



## Press Release

14 May 2024

### **Maldives: Presidential Commission on Deaths and Disappearances must disclose findings of investigations to victims' families and the public.**

We, the undersigned organisations, call on the Commission on Deaths and Disappearances (DDCom) in the Maldives, newly elected President Mohamed Muizzu, and the Human Rights Commission of the Maldives to ensure that DDCom's findings are revealed to the victims' families and made public before it is set to be dissolved later this month. While we appreciate the decision of the President to extend the dissolution of DDCom until 31 May 2024 at the request of the families of the victims, the truth about the fate of the victims must be provided to over 20 families who have awaited justice through the DDCom<sup>1</sup>. Furthermore, we call on the Human Rights Commission of the Maldives to intervene in this grave matter and ensure the families are provided with the findings of the DDCom investigations.

At a meeting requested by the civil society network Coalition for Open Governance in the Maldives, the DDCom claimed on 7 May that the President's Office ordered the Commission to only share the findings of the investigations with the President's Office and that the Commission would not publicly disclose any of their findings.

We strongly believe that the DDCom should disclose the findings to heirs and families of the murdered and disappeared under Section 13(a) of the Presidential Commissions Act, and that there is no legitimate prohibition on the DDCom to disclose it. It must be noted that the families as well as civil society groups agreed to a redacted report that will protect witnesses. Withholding information about the findings of the investigations violates multiple human rights of the victims' families, including the right to information and the right to access to justice.

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<sup>1</sup> "Deaths and disappearances' commission investigating 25 cases", Raajje.mv, 30 December 2018, <https://raajje.mv/47503>

DDCom has disregarded multiple requests by civil society representatives to clarify which specific clause in the Presidential Commissions Act (Law no. 2019/4) that supposedly prevents it from disclosing the findings to the victims' families. Instead, the DDCom reiterated that they would submit their findings to the president as instructed.

*"It was implied to us that a redacted report will be shared with the affected families. The last-minute decision not to do so is unacceptable. It is our only avenue for justice. We have always extended our support to DDCom throughout the years, but the DDCom has not only failed in their legal duties but in their moral duties to the truth as well. We are left with nothing,"* said Aishath Rasheed, sister of Yameen Rasheed.

Blogger Yameen Rasheed was slain in his residence in the capital Male' on 23 April 2017. He was the lead organiser of the campaign for justice for journalist Ahmed Rilwan Abdulla, who was subjected to enforced disappearance on 8 August 2014. In September 2019, DDCom announced that Rilwan was killed on 9 August 2014. Both human rights defenders were critics of successive governments and vehemently countered violent extremism. In late 2023, the Criminal Court of the Maldives dismissed charges against three men who were charged in both cases following leads by DDCom, with the bench citing insufficient evidence. The Prosecutor General subsequently stated that he would not appeal the verdicts.<sup>2</sup> The two families have been advocating for transparency of the DDCom and swift justice in all cases assigned to the Commission.

The DDCom was formed in November 2018 immediately after President Ibrahim Mohamed Solih assumed office. While the DDCom initially assured the public that all investigations would be completed within two years, it has failed to deliver justice in any of the cases after five and a half years. Furthermore, the number of cases investigated by DDCom remains unclear, with the Commission referring to figures between 24<sup>3</sup> and 27<sup>4</sup> in various press conferences.

It is imperative that matters of public safety and interest be conducted transparently, and that no obstruction be placed in front of families in their quest for justice. In addition to having failed early indictments as well as convictions in any of the 24 to 27 cases assigned, we remind the DDCom that it has used public resources and international aid for over five years. Between 2018 and 2021 alone, the expenditure of DDCom was close to 5.5 million MVR (approximately US\$ 357,000)<sup>5</sup>. We believe that the people of the Maldives must know how those funds have been used, and why the prosecutions have not been successful.

We remind the DDCom that while the Presidential Commissions Act places no prohibitions on the Commission on disclosing findings, the DDCom must respect the constitutional right to information of the

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<sup>2</sup> *"Joint Statement: Civil Society Organizations renew calls to end impunity for crimes against journalists in the Maldives"* Human Rights Watch, 29 November 2023, <https://www.hrw.org/news/2023/11/29/joint-statement-civil-society-organizations-renew-calls-end-impunity-crimes-against>

<sup>3</sup> *"Commission on Investigation of Murders and Enforced Disappearances announce plans to hold public enquiries"*, The President's Office of Maldives, 30 December 2018, <https://presidency.gov.mv/Press/Article/20178>

<sup>4</sup> *"Commission on Deaths and Disappearances discloses details of probe into Rilwan's Case"*, The President's Office of Maldives, 01 September 2019, <https://presidency.gov.mv/Press/Article/22015?term=0>

<sup>5</sup> *"Presidential commissions' expenditure over MVR 15 million"*, Avas, 26 December 2021, <https://avas.mv/en/111956>

families. Furthermore, having failed the families, refusal to disclose the information will further obstruct the families from seeking civil redress for their loved ones, as the families will require the information to invoke civil proceedings against perpetrators of the crimes. It is imperative that matters of public safety and interest be conducted transparently, and that the victims' families do not face obstruction in their quest for justice.

Furthermore, the Maldives ratified the International Convention for the Protection of All Persons from Enforced Disappearance in July 2023. All measures required for the full implementation of the Convention must be taken by the government immediately.

We note with concern that previous presidential commissions, costing millions in public funds, have ended without achieving their mandates or disclosing their findings to the public. This brings into question whether presidential commissions with no independence from the government are an effective remedy for justice. While governments have historically failed to provide justice and access to information in the Maldives, especially on matters of public interest and safety, we call on President Muizzu to follow through on his electoral promises of a transparent and accountable government<sup>6</sup> and to ensure the findings of DDCOM are shared with the public.

ENDS.

**Signatories list:**

Association for Democracy in the Maldives (ADM)

Transparency Maldives (TM)

We Are Yaamyn

Project Zinmaadhaaru

Zero Waste Maldives

Maldives Journalists Association (MJA)

International Federation for Human Rights (FIDH)

Asian Forum for Human Rights and Development (FORUM-ASIA)

Human Rights Watch (HRW)

Committee to Protect Journalists (CPJ)

International Federation of Journalists (IFJ)

Reporters Without Borders (RSF)

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<sup>6</sup> "President pledges transparency; says RTI requests not needed", Atoll times, 6 December 2023, <https://atolltimes.mv/post/news/6728>