

Governance Updates March 21 – 31, 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 **Attorney General files case against dissolution of small political parties**

Attorney General Azima Shakoor has [filed a case](#) at the Supreme Court requesting it declare that existing smaller political parties would not be dissolved following the ratification of the new Political Parties Act.

A [similar case was filed](#) by the attorney general requesting a *writ of mandamus* against the Elections Commission to prevent dissolution of those political parties which failed to maintain the required 10,000 members as stipulated in the Political Parties Act.

The Supreme Court issued a [temporary injunction](#) against the Elections Commission ordering it to withhold the dissolution of political parties that did not have the required membership following the case.

2 **Hulhumale Court bench not composed as requested – Former Court Magistrate**

Former Hulhumale Court magistrate Moosa Naseem told the Parliament's Independent Bodies Committee that the Judicial Services had strayed from his request in [composing the bench of Judges](#) to reside over former President Nasheed's case.

"However, JSC had made the decision and had sent completely different names to the ones I requested. The magistrates I asked for were the most experienced and capable. I don't know why they [JSC] decided otherwise," Naseem is quoted to having said.

He further refused to accept JSC's decision to compose a bench excluding him while he was in charge of the Hulhumale Court, following the composition of which Naseem was transferred to the judicial sector in Alif Dhaal atoll.

3 **AG appeals 15-year-old's flogging sentence**

Attorney General Azima Shakoor has [appealed a court decision](#) to sentence a 15 year-old girl alleged to be the victim of multiple cases of sexual abuse to 100 lashes on charges of fornication. The appeal had come about at a time where the government is considering legal reforms.

The girl was sentenced by the Juvenile Court after she confessed to authorities of having consensual sex with an unknown man during investigations into a separate case of abuse against the minor.

According to Azima the sentence had been appealed as the defence believes the [child's testimony](#) had been taken in violation of the constitution and the charges had also been filed outside of the criminal procedure.

Petition website Avaaz.org had begun a [campaign](#) targeting the reputation of the tourism industry in protest over the sentencing of the 15 year-old. A [petition](#) launched on the same website against the sentence received over one million signatures within four days of launching.

Sources on the island Feydhoo revealed that [concerns had been raised by islanders since 2009](#) that the girl had potentially been the victim of sexual abuse not just by her stepfather, but a number of other unidentified men on the island.

4 **Transparency Maldives launches its Pre-Election Assessment**

Transparency Maldives had on March 28, published a [Pre – Election Assessment](#) assessing the electoral environment and the challenges faced ahead of the Presidential Election of 2013.

The report identified [various issues](#) within the electoral legal framework such as the candidacy of former President Mohamed Nasheed, lack of monitoring of campaign financing, an extensive and entrenched culture of vote buying, and a media establishment set on fueling personality politics and further polarisation.

5 **Artur brothers investing in the Maldives**

[Armenian brothers](#) accused of being conmen and drug traffickers have linked up with various political figures to invest in the Maldives. The Armenians had been linked to a huge scandal in Kenya which eventually led to their highly controversial deportation.

A local media outlet KTN's investigations team produced a daring expose of the cover-up that followed the seizure of Kenya's largest ever cocaine haul in December 2004.

The channel further disclosed how several tonnes of the cocaine went missing; how the brothers' were allowed to escape and how two State prosecutions were deliberately mishandled.

6 **Other News**

6.1- Former President Mohamed Nasheed's legal team filed a case with the High Court regarding the [deferment](#) of the Hulhumale' Magistrate Court criminal case against him until after the September presidential election.

6.2 - The [draft penal code bill](#) has been amended to include punishments as prescribed in the Quran, such as amputation for theft.

6.3 - Commissioner of Police Abdulla Riyaz said that [the biggest aim of the Police](#) is to apprehend serious offenders and remove them from society and emphasized its importance in maintaining stable daily lives and a stable election environment.

He also warned Police will not allow protests in violation of the right to assembly law and pledged to uphold the law under any circumstance.

6.4 - Police arrested SunMV journalist for taking pictures outside the Justice Building after he contested claims by police that he could not take photographs without displaying press identification. The Maldives Media Council (MMC) and Maldives Journalist Association (MJA) have since condemned the arrest of the journalist, calling for all parties to refrain from actions that might hinder freedom of the press.

6.5 - Parliament has scheduled a [vote of no confidence](#) against Defence Minister Mohamed Nazim and Minister of Home Affairs Dr. Mohamed Jameel Ahmed for April 8. A vote to dismiss Jumhoree Party (JP) presidential candidate Gasim Ibrahim from his [position](#) within the Judicial Service Commission (JSC) has also been scheduled for April 9

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