

## **Governance Updates February 2013**

Transparency Maldives

This document is produced by Transparency Maldives with the purpose of communicating and bringing to the attention of the international community issues of governance in the Maldives.

### **1 President Nasheed's Trial**

Former President Mohamed Nasheed sought [refuge](#) in the Indian High Commission in Male on February 13, Wednesday following the Hulhumale Magistrate Court's order to the Police to produce him in court for his trial over the unconstitutional arrest and detention of Judge Abdulla Mohamed in 2011. The order was issued after he had failed to appear at previous court hearings.

Nasheed had earlier asked to hold off his trial until after the Presidential Elections during a hearing on February 3 Sunday at the High Court, regarding [procedural issues](#) raised by his legal team at the lower court which had been appealed to the High Court.

The procedural points were initially raised at a Hulhumale Magistrate Court hearing on October 9, 2012 Tuesday. The High Court [upheld](#) the lower court's decision over the matter. The former President [left](#) the Indian High Commission on February 23 Saturday after 11 days.

The Parliament's Independent Bodies Committee had earlier probed into the [constitution](#) of the bench of Judges residing over Nasheed's case appointed by the Judicial Services Commission as well.

### **2 Presidential Election scheduled for September 7, 2013**

The [Presidential Election](#) has been scheduled for September 7, 2013 by the Elections Commission (EC) of the Maldives, with the commission citing possible financial difficulties due to insufficient budget allocation.

It is [estimated](#) that there will be 31,000 new voters this year with an additional 100 ballot boxes to be placed around the country for voting. The entire cost of the election is estimated is at MVR55 – 60 million. The Finance Minister has assured the EC that [financial constraints](#) will not impede the holding of the election.

The President of the Elections Commission [warned](#) that if Nasheed's trial proved to be a tool to bar him from contesting the scheduled presidential elections, it would cast doubt over the integrity of the election.

The [UK, US and the UN](#) have also called for free, fair and inclusive elections.

### **3 The UN Special Rapporteur on the Independence of Judges and Lawyers claims Judicial Independence compromised by external interference**

The United Nations Special Rapporteur on the Independence of Judges and Lawyers, Gabriela Knaul who had [visited](#) the Maldives on a fact finding mission on February 16, Saturday claimed that Judges and Lawyers in the Maldives are not sufficiently independent from external pressures and influences.

Presenting her [preliminary findings](#) on the functioning of the justice system in Maldives, Knaul said there was insufficient dialogue, respect for the new constitution created in 2008, transparency and access to information, and accountability to allow the judiciary to function properly.

She criticized the [appointment](#) of Judges presiding over former President Nasheed's case describing it as having been set up in an arbitrary manner outside the parameters laid out in the laws. She also spoke about the Judicial Services Commission, stating that the body is politicized and subject to external influence rendering it unable to function as per its mandate.

### **4 President's Human Rights Ambassador calls on EC to dissolve MDP**

The Human Rights Ambassador of the President's Office Ahmed Ibrahim Didi [called](#) on Elections Commission (EC) President Fuad Thaufeeq to dissolve the Maldivian Democratic Party (MDP) accusing the party of being unlawful, committing terrorist activities and attempting to undermine the powers of the state.

Ibrahim Didi stated that he saw no reason for there to be dissenting political views while likening anyone who disagrees with the Police to criminals.

### **5 ACC launch investigation into 99-year Maamigili Airport lease**

The Anti-Corruption Commission (ACC) has begun investigating the [99-year lease of Maamigili Airport](#) to Villa Shipping and Trading, local media [reported](#).

The private airport is owned by Chairman of Villa Group and Jumhoree Party (JP) MP, Gasim Ibrahim. The airport had initially been leased to the JP presidential candidate's Villa company for 30 years.

Former Minister of Transport Dr Ahmed Shamheed – who was nominated as transport minister by JP – was later removed from his cabinet post after extending the airport lease.

## 6 Foreign Ministry calls on to expedite measures against Human Trafficking

Maldives Foreign Ministry has called to expedite measures against [human trafficking](#) as Maldives is at a critical state in human trafficking index. The Foreign Ministry had started a blue ribbon campaign together with the media against human trafficking.

The Tourism Employment Association of the Maldives (TEAM) had earlier [reported](#) that corrupt immigration practices and the use of unregulated employment agencies by private and state employers are limiting efforts to curb abuse of migrant workers and prevent illegal practices such as retaining staff passports.

Meanwhile the Department of Immigration and Emigration revealed that it had caught and [deported](#) more than 100 people trying to enter the Maldives with fake passports during last year.

The Maldives has come under strong criticism internationally in recent years for the prevalence of people trafficking, and the country has appeared on the US State Department's [Tier Two Watch List for Human Trafficking](#) for [three years in a row](#).

## 7 Other Developments

- 1 The Maldives Police Service has said it is looking into a [corruption case](#) involving Deputy Parliamentary Group Leader of the opposition Maldivian Democratic Party (MDP) Ali Waheed, in collaboration with the Anti-Corruption Commission (ACC).
- 2 Former Maldives National Defense Force (MNDF) Male Area [Commander Brigadier General Didi](#), former (MNDF) Head of Operations Directorate [Colonel Mohamed Ziyad](#) and former [Defense Minister Tholhath Ibrahim Kaleyfaanu](#) denied charges levied against them by the Hulhumale Magistrate Court for the arbitrary arrest and subsequent detention of Judge Abdulla Mohamed, Chief Judge of the Supreme Court.
- 3 [MVR 11.7 million \(US\\$762,215\) has been awarded to nine political parties](#) from the state budget according to local media. Out of the 16 political parties registered at the EC, the nine that were awarded money include: Maldivian Democratic Party (MDP), Dhivehi Rayyithunge Party (DRP), Adhaalath Party (AP), Maldives National Congress (MNC), Jumhooree Party (JP), Dhivehi Qaamee Party (DQP), Progressive Party of Maldives (PPM) and Maldives Development Association (MDA).

- 4 Criminal Court [Judge Abdul Baari Yoosuf suspended](#) over allegations of sexual misconduct.
- 5 The High Court has released the five people arrested in connection with a [MVR 24 million \(US\\$1.55 million\) corruption investigation](#) involving the Disaster Management Centre (DMC).

Please call Transparency Maldives' Advocacy and Communication Manager Aiman Rasheed (790 8967) for questions and clarifications.