



# Asian Centre for Human Rights

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Dr Ahmed Shaheed  
Honourable Foreign Minister of Maldives  
C/o High Commission of Maldives  
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New Delhi-110048  
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Dear Honourable Foreign Minister,

Asian Centre for Human Rights (ACHR) would like to take the opportunity to thank Your Honour for the dialogue with our delegation on human rights and democracy issues in Maldives.

Kindly allow us to reiterate some of our key concerns that we raised in our meeting today.

Asian Centre for Human Rights welcomes the reform programmes undertaken by the government of Maldives. In our view, the registration of political parties is an important step of these reform programmes. However, the registration of the political parties is only the beginning. It is our firm belief that comprehensive and composite reform programmes should be developed through a process of dialogue with the political parties for implementation of these programmes within a specific time frame.

In this regard, ACHR welcomes the involvement of former Malaysian Minister Dato Musa Bin Hitam to facilitate dialogues between the government of Maldives and the opposition parties. If such dialogues are held in a transparent and inclusive manner, we sincerely believe that Maldives could develop into a model democracy in South Asia.

Any credible reform programme must also create conducive conditions for enjoyment of the democratic freedoms and the release of all political detainees must form an integral part of the reform programmes. In this context, we once again urge the government of Maldives to immediately release Chairperson of the opposition Maldivian Democratic Party, Mohamed Nasheed and other political detainees, who were arrested yesterday while participating in a peaceful protest to mark the anniversary of the protest on 12-13 August 2004. We further urge to release all other detainees who were arrested on 1 August 2005 after they stood in the queue outside of the Majlis building very early in the morning to listen to the debates.

ACHR also welcomes the amnesty offered by President of the Republic of Maldives on 31 December 2004 in relation to the events of 12 and 13 August 2004. Unfortunately, those who were charged have so far not been notified in writing of the withdrawal of the charges against them. Criminal law requires that persons concerned by a legal measure be notified in writing thereof as only such written notification is legally valid and capable of

developing legal effects. As Your Honour have stated what remains to be done is only an administrative task, we urge the government of Maldives to notify them in writing.

ACHR also believes that the registration of the non-governmental organisations will reflect the seriousness of the ongoing reform programmes. We therefore urge the government of Maldives to expedite the registration of "Maldives Human Rights Association" and "The Reporting Network for the Relatives of the Persons in Judicial Care" whose applications have been pending for quite considerable time.

We also appeal through Your Honour to H.E. President of Maldives to ensure that the amendments adopted by the Peoples Majlis on 12 July 2005 on the Human Rights Commission Act are withdrawn and not implemented. The amendments further weaken the Human Rights Commission of Maldives which has so far been denied membership to the Asia-Pacific Forum of National Human Rights Institutions for not complying with the Paris Principles on National Human Rights Institutions. The amendments also target the Chairperson of the Commission by limiting his power and functions and only serve to raise questions about the seriousness of the reform processes, more so when questions have been raised about the nomination of representatives in the Majlis even though it is permitted under the present Constitution.

Asian Centre for Human Rights welcomes the commitment of the government of Maldives to complete the ongoing reform programmes by establishing multi-party democracy including for the election of the President after the expiry of the current term and that the government of Maldives is also considering ratifying the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights.

We have also taken note of your statements pertaining to the alleged violent activities of some members of the Maldivian Democratic Party. Asian Centre for Human Rights would like to reiterate that such allegations should be investigated by independent international bodies/organisations. In this regard, kindly allow us to reiterate our recommendations to the government of Maldives to extend invitation to UN Special Rapporteur on Torture and UN Working Group on Arbitrary Detention to visit Maldives, among others, to investigate into the alleged violent activities of some members of the MDP and the proportionality of force used by the law enforcement personnel.

Asian Centre for Human Rights looks forward to continuing the dialogue with the government of Maldives on human rights and democracy issues.

With kind regards,

I remain,

Yours sincerely

Suhas Chakma  
Director