

THE MALDIVES



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The Maldives' departure from the Commonwealth leaves no doubt that the government is not committed to upholding the values of democracy and respect for human rights. In a classic case of playground politics, the Government of the Maldives chose to quit before it could be suspended from the Commonwealth.

Since the beginning of this year the Commonwealth has been deeply concerned with the developments in the Maldives. The Commonwealth Ministerial Action Group (CMAG), tasked with addressing serious or persistent violations of

Commonwealth political values, met three times over the course of the year to discuss the deteriorating standards of democracy and human rights in the country. The group of ministers, representing the geographical span of the Commonwealth, met in February to agree upon six priority areas for improving the country's democratic quotient.

Its subsequent meetings in April and September found no improvements in the priority areas. Against the clamour for action by human rights organisations, the CMAG handed another six months to the Government of the Maldives to demonstrate its commitment to Commonwealth values. Thus the spectre of suspension loomed over the Maldives as the next CMAG meeting approached in March 2017, simply because the promised progress was far from being achieved.

The UN's senior advisor on political affairs, Tamrat Samuels, could not resolve the protracted crisis between the government and the opposition over the summer. After

his second visit in July, he left the Maldives with no sign of meaningful progress. The Commonwealth's Special Envoy, Willy Mutunga, also lamented over the breakdown of political and constitutional administration in the Maldives. But the Government of the Maldives remained unmoved.

In August 2016, the Maldivian Parliament – where President Abdulla Yameen's Progressive Party of Maldives commands a majority – passed a law restricting protests and gatherings to designated areas. It then went a step further by amending the Political Parties Act which drastically reduced the number of registered members of political parties by making fingerprint re-registration mandatory. In an archipelago geography with scattered islands, this has proved to be a herculean task. To tighten the chokehold, the government has not released state-sanctioned funds for political parties and has therefore further restricted opposition parties' efforts for fingerprint registrations. In a country where 3,000 registrations are required to form a political party, the number of parties has thus reduced from 16 to 6. Interestingly, this amendment did not inconvenience the ruling party.

However, the death knell for democratic freedoms sounded when the Maldivian Parliament passed the Defamation Act. Despite being de-criminalised in 2009, the Act reintroduced libel as a criminal act and imposed hefty penalties on a wide range of issues. In contravention of Article 19 of the International Covenant on Civil and Political Rights, which the Maldives has signed and ratified, the Act has elicited widespread condemnation from the international community and civil society groups across the world.

Ironically, the law was touted as a measure to secure human rights by protecting individuals from their reputation being tarnished. In reality, it is a straitjacket against the fundamental democratic rights of its citizens. Indeed, when viewed through a crooked lens, it allows the government to make fallacious claims that under Mr Yameen's presidency, 69 legislations were passed 'specifically designed to promote human rights, strengthen democratic governance, and to reinforce the separation of powers'.



State-led intimidation of journalists for participating in the Al-Jazeera documentary exposing widespread corruption in the highest echelons of the administration; former president Mohamed Nasheed's trial and conviction with total disregard for established legal procedures and against international standards of fair trial; the arrest of political leaders under the country's anti-terror laws; these are merely a few stark instances and do not depict the entire breadth of the grievous violations in the Maldives. However they certainly raise doubts over the government's claims of being treated 'unjustly and unfairly' by the Commonwealth.

The Maldives, quitting the Commonwealth should be seen as a smokescreen to prevent further scrutiny and deter the possibility of suspension. But despite its departure, the Maldives cannot discharge its international obligations and its commitment to democracy and rule of law. Although the Commonwealth's leverage may have ceased for now, UN and bilateral diplomatic channels must continue their pressure on the government to reverse the steady slide towards the authoritarianism of its past.

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 Ministerial Action Group on Maldives
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