidence. The twelve now claim that the Commission coerced them into signing their statement.

Gayoom, through his Attorney General, will of course personally decide what the twelve men should be charged for. Needless to say that he, as the supreme judicial authority, will

also decide what the sentence would be. It is conceivable that, to give the international community the impression that NSS cannot go scot-free after committing murder, a sentence may be passed on some of them. However, they can take comfort in the fact that their Commander in Chief has the power to pardon them and possibly reinstate them with a promotion. They can take comfort in the fact that Chief of Police Adam Zahir is back as Commissioner of Police and fellow suspect Major Latheef is in as Deputy Commissioner.

The message is very clear: in Gayoom's police state, torturers are a valued breed that will be nurtured and promoted - even if briefly sidelined for strategic reasons.

Those who protest against torture and brutality are, as may be expected from a police state, not treated equally well. They would be tried for terrorism and worse. Even after two months of solitary confinement a suspect who is set free due to lack of evidence, may be charged based on cooked-up 'evidence' and bogus 'witnesses' - especially if he does not like the suspect's relatives.

Under Gayoom's brutal, autocratic rule, he himself is the law. 'Justice' is what he determines it to be.

UNDP remains silent on Maldives atrocities

The violence of September 20, 2003, should act as a wake up call, not only to Gayoom and his regime. This should have also prompted the International NGOs purportedly established in the Maldives for assisting in the development of the country, to acknowledge this alarming development. Amnesty International's report published prior to this incident clearly showed the high degree of human rights abuse conducted by the Maldivian Government. As the United Nations Organization is credited with the introduction of the Convention on Human Rights, the question remains as to why the UNDP in Maldives has failed to act, given the seriousness of the allegations that keep mounting against the Maldivian Government.

Furthermore, UNDP in Maldives has also disregarded the detailed

reporting laid down in the 2003 Amnesty International report, that clearly indicates the degree of abuse involved in the government's total disregard for the individual human rights of the Maldivian people. Even when, President Gayoom established the so-called Human Rights Commission of Maldives, that clearly contravene the Paris Principles, UNDP dumped US\$ 150, 000 into the government coffers, apparently to assist the Maumoon-appointed Commissioner Ahmed Mujuthaba and his government-organized programme.

UNDP in the Maldives have never publicly condemned the horrific human rights abuses that have taken place and are continuing. UNDPs silence in such matters are not because they are unaware of the extent of rights abuse in the Maldives, but more so because of their aversion to disturb the status-quo.

MDP calls upon the UNDP to give a statement on the human rights situation in the Maldives.

Blacklisted No More

Three MDP activists were blacklisted by Sri Lankan immigration authorities on a request made by the Maldivian government. When questioned by the local and international media, Sri Lankan authorities replied that the matter was being investigated. Subsequently the three men were cleared and removed from the blacklist.

The actions of Sri Lankan authorities clearly indicate that, upon investigation, they found no reason to take any punitive measures against the three MDP members.

MDP is committed to explore the brutality and lack of respect of the rule of law by Gayoom and his regime. We are heartened and encouraged that the international community is increasingly aware of MDP's commitment to create a fair and just society in the Maldives. We shall do so without recourse to violence and in accordance with the laws of the country.

BBC on Maldives

BBC News 17th October 2003 : Marketing the Indian Ocean Islands to Western tourist is a holiday paradise but as our South Asian Correspondent Adam Mynott report, his critics say it's been at the expense of human rights and true democracy.

Adam Mynott : Holiday heaven on earth. Thousands of wealthy tourists flock every year to these exquisite islands in the India Ocean, for the holiday of a life time.

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Holiday heaven on earth. Thousands of wealthy tourists flock every year to these exquisite islands in the India Ocean, for the holiday of a life time. Blue skies above, crystal clear warm water, white coral sand beneath the feet, Paradise! But this sparkling image of perfection is very far from being the whole story.

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The Maldives were rocked by unprecedented rioting three weeks ago. These images, smuggled out of the country, are what the government did not want the world to see.

We have spoken exclusively to one of growing numbers of dissidents, afraid until now to voice their opposition.

Ahmed Moosa (Sappe') : The moment they know you are a threat to system, to the regime, you get locked up, and then you get....you know they could come after your family; they will just destroy you completely.

Adam Mynott : One word out of place, and this is where

you are brought, opponents of government say, to Maafushi Jail. Critics say that prosperity from tourism in the Maldives has come at the expense of basic human rights.

Many in the Maldives have property from three decades of economic growth but critics say it has happened at the expense of a proper stake in democracy.

President Gayoom has ruled almost unchallenged since 1978. Does he have a record to be proud of?

Gayoom: I do

Adam Mynott: So why is it then that the people that I have spoken to, in the Maldives are frightened to talk to me openly?

Gayoom: It's not true?

Adam Mynott: But they are!

Gayoom: I assure you that it's not true!

Adam Mynott : You're telling me I'm lying?

Gayoom: I am not saying that you are lying but you are not well informed.

There is now a growing storm of popular disquiet, holiday makers see nothing of the darker side of life in the Maldives but they are the economic life blood of these beautiful islands.

Adam Mynott, BBC News, The Maldives

Letters

'are you ready' to support rampant nepotism, 'are you ready' to suppress any form of political opposition, 'are you ready' for complete control of media and communication, 'are you ready' for arbitrary arrests, torture and death in custody, 'are you ready' to continue endemic corruption and misuse of public funds, 'are you ready' to pay no respect for the rule of law, 'are you ready' for idolism of Maumoon himself, 'are you ready' to intimidate the parliament reducing it to a rubberstamp body, 'are you ready' for ballot rigging and total mismanagement of public services. If you are ready lets sign a letter requesting to seek real truth about Maldives. Let the whole world know the truth. Hurry up! Don't waste time, it may be too late. ■

Thank you, on behalf of people who don't have the resources/ education/ chance etc to protest against the current government. Keep your spirits high and remember that there are a lot of people here who appreciate what you are doing. Best of Luck. silent majority ■

Some of pro Gayyoom propaganda is appalling. There is war of Internet communication. Gayyoom's servant thugs are busy in character assassination and propagating lies about dissidents. It not new a new thing that from the very beginning of Gayyooms dictatorship he started punishing anyone who oppose his view. 26 years of oppressive rule Gayyoom thugs, his NSS gangsters believe that people with opposing view are criminals. They are ready to cut throat of any person who voices dissatisfaction about Gayyooms way of government. Today this has become a social disorder that many people are infected with. Likewise people like Anni, GoGo Latheef are categorised as hardcore criminals. In decent standards they are far away of becoming criminals. The real criminals are the thugs of Gayyoom regime, NSS (lets call it MSS, Maumoon Security Services) thugs, who terrorise people. And they call Anni a thief. What a joke. Do you want to know real thieves? Let's not talk about them cause they are immune. People like Ilyas, Yameen, Anbaree, and other ministers have swallowed the treasury. But we can't talk about them. It is a sin. ■

MDP, I support your effort to let the whole world know the reality of

present regime. Maumoon & his family including dark Koli must go and let us breathe freely. Let the children of tomorrow grow & live in a free society, a place where they can have freedom of expression without fear of being harassed, arrested and tortured, a place where they have freedom to choose their servant leader who listens to their voice & who gives priority not to his own family greed but to the goodwill of the whole nation, one who doesn't think he's godly & commands others to (virtually) kneel him. MDP, Maldivians are muslims & majority of them do not like some of your members who have dark history of drugs, alcohol, sex and crime. So get rid of these few stinky people. I know there are drug addicts and gays in the present cabinet as well, but that's another story. Keep it up MDP. ■

AntiMDP are you trying to justify that killing of drug addicts is right? It is unfortunate that you bring Evan Naseem from dead and call him by names. Learn to respect the dead soul. This government has failed big-time in handling junkies and it didn't start overnight. There was no social policy laid to handle drug addicts for the last 20 years and it is clearly a sign of poor governance. Agree? ■