

Table of Contents

- ***Maldives: Nasheed's sham trial comes to an end – analysis***
 - ***Girl to get 100 lashes for pre-marital sex!***
-

Maldives: Nasheed's sham trial comes to an end – analysis

SAAG (20.03.2015) <http://www.eurasiareview.com/20032015-maldives-nasheeds-sham-trial-comes-to-an-end-analysis/> - On 13th night (trial was always held after sunset), former President Nasheed was sentenced to 13 years in prison for the detention of criminal court judge Abdulla Mohamed in January 2012.

Soon after sentencing, President Yameen was quick to release a statement calling on people to respect the criminal court verdict. The statement was more for the international community as he called on its "international partners to engage constructively based on mutual respect, dialogue in consolidating and strengthening democratic values and institutions in the country."

Strange that Yameen should call outsiders to strengthen democracy in his country while he himself has slowly and cunningly taken all the three pillars of democracy the legislative, the judiciary and the executive under his wing.

What an irony that a person who should have been jailed for swindling millions of dollars in the oil scam of Singapore in now the President and a person who should have been the President is jailed- of all charges- for terrorism?

Nowhere in the world is a mere ordering of an arrest of a judge whose misconduct was well known even if it is wrong can be termed as a "terrorist act" and people who indulge in terrorist acts freely roam about in the capital city of Male without let or hindrance. The International community should note this. Maldives should not be allowed to get away with what the Conservative Party's (UK) Human rights division called it a "grotesque travesty of justice."

The Human Rights wing of Maldives said that the former President Nasheed was denied fundamental rights that guarantee a fair trial and in line on the Maldives obligations under the International Covenant on civil and political rights.

India, USA and the UK have expressed concern over the unfortunate developments in Maldives. Only China which has no respect for the human rights of its citizens could claim that it is an internal affair of Maldives. China is doing it for two reasons- Maldives is too far away and it does not matter while it took notice of even minor disturbances in its border regions of Myanmar when the Kokangs were bombed. Secondly, here is an opportunity to enter Maldives in a big way just as it did in Myanmar since international sanctions could be expected.

Nasheed has called on all supporters to confront Yameen's "dictatorial regime" and to take their lives in their hands to go out into the streets to protest.

There have been peaceful protests in Male and this may extend to other populations centres like Adu. The police are arbitrarily arresting people and releasing them after they give an undertaking that they will not join the protests. There is no law by which the

Police could use such tactics. One person who refused to sign was given an additional fifteen days in jail!

Nasheed has been temporarily kept at Dhoonidhoo prison and the Home Minister made a statement that a separate structure is being erected at the notorious Maafushi Jail for long term detention of Nasheed.

Nasheed's legal team recused themselves from the trial as they were not given adequate time to prepare the defence. In a statement they said that has requested for adequate time for the preparation of the case to not only defend President Nasheed but also uphold the name, pride and the integrity of the Maldivian security forces as the latter was in a sense also the accused as the arrest was effected by the security forces.

We have in this site said enough of the weak judiciary in the Maldives and how it is affecting the democratic credentials of the country. What has happened over time is that present President Yameen has successfully manipulated to ensure that really good ones are eliminated and only those poorly trained and those with a bad personal record for corruption and other misconduct are retained in the judiciary.

The JSC (Judicial Service Commission) has also been manipulated and President Yameen is unmistakably moving towards despotism a situation that was obtained before 2008 under Gayoom.(See my recent paper in this site)

The trial had many flaws but I do not think the Judiciary- here the appellate authority will take cognizance of these draw backs. (Pl. read the comment titled 'Get up, Stand up' by Azra Naseem in Minivan News of March 11 written before the sentence was given.)

The enthusiasm shown by the three judges in the trial of whom two should not have been there as they were witnesses, is unheard of in judicial history!

It all now depends on President Yameen whether to set Nasheed free or brave the international wrath that will inevitably follow. From the way he very enthusiastically endorsed the proposal of Maritime Silk Route of China, it looks that Yameen will be looking upon China to save him.

For India the stakes are high. It is good that Prime Minister Modi cancelled his visit to Maldives. This was done even before the sentence on Nasheed was delivered. It has also publicly expressed its concern. India has had a long term security relationship with Maldives. It cannot let the Chinese or Pakistan enter and disturb the strategic balance that has been evolved over the years. A way can be found to ensure that peace returns to Maldives.

The mistake that India made in enthusiastically endorsing a regime that came in place after Nasheed was coerced to resign should not be repeated. There is no need to make statements but other ways could be found.

Girl to get 100 lashes for pre-marital sex!

BBC (26.02.2013) - A 15-year-old rape victim has been sentenced to 100 lashes for engaging in premarital sex, court officials said. The charges against the girl were brought against her last year after police investigated accusations that her stepfather had raped her and killed their baby. He is still to face trial.

Prosecutors said her conviction did not relate to the rape case. Amnesty International condemned the punishment as "cruel, degrading and inhumane". The government said it did not agree with the punishment and that it would look into changing the law.

Baby death

Zaima Nasheed, a spokesperson for the juvenile court, said the girl was also ordered to remain under house arrest at a children's home for eight months. She defended the punishment, saying the girl had willingly committed an act outside of the law. Officials said she would receive the punishment when she turns 18, unless she requested it earlier.

The case was sent for prosecution after police were called to investigate a dead baby buried on the island of Feydhoo in Shaviyani Atoll, in the north of the country. Her stepfather was accused of raping her and impregnating her before killing the baby. The girl's mother also faces charges for failing to report the abuse to the authorities.

The legal system of the Maldives, an Islamic archipelago with a population of some 400,000, has elements of Islamic law (Sharia) as well as English common law. Ahmed Faiz, a researcher with Amnesty International, said flogging was "cruel, degrading and inhumane" and urged the authorities to abolish it.

"We are very surprised that the government is not doing anything to stop this punishment - to remove it altogether from the statute books." "This is not the only case. It is happening frequently - only last month there was another girl who was sexually abused and sentenced to lashes."

He said he did not know when the punishment was last carried out as people were not willing to discuss it openly.
