



Friends of Maldives

Maldives
History of Torture
1978- 2008

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Evolution of torture techniques in prisons since 1978

The use of systematic torture in detention centres predates the current government, and testimonies of ill-treatment under former president Ibrahim Nasir's government are profuse. The current government headed by President Maumoon Abdul Gayoom has kept systematic torture as a mean to suppress opposition: political activists, journalists, human rights defenders etc.

Torture has been used as an investigation technique to extract confessions or to force prisoners to sign a statement prepared by the police. A common practice has been to arrest individuals, detain them for weeks, months and in politically motivated cases for years without a trial, and later released to be sentenced at a later date.

Drug addicts often endure long prison terms. They are considered one of the most vulnerable groups who have suffered severe ill treatment from military prison guards. A vast number of drug addicts were convicted as dealers and given life imprisonments based on forced confessions obtained during interrogation at the hands of the military police. They had been deprived of any kind of rehabilitation and remained in prisons for years until most of them were pardoned after the mass demonstrations held in the capital Malé, following the killing of an inmate, by military police at the central prison island Maafushi

Sentences disproportionate to the severity of the crime have been a common occurrence, resulting in inmates, and sometimes minors suffering intolerable violence and abuse after committing petty crimes.

The widespread use of torture has been facilitated by political repression, the failures of the judicial system, the endemic corruption, and the complete impunity for the perpetrators.

With impunity, NSS officers have developed a culture of bullying and using the judicial system to their advantage.

Torture Methods from 1978 to 2003

According to collated witness statements, methods known to have been carried out in the Maldives prisons are:

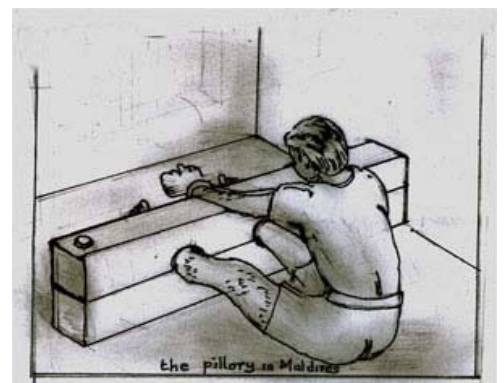
- forced eating of glass
- drowning and simulated drowning
- rectal impalement
- sleep and sensory deprivations
- uncomfortable extremes of heat and cold
- body beatings with objects,
- being kept on a chair for days,

- electric shocks
- Being kept in small corrugated iron cells in the sun in solitary confinement for extended period of times.
- being taken to the beach for beatings or humiliating treatments
- handcuffs prisoners together as to create a human chain sitting on a beach, or having to run while they are beaten
- handcuffing prisoners behind their back around a coconut palm or a tree to endure beatings, or being kept for long period of times (days)
- Prisoners are forced to do physical activities such as push ups under duress
- Being handcuffed for long period of times (weeks), sometimes in uncomfortable positions, even if kept in the cell
- Being kept in shallow water in the sea at night for long hours
- Being forced to say "yes sir" while being beaten
- Being tied to bars while touching the ground with the tip of the toes and being beaten in such position
- Prisoners are kept lying face down while NSS personal run on their backs
- Being forced into full nudity in front of other prisoners and other forms of humiliation
- Defecation and urination on prisoners
- Solitary confinement
- Sexual abuse
- Unsanitary conditions
- Overcrowded cells
- Difficult or no access to writing material
- Being hung by the arms, legs, fingers and toes: a bulldozer is used to haul the cuffed victim
- Being rolled down from the top of a sand dune about 2-3 meters high onto a base of sharp stone chips.

Prisoners suspected of drug addiction were not allowed drink until providing authorities with a urine sample, in the assumption that drinking water may result in urine change. In several cases, torture victims have not received medical assistance for long period of times resulting in their physical condition to deteriorate.

The Pillory:

The pillory was used in Maldives prisons until late 2003. According to some testimonies, these torture devices were burnt following the birth of the reform movement. Various testimonies confirm the pillory has been used, and most notably on political prisoners as a mean of obtaining confessions. A victim recalls having suffered from this practice while being arrested in 1979 and in 1988, and still bearing body marks and vein damages. According to some



witness statements, prisoners that endured the pillory were kept long enough to die or with permanent spine damages. They endured the pain and the humiliation of having to defecate on the same spot they were kept on for a long period of time, sometimes causing the death of the prisoner.

Picture courtesy of Dhivehi Observer

"Mounting on the angle":

The victim's arms are passed backwards through the vertical bars (about 60 cm apart) of the vent above the door in a prison cell. The wrists are then tightly handcuffed. The body is left dangling for hours at a time. The victim almost invariably has both shoulders and/or elbows dislocated during this exercise.

Prisoners were sometimes made to squat on the toes, with a length of timber between the upper and lower legs, tightly tucked behind the knee. The weight of the body results in the dislocation of the knee by a slow process.

Statements of former prisoners:

"We were informed that if we held hunger strikes in the prison, we'd be force-fed. If we refused to take any medication prescribed, we'd be forced to take the medication. We were made to sign this notification. The notice also informed us that when we are being forced to comply, then any punishments or harm caused to the person will be considered self-inflicted harm and punishment, and the authorities will not take any responsibility.[...] Every 24 hours, five litres of water is given to each person. With this water, people are to bath, do ablutions, drink, and clean themselves after going to the toilet. Those people who washed their private parts with prison water suffer sores in their groin. Even when people fall sick, it was terribly difficult to see a doctor."

Ibrahim Lutfy, "The Horrors of Maafushi prison in Maldives" The Luthfee Letters part 8, www.Maldivesculture.com

"My arms were handcuffed around a coconut tree. There were several other prisoners also handcuffed in this way to trees close to where I was. I could see them being beaten and sprayed with sewage from the toilet. [...]"

When they decided they would punish me, they would say 'He is a man who says he cannot stand up. Let's see if he can stand up!' And I was ordered to stand by the bars in the cell for their entire shift of six hours. The best I could do was crouch for six hours, which left me in excruciating pain for hours afterwards [...]. But the guards would insist that I must wash my clothes and would make me sleep on wooden or concrete beds despite the agony this would cause me. This was in addition to making me stand for hours each day by the cell bars simply for their own sadistic pleasures."

Abdullah Mahir Testimony

Note: Abdullah Mahir had his spine broken by the NSS while in custody and sustains permanent injuries.

In September 2003, the death of 19 years old inmate Evan Naseem beaten by his guards caused a riot in prison, followed by the shooting of prisoners that in turn provoked demonstrations in the capital Male'. Government buildings were burnt (most notably the symbols of injustice, police posts and the High Court), several people arrested and for the first time, human rights abuses in the Maldives hit the news. The government submitted a project of reforms and moved to improve prison conditions. Eight NSS officers were sentenced to life imprisonment for Naseem's murder, although the government acquitted four officers involved.

Maldives have embarked on a series of reform and have acceded to the **Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment** in 2004, as well as the **International Covenant on Civil and Political Rights** (ICCPR) and the **International Covenant on Economic, Social and Cultural Rights** (ICESCR) in 2006. Prison conditions improved slightly, and some torture techniques such as the pillory ceased to happen.

Yet, other forms of violence emerged, notably against political prisoners at the time of the arrest: severe beating, verbal abuse and use of electric batons on prisoners.

In August 2004, a peaceful gathering of approximately 10 000 people was violently dispersed. Over 200 democracy activists were arrested. According to Amnesty International's report in February 2005: *"Detailed and consistent testimonies gathered by the Amnesty International delegates showed detainees had been held blindfolded and handcuffed for up to 19 hours, made to sit still on a chair or in one spot for several hours at a time during this period, and subjected to physical assault, food deprivation, and in some cases, to sexual violence."*

Amnesty International was among the organisations that visited the Maldivian detention centres following the military crackdown followed by a state of emergency in August 2004.

Intense internal and international pressure forced the government of Maldives into a programme of reforms, including the military body. Until 2005, the National Security Service (NSS) was in charge of all police, and state security activities in the Maldives. Today, they form two separate entities: the police and the Maldivian National Defence Force (MNDF). Despite intensive reforms and training, the commander in chiefs of police and military remain the same and have not been held accountable for the torture and death of prisoners in the last 30 years.

Misuse of the judicial system

Despite the constitutional reforms taking place, and a significant improvement in court proceedings, the judiciary is still used in highly politically motivated case. It also fails to provide adequate measures for the incarceration of drug addicts, who still suffer greatly from lack of medical care and abuse.

Abdulla Saeed (Fahala): a politically motivated case

Fahala, a journalist working for the opposition newspaper Minivan Daily, was sentenced to life imprisonment for possession of drugs. The controversy over his case lies in the fact that Fahala had voluntarily gone to the police station on 13th October 2005 following a summon, and the police “found drugs” in his pockets during the search to which Fahala’s lawyer was forbidden to attend. Fahala had previously served sentences on charges of drugs, yet this latest conviction is a clear frame up by the Maldives authorities to silence a journalist known for his critical articles of the government. Various international media watchdogs such as Reporters Without Borders (RSF) and the International Freedom of Expression Exchange (IFEX) condemned his imprisonment.

Fahala was reportedly injured following the repression of protestors in prison in January 2007. Ali Rasheed, another journalist for Minivan News is also currently serving a sentence on drug charges.

Muslih Abbas: a case highlighting the vulnerability of drug addicts

Muslih Abbas allegedly died of an overdose in Maafushi prison on 6th June 2007 during a massive jail break. His death sparked a week long hunger strike of over 450 inmates, demanding drug offenders to be given medical attention to cure their addiction and better prison conditions.

Despite promises of drug rehabilitation programs, the government of Maldives is yet again, failing to implement adequate measures. It highlighted the fact that inmates have constant access to drugs. According to UN special rapporteur on the independence of judges and lawyers Leandro Despouy, who visited Maldives prisons in January 2007: “Prison conditions are not appropriate,” [...] “the reality on the ground is that a vast number of young drug offenders, both female and male, are left to languish in prison without being given any chance to rehabilitate.”



Muslih’s case highlights once more, the failures of the authorities to implement decent prison conditions and



more importantly, the vulnerability of drug addicts in detention. In January 2007, following protests of prisoners in Maafushi prison, a subsequent police operation violently suppressed the inmates. Some testimonies show that prisoners were beaten, sometimes piled up or handcuffed in uncomfortable positions.

Pictures courtesy of Dhivehi Observer

Use of violence by the security forces

Detention Centres:

In May 2008, inmates from Maafushi signed a petition and sent a letter to president Gayoom pleading “not to beat us with batons on our backs”, and demanding improvement of conditions such as ventilation and no more overcrowding of cells. Prisoners recently arrested in relation to the recent gang violence in Male’ have reportedly been subjected to heavy physical abuse by the security forces in Dhoonidhoo detention centre. Some prisoners are kept on IV fluids or have been taken to hospital in Male’ in relation to the hunger strike early May in Maafushi prison. The Himandhoo mosque worshippers arrested during a violent confrontation with the police are subjected to beatings and are not given fair trials reported their families. According to a report from detainee Abdulla Ali Manik to his wife, himself and the other prisoners in Dhoonidhoo detention centre were ordered out of their cells in the middle of the night, handcuffed, and blindfolded; he himself was punched. They were left as such for hours. Adam Mohamed, arrested in relation to the Himandhoo confrontation and held in Dhoonidhoo reports he was taken late at night into a desert outdoor area where he was physically and verbally abused until he signed a statement.

The Kibidhoo Case:

In March 2007, a protest in the island of Kibidhoo, in Thaa Atoll sparked over a dispute between the islanders and the island chief. The police violently ended the demonstration, severely injured and verbally abused the protestors, as well as women and children, followed by a wave of arrests. The Human Rights Commission of Maldives (HRCM) criticised the handling of the police stating the islanders had legitimate claims and were exercising their rights. In their report, the HRCM condemned the police violence such as the use of iron finger rings and the psychological trauma caused to women and children. Ten protestors were later charged of “unlawful assembly” and “obstruction to public duty”. No one from the Maldives authorities has been held accountable for the police violence used against the islanders. The Kibidhoo protestors are currently on trial.

Similar cases occurred in the island of Fares Mathoda in 2006, and in the island of Dhiyamigili in Thaa Atoll in March 2008, in which the islanders closed the island office in protest against the lack of facilities and assistance given by the government to the island community. Abdul Raheem told Maldivian Detainees Network, he was arrested for making this comment to a police officer:” the problem could be resolved a lot easier if the police would only speak to the local people without trying to force things on the people.” Another detainee was arrested for taking pictures of the police

Cases of death in custody since 2005

Although conditions improved following the visits by Amnesty International and later the International Committee of the Red Cross (ICRC), two cases of death in custody have occurred with clear obstructions by the Maldives authorities to allow a proper investigation.

Muaviath Mahmood



Muaviath Mahmood

Muaviath Mahmood died in Dhoonidhoo detention centre on 9th March 2005. He had been in custody for 5 days on drug charges. The authorities claimed Muaviath died of drug withdrawal. Yet, according to 3 witness statements from other inmates in custody with Muaviath, he was beaten to death by the prison guards. He was forced to confess to drug addiction and drug dealing through torture.

The Human Rights Commission of the Maldives (HRCM) reports that Muaviath was denied adequate medical treatment in prison, and died subsequently. The HRCM filed a complaint against the police on behalf of Muaviath's father to claim compensation for the death of his son, who was denied medical treatment. The case was rejected by the Maldives civil court in January 2008, on the ground that Muaviath's father should file the complaint, despite his lack of

resources. The HRCM is still fighting on behalf of Muaviath's Father. No one has been held accountable for his death yet.

Picture courtesy of Minivan News

Hussein Salah



Hussein Salah

Hussain Salah was arrested on 9th April 2007 on drug charges. His body was found on the 15th April 2007 floating in Male harbour. The authorities claimed Salah had been released on 13th April, yet failed to show relevant paperwork to prove he was no longer in custody. His body was found battered, and controversy erupted over the handling of the autopsy by the Maldives authorities. The corpse was kept for days in conditions that made the autopsy nearly irrelevant. According to the US State Department 2007 report: "photos of Salah's body showed that his face and eyes were heavily swollen; he had bled from his eyes, nose, and mouth; and his shoulders and right arm were badly bruised"

The Maldives authorities made a clear attempt to hide the evidence surrounding his death. Salah was buried without his

family consent in Male, and legal procedures to hold his murderers accountable have been impossible.

Picture courtesy of Minivan News

Over the last thirty years, other cases of death in custody have occurred that need further investigations, including that of: Ali Wafir, Aiy Balhey, Sudha and Ali Shaahir. There are others who have gone missing after they have been arrested. These cases need to be re-opened and investigated fully and the perpetrators held responsible for their actions

FOM request further information or testimonies of torture by victims or their families in the Maldives.

Current Situation

Friends of Maldives (FOM) are increasingly concerned over the recent surge of ill treatment in prisons. According to recent reports, police have taken statements based on forced confessions and in some cases inmates have been hooded and thrown down stairs. Families of detainees have also reported lack of access to sanitary facilities for the inmates.

Suspects recently arrested in relation to gang violence in Male', and during the confrontation between the police and Himandhoo illegal mosque worshippers last year, are not being given due process in the course of their trial. Family members are not properly informed of the detainees' situation and some family members have been denied visits to their relatives in prison. It has also been reported that prisoners have been on hunger strike and not properly cared for in Maafushi prison.

FOM is encouraged by the recent meeting between the police and NGOs from the Civil Society Network to discuss solutions to the increase in gang violence in the capital Male', and hopes for a greater collaboration in the future.

FOM Recommendations to the International Community:

- Pressure the Maldives Government to abide by its commitments to the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)
- FOM calls on the International Committee of the Red Cross (ICRC) to conduct a follow-up visit to Maldivian detention centres

Recommendations to the Maldives Government:

- The Government of Maldives must take appropriate measures to ensure prisoners are given fair trials and humane treatment.
- Cease the practice of obtaining confessions through torture
- Take appropriate measures in detention centres to put an end to physical and mental ill-treatment of prisoners
- Provide prisoners with access to decent sanitary facilities
- Assist the Maldives Human Rights Commission throughout their investigations of torture cases
- Grant access to prisoners by local and international non-governmental organisations

- Drop all politically motivated charges against opposition members and activists before the presidential elections take place
- Address current failures of the justice system
- Hold the current police commissioner and home minister accountable for violence in prisons

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NOTES TO EDITORS

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Friends of Maldives (FOM) is a non-governmental organisation (NGO) dedicated to the protection and promotion of human rights in the Maldives. Based in the UK and established in 2003. FOM focuses its activities on providing support and publicity to prisoners of conscience and good governance in the Maldives.