

# **Coup d'état in the Maldives**

**Maldivians deserve democracy too**

# Introduction

In November 2008, Mohamed Nasheed became the first democratically elected President in the history of the Maldives, after a popular democratic uprising against three decades of authoritarian rule by Maumoon Abdul Gayoom. The triumph was hailed as a victory of good over evil - a human rights activist who had repeatedly been jailed and tortured several times had ousted the aging dictator against all odds.

Free and fair public elections were held to appoint the President (2008), Parliament (2009) and Local councils (2011).

However, the Judiciary continued to be dominated by judges hand picked by Gayoom before the 2008 constitution came into force.

Attempts at reforming the judiciary have been resisted by the judges, with the help of Gayoom loyalists and allies in parliamentary councils and the JSC.

Abusing the powers granted to them by the new democratic constitution, the Judges continue to provide protection to Gayoom, his family members and political associates, many of whom have ongoing cases of corruption, embezzlement as well as various human rights crimes filed in court.

These loyalists still remain active in the political picture of the country, attempting to undermine the values of democracy for their personal gains. They have proven themselves willing and able to influence their allies in the judiciary for their both political and personal reasons.



## Judicial Crisis

**July 2005**

Allegations against Chief Judge of the Criminal Court Abdulla Mohamed sent by then Attorney General Hassan Saeed to Maumoon Abdul Gayoom the then President. Allegations included: misogynistic comments in court, requesting an underage victim of sexual assault to reenact her abuse in an open court; and acquitting the defendant despite the defendant's confession

## **2009**

Documents are sent to the judicial oversight body, the Judicial Services Commission (JSC) to launch an investigation into outstanding complaints against Chief Judge Abdulla Mohamed for obstructing a police investigation against bribery and corruption within the parliament.

## **November 2011**

The Judicial Services Commission completes an investigation on Judge Mohamed and concludes that he had been guilty of misconduct. Judge Mohamed's allies in the Civil Court orders a suspension of the JSC's complaint procedure. While JSC appeals for the ruling, they allow Judge Mohamed to continue to serve as the Chief Judge of the Criminal Court in the meantime.

## **16 January 2012**

Maldives National Defense Force detain and arrest Abdulla Mohamed on the orders of President Nasheed.

Charges: corruption, in particular for allowing his judicial decisions to be determined by political and personal affiliations and interests. He is also accused of the following by then Home Minister Abdulla Afeef:

- Deliberately holding up cases involving opposition figures, and barring media from corruption trials.
- Ordering the release of suspects detained for serious crimes “without a single hearing”, and maintaining “suspicious ties” with family members of convicts sentenced for dangerous crimes.
- Actively undermining cases against drug trafficking suspects and allowing them opportunity to “fabricate false evidence after hearings had concluded”
- Hijacking the whole court by deciding that he alone could issue search warrants
- Arbitrarily suspending court officers
- Twisting and interpreted laws so they could not be enforced against certain politicians; and
- Accepting bribes to release convicts



# PPM led rally: calls for police mutiny

23 January

PPM interim Vice President, Umar Naseer, speaking at an opposition rally on 23 January calls on opposition supporters to:

**“mobilize 2000 people in a surprise operation that will lead to mutiny by the security forces.”**

Umar Naseer speaks on to outline the specifics of his plot to the crowd: “Groups of 30 people will gather in different places in a surprise operation; they will take 50, 12-foot ladders and jump over those walls [pointing finger towards MNDF Headquarters in Republic Square]; this should take 30 seconds; the Maldives National Defence Force will be forced to mobilize the whole security force; 2000 people jumping over those walls in a surprise operation will tire them and they will be forced to give up and they will side with us. We know how countries topple governments. Everything we need to topple this government is now ready.”

Abdulla Yameen MP, PPM, parliamentary group leader, told protesters during a rally on 23 January:

**“I’m here to join the people in this war, in this jihad.”**

Addressing nearby members of the police and military, who were guarding the rally, Yameen added:

**“we are making arrangements to find employment opportunities for those of you who are dismissed for disobeying to an unlawful command.”**



# Opposition meets VP Waheed

30 January

Sheikh Imran of religious Adhaalaath Party, Umar Naseer of Gayoom's Progressive Party of the Maldives (PPM), Ibrahim 'Mavota' Shareef, Vice President of the Dhivehi Rayyithunge Party (DRP) & representatives of hardline Islamist NGOs meet Vice President Waheed late in the night and hold a press conference in which they declare:

- Allegiance to Vice President Mohamed Waheed and request him to 'take over the government'.
- That 'President Nasheed is not the President of the Maldives anymore'.
- Call on Police and army to pledge allegiance to Waheed and 'not to implement any order given by President Nasheed'.

**6 February 2012**



**2030 hrs**

Artificial Beach area. Protests begin. There are opposition protestors as well as those from the ruling party at the scene. Police forces that are present leave twice, but return both times.



**2331 hrs**

Defense forces arrive at the protest scene. Tensions escalate soon after, with both sides throwing projectiles at each other. At 2352 hours, security forces desert the protest site.

**7 February 2012**

## **0015 hrs**

A breakaway Police Special Operations unit cause significant damage to the MDP Headquarters. The Special Operations unit, also known earlier as 'Star Force', is an elite group of riot police created during Gayoom's regime. Key party personnel are badly beaten up. Fifteen minutes later, two to three truckloads of police show up at the protest site. These are officers from other units operating on their own without command from the headquarters.

## **0100 hrs**

As the unrest at the Artificial beach subsides, the breakaway unit of Police SO Officers arrive at Republican Square and begin their own protest, demanding the resignation of the Commissioner of Police. At around 0130, officers in Police HQ are informed that the defense forces are about to start arresting dissenting Police officers at Republican Square. This incites about 200 police officers already in HQ to come out and join the protesting officers.

## **0246 hrs**

Vice President Dr. Waheed states on VTV (TV channel owned by opposition leader Gasim Ibrahim) pledging support for the mutinying police, and that no one should obey "unconstitutional" orders, and implores the armed forces to refrain from using force. He also states that he would do everything in his power to resolve the situation. President Nasheed was not consulted.



### **0502 hrs**

Various police forces stationed across Male' begin to gather around the Republic Square. A stand off ensues between the defense force and the mutinying police officers. It lasts for several hours. Civilian protestors and media converge at Republican Square. The Defense forces attempt to disperse them.





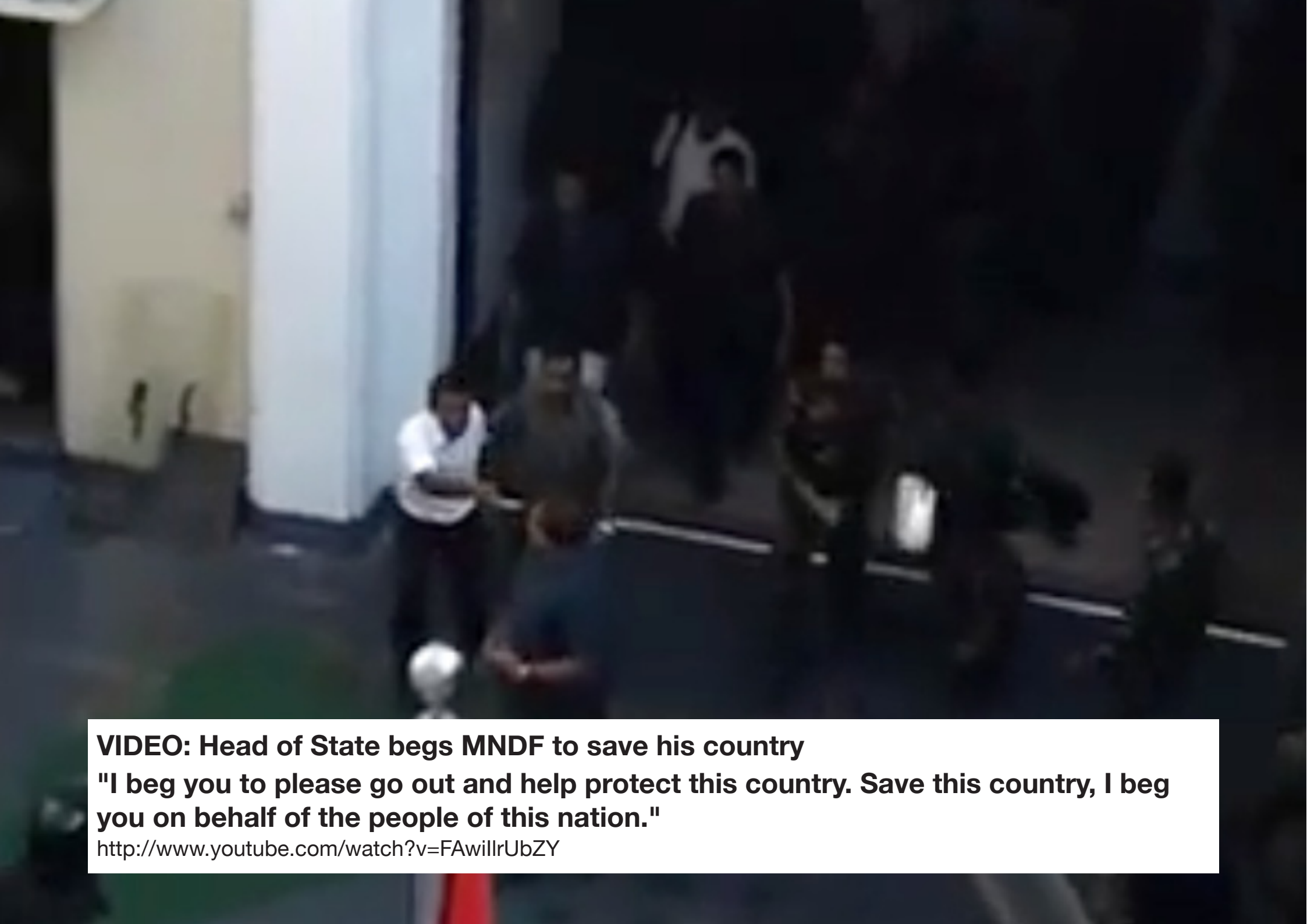
### **0630 hrs**

President Nasheed arrives at the Square to request mutinying police officers to end their protest and assures them of immunity. Protesting police refuse to disperse, and President Nasheed returns to the Defense Headquarters. Protesting police then violently clash with gathered MDP protestors.



### **0900 hrs**

Protesting police violently clash with gathered MDP protestors. Pepper spray is fired heavily. Several leading MDP activists and MPs are stripped and beaten, causing several to sustain injuries.



**VIDEO: Head of State begs MNDF to save his country**

**"I beg you to please go out and help protect this country. Save this country, I beg you on behalf of the people of this nation."**

<http://www.youtube.com/watch?v=FAwillrUbZY>





**0933 hrs**

Abdulla Riyaz, an ex- Assistant Commissioner of Police during Gayoom's era (dismissed from his post by President Nasheed almost two years ago) is seen in front of the Defense Headquarters. At 0935 hrs, Mohamed Nazim, an ex-military officer, and FA Fayaz, also an Ex-Assistant Commissioner of Police, are also seen addressing the sentries at the gates of MNDF headquarters.





**VIDEO: MNBC ransack by police and military**

<http://www.youtube.com/watch?v=KUyYIO-IE7U>



**1100 hrs**

The Vice President's younger brother, Mr Ali Waheed, arrives at the state TV MNBC One, amidst reports that it would soon be under siege, and demands that the station be handed over to him. He claims that Vice President Waheed was in charge of the country. Video cameras catch gunshots being fired during the raid.



**Control room of MNBC after being seized by military and police officers.**

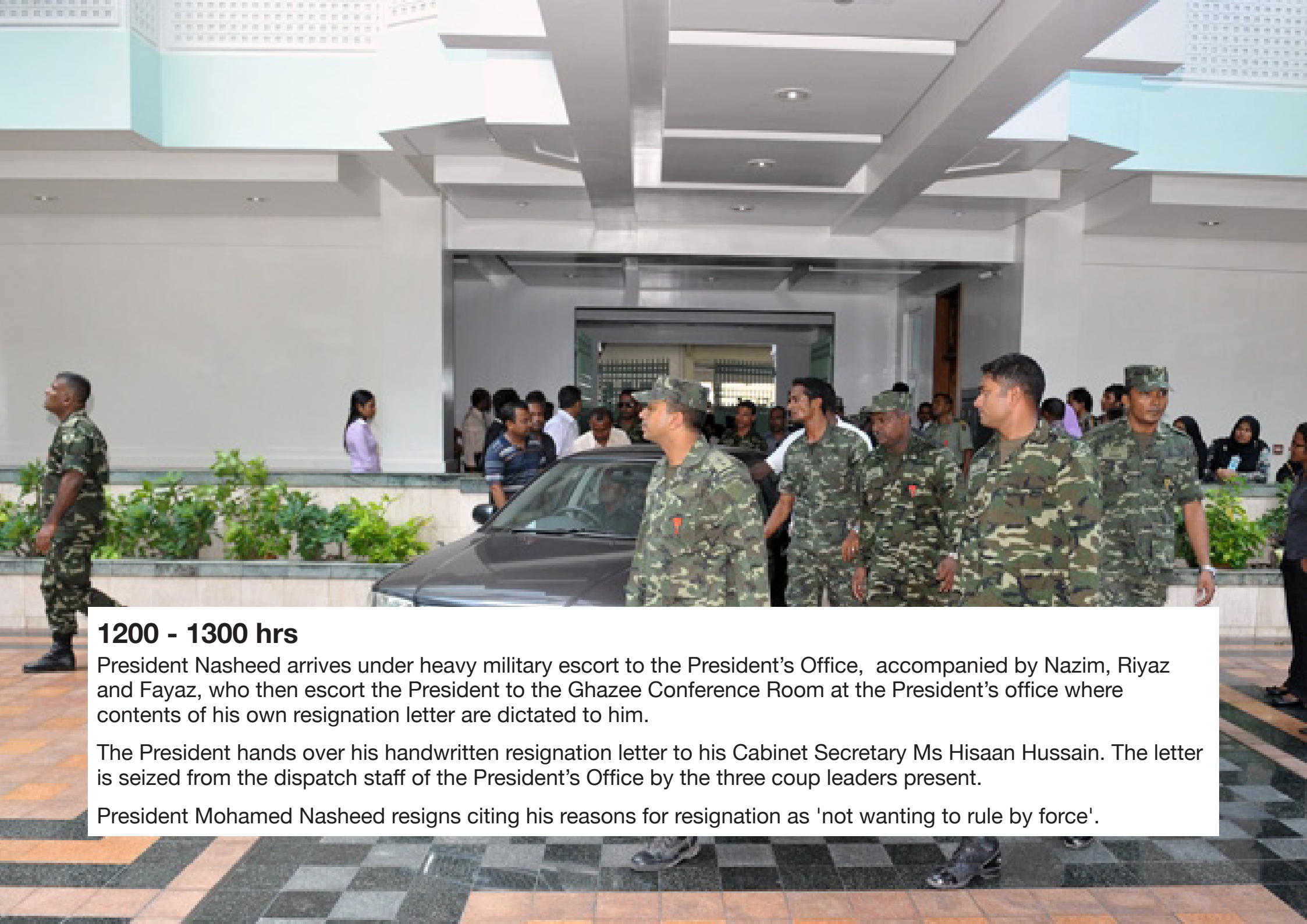




### **1000 - 1100 hrs**

Mohamed Nazim, in civilian clothes, addresses the gathered crowd of police and MNDF dissenters. They address him as Sir (usually reserved for command positions). He announces to the mutinying police and military officers that their demand for the "unconditional resignation" of President Nasheed has been conveyed, and said "by the will of god we have won (ourselves) a victory"





### **1200 - 1300 hrs**

President Nasheed arrives under heavy military escort to the President's Office, accompanied by Nazim, Riyaz and Fayaz, who then escort the President to the Ghazee Conference Room at the President's office where contents of his own resignation letter are dictated to him.

The President hands over his handwritten resignation letter to his Cabinet Secretary Ms Hisaan Hussain. The letter is seized from the dispatch staff of the President's Office by the three coup leaders present.

President Mohamed Nasheed resigns citing his reasons for resignation as 'not wanting to rule by force'.



### **1300 - 1400 hrs**

The letter is delivered by hand by the coup leaders to the Majlis Headquarters. The passage of the letter is thus not at the discretion of President Nasheed.

Given the gravity of the situation, while events were unfolding live on four TV channels, neither the Speaker of the Majlis nor the Chief Justice made any attempts to contact President Nasheed to ascertain whether he was resigning under duress.



**1545 hrs**

Dr Waheed goes to the People's Majlis where the oath of Office is administered. Legal experts dispute the validity of his oath as he had forgotten to mention his own name during the oath.

**8 February 2012**



**1400 hrs**

President Nasheed makes an appearance at an MDP National Council meeting at Dharubaaruge. He announces to the crowds that he resigned under duress.





## 1600 hrs

More than 10,000 supporters of President Nasheed march in Malé in an unprecedented demonstration. They were baton charged a few minutes after arriving near the Republican Square by the Police without due warning. Several demonstrators including President Nasheed as well as MPs and other leading members of the party were singled out for severe beatings. Several protestors sustained injuries, including to their heads, after being beaten with batons and sticks, as well as from being sprayed into eyes and mouths with pepper-spray at close range.





**VIDEO: Brutal crackdown on MDP peaceful demonstration**

<http://www.youtube.com/watch?v=qhu7MIDDvcM>



**Reeko Moosa Manik: MP for Hulhuhenvairu**





**Mariya Didi - MP for Male' Machangolhi Uthuru**



**Mohamed Samah Rasheed: Council Member from Maafannu-North**



**President Nasheed after being attacked by security forces following the peaceful demonstration.**



**VIDEO: Brutal crackdown on MDP peaceful demonstration**

<http://www.youtube.com/watch?v=qOuULe4nkSU>





**VIDEO: Mohamed Nazim gives two contradicting accounts of President Nasheed's resignation**

<http://www.youtube.com/watch?v=9ZjVNWmkFP0>

# Since the coup

Less than 24 hours after the forced resignation of President Nasheed, coup leaders Mohamed Nazim and Abdulla Riyaz are appointed by Dr Waheed as Minister of Defence and Commissioner of Police respectively: measures to consolidate his unlawful position as President.

The appointment of Abdulla Riyaz is especially controversial as the Police Act of 2008 specifically states that the Commissioner of Police should be chosen from those among the Higher Ranked officers, whereas Riyaz has been out of the force and been a civilian for the past two years.

Judge Abdulla Mohamed was also brought back from isolation after the mutiny and reinstated as Chief Judge of the Criminal Court, contrary to Dr. Waheed's earlier stand as Vice President less than a fortnight ago that the Judge Abdulla Mohamed should be suspended from the Criminal Court bench until all charges against him have been cleared by the Judicial Services Commission (JSC).

# Claims by opposition after coup

MP Ahmed Mahloof (PPM) on Daily Mirror:

**"We were backed by a section of the police in our drive to oust the government. Now, we ask our supporters not to harass anyone. We want them to be calm at this juncture. We want peace now."**



# Claims by opposition after coup

Umar Naseer, interim deputy leader of opposition Progressive Party, said at a rally held on the night of February 6th, he threatened President Nasheed that he may face death if does not surrender. During a PPM rally on the 12th of February, Umar further revealed that

**when the 'operation' was underway during the night of coup, he was in the 'commanding center' and he was conversing with aides of President Nasheed.**

**"When the operation was happening [that night], I was in the commanding center. I was talking to people who were with Nasheed. I continued to ask them to surrender, if not his life might be in line. I was continuously saying that. As I was saying this at first he responded with a lot of pride and ignorance that he does not have to surrender, such a situation does not exist" Umar said.**

On the night of the 6th February, Umar Naseer was seen on local tv channel DhiTV for hours repeatedly encouraging Maldives Police Service and Maldives National Defence Force not to follow orders given by President Nasheed. In light of all these developments, it is clear Umar Naseer was deeply involved in the planning of the coup that brought down President Nasheed, the first democratically elected leader in the history of Maldives.



# Democracy must prevail...

The first democratically elected government of the Maldives has been toppled in a coup d'etat by rogue elements in the security forces, at the instigation of forces loyal to the former dictatorship.

Hundreds of political prisoners have been arrested all over the country in a matter of days, after a three year period without any political prisoners. Several MDP MPs and supporters face the threat of arrest, while many are still in detention.

Members of the general public, including political activists, continue to be terrorised by the police and defense forces on the streets.

In the meantime, Dr. Waheed has appointed a cabinet comprised almost exclusively of members belonging to former dictator Gayoom's party and its allies that failed to get a public mandate in 2008.

Fear and repression by security forces, as well as seeing old faces of Gayoom's regime back in power marks a return to darker days of authoritarian rule that Maldivians thought they had overcome during the last three years. These developments threaten to undo the huge gains made by the Maldives in strengthening its infant democracy.

In essence, the people of the Maldives have been robbed of their democratic vote. President Nasheed has called for immediate elections to restore the public mandate, a sentiment that has been echoed by a large section of the population who have publicly rallied behind him.

If the international community fails to stand behind the Maldivian people in this time of crisis and help restore the country's democracy and the public voice, it would be a betrayal of the country's democratic aspirations, and the country stands the risk of joining the league of failed democracies in the region.