



The Republic of the Maldives

Submission to the UN Universal Periodic Review

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**Submission by CIVICUS: World Alliance for Citizen Participation, NGO in
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And

The Voice of Women

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1. (A) Introduction

- 1.1** CIVICUS: World Alliance for Citizen Participation (CIVICUS) is a global alliance of civil society organisations and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS proudly promotes voices from the Global South and has members in more than 140 countries throughout the world.
- 1.2** The Voice of Women (VoW) has a vision to create a society where men and women work side by side, mutually respecting each other's rights. Among other activities, VoW aims to empower women by information, education and communication so they are able to stand up for their rights and to generate opportunities to effect change for the advancement of women through development, support and inspiration of women as leaders.
- 1.3** In this document, CIVICUS and VoW outline urgent concerns related to the environment in which civil society activists and human rights defenders operate in the Republic of the Maldives, and discuss threats faced in the exercise of the freedoms of expression, association and assembly.
- 1.4** CIVICUS and VoW are concerned by legislative and extra-legal measures taken by the Maldivian government to undermine the legitimate work of civil society organisations (CSOs), in an apparent attempt to suppress criticism and pluralistic debate of government policy.
- 1.5** CIVICUS and VoW are alarmed by undue and arbitrary restrictions on freedom expression, and in particular the numerous attacks on journalists and media houses.
- 1.6** CIVICUS and VoW are also greatly concerned by ongoing legal and policy restrictions on the free exercise of the right to freedom of assembly as well as unwarranted use of excessive force and arbitrary arrest to disperse and discourage nonviolent demonstrations.
- In Section B, CIVICUS and VoW highlight concerns related to the freedom of association and restrictions on civil society activities.
 - In Section C, CIVICUS and VoW express concerns involving harassment and arbitrary detention of human rights defenders.
 - In Section D, CIVICUS and VoW highlight concerns relating to the freedom of expression, independence of the media, restrictions on access to information and intimidation, harassment and attacks on journalists.
 - In Section E, CIVICUS and VoW highlight concerns regarding the freedom of assembly.
 - In Section F, CIVICUS and VoW make a number of recommendations to address the concerns listed.

2. (B) Restrictions on freedom of association and impediments to civil society activities

- 2.1** The Maldives acceded to the International Covenant on Civil and Political Rights (ICCPR) and its First Optional Protocol on 19 September 2006. The ICCPR came into effect three months later on 19 December 2006. Article 22 of the ICCPR guarantees freedom of association. Furthermore, the freedom to form political parties, associations, societies and trade unions is enshrined in Article 30 of the Maldivian Constitution.¹ Section 30(a) of the Constitution affirms that “every citizen has the right to establish and to participate in the activities of political parties”. Section 30(b)(i) states that “everyone has the right to establish and participate in any association or society for economic, social, educational or cultural or purposes” and Section 30(b)(ii) adds that everyone has the right to form and participate in trade unions.
- 2.2** While the Constitution makes provisions for the establishment of and participation in political parties and for economic, social, educational or cultural purposes, it does not specifically mention the right to establish human rights or advocacy organisations. This is an important oversight.
- 2.3** The 2003 Associations Act governs the formation and operation of associations in the Maldives.² It came into force 5 years before the amended constitution and does not stay true to the intentions of the constitution, which promoted an expansive definition of freedom of association. The Associations Act requires official permission for associations to operate. This is not in line with international best practice and this needs to be reformed. A stiff penalty is imposed for operating a CSO without prior registration. According to Article 37(b) of the Associations Act penalties range from 2 to 5 years in prison, house arrest or banishment to another island.
- 2.4** Article 2 of the Maldivian Constitution affirms that it is a Republic based on the principles of Islam. Accordingly, Article 19(a) of 2003 Associations Act explicitly forbids the incorporation of associations which conflict with the principles of Islam and promote the beliefs of any other religion. This is an undue limitation on the freedom of association and is not permissible under international human rights law.
- 2.5** The law is overly broad and does not clearly stipulate the grounds upon which CSO (civil society organisation) registration may be denied. Moreover, it does not offer the requisite procedural safeguards to ensure impartial decision-making. This is in clear contravention of Article 43(a) of the Maldivian Constitution, which affirms that everyone has the right to administrative decisions that are lawful, procedurally fair

¹ The unofficial English translation of the constitution of the Republic of the Maldives 2008 is available at: <http://www.maldivesinfo.gov.mv/home/upload/downloads/Compilation.pdf>.

² Associations Act, Act No 1/2003, available at: <http://www.agoffice.gov.mv/pdf/sublawe/294.pdf>.

- 2.6** and expeditious. Furthermore, Article 43(b) highlights that everyone whose rights have been adversely affected by administrative action has the right to be given written reasons.
- 2.7** Also, the law does not establish an autonomous body to govern the registration of CSOs. Rather, the 2003 Act leaves the decision to accept or refuse registration solely up to the discretion of the Registrar, who is a presidential appointee. Maldives is a presidential representative democratic republic, in which the president is both the Head of State and the Head of Government. This means that there is potential for executive interference regarding CSO registration. The extent of the power of the Registrar under the Associations Act is worrying and the law needs to be revised.
- 2.8** Furthermore, Article 5 of the Act establishes a complex registration process, which makes CSOs stipulate in their governing statute the types of membership, membership procedures, fees, membership termination processes, their activities, fundraising strategies, their governance structure and the procedures for the appointment, election and removal of the executive committee, the frequency and structure of general meetings and of the meetings of the executive committee, the procedure for amending the governing regulation and for shutting down the CSO. These rather burdensome requirements may make it harder for smaller, less well-resourced CSOs to register. It also imposes a barrier for newcomers to the civil society world who may not have experience establishing CSOs.
- 2.9** Article 29 of the Associations Act compels every association to submit its annual activities and financial reports and an auditor's report to the Registrar of Association within 30 days of holding the annual general meeting of the association. Article 32 states that the Registrar has the power to cancel the registration of an association for repeatedly being at fault with this Act.
- 2.10** Articles 29 and 32 have the potential to be abused to punitively close CSOs. Last year on 18 March 2013, this is exactly what happened. The then Minister of State for Home Affairs, who also happened to be the NGO Registrar, announced his intent to close over 70% of legally registered NGOs for allegedly failing to adhere to reporting requirements in Article 29.³ The Minister said that he would close 1,300 of the 1853 legally registered NGOs, and claimed that only 200 NGOs complied with reporting requirements. Of course, this begs the question whether the NGO Registrar was selectively and punitively closing CSOs in bid to silence critics. Furthermore, Article 43 of the Constitution means that the NGO Registrar would need to communicate the grounds for denial of registration to the NGOs individuals. It is clear that this threat to close down CSOs, was politically-motivated, with the NGO Registrar threatening

³ Maldives: Stop the Harassment of NGOs, CIVICUS, 5 April 2013, available at: <http://www.civicus.org/index.php/en/media-centre-129/press-releases/1576-maldives-stop-the-harassment-of-ngos>.

to shut down, Transparency Maldives, a prominent critic of the government, for non-compliance of Article 29 in October 2013.⁴

2.11 Also, Article 22 of the Associations Law vaguely states that every association that obtains resources from foreign parties must do this “in accordance with the regulations of the concerned authorities of the Government”. This overly broad provision could certainly disincentivise associations from seeking vital resources from foreign sources.

2.12 Collectively, these provisions mentioned above have led to a severe reduction in the permissible activities of CSOs and prevent the full realisation of the right to freedom of association. In August 2014, the Maldivian Attorney General, Mohammed Anil, stated that the Maldives is considering reforming the Associations Act.⁵ CIVICUS, VoW strongly urge that discussions on revising the Associations Act include civil society and remove many of the unwarranted restrictions on civil society highlighted above.

3. (C) Concerns involving harassment, intimidation and attacks against human rights defenders and civil society activists

3.1 Article 12 of the United Nations Declaration on Human Rights Defenders affirms that states must take necessary measures to ensure protection of human rights defenders.⁶ The ICCPR further guarantees the freedoms of expression, association and assembly. However, it is a matter of deep concern that human rights defenders (HRDs) engaged in legitimate activities continue to face judicial harassment, intimidation, and threats.

3.2 There has been a great deal of political turmoil in the Maldives over the past few years and protesters have frequently been brutalised by recalcitrant police officers. Anti-government protests related to high food prices in May 2011 resulted in the police using tear gas and batons to disperse protesters, injuring dozens of activists.⁷

⁴Transparency International calls for the protection of staff working with Transparency Maldives, Transparency International, 7 October 2013, available at:

http://www.transparency.org/news/pressrelease/transparency_international_calls_for_the_protection_of_staff_working_with_t.

⁵ H Ali, Associations should be able to function without registering: AG, Haveeru Online, 4 August 2014, available at: <http://www.haveeru.com.mv/news/56133>.

⁶ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, United Nations General Assembly, UN Doc. A/RES/53/144, 8 March 1999, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/770/89/PDF/N9977089.pdf?OpenElement>.

⁷ S Yoon, Maldives police break up opposition protest, Al Jazeera, 1 May 2011, available at: <http://www.aljazeera.com/news/asia/2011/05/2011516445329768.html>.

- 3.3** After the unconstitutional arrest of the Chief Justice of the Maldives Criminal Court, Abdulla Mohammed, by the military on the orders of the then President Mohammed Nasheed, mass protests erupted. Following a violent riot by the Special Operations branch of the police, President Nasheed resigned on 7 February 2012. In the following days, the police attacked his supporters, even going to hospital to beat up injured protesters.⁸
- 3.4** There was a National Commission of Inquiry to investigate this crackdown and the Maldivian Human Rights Commission received complaints from 32 people and 20 medical reports.⁹ The police officers concerned have not been brought to justice yet.¹⁰
- 3.5** Excessive force was again employed against demonstrators during the electoral crisis of 2013. On 7 October 2013, owing to irregularities, the Supreme Court voided the results of the September 2013 election.¹¹ The proposed 19 October 2013 election was then halted by the police as the voter lists had not been agreed by candidates.¹² The 9 November 2013 election was won by President Nasheed but he did not have an outright majority. The next day the Supreme Court decided to postpone the run-off election and President Waheed refused to step down. Following the electoral furore and the stubborn stance from President Waheed, protests broke out. Police violently dispersed protesters, and attacked several journalists. Justice remains elusive for these victims too.¹³
- 3.6** Article 50 of the Maldivian Constitution guarantees the right to prompt investigation by the authorities, and where warranted, quick prosecution. Article 20(h) of the 2013 Right to Peaceful Assembly Act establishes the right of participants in assemblies to “not be punished or to not have any claim made against him only for the reason of taking part in an assembly”.¹⁴ Article 51(a) of the Right of Peaceful Assembly Act stipulates that “the power used in dispersing an assembly should be reasonable and proportionate to the situation”. If illegal or disproportionate force is used, then this triggers civil and criminal liability. Article 51(d) of the Right to Peaceful Assembly Act states that if it is suspected that a member of the Police has caused harm to a person’s life or body, without any complaint from another party, the Police Integrity Commission and the Human Rights Commission of the Maldives shall separately investigate it and the findings in relation to it must be announced within a maximum of 14 days from the date of

⁸ A Naish, Serious failings in the justice system entrenched impunity, Minivan News, 23 May 2013, available at: <http://minivannews.com/politics/serious-failings-in-the-justice-system-entrenched-impunity-amnesty-international-58388>.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Maldives election: Supreme Court delays run-off vote, BBC, 10 November 2013, available at:

<http://www.bbc.co.uk/news/world-asia-24887515>.

¹² Ibid.

¹³ Above fn 8.

the offence. And if an investigation finds that such an incident took place, the case should be sent to the Prosecutor General's Office.

- 3.7 It is imperative that Maldives adheres to its own constitution and listens to its own institutions such as the Commission of Inquiry, the Police Integrity Commission and the Maldivian Human Rights Commission, which have called for justice for victims of police brutality. There is a clear need to reform institutions in order to end this pervasive culture of impunity.

4. (D) Concerns regarding freedom of expression, independence of the media, restrictions on access to information and intimidation, harassment and attacks on journalists

- 4.1 Article 19 of the ICCPR guarantees the freedom of expression and opinion. Article 27 of the Maldivian Constitution provides for the right to freedom of thought and the freedom to communicate opinions and expression in a manner that is not contrary to any tenet of Islam. This limited standard of freedom of expression and opinion stands at odds with international human rights norms.
- 4.2 Article 28 of the Maldivian Constitution protects the freedom of the media and it protects journalistic sources. While, Article 29 of the Constitution protects the freedom of acquiring and imparting knowledge. While there are strong protections in law for freedom of the press and freedom of information, in practice these freedoms are undermined.
- 4.3 At the adoption of the Universal Periodic Review of the Maldives in 16 March 2011, the Maldives accepted recommendation n^o107 made by France that it should take all measures necessary to ensure full respect for freedom of expression and to guarantee that journalists can practise their profession freely. Several years after agreeing to implement this recommendation, the Maldivian state has failed to live up to its promise.
- 4.4 A report by the Maldives Broadcasting Commission released in May 2014 stated that 84% of journalists interviewed stated that they had been threatened in person, via telephone calls and on social media between 2011 and 2013.¹⁵ Worryingly, journalists said that these threats primarily came from political parties, gangs and religious extremists. 43% of the journalists did not report these threats to the police. Journalists said that these threats made them reluctant to report on sensitive matters.

¹⁵ A Rilwan, Politicians, gangs and religious extremists threaten media freedom, Minivan News, 1 May 2014, available at: <http://minivannews.com/politics/politicians-gangs-and-religious-extremists-threaten-media-freedom-83908>.

- 4.5** The vandalism of television stations is not a rare occurrence. On 7 October 2013, a news and current television station, Raajjee TV was set on fire by masked men.¹⁶ At the time, Raajjee TV was known for its oppositional stance towards to the government of the day. In the early hours of the morning, 6 masked men broken into the television station and set fire to it with gasoline, destroying all the broadcast equipment.¹⁷ Damages are estimated to go up to USD 1 million. The head of the station was warned of an imminent attack and sought police protection, but the police failed to act.¹⁸ This was not the first time that Raajjee TV came under attack: the television cables were cut in 2012¹⁹ and the head of the news department, Ibrahim Waheed Aswad, was beaten with an iron rod on 22 February 2013.²⁰
- 4.6** Mere days after the arson attack, on 19 October 2013, the Supreme Court ordered a police investigation into Raajje TV's CEO and head of the news department for reporting on a sex scandal involving a judge.²¹ Villa TV was also attacked in March 2012.²² On 30 January 2012, the office of DhiTV was attacked with bricks after broadcasting anti-government protests.²³
- 4.7** In July 2012, there was a spate of attacks on journalists that were covering protests were attacked by both the police and the protesters, resulting in several journalists being injured.²⁴ On 22 February 2013, two senior female members of the Media Broadcasting Commission, Aishath Liza and Aminath Saani, were attacked with corrosive fluid.²⁵
- 4.8** On 6 August 2014, 15 journalists received threatening SMS messages promising to kill journalists reporting on gang violence.²⁶ As recently as 8 August 2014, a

¹⁶ Z Rasheed, Raajje TV destroyed in arson attack, Minivan News, 7 October 2013, available at:

<http://minivannews.com/politics/raajje-tv-destroyed-in-arson-attack-67833>.

¹⁷ M Ibrahim, Police arrest drug trafficker in Raajje TV attack, Haveeru Online, 3 December 2013, available at:

http://www.haveeru.com.mv/raajje_tv/52685.

¹⁸ K Francis, Maldives pro-opposition TV station set on fire, AP, 7 October 2013, available at:

<http://bigstory.ap.org/article/maldives-pro-opposition-tv-station-set-fire>.

¹⁹ Ibid.

²⁰ N Merrett, Raajje TV journalist in critical condition after attack, Minivan News, 23 February 2013, available at:

<http://minivannews.com/politics/raajje-tv-journalist-in-critical-condition-after-attack-53455>.

²¹ Raajje TV report doesn't undermine national security, says MBC, Haveeru Online, 22 December 2013,

available at: http://www.haveeru.com.mv/raajje_tv/52929.

²² A Shifleen, VTV was the victim of a terrorist attack: Khaleel, Haveeru Online, 19 March 2012, available at:

http://www.haveeru.com.mv/raajje_tv/52929.

²³ Maldives Broadcasting Commission condemns the attacks on MNBC Journalist and DHITV station, Maldives Broadcast Commission, 24 January 2012, available at:

<http://www.broadcom.org.mv/home/f/page.php?id=85&menu=3>.

²⁴ Three journalists injured as MDP 'Direct Immediate Action' protest continues, Haveeru Online, 12 July 2012, available at: <http://www.haveeru.com.mv/news/43340>.

²⁵ Attacks on journalists force rethink of Maldives media freedom, Radio Australia, 28 February 2013, available at: <http://www.radioaustralia.net.au/international/radio/program/connect-asia/attacks-on-journalists-force-rethink-of-maldives-media-freedom/1095030>.

²⁶ A Rilwan, 15 journalists receive death threats over gang reporting, Minivan News, 4 August 2014, available at: <http://minivannews.com/crime-2/15-journalists-receive-death-threats-over-gang-reporting-89404>.

Maldivian journalist went missing. At the time of writing, the whereabouts of Ahmed Rilwan Abdulla are still unknown.²⁷ Prior to his disappearance he received threats. It is essential for the authorities to conduct a full investigation into his disappearance in accordance with Article 50 of the Constitution which guarantees the right to prompt investigation.

4.9 In November 2011, the Communications Authority of Maldives shut down the website of Sufi activist Ismail Khilath Rasheed for the ‘crime’ of promoting religious tolerance. Several months later on 5 June 2012, Rasheed was stabbed.²⁸ On 24 September 2013, three lawyers (Husnu Al Suood, Hisaan Hussain and Hassan Latheef) were proscribed from presenting their case challenging a Supreme Court decision, by the Supreme Court for making comments in the media and social media commenting on the Court’s decision to delay run-off elections.²⁹

4.10 Another cause for concern for journalists was the 2013 Parliamentary Privileges Act.³⁰ Section 17(a) of the Act gives Parliament and its subcommittees the right to request that anyone “give witness or hand over any information of interest”. The penalty for noncompliance in Section 18(b) is being sentenced to six months in prison or fined between 1,000 and 3,000 Maldivian rufiaa.³¹

4.11 CIVICUS and VoW are cautiously optimistic that the Maldivian government has ratified a landmark Right to Information Act on 12 January 2014, which will lead to the establishment of a Commissioner of Information and install information officers in government offices.³² However, we are worried that without adequate legal and political reforms to protect journalists, this legislation will lead to the further targeting of media personnel.

5 (E) Concerns regarding freedom of assembly

5.1 Article 21 of the International Covenant on Civil and Political Rights (ICCPR), guarantees the freedom of peaceful assembly. In addition, Article 32 of the Maldivian Constitution provides for the right to freedom of peaceful assembly without prior permission of the State. However, on 11 January 2013, the President signed into law the Freedom of Peaceful Assembly Act which redefines the

²⁷ Few clues in search for missing journalist Ahmed Rilwan, Minivan News, 15 August 2014, available at: <http://minivannews.com/politics/few-clues-in-search-for-missing-journalist-ahmed-rilwan-89633>.

²⁸ S Sharyf, Internet Freedoms in Maldives, South Asian Jurist, available at: <http://southasiajurist.com/2013/12/05/internet-freedoms-in-maldives/>.

²⁹ Ibid.

³⁰ Maldives Journalists Against Parliamentary Privileges Law, Scoop NZ, 12 April 2013, available at: <http://www.scoop.co.nz/stories/WO1304/S00121/maldives-journalists-against-parliamentary-privileges-law.htm>.

³¹ Ibid.

³² Z Rasheed, President ratifies Right to Information Act, Minivan News, 12 January 2014, available at: <http://minivannews.com/politics/president-ratifies-right-to-information-act-74932>.

constitutional right to freedom of assembly and imposes undue limitations on assemblies.³³

- 5.2** Article 7 of the Freedom of Assembly Act defines assembly as, “where more than one person, for the same purpose, intentionally, in a public or private place, temporarily attending or gathering and peacefully expressing their sentiments.” It is evident that this legislation is aimed at curtailing demonstrations and protests. Article 4(c) of the Freedom of Peaceful Assembly Act imposes the obligation of prior notice that the assembly will have a peaceful objective. Furthermore Article 4(d)(3) makes clear that the Act will have no effect on “business activities, sports activities and cultural activities”. Rather broadly Article 9(1)(b) states that an assembly is not considered peaceful and therefore forbidden “if the things said or behaviour of certain people at an assembly draws resentment from other people or if it disturbs other people or if it is deemed unacceptable for other people.” Article 9(1)(b) sets up an almost impossible criteria, which goes way beyond acceptable international limitations on peaceful assembly.
- 5.3** Article 24(c) forbids assemblies that are less than 50 feet away from mosques, schools, all police stations except the headquarters, courts of law, the President’s Office, People’s Maljis, diplomatic missions. Also Article 24(e) bans protests outside private residences. The law does not give any justification for this arbitrary restriction.
- 5.4** Article 24(a) requires prior written permission from the Maldives Police service, in consultation with the Maldives National Defence Force, for any type of assembly, near the Headquarters of the Maldivian National Defence Force, other National Defence Centres, the Maldives Police Services Headquarters, the President’s and Vice President’s official residences, and the Maldives Monetary Authority’s head offices. The Act does not stipulate any grounds for deciding on whether assemblies should be allowed and it does not allow for an impartial review of the decision. Moreover, it is highly improper for the police service and the national defence force to determine whether assemblies should be allowed to happen outside their own offices.
- 5.5** Article 24(a)(7) also places a ban on assemblies within the vicinity of tourist resorts, ports and airports. Unfortunately, this led to police disproportionately breaking up the strike of employees at the Alimatha hotel on 1 February 2013 with pepper spray.³⁴ More broadly, this ban adversely affects the right of employees in the tourist sector to strike.

³³ President Ratifies Freedom of Peaceful Assembly Bill, The President’s Office, 11 January 2013, available at: <http://www.presidencymaldives.gov.mv/Index.aspx?lid=11&dcid=8472>.

³⁴ L Malone, Police break strike at Alimatha Resort, arrest two workers, Minivan News, 3 February 2013, available at: <http://minivannews.com/business/police-break-strike-at-alimatha-resort-arrest-two-workers-52265>. Blog highlights other strikes: <http://maldivesresortworkers.wordpress.com/tag/strike/>.

- 5.6 Article 21(c) prevents protesters from concealing their identity, which is quite problematic in a complex and somewhat unstable political environment where individuals have been targeted for participating in protests.
- 5.7 Article 22(o) guarantees the organisers the right “to disseminate information about the assembly using media and other devices”. Article 43(e) precludes the police from obstructing the media. However, Article 54 only gives the right to *accredited* reporters to document protests and subsection (c) protects them from police interference and proscribes damaging their equipment. However, if these accredited reporters do not maintain sufficient physical distance from the protest and behave in such a way that they could be misconstrued as protesters then they lose their special protection. For non-journalists, Article 57(a) of the Act restricts the right to gather, store and record the assembly to individuals that represent government organisations, entities protecting human rights and independent organisations. Section 57(b) notes that these individuals must identify themselves to the police beforehand; therefore this unfairly restricts who has the right to document protests.

6. (F) Recommendations to the Government of the Republic of the Maldives

On 12 November 2013, the Maldivian Government was re-elected to the United Nations Human Rights Council. We call on the Republic of Maldives to live up to the aims and ambitions of this institution. CIVICUS and The Voice of Women call on the Government of the Republic of the Maldives to create an enabling environment for civil society to operate, in accordance with the rights ensured by the ICCPR and the UN Declaration on Human Rights Defenders. At a minimum, the following conditions should be guaranteed: freedom of association, freedom of expression, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state’s duty to protect. In light of this, the following specific recommendations are made:

6.1 Regarding restrictions on the freedom of association

- Law 1 of 2003 should be suitably amended to guarantee that undue restrictions on freedom of association are removed;
- Article 19(a) of Law 1 of 2003 prohibiting the incorporation of associations which conflict with the principles of Islam and promote the beliefs of any other religion should be removed;
- Article 37(b) of Law 1 of 2003 which imposes stringent punishments for violating the Associations Act should be removed;

- An independent impartial body, with procedural safeguards, needs to be established to oversee the registration of CSOs;
- In order to protect the independence of the process, the NGO Registrar should not be a presidential appointee.

6.2 Regarding the arbitrary detention and harassment of civil society activists

- Civil society members and human rights defenders should be provide a safe and secure environment to carry out their work. All instances of violations of their rights should be independently investigated;
- The Republic of the Maldives should investigate and bring to justice perpetrators of violence against human rights defenders in the country;
- Investigations currently suspended into attacks, harassment and intimidation of activists should be re-launched;
- Security forces in charge of crowd control should be equipped with non-lethal weapons and provided training across the board on humane means of crowd control as well as on the United Nations Basic Principles on the Use of Force and Firearms.

6.3 Regarding restrictions on freedom of expression and access to information, and intimidation, harassment and attacks on journalists

- Article 27 of the Maldivian Constitution, which unduly restricts the right to freedom of expression should be repealed;
- Senior government officials should condemn the persecution of journalists, including attacks, harassment, intimidation and slander;
- Every case of injury caused to journalists should be subjected to a mandatory and transparent investigation, which should be taken to trial of deemed necessary;
- Section 17(a) of the Parliamentary Privileges Act, which gives Parliament the right to force people to disclose information of interest and Section 18(b) which penalises non-compliance of Section 17(a) need to be repealed.
- Efforts should be made to promote and implement the 2014 Right to Information Act.

6.4 Regarding restrictions on freedom of assembly

- Repeal the Freedom of Peaceful Assembly Act to ensure that freedom of assembly is respected without undue interference;
- Best practices on freedom of peaceful assembly should be adopted, as put forward by the UN Special Rapporteur on the Right to Peaceful Assembly and Association in his annual report (2012) which calls for simple notification rather than explicit permission to assemble.
- Recourse for judicial review and effective remedy should be provided, including compensation, in cases of unlawful denial of the right to freedom of assembly by state authorities;
- The use of excessive force in the dispersal of protests should be publicly condemned and a formal investigation into such instances should be launched.
- Security forces in charge of crowd control should be equipped with non-lethal weapons and provided training across the board on humane means of crowd control as well as on the UN Basic Principles on the Use of Force and Firearms.

Regarding access to UN Special Procedures mandate holders

- A standing invitation should be extended to the UN Special Procedures, particularly to the Special Rapporteur on Human Rights Defenders, Special Rapporteur on Freedom of Expression, the Special Rapporteur on Freedom of Peaceful Assembly and Association