



TEXTS ADOPTED

P8_TA(2018)0079

Situation in the Maldives

European Parliament resolution of 15 March 2018 on the situation in the Maldives (2018/2630(RSP))

The European Parliament,

- having regard to its previous resolutions on the situation in the Maldives, particularly those of 16 September 2004¹, 30 April 2015², 17 December 2015³ and 5 October 2017⁴,
- having regard to the statements by the spokesperson of the EEAS of 2 February 2018 on the decision of the Supreme Court of the Maldives of 1 February 2018⁵, and of 6 February 2018 on the situation in the Maldives⁶,
- having regard to the joint local statement of 30 January 2018 of the Delegation of the European Union in agreement with the EU Heads of Missions resident in Colombo and accredited to the Maldives on the renewed arrest of MP Faris Maumoon⁷,
- having regard to the International Covenant on Civil and Political Rights (ICCPR), to which the Maldives is a party,
- having regard to the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which the Maldives is also a party,
- having regard to the EU Guidelines on the Death Penalty,
- having regard to the official mission to the Maldives of the European Parliamentary Delegation for Relations with the Countries of South Asia from 29 to 31 October 2017,
- having regard to the statement of UN High Commissioner for Human Rights, Zeid

¹ OJ C 140 E, 9.6.2005, p. 165.

² OJ C 346, 21.9.2016, p. 60.

³ OJ C 399, 24.11.2017, p. 134.

⁴ Texts adopted, P8_TA(2017)0383.

⁵ https://eeas.europa.eu/headquarters/headquarters-homepage/39275/statement-spokesperson-decision-supreme-court-maldives_en

⁶ https://eeas.europa.eu/headquarters/headquarters-homepage/39413/statement-spokesperson-situation-maldives_en

⁷ https://eeas.europa.eu/delegations/sri-lanka/39021/joint-local-statement-renewed-arrest-mp-faris-maumoon_en

Ra'ad Al Hussein, of 7 February 2018,

- having regard to the statement issued on 6 February 2018 by the Bureau of the European Parliament's South Asia Delegation on the situation in the Maldives,
 - having regard to the Foreign Affairs Council conclusions on the Maldives, as adopted by the Council at its 3598th meeting on 26 February 2018,
 - having regard to the Universal Declaration of Human Rights,
 - 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 of the International Association of Lawyers (UIA) on 7 March 2018, expressing grave concern about the rule of law and the state of the independence of the judiciary in the Maldives,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the first democratic elections in 2008 and the adoption of a new constitution had raised high hopes that the Maldives would overcome decades of authoritarian rule and move towards a democratic system, but recent developments pose a serious threat to the realisation of this prospect;
- B. whereas opposition party members, independent journalists and human rights defenders report increased threats and attacks from authorities, police and extremist groups; 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; whereas there is mounting evidence indicating that criminal charges brought against political opponents of President Abdulla Yameen Abdul Gayoom (hereinafter President Yameen) may have been politically motivated; whereas former President Maumoon Abdul Gayoom was arrested in February 2018;
- C. whereas the first round of presidential elections is due to take place in September 2018; whereas the President has invited the international community to observe the electoral process;
- D. whereas on 1 February 2018 a decision of the Supreme Court of the Maldives annulled the criminal proceedings against leading politicians and admitted that the trials against them had been unfair; whereas the ruling ordered for the immediate release of nine persons, including eight opposition political leaders, including the exiled Mohamed Nasheed, and for the reinstatement of 12 suspended Members of Parliament; whereas the Government retains a majority in Parliament as long as the 12 MPs remain stripped of their seats;
- E. whereas on 5 February 2018, following the decision of the Supreme Court, President Yameen declared a 15-day state of emergency; whereas with the declaration of the state of emergency a large number of human rights and fundamental freedoms enshrined in the Constitution were suspended, including the rights of peaceful assembly and freedom from unlawful arrest and detention;

- F. whereas two presiding judges of the Supreme Court, including the Chief Justice, were arrested, causing the remaining presiding judges to annul the original order; whereas in clear disregard for the independence of the judiciary, members of the judiciary and political opponents have been arbitrarily detained;
- G. whereas despite the peaceful protest of hundreds of citizens, the state of emergency was extended by Parliament for a further 30 days on 20 February 2018, a move that was deemed unconstitutional by the Maldives Prosecutor-General but upheld by the Supreme Court; whereas the vote to extend the state of emergency was forced through Parliament in the absence of a quorum;
- H. whereas the Foreign Affairs Council has followed with concern the recent deterioration of the situation in the Maldives, issuing calls on all in the country, in particular law enforcement forces, to act with restraint; whereas a joint statement was delivered at the 37th Session of the Human Rights Council on behalf of over 40 countries, including all EU Member States, on 8 March 2018, calling on the Government of the Maldives to restore constitutional rights and the independence of the courts, expressing its support for the proper functioning of the country's Parliament and urging the Government to release political prisoners and their families;
- I. whereas civil society activists and human rights defenders in the Maldives continue to face threats and intimidation from extremists, and judicial harassment by the authorities, as in the case of Shahindha Ismail, Executive Director of the Maldivian Democracy Network, who was targeted by news articles, death threats and a police investigation because of her advocacy against religious fundamentalism and radicalisation;
- J. whereas President Yameen has repeatedly declared his intention to resume the practice of state-sanctioned executions, ending a 60-year moratorium; whereas Maldivian law, in contravention of international law, allows minors to be sentenced to a delayed death penalty, to be carried out when the minor reaches the age of 18; whereas in at least three cases, specifically those of Hussein Humaam Ahmed, Ahmed Murrath and Mohamed Nabeel, the Supreme Court of Maldives has confirmed death sentences for condemned individuals whose trials failed to uphold internationally recognised standards of fair trial, and who are now at imminent risk of execution;
- K. whereas in recent years the Maldives have shifted towards a radical version of Islam; 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;
- L. whereas the International Federation of Journalists (IFJ), Reporters Without Borders (RSF) and the Committee to Protect Journalists (CPJ) released a joint statement on 15 February 2018 expressing their deep concern over the restrictions of, and threats against, media and press freedom in the Maldives; whereas, on 4 February 2018, the deputy leader of the ruling Progressive Party of Maldives (PPM), Abdul Raheem Abdullah, called on the security forces to immediately shut down Raajje TV, accusing it of giving airtime to opposition leaders;
- M. whereas the EU has long-standing relations with the Maldives, notably in areas such as the fight against climate change, and hundreds of thousands of European tourists travel to the Maldives every year;

1. Expresses its deep concern over the serious and deteriorating political and human rights situation in the Maldives, and the increasingly authoritarian rule of President Yameen and his Government; takes positive note of the Council Conclusions on the Maldives of 26 February 2018;
2. Calls on the Government of the Maldives to lift the state of emergency immediately, to respect the institutions and their competencies as provided for in the Constitution, and to respect the fundamental rights of all people, including the right to freedom of expression and assembly, as well as the rule of law; expresses its growing concern over the recent actions of the Government, which seriously damage and undermine democracy, and run counter to the Maldives' Constitution and the country's international human rights obligations; condemns the continued intimidation of, and threats against, journalists, bloggers and human rights defenders in the Maldives; urges the Maldivian authorities to guarantee the safety of all civil society activists, human rights defenders and media workers in the country, to enable them to carry out their work safely and without impediment, to investigate threats against them, and to prosecute the perpetrators; deplores the crackdown on political opponents in the Maldives, and calls on the Government to drop all charges against all those being held for political reasons and release them immediately and unconditionally;
3. Welcomes the decision of the Supreme Court of the Maldives of 1 February 2018 to annul the criminal proceedings against leading politicians and to reinstate 12 Members of Parliament; calls on the Maldivian authorities to abide by the ruling;
4. Strongly condemns any interference with the work of the Supreme Court of the Maldives and the arrests of the presiding judges; calls for their immediate and unconditional release; is concerned about the increasing breakdown of the principle of separation of the executive, judicial and other powers in the Maldives; calls on the responsible authorities to take immediate steps to restore and uphold the principles enshrined in its Constitution;
5. Reiterates its call on the Government to ensure the full independence and impartiality of the judiciary, and to guarantee all citizens the right to fair and transparent justice that is free of political influence; condemns the interference with the work of the Supreme Court and the actions taken against the judiciary and judges; calls on the Government to guarantee that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference;
6. Reiterates its call on the Maldivian Government to engage in an inclusive dialogue with the leaders of all political parties; recalls that such dialogue paves the way for credible, transparent and inclusive elections; considers that the EU should actively continue to support UN facilitation of such dialogue;
7. Calls on regional actors to work with EU countries to help deliver political and democratic stability in the Maldives;
8. Believes that the only way to reverse the deterioration in democracy, human rights and freedoms in the Maldives is through a process of genuine dialogue involving all political parties and other civic leaders; further believes that, as a first step towards reconciliation, the Government must release all opposition politicians currently held in jail;

9. Reiterates the EU's firm opposition to the death penalty, in all cases and without exception; strongly condemns the announcement of the reintroduction of the death penalty in the Maldives, and urges the Government and Parliament of the Maldives to respect the moratorium on the death penalty that has been in place for more than 60 years; calls for the universal abolition of capital punishment, and calls on the Government to revoke all capital punishment charges against juveniles and to prohibit the execution of juvenile offenders;
10. Strongly criticises the fact that the practice of non-Muslim faiths is severely punishable in the Maldives; expresses concern that the Religious Unity Act is being used to limit freedom of expression in the Maldives;
11. Expresses concern about the impact the current situation may also have on the security of foreign residents and visitors; calls on the VP/HR, the EU delegation to the Maldives and Member States' delegations to coordinate closely their travel advice in this regard;
12. Calls for the immediate and unconditional release of all persons detained arbitrarily, many of whom are journalists and peaceful protestors; condemns all and any use of force by the authorities; calls on all Maldivian authorities, in particular law enforcement authorities, to act with restraint; calls on the authorities to investigate all those suspected of being responsible for the offences that have been committed, and to hold them accountable;
13. Calls on the EU to make full use of all instruments at its disposal to promote respect for human rights and democratic principles in the Maldives, including, possibly, the suspension of EU financial assistance to the country pending the resumption of the rule of law and abidance by democratic principles; calls on the Council to introduce targeted measures and sanctions against those in the country undermining human rights, and to freeze the assets abroad of, and impose travel bans on, certain members of the Maldivian Government and their leading supporters in the Maldivian business community;
14. Calls on the Maldivian Government to profoundly reform the judiciary, 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;
15. Recognises that, under the Constitution, elections must be held in 2018; stresses that immediate action should be taken to ensure that these elections are transparent and credible, that voters are given a genuine choice and that parties are able to campaign freely;
16. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Secretary-General of United Nations and the Government of the Maldives.