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Maldives: Judicial Tyranny and an Autocratic President:

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Perhaps no where else in the World are the terrorism laws being misused so blatantly as in Maldives for political purposes and that too with the active connivance of the Judiciary.

On the other hand, the real terrorists or potential terrorists are sneaking away to Syria while innocent political opponents and those opposed to President Yameen and his regime are being terrorised with terrorism laws.

Again, nowhere else in the World is the President being openly accused of large scale corruption as in Maldives with the opposition flaunting details of deposits made in President's name elsewhere.

Judicial Tyranny:

Those outside Maldives who have an elementary knowledge of jurisprudence will be appalled by the way trials are conducted particularly by the "terror judge" Abdul Baree Yousouf who has been involved in sentencing former President Nasheed, former Defence Minister Mohamed Nazim (it is coming to light that he was framed) and the Adhaalat chairman Sheikh Imran to sentences of more than ten years.

A rough copy of the speech made by Sheikh Imran on last year's May day 2015 is enclosed for information and readers could make their own judgement whether this would first invite terrorism laws and if so whether a sentence of 12 years was justified. It is said that Judge did not even have the courage to look at the accused while delivering the judgement and that he just returned to his chambers after reading out the sentence with his head down!

In this particular case, Judge Baree Yousouf in the course of the trial declared in the court “I have already made a decision in the case”- (to give him 12 years!). When the Defence Lawyers moved the court for change of the judge on several and ethical and disciplinary issues, it was rejected.

In the course of the trial, the Defence was given just one hour to produce the Defence Witnesses and when they asked for more time, it was summarily rejected. They soon found that their telephones have been disconnected and no defence witness could be called within the stipulated time.

Shiekh Imran is unlikely to get any relief in the appellate court as two of the three judge panel set up to hear the appeal were former criminal court judges who presided over the first hearing of the Sheikh Imran’s case in the lower court!

Adeeb's Case:

Worse still is the case of the trial of former Vice President Adeeb that is still going on. Five cases under terrorism laws are being framed against Adeeb that included possession of pistols and explosives, abuse of authority and graft.

When the cases were being heard in different courts, Judge Baree took it upon himself to take over all the cases himself and going at top speed sometimes the sessions ending past midnight!

In Adeeb’s case, the following irregularities in the trail are instructive. The list is not complete as three more cases are yet to be heard. There could be more cases but that depends on the Prosecutor General who in turn would be looking up for further instructions.

- * Most of the witnesses who deposed were termed as anonymous. Why was the Court afraid to reveal their names?
- * No Defence Witness was allowed to depose.
- * In the case of charge of possession of pistols, no pistol has been recovered. It is supposed to have been “seen” by anonymous witnesses.
- * Another described some thing in the shape of a telephone by one of the security personnel is taken to be a bomb by the court.
- * The Court appeared to have accepted as the forensic evidence of the Saudi Arabian lab of having found traces of explosives while the FBI or other forensic teams of other countries including India have not subscribed to the presence of any explosive powder in the case of the “Finifenma “ blast. Former Vice President is facing charges of attempting to assassinate the President! Prosecution witnesses who were no

technical persons were made to depose that the explosion was not a mechanical one!

Former President Nasheed's Case:

We need not go into full details of former President Nasheed's case which was declared by the UN Human Rights Panel as "illegal and politically motivated," but three points need to be highlighted to show the tyranny of the Judiciary.

1. The Judges refused to hear the Defence Testimony.
2. The Judges conducted hearings in the absence of Defence Lawyers
3. The most serious defect was that the judges refused to recuse themselves despite having acted as prosecution witnesses.

Former Defence Minister Nazim appears to have been framed!

In the case of former Defence Minister who was framed for having a (rusty) pistol in his house and sentenced to 11 years, it has come to light that the forensic evidence has proved that the pistol and the bullets seized from the residence of the accused Nazim had actually links with the then tourism minister Adeeb who has since been sacked and facing terror charges!

The ever loyal Home Minister Umar Naseer who once accused the present President Yameen as having connections with criminal gangs has resigned today apparently on the evidence now revealed that the former Defence Minister was framed by Adeeb with the connivance of the Police.

It is quite certain that Judge Bari will soon be rewarded as has happened to others. Criminal Court Judge whose arrest by Nasheed triggered terrorism charges has been made the Judge of the Family Court. The famous Judge Ali Hameed, who was found with foreign prostitutes in Colombo is now head of the Judicial Service Commission.

Adam Arif the senior Prosecutor who prosecuted former President Nasheed, former Defence Minister Nazim (evidence had just come that he was framed!) and Sheikh Imran has been appointed as a Judge of the Criminal Court.

A Judge at Thinadhoo magisterial court who was arrested for drug charge told the Supreme Court openly that he was being framed by Police. One can believe it in the light of what we have seen before in the prosecution of opponents to the regime.

The list is endless. The United Nations High Commissioner for Human Rights said as recently (13th June) that he was “troubled” by the application of terrorism related charges on Maldivian opposition leaders. He added that the space for democracy is shrinking in Maldives. I would add that there is no democracy left but only autocracy of the worst kind.

Corruption:

It has been revealed that one of the biggest scandals had erupted in Maldives in the tourism department when the former Vice President Adeeb was the tourism minister. A special audit of the Maldives Marketing and Public Relations Corporations that is associated with the tourist department revealed that a sum US \$ 79 million had been siphoned off into the bank accounts linked to former Vice President Adeeb between November 2013 and October 2015.

What is more significant is that a sum of US \$ 500000 is said to have been deposited in President Yameen’s account at the Maldives Islamic Bank by a company implicated in the embezzlement of 79 million US dollars. Instead of doing a thorough investigation, the Police have arrested the Bank Assistant of Bank of Maldives of Nilandhoo branch for “revealing confidential information.”

The scandal is just the tip of the iceberg and many more skeletons may come out. By one account, the amount embezzled comes to 230 million US \$ and not 79 million.

Formation of a "United Opposition":

Ex President Nasheed who has since been given political asylum in Britain has managed to form a United opposition of all those who have been persecuted (some in jail and some in exile).

Former President Jameel has been made the head of a transitional government. Nasheed, Sheikh Imran of Adhaalath and former Defence Minister Mohamed Nazim will be serving as Advisers. It has a shadow cabinet too.

The United opposition has called for presidential elections to be held in accordance with the constitution in a free and fair manner and openly monitored by the international community.

They have also called for

* a transparent system to monitor public finances and safeguard national treasury.

* protecting rights of over 1700 opposition supporters facing prosecution. (Incidentally 12 men and one woman are still in custody for participating in the May day Rally of last year awaiting verdict from the criminal courts. The charges are that they assaulted the Police(terrorism!).

* Ensuring safety of Members of Parliament (Majlis) facing intimidation by the government.

It is too early to say how the opposition in exile with disparate elements could join hands and make a meaningful contribution to the developments in Maldives. But with Yameen spinning too fast with his autocratic ways, may be, it could succeed. The Commonwealth Action Group which visited the Islands to examine whether sanctions should be imposed have apparently not recommended any sanctions at the moment.

Any sanction at this stage would only throw Yameen and Maldives in the lap of the Chinese who are only waiting in the wings just as it happened in Myanmar. Perhaps there are better ways to get Yameen see the reason and make an honourable exit.

I cannot but agree more with what former Vice President Jameel said, though he cannot be forgiven for what he said and did when President Nasheed was in power. He said -“ The situation in Maldives is extremely dangerous. Political instability, repression, massive corruption and rise of Islamic terrorism are serious challenges

Annexure:

Rough translation of Sheikh Imran's May day Speech for which he has been sentenced to 12 years in prison under terrorism laws. (Indian readers can imagine, what the fate of Kanhaya Kumar would have been for raising slogans in favour of Afzal Guru, had he been in Maldives).

Translation: Sheikh Imran's speech at May Day mass rally

To bring an end to brutality. To bring an end to brutality. To all the courageous, honourable and dear Maldivian heroes gathered here on the 1st of May, may the peace, mercy and blessings of Allah be upon you.

Yes, we have gathered here to bring an end to brutality. Why are we all here? Why are we here? Look Ahmed Adeeb! Look Ahmed Adeeb!

We are gathered here. We are gathered here to bring an end to brutality. We are gathered here to bring an end to brutality.

Yes, [Hussain] Humam spoke the truth. Humam spoke the truth. Human said both President [Abdulla] Yameen and Ahmed Adeeb would know the people who murdered Dr Afrasheem best. Both of them would know. Yes, these two people are the most brutal two people in this country. We all stand against this brutality. To bring an end to this brutality. Are you people ready? Are you ready? Do you have the courage? Are you ready?

None of you must step back, none of you must step back, with courage step forward, yes! This country of ours, our dear nation has with the blessings of Allah been a free, independent, proud, honourable, benevolent and peaceful country since 2,500 years ago. That was how we maintained our country. This country is moving forward in that way. It is a duty of you dear citizens to deliver this country in that way to our

future generations. It is a duty of you dear citizens to deliver this country in that way.

Are you ready to do that? Are you ready? Are you ready to do that? Yes! This country, we have to deliver this country to our future generations. Shall I say? We had to come until this day, we had to come until this day, brutality – we have no means of saving ourselves from a brutal government. I speak to President Yameen. In order to bring President Yameen's government, I worked extremely hard (He paused due to a large sound). In order to bring the government, we worked extremely hard. And after that we worked extremely hard in order to maintain the government in a good way.

As a responsibility of my own, I showed the government every possible path. I assisted the government. I tried to move forward with the government. Yes, this work, one after the other, events unravelled and upon the case of Colonel [Mohamed] Nazim I knew, I was sure, this government did not have a single good intention. Not a single bit of sincerity. No kindness for the citizens. No compassion for the citizens. No spirit of moving forward with the citizens, no ambition.

Yes! From this moment onwards, after studying Colonel Nazim's case, I knew with great clarity the truth behind this case. No doubt, this was the doing of both Ahmed Adeeb and Hussein Waheed. Yes today, you all must put an end to the doings of these two people. Must send these two people home, alright? Yes, Ahmed Adeeb and, Ahmed Adeeb and Hussein Waheed, all legal procedures required must be followed with respect to them and the responsibility of it all is on your heads. Are you ready?

We are informing very clearly. We are informing very clearly, be it President Yameen, Ahmed Adeeb or Hussein Waheed, we will not inflict any harm. We are not hurtful people. We are people against brutality. We came out against brutality. Therefore, no matter how serious an offender he or she is, God willingly they will suffer no harm from us. We will not harm. But, we are people who will deliver rights. People who will uphold rights on this ground. People who will deliver justice. We will obtain rights. Are you people ready? Are you people ready? Yes, it is in your hands alright?

Yes! Today we had to come this far, today, it has been roughly more than 2 years since the murder of our Dr. Afrasheem, being roughly 2 years, according to what Humam said, President Yameen and Ahmed Adeeb know best. Until today, President Yameen has sincerely done nothing to investigate and solve Dr. Afrasheem's case. As a result, when the blood of our citizens are being shed, a leader who would not uphold the rights of the blood spilled is not a leader who can stay alright? Such a person wouldn't stay alright?

From now on, President Yameen can continue to stay on, only after he comes to the table with us. He will be watching now. I'm saying. Keep courage within yourselves. Keep courage. President Yameen – we do not want to govern. We do not want to topple the government. We do not want anyone's government. Nevertheless, we want to obtain rights for the innocent blood that has been spilled. We will do that today God willingly. We will do that today with the blessings of Allah.

Yes! We have witnessed, we have witnessed, the Rilwan who we can see from here. Yes Rilwan, until today, the police have been unable to provide any information on whatever happened to Rilwan. The Police do know what happened. The Police do know what happened. There are reports at the Police. The investigation is at the Police. But, this brutal government, Ahmed Adeb and Hussein Waheed have withheld these reports. There shall be no room for this from today onwards. From today onwards, there shall be no room for this God willingly. If Allah Almighty wills. From today onwards, there shall be no room to withhold these reports. We receive different news, according to what some people say, he has been chopped up and put into a sack, according to some others, he has been sunk into the depths of the ocean. The truth behind this needs to be revealed by the police.

Yes! In relation to Dr. Afrasheem, roughly 7 people related to Dr. Afrasheem were killed and fallen onto this ground. What is the reality that Yameen knows? On the day Yameen repeatedly spoke out from his own tongue and convicted Humam, he said that it would be easier to find the real murderers once Humam had been sentenced to the death penalty. Here it is in my hands. Here are the documents alright? I have all the documents in my hands. Since there is no time today... Here they are alright? Dear Maldivian citizens. Here they are alright? Here are the documents... for these rights. Behind this is, Hussein

Behind this is, Hussein Waheed – Hussein Waheed and, Hussein Waheed and, Hussein Waheed and Adeb. Yes, if we let this go, our country will never be able to save itself. Ahmed Adeb is connected, Ahmed Adeb is connected. We spoke even last night. Ahmed Adeb is connected to the world's most powerful mafia gangs. The world's mafia gangs control him.

All dear citizens, if you let it go today, this country can never be able to save itself. This country cannot save itself in the years to come. Yes therefore, we have to move forward with great confirmation. To move forward with great confirmation.

All dear citizens. Be patient. Be patient. We will make dua at nightfall. After making dua, you all must stand up in a different manner. Until then be patient, be patient. Upon concluding, I would like to give a very clear message to our dear police and military forces. Yes, it is very clearly stated in this country's constitution that it is a government of the people. The government will be maintained by the people and the people will thus protect this government. We citizens brought the government and when this brutal government is gotten rid of, it is the responsibility of the citizens to ameliorate the government.

And especially in the current world, in such an environment, it is the responsibility of the citizens to ameliorate the government when it has fallen off the wagon. Yes, in the work that is being done for the citizens to ameliorate the government, do not graze the bodies of citizens with your fingertips with anything but their rights. Do not harm any citizen. Do not abuse any citizen. You all are us. We are you. Today, in saving this country from brutality, in saving it from the hands of evildoers, give your assistance to these dear Maldivian citizens.

Approximately 35,000 dear Maldivian citizens gathered here today represent approximately 300,000 citizens of this country. Yes therefore, there is no government that the police and military have to protect having caused harm to these citizens. There is no minister that the police and military have to protect having disregarded these citizens.

Yes, therefore, we are well aware of the fact that Ahmed Adeb pays several million Maldivian Rufiyaa to some police and lets out gang children out on the streets to harm us, to cause us loss, and to cause bloodshed from our bodies. Therefore, our dear police, give no room for any police caught under the spell of Ahmed Adeb to cause any harm to our people. Keep us in the way of justice and keep us in the right way. Dear benevolent, honest police and military, keep to your promise and your promise to save dear Maldivian citizens from bloodshed from our bodies, from breaking a part of our bodies, from beating us with batons. Do not cause bloodshed from the bodies of

these citizens. We do not want a single drop of blood to shed onto the ground from the body of a single citizen.

I swear upon the Almighty Allah, that I do not want a single drop of blood to shed onto the ground from the body of a single citizen. We do not want. But Ahmed Adeeb would order to even gunfire. He would order to even kill these citizens. Help these citizens. Help these citizens earn their rights. Stand with the citizens. Move forward with the citizens. These two departments are our two safeguarding departments. This country's most honourable, most prestigious, most respectable two departments. We stand together with both departments. We all stand under the protection of both departments. Both departments shall move forward.

Yes, therefore, in this activity, our members in high positions, yes, our members in high positions will advise you all as to what is to be done and how to get it done. Step forward in that way. If Allah Almighty wills, this brutality, if Allah Almighty wills, this brutality shall be brought to an end. Your courage, your objective, your readiness, are you ready? Are you ready? Are you ready? Have courage.

Thank you very much.

Translated by Sheikh Imran's lawyer Husnu Suood- from Maldives Independent.

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