



Inter-Parliamentary Union

For democracy. For everyone.

Maldives

Decision adopted unanimously by the IPU Governing Council at its 204th session (Doha, 10 April 2019)



Former president of the Maldives, Mohamed Nasheed (centre), is embraced by Jumhoory Party leader, Qasim Ibrahim (left), as President-elect, Ibrahim Mohamed Solih (right), looks on after Nasheed returned from exile to the Maldives, in Male on 1 November 2018 © Ahmed SHURAU/AFP

MDV55 - Ahmed Mahloof
MDV60 - Abdulla Riyaz
MDV62 - Faris Maumoon
MDV63 - Ibrahim Didi
MDV64 - Qasim Ibrahim
MDV77 - Abdullah Sinan
MDV78 - Ilham Ahmed

Alleged human rights violations:

- ✓ Arbitrary arrest and detention
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Violation of freedom of opinion and expression

A. Summary of the case

Between February 2012, following the controversial resignation of the then President, Mohamed Nasheed (Maldivian Democratic Party – MDP), which he claimed was forced upon him, and September 2018, there were serious and credible reports and allegations of arbitrary arrest, ill-treatment, attacks and death threats against several opposition members of the People's Majlis, the majority of them belonging to the MDP. In more recent years, new concerns arose about the arbitrary revocation of the parliamentary mandates of, and unjustified charges against, several opposition members.

Case MDV-COLL-01

Maldives: Parliament affiliated to the IPU

Victim(s): Seven male opposition members of parliament

Qualified complainant(s): Section I(1)(a) of the [Committee Procedure](#) (Annex I)

Submission of complaint(s): February 2012

Recent IPU decision: [February 2019](#)

IPU missions: [March 2018](#), [October 2016](#), November 2013, [November 2012](#)

Recent Committee hearing(s): Hearing with the Maldives delegation at the 140th IPU Assembly (April 2019)

Recent follow-up:

- Communication from the authorities: Letter from the Secretary General of the People's Majlis (April 2019)
- Communication from the complainant: March 2019
- Communication addressed to the authorities: Letter addressed to the Speaker of the People's Majlis (March 2019)
- Communication addressed to the complainant: March 2019

These concerns were largely satisfactorily addressed in 2018, following the election of the joint candidate of four opposition parties, Mr. Ibrahim Solih, as President of the Maldives in September that year. As a result, the IPU Committee on the Human Rights of Parliamentarians decided in January/February 2019 to close the original case of 50 members of the Maldivian parliament that it had been examining, with the exception of the situation of seven members of parliament.

These seven members of parliament had been allegedly subjected to arbitrary arrest, detention and legal proceedings at a time when they and their parties were in strong opposition to the then President Yameen. Six of them were facing terrorism charges and originally the detention of five of them was ordered for the duration of their trials. They were all released after September 2018. The seventh member of parliament, Mr. Qasim Ibrahim, was sentenced in 2017, allegedly in the absence of a fair trial, and convicted of vote buying. Soon after his sentence was pronounced, he was allowed to leave the Maldives for medical treatment. After September 2018, Mr. Qasim Ibrahim was granted bail and, after returning to the Maldives, became the new Speaker. The High Court has since overturned his conviction and sentence.

According to the most recent information provided by the parliamentary authorities, the other six members of parliament, with the exception of Mr. Abdulla Riyaz, are also no longer subject to legal proceedings. Mr. Riyaz is subject to accusations of attempting to influence police officers and spreading false information. The parliamentary authorities have expressed the hope that the proceedings against him would also soon be dismissed.

Parliamentary elections took place in the Maldives on 6 April 2019. The MDP won a large majority of seats in parliament.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Maldivian delegation to the 140th IPU Assembly for meeting with the Committee on the Human Rights of Parliamentarians and for the information provided;
2. *Is pleased* that six of the seven members of parliament are no longer subject to legal proceedings;
3. *Decides therefore* to close their case pursuant to section 25(a) of its Procedure for the examination and treatment of complaints (Annex I of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians), while regretting that several of them have had to spend several months in detention, often in reportedly poor conditions, and without information being made available on the facts in support of the charges against them; *regrets also* in this regard that no official reply was ever forthcoming regarding the alleged violations of the right to a fair trial of Mr. Qasim Ibrahim, a situation which only reinforces these allegations;
4. *Sincerely hopes* that the legal proceedings against Mr. Abdulla Riyaz will soon be concluded and, if there is no evidence to support the accusations, discontinued; *wishes* to receive official information on the timeline for their completion and on the legal and factual basis of the accusations;
5. *Recalls* that the Committee on the Human Rights of Parliamentarians has undertaken several missions to the Maldives since 2012, which have identified a number of factors that have accompanied and enabled the violations of the human rights of members of parliament that arose in the original overall case, including a “winner-takes-all” political mentality, lack of a culture of political dialogue, reports of widespread corruption, systematic floor crossing in parliament, the focus on personality rather than programme-based political parties, lack of democratic oversight of the security sector and the absence of a fully independent judiciary and independent oversight institutions; *sincerely hopes* that the new parliament and the Government will use their powers to address these factors and hence reinforce the foundations of democracy in the Maldives; *reaffirms* that the IPU stands ready to lend its expertise to the Maldivian

authorities to facilitate constructive dialogue in parliament and between parliament and the other state branches, and to promote a better understanding of the protection of the rights of parliamentarians;

6. *Requests* the Secretary General to convey this decision to the relevant authorities and the complainant;
7. *Requests* the Committee to continue its examination of the case of Mr. Abdulla Riyaz and to report back to it in due course.