

PUBLIC

AI Index: ASA 29/005/2004

17 August 2004

UA 249/04 Incommunicado detention/fear of torture or ill-treatment

MALDIVES Fathimath Nisreen (f)
Mohamed Niyaz (m), her brother
Ahmed Ibrahim Didi (m) Mohamed Zaki (m)
Muad Mohamed Zaki (m), his son
Maria Manike (f)
Ibrahim Ismail (m), member of Special Majlis (parliament),
Ibrahim Hussain Zaki (m), member of Citizens' Majlis
Ghasim Ibrahim (m), member of Special Majlis
Dr Mohamed Monawar (m), former Attorney General, member of Citizens' Majlis
Ali Faiz (m), member of Special Majlis
Dr Hussain Rasheed (m), member of Special Majlis
Ilyas Hussain Ibrahim (m), member of Special Majlis

The 13 people named above are among scores taken to police headquarters in the capital, Malé, for interrogation after they took part in large demonstrations on 12 and 13 August against the slow pace of democratic reforms and the continued detention of four political prisoners. Several were reportedly beaten when they were arrested. They are reportedly held incommunicado, and at risk of torture.

Three of them, Fathimath Nisreen, Ahmed Ibrahim Didi and Mohamed Zaki, were already under house arrest at the time they were detained. This was part of long sentences of imprisonment imposed after a grossly unfair trial for their role in the publication of an underground Internet magazine, *Sandahanu*, which criticised the government. They have been in prison or under house arrest since early 2002. Amnesty International considers them to be prisoners of conscience. On 12 or 13 August, Fathimath Nisreen and Ahmed Ibrahim Didi left their houses and briefly joined the demonstrators but returned to their homes before they were taken into police custody. Mohammed Zaki reportedly did not leave his home during the demonstrations. Their families have also been targeted during the current wave of arrests. Muad Mohamed Zaki is the son of Mohamed Zaki, and Mohamed Niyaz is the brother of Fathimath Nisreen.

Maria Maniké is the mother of a prisoner, Hasan Evan Naseem, who was reportedly beaten to death by guards at Maafushi prison in September 2003. Although the government set up a commission of inquiry, Maria Maniké had been voicing her concern in public at the slow pace of the trial of those involved in the killing of her son.

Seven of those named above are members of the Citizens' *Majlis* (assembly) or the Special *Majlis*, a newly elected assembly established to draft a new constitution which would allow political and legal reforms. They are all known for their peaceful opposition to the current government's policies. The government has reportedly refused to give any details of the conditions the detainees are held in and has not allowed their families or lawyers to visit them.

BACKGROUND INFORMATION

Following large scale demonstrations calling for democratic reforms in September 2003, President Maumoon Abdul Gayoom announced measures to reform the political and judicial system and bring the criminal justice

system into conformity with fair trial standards. A National Human Rights Commission was established and a special *Majlis* (assembly) was elected to rewrite the constitution in May.

Tension emerged on 19 July when sessions of special *Majlis* were suspended because many Members of Parliament (MPs) objected to the voting process. They were concerned that the speaker of the special *Majlis* should be elected through secret ballots, and not by show of hands. According to reports, at least 24 MPs walked out of the session and held a demonstration outside the building, which was reportedly joined by a large number of people.

The recent arrests followed large demonstrations calling for democratic reform and a change of government in Malé that lasted several days. On 13 August, large numbers of injured people needed hospital treatment after the police reportedly used sticks and batons to attack them during the demonstrations. The government later imposed a state of emergency and began a wave of arrests of its political opponents. In a press release issued the same day, the government announced that "about 80 persons [were] assisting the security services with their inquiries", which suggests they are in detention. Other sources, however, say the number of detainees has risen significantly since then.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern about those arrested since demonstrations on 12 and 13 August, including those named above;
- expressing concern that the people named above are held incommunicado, and urging the authorities to ensure that they are treated humanely and not tortured or ill-treated, and given immediate access to their families, lawyers of their choice and any medical attention that they may require;
- expressing concern that they appear to be held solely for the peaceful exercise of their right to freedom of speech and assembly;
- urging the authorities to release them immediately and unconditionally unless they are to be charged with a recognisably criminal offence.

APPEALS TO:

President Maumoon Abdul Gayoom
The President's Palace
Maafannu Theemuge
Male 2002
Republic of Maldives
Fax: + 960 32 55 00
Salutation: Dear President Gayoom

COPIES TO:

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PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 28 September 2004.