



# General Assembly

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## Human Rights Council

### Thirty-second session

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written statement\* submitted by the Commonwealth Human Rights Initiative, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 June 2016]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-10542(E)



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**Commonwealth Human Rights Initiative Submission to the  
32nd Session of the United Nations Human Rights Council,  
Clustered ID with the Special Rapporteur for the Freedom of  
Association and Assembly**

Mr. President, the Commonwealth Human Rights Initiative thanks the Council for holding this clustered ID with the Special Rapporteur for the Freedom of Association and Assembly.

CHRI has been increasingly perturbed by the growing trend of closing spaces for civil society across the world and has been involved in monitoring the developments regarding the same in Commonwealth countries. In the last four months we have been largely focused on the Maldives and have conducted an independent fact finding prompted by the state of emergency declared in November 2015.

We note with concern the growing curtailments of rights by the state particularly with regard to fundamental rights of Freedom of Association and Assembly. The Maldives are now also under the scrutiny of the Commonwealth Ministerial Action Group (CMAG), the watchdog of Commonwealth values. They were placed on the agenda for a third time at the Commonwealth Heads of Government meeting in November 2015. This was followed by a visit to the country by a three member delegation of foreign ministers from CMAG, with the mandate to observe the situation on the ground. They unanimously agreed that human rights and democratic values required significant improvement and five specific areas were identified. These concerned the need for political dialogue and release of political prisoners, the reduction of civil society space, use of legislation such as Anti-Terrorism Act to stifle political dissent and the need for the separation of powers. To date we have not seen any improvement in these areas and in April CMAG reiterated its concern, reminded the Maldives of its obligations and petitioned the state to act with urgency. We are yet to see changes in these areas.

Freedom of Association and Assembly are particularly under grave threat and there are several examples of this. One of the most prominent is the May Day rallies which was initially banned with police citing traffic jams as a reason. The right to assembly is protected in the Maldives constitution and does not require prior state approval. As such, civil society organisations continued with the march. Within minutes of starting, police in riot gear dispersed the crowd, with some of the protestors being physically manhandled by the authorities. In April, a peaceful protest by journalists against the criminal defamation bill led to undue violence by police pepper spraying protestors and arresting 13. The Criminal Defamation Bill would unfairly limit the freedom of opinion and expression and further limit political dissent. Protests by supporters of President Nasheed have met with harsh responses from the state. Several have been arrested including three MP's from the opposition party (Nasheed's MDP). Gangs have attacked protestors with police forces standing idly by and doing nothing to stop the clashes. All of this has resulted in a climate of fear, intimidation and deterioration of democratic values.

We note the Special Rapporteur has been invited to the Maldives but has not taken up the invitation. CHRI wonder why this is the case? And further we implore the Special Rapporteur to take advantage of the invitation to discern the situation on the ground. We urge him to meet with civil society advocates whilst there and take note of their accounts. Lastly we urge the Rapporteur to support CHRI in raising awareness and act to increase international pressure on the Commonwealth to stand up for its values and take action against a state in gross violation of them.

Thank you Mr. President.

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