

Injuries as visible as police misconduct – Dead body of suspect discovered floating in Male harbour

Media release from the Commonwealth Human Rights Initiative Tuesday April 17 2007

The deep flaws running through the Maldives policing system have been highlighted this week, starting with the discovery of an alleged torture victim's dead body floating in a Male harbour. Next, people who had gathered to protest police attempts to bury both the story of the death and the victim's body were arrested and assaulted by police. Then the failure of the police and human rights oversight bodies to take any action on the death or the arrests indicates the complete absence of watchdogs in the Maldives.

Hussein Salah's body was discovered in Western Harbour, near the Atolwehi police station, in the early hours of Sunday. Salah, a construction worker, was arrested last Monday (9 April) on drugs-related charges. Police claim that he was released on Friday (13 April). His family has claimed that they did not have any contact with him after Thursday (12 April). The Maldivian Democratic Party (MDP), the major opposition group in the Maldives, has claimed that there are eye-witness reports that Salah was in detention on Saturday (14 April). These reports need to be investigated and substantiated. The MDP has claimed that Salah was beaten to death while in custody.

Police issued a media release on Sunday saying that Salah's body had been found and that there were 'no major visible injuries'. The body was taken straight to Aasahra Cemetery, in violation of guidelines that require a body to be taken to a hospital for examination, where horrified onlookers took multiple photographs of the serious, violent injuries the body had sustained, including bleeding from the eyes, nose and mouth, swelling to the head, eyes and jaw, missing teeth and injuries on the right arm and legs. The police later changed their claim that the body was uninjured, saying instead that the injuries had been sustained as the body was being rescued from the water.

Later on Sunday, a crowd gathered at the cemetery to protest Salah's death, which they claimed was the result of police torture in custody, and also the police cover up attempt. Police broke up the protest, arresting at least thirteen protestors. The MDP has claimed that those arrested were violently assaulted in detention and have released a photograph of the Chairman of the MDP, Mohamed Nasheen, being punched by a police officer during his arrest. Nasheen was released Monday morning and is now recovering from injuries to his chest and ribs sustained during the incident.

"This incident is one in a long series of allegations of police violence and misconduct," said Maja Daruwala, Director of the Commonwealth Human Rights Initiative, earlier today. "Given these circumstances, it is hard to imagine that the police will have any credibility with, gain the confidence of or receive cooperation from the community, who will remain suspicious of all police action. This mistrust will continue to compound in the absence of any effective institutional means by which police can be held to account by an independent authority. At present, the government has only window dressed the idea of accountability by creating bodies claiming to be independent overseers – but in practice they are weak. The police only account to the President, who is head of state, chief executive, the ultimate judicial authority and the supreme religious figure. The President also appoints the cabinet, the judiciary, a number of members of Parliament, the Police Integrity Commission and the Human Rights Commission."

The government released a 2006 'roadmap to reform' policy that ostensibly created an independent body, the Police Integrity Commission, to watch over policing and look into complaints of police misconduct. However, the President appointed members and the Commission has never met. Maldivians can have little confidence in an institution that is still only on paper.

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Similarly, high hopes that a Human Rights Commission set up in 2003 would be able to hold police to account have faded. The Commission has proved to be an exercise in disappointment; by early last year it had virtually collapsed. A new Commission opened its doors late last year, but so far done little to rescue its damaged reputation. Ms Daruwala commented that, “the Commission’s position on the Salah case has been weak. Instead of undertaking a vigorous investigation itself it is satisfied to call for an investigation by an ‘appropriate body’ – perhaps not mindful of the fact that it is the appropriate body”

“This incident, and the public response to it, once again highlights the distrust and suspicion in which Maldivians holds its police and will continue to hold the police, unless the President and the ruling government take positive steps towards holding the police to account,” finished Ms Daruwala. “The Police Integrity Commission must be made a reality and given the power and opportunity to investigate possible police involvement in Salah’s death. The Human Rights Commission must be given true independence and must also conduct an investigation into Salah’s death and the subsequent police response. The Police Chief must conduct his own internal investigation to establish the facts of the incident. Eye-witness reports must be investigated and verified, and witnesses provided with safety and protection. The family’s wishes must be considered and an independent post-mortem allowed. It is only when decisive, public and transparently clear action is taken by the authorities that the genuine intent of the government to implement change and ensure a community-focused police service will be recognised.”

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The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international NGO working for the practical realisation of human rights in the countries of the Commonwealth.

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