

# Newsletter

*Maldivian Democratic Party*

15 - 31 December 2003

## 2003 Presidential Referendum

There is growing evidence that President Gayoom, as before, rigged the last presidential election. Suspicion does not center only on Dharubaaruge, the command centre' run in Male', where the votes were counted. Handpicked Government officials manned all the voting booths. They were the only officials involved in the counting process. Moreover, the final tally was made by specially chosen people close to the ruling elite.

At 0030 hrs on Saturday 18 October (the day after the referendum) the government-owned and controlled TV Maldives announced that Ibrahim Rashad, the Commissioner of Elections, would not announce any results that night due to voting delays in the northern atolls of Haa Alifu and Haa Dhaalu. No explanation for this delay was given. In contrast, vote counting in the more populated Malé and Addu voting precincts were completed on time. TV Maldives said 127 ballot boxes had been received by the commissioner, 47 boxes were in the counting stations and 25 boxes were on the checking tables.

Less than 30 minutes after this announcement, a power blackout

paralyzed Malé. Power returned to the capital at 0200 hrs. At 0800 hrs TV Maldives began a live coverage of vote counting. Forty-five minutes later, TV Maldives began announcing results it claimed were made public by the Elections Commissioner over six hours earlier. This announcement contradicted the commissioner's earlier claimed that no results would be announced that night.

The internet magazine *Maldives Culture* (along with many eyewitness

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reports) alleged that during the blackout, National Security Services (NSS) 'riot police' surrounded the command center at Dharubaaruge. The plain clothed NSS officers allegedly carried two heavy, suspicious-looking suitcases into the building. Election officials, in the meantime, had left Dharubaaruge.

In the atolls a harsh campaign of coercion was conducted before and during the day of the referendum. In all islands, ballot boxes were under the close supervision of Island Chiefs who worked in co-ordination with their respective Atoll Cheifs. The Atoll chiefs worked under the direct command and control of Gayoom's

brother, Abdulla Hameed, who is the Minster of Atolls Administration as well as the Speaker of the Majlis.

The Island Chiefs screened the ballot papers before votes were actually cast. Given the small number of voters that each ballot box serves and given the fact that the Island Chiefs have reduced vote rigging to an art form, this exercise was concluded as planned.

Most Island Chiefs were able to present Gayyoom with a 100% 'yes'

vote. However, in some heavily populated islands such as Gaaf

Dhal Thinadhoo, many voters defied the systematic campaign of intimidation by refusing to vote. In Fua Mulaku voters complained that the island chiefs had violated their right to vote by casting their vote without their consent. In some wards of Fua Mulaku, citizens were forced to cast their votes under the scrutiny of island chiefs and other government officials. Such blatant intimidation was a common practice in many other islands as well. Reports from Hinavaru and Naifaruu, too, suggested similar unlawful activity. The pattern of endemic vote rigging and intimidation continue unabated.

### **MDP is open for membership**

MDP membership service is open 24 hours a day. Accessible any time, you can use the online membership application to become a member. Once you submit the required information, your membership card, along with your Identification Code and an invoice for the membership fee will be mailed to you. Just visit [www.maldiviandemocraticparty.org](http://www.maldiviandemocraticparty.org)

### **Elections for office bearers**

The **Rules of Procedure** require that the party shall elect office bearers to represent the **Steering Committee** which shall conduct the party activities. This election will be held via the worldwide web. The official MDP website will provide a convenient process through which members can nominate their preferred candidates for the positions of President, 3 Vice Presidents, Treasurer and 15 additional committee members. Party members can, by using their

Identification codes, access the designated area in the website for the purpose of conducting elections.

### **Nomination Procedure**

Step ONE: Acquire Membership by visiting [www.maldiviandemocraticparty.org](http://www.maldiviandemocraticparty.org)

Step TWO: Nominate members: Fill the Nomination Form and submit your nominee from the list of Current Members listed online. The list of members can only be accessed by using your Identification Code.

### **Note:**

*Those who do not have access to the official MDP website can reach the Secretariat via e-mail. The MDP postal address will be published in due course. We encourage those with access to the internet to assist those who desire MDP membership.*

### A letter to the Chairperson of the Human Rights Commission of Maldives

Dear Mr. Chairperson

My first reaction to the news of the newly formed Human Rights Commission of Maldives was one of cautious optimism. I was particularly pleased to note that the Commission would be structured around the Paris Principles. Given our authoritarian political culture, such a commission could indeed act as a catalyst for a more free political system. A Commission of this nature, you would appreciate, would be effective only if it is autonomous and endowed with adequate power and resources to implement it's mandate. Whether our authoritarian political culture would actually condone such an autonomous institution, however, is debatable.

Given our present track record, such an assumption seems overly optimistic. The regime has systematically undermined the effectiveness of all competing institutions and centers of power. When state organs like the legislature and even the judiciary are under the control of the President, it seems rather naïve to think that the Commission would be allowed to act with any meaningful degree of independence.

Other dictatorial regimes too have gone through the motions of creating similar human rights commissions, often with intent to primarily appease the demands of international donor community and the United Nations. It is no surprise as may be expected, many of these commissions are dysfunctional and often act as an arm of the regime, employed by the state to legitimize and cover-up human rights violation. My hope is that Gayoom's motives are more pure. The following observations and queries would help me (and other concerned citizens) to make a more objective judgment on the nature, composition, implementation powers and overall effectiveness of the Commission. My queries are based on the Paris Principles on which the Commission would, purportedly, be constituted.

Autonomy and independence from government manipulation are among the basic criteria of the Paris Principles. All indications are that the Commission, as presently constituted, falls short of this basic criteria. As a rule committees and commissions instigated by the President, work under his total control and are answerable to him and to him alone.

The composition of the Commission, too, is a cause for concern. While the Commission has people of integrity (you being the best example) even a cursory appraisal would indicate that most members are beholden to him. According to the Paris Principles, government employees should participate only on an advisory capacity. Furthermore, the present Commission does not reflect the principle of pluralism in its composition. Civil society organizations, which have over the years been weakened or made subservient to the regime, are not adequately represented.

The Commission's mandate, too, is unclear. Would the mandate encompass investigations of violations of all civil and political

rights enshrined in our constitution? Would economic and social rights be addressed? A broad mandate, based on universal human rights, is an essential ingredient of the Paris Principles.

Most of the human rights violations of the Maldives is centered around the State's systemic and endemic infringement of individual rights. Would the Commission's mandate cover the investigation of the State's abuse of the laws of the country? Would the Commission act on the Paris Principles of publicizing their findings? Would they consciously help create a culture conducive to human rights through a system of information and awareness programs directed at educating the people of their rights?

Would the commission investigate past and ongoing human rights abuse? A sure guarantee of the regime's weak commitment would be to force the Commission to investigate only specific and narrow abuse committed after the creation of the Commission, ignoring the atrocities that have already taken place. I ask this question because the regime has violated my right to freedom of association enshrined in the constitution of Maldives. My right (along with that of 41 other citizens) is still being denied. Would the Commission address such blatant abuse of citizens' constitutional rights? More importantly, what power would the Commission have to rectify such abuse by the State?

According to the Paris Principles, rights can be effectively protected through appropriate legislation, an independent judiciary and effective democratic institutions. This would entail overhauling both our political culture and our system of governance. It would also necessitate the redrafting of our constitution which is little more than a document of suppression. Would the Commission have a mandate to make recommendations on laws relevant to human rights? Would the Commission have judicial power or power of arbitration?

I have raised the above questions hoping to get a better understanding of the Commission. A comprehensive, public explanation of the work and mandate of the Commission would help legitimize it. It is important that the people accept the Commission as a legitimate body committed to protecting their rights - especially against State infringements. The people need to be convinced that the Commission is not created merely to deflect the recent national and international outrage at the endemic human rights violations perpetrated by the regime.

My request to you is to ensure that at least the bare minimum standards specified in the Paris Principles are adhered to in the composition, mandate and the functioning of the Commission. I appeal to you and other members not to let the regime use the Commission as a front to cover up human rights abuse. Our most basic, constitutionally enshrined, civil liberties continue to be indiscriminately violated. We have been forced to live with such indignity for far too long. Let us all work together to put an end to the endemic abuse of human rights in our society. I wish you and the Commission well.

Mohamed Latheef

## Letters

Your Newsletter of 1<sup>st</sup> to 15<sup>th</sup> December included a portion of an interview of the first lady of Maldives, Nasreena. She displayed an appalling lack of judgment on the matter of registration of MDP.

She needs to understand (a) that a fixed procedure has to be followed before a debate becomes a law and, (b) she needs to get into her mind that her husband cannot shirk his constitutional duties by palming over part of the responsibility to the legislature.

Gayoom is not, Nasreena needs to know, above the law. Nor, is his rubber stamp parliament. ■

Congratulation(s) for the new-comers... Hope u'll do ur best 4 our country... "N" us. ■

Thank you for what you are doing. Many Maldivians support you even though they do not have the courage to say so openly..The silent majority is with you. From A friend who wishes you well. ■

Dear friends I am from Addu Atoll ..... I personally believed that we are far back of political process within the country and the knowledge is outdated. Therefore I give full support to your hard work and continuation of effort by your organization that focus much civilized and modern world without having any discrimination between the island and the persons. I also think that time has up to taste a new progression. .... I have read one of your declarations that demands Maumoon Abdull Qayyoom to step down and reset a free national referendum..... We are a

community (the southern region) that has not achieved a fraction of development what Male' achieved over the 25 years. It is mainly because the government takes no interest of Regional development what so ever and keeps spending for other purpose in spite of our wishes. As a result we have been identical position when Maldives Nation was achieved to a goal that unlisted from 3<sup>rd</sup> world to developing country and the government earned 200 - 2000 US Dollar Per capita within the periods of 25 years. Furthermore we don't get equal rights in terms of basic needs regardless of what constitutional law has described on its No 13. ....I hope you will not expose my name at any cost. Otherwise I would be in trouble within no time

Regards ■ Please mail feedback to: secretariat@maldiviandemocraticparty.org



