

CLAMPDOWNS AND COURAGE: MALDIVES



**SOUTH ASIA PRESS FREEDOM
REPORT 2017-18**



MALDIVES



SWIMMING AGAINST THE TIDE

The Maldives has been in the throes of a severe political crisis since early 2018, when President Abdulla Yameen declared a state of emergency on February 5 and embarked on a mission to crack down on any opposition to his authority. The move was a response to the Supreme Court’s February 1, 2018, order to release political prisoners and reinstate 12 Members of Parliament. If the court order had been followed, President Yameen would have found himself in a minority in the Parliament, facing a possible impeachment motion.

However, President Yameen effectively averted a personal crisis by declaring a state of emergency, detaining opposition leaders including members of parliament, dismissing and arresting the Chief Justice and a Supreme Court judge on charges of corruption, coming down heavily on opposition, and silencing all his critics including media.

The media and journalists faced a challenging situation during the emergency with critical and opposition media and journalists facing harassment, and others resorting to self-censorship. During the emergency, journalists were detained and attacked; media was threatened by government agencies with action for their unfavourable reporting, and ruling party leaders publicly called for shutting down opposing media.

The state of emergency – which lasted 45 days – represented an eruption of the deep churning, risks and challenges that the Maldivian media and journalists faced during the year. Waves of restrictions on freedom of expression and press freedom continue in the Maldives as its attempts to muzzle critical voices went unabated. State attempts to restrict press freedom resulted in fear among the media and journalists at a scale that critical news was difficult to publish in media operated from within the Maldives. Self-censorship – especially in issues critical to the government and anything relating to the opposition – was widespread and apparent in media content in the country

MEDIA IN EMERGENCY

The state of emergency, according to rights watchdog Amnesty International, was used as a ‘license for heightened repression’ by the Maldivian government. During the emergency, the opposition-aligned Raajje TV was forced to go ‘off air’ for 56 hours owing to the dangers to the media and journalists. On February 9, 2018, the station suspended its regular broadcast due to “increased harassment, threats and intimidation” and what it termed an “unsafe environment for journalists to report freely and independently, and without fear”. The closure came after the ruling party leaders’ public call to shut down the station and the withdrawal of security provided by the Maldives Police.

On February 9, 2018, two journalists working for Agence France-Presse, Indian photographer Money Sharma and British videographer Atish Patel, were asked to leave the country after being picked up by police for doing journalistic activities on tourist visa.

Journalists also faced arrest and detention while covering opposition rallies during the emergency. On February 14, 2018, Mohamed Riyaz, technician with Vmedia, a news outlet owned by opposition leader Qasim Ibrahim, was arrested while assisting the channel’s crew covering the opposition rally. He was later released. Two days later on February 16, Hussain Hassan from RaajjeTV and Leevan Ali Nasir from VTV are arrested during a protest rally at Male and were later released. Around 20 other journalists were taken to hospital after being pepper-sprayed by the police. Hassan travelled to Sri Lanka for treatment despite police’s attempt to arrest him at the airport.

On March 16, the police arrested Raajje TV journalists Mohamed Wisam, Mohamed Fazeen, and its Head of Programmes, Amir Saleem. Fazeen was arrested while covering a joint opposition protest for allegedly disobeying a police officer, while Wisam and Amir were taken into custody with a court order on allegations of staging and uploading a fake video of policemen saying they would join opposition rally. Fazeen was released two days later while Wisam and Saleem were put into custody for 11 days before the court ordered their release on March 27 as police failed to present any evidence against them. The police returned their confiscated phones only on April 11, 2018.

The ruling Progressive Party of Maldives (PPM) went on an all-out verbal attack on Raajje TV and VTV. Lawmaker Ahmed Nihan alleged in a tweet that the protests had been organised by the media: “We see tonight’s rally being led by journalists from RaajjeTV and VTV”. On February 16, 2018 PPM vice president Abdul Raheem Abdulla demanded action against media outlets that spread discord saying that “RaajjeTV and VTV incited hatred and violence” and that they “work to misinform and put the public into a state of panic”.

Deputy leader of PPM Abdul Raheem Abdulla on March 17 called on the authorities to shut down privately-run Raajje TV in a press conference broadcast live on Public Service Media.



Journalists stopped by police as they cover anti-government protests during the State of Emergency in 2018. Credit: Raajje TV

THREATS FROM STATE AGENCIES

On February 8, 2018, the Ministry of Defence and National Security warned of action on those found to have brought forward content impacting national security without a prior notice. The statement added that live shows and programs on media could “create chaos, confusion in public and create discord within the society”.

On February 17, 2018, the Maldives police in a press release asked journalists to be “more professional”. The police claimed that some journalists had acted like ‘protestors’ a day earlier in a rally and some media outlets had spread misleading information during live coverage. On the same day, the Maldives Broadcasting Commission (MBC) issued a circular saying that some broadcasters were airing content threatening peace and stability and cautions broadcasters to exercise restraint ‘when bringing live coverage’.

The Maldives Transport Authority also joined in issuing warning to media on February 28. The authority urged the media against spreading unsubstantiated reported regarding Xin Yuan 18 – a vessel with the Maldivian flag that allegedly supplied oil to North Korea. The authority was denying any link to the vessel and warned media against reporting it otherwise.

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REPRESSION BUILDS UP

However, the silencing of critical voices started much earlier than the emergency. In fact, on September 12, 2017, the UN High Commissioner for Human Rights Zeid Ra’ad al-Hussain said the Maldivian government was “increasingly cracking down on critical views” during the meeting of the UN Human Rights Council.

The decisions of the state-controlled MBC strongly indicate censorship and legal harassment of media. The MBC has imposed hefty fines on opposition-aligned Raajje TV thrice – each time immediately after the station paid the earlier fine. Raajje TV receives third defamation fine on October 8 when the MBC fined it MVR500,000 (USD 32,425) for airing comments made by MP Mohamed Musthafa on Raajje TV on July 28, calling them a “threat to national security”. MP Mohamed Musthafa was not fined for defamation. It should be noted that the television network has also been fined for airing a slogan chanted during an opposition rally in a live coverage.

Sangu TV was fined MVR 100,000 (USD 6,500) and asked to apologize publicly on March 28 over remarks aired of an opposition lawmaker in December 2017. MP Mohamed Musthafa was said to have used an obscenity and defame President Yameen during a live event when he said the present administration has “introduced nothing but theft to the country”, the MBC concluded deciding over the fine. The privately-operated station refused to offer a public apology until it was issued a court order to do so and said it will file a court case against any decision once de-positing the fine.

The fines were imposed under the controversial Anti-Defamation and Freedom of Expression Act 2016 that was heavily criticised by local and international organisations as being restrictive and contrary to international standards. The MBC also slapped a fine of MVR 200,000 (USD12,970) on state-owned Public Service Media over defamatory remarks made by a ruling party lawmaker at a televised press conference.

The MBC fined Medianet – the country’s main cable television service provider – MVR 500,000 (USD32,425) on June 17, 2017 for rebroadcasting an Al Jazeera corruption exposé in September. The Stealing Paradise documentary, which exposed systemic corruption, abuse of power and criminal activity at the highest level of government, was deemed to pose a threat to national security and the Maldives government blacked out the documentary in the Maldives. After Al Jazeera announced the release of the documentary, the ministers and ruling party lawmakers threatened to take action against all of the film’s Maldivian contributors. The government also launched a media offensive against the documentary, even before it aired, accusing Al Jazeera of a conspiracy to topple the government as well as economic sabotage. A prominent editor appearing in the documentary – Zaheena Rasheed of the Maldives Independent, left the country because of the threat and currently still lives in exile.

The Maldives’ Majlis (Parliament) has been a bitter ground for dispute among ruling and opposition lawmakers with ugly scenes such as eviction of lawmakers, presence of high number of security personnel and scenes of fist-fights between the lawmakers. However, the MBC denied the Maldivian peoples their right to know what is happening in their parliament by warning TV stations against broadcasting footage live-streamed on social media by MPs who are inside the parliament chamber saying such videos contained “obscene language and content contrary to standards of public decency”.

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It advised broadcasters to “ensure that scenes like this are broadcasted in line with the Broadcasting Act, regulations under the Act, the Broadcasting Code of Practice, and the Anti-Defamation and Freedom of Expression Act”. Legal action would be taken against those who violate broadcasting laws, the commission warned.

HARASSMENT OF JOURNALISTS

As journalists are arrested, detained and questioned over content, and content found ‘objection-able’ could lead to huge arbitrary fines, the threat to the media and journalists is high and there is widespread self-censorship due to an atmosphere of fear.

Journalists in the Maldives are questioned over news content and legally harassed over their coverage of any programs organised by opposition political parties. Police questioned journalists at the news websites Avas and Mihaaru on February 1, 2018, after the sites published a state-ment issued by the jailed former vice president of the Maldives, Ahmed Adeeb. Police went to their office without prior notice and officers asked how the statement was obtained.

In June 10, 2017, V news senior editor Ahmed Rifau was summoned for questioning at the po-lice headquarters over a headline about the arrest of a senior opposition figure in June. The po-lice contended that the headline, ‘Adam Azim arrested on charges of trying to topple the gov-ernment,’ misrepresented the content of the arrest warrant. Azim was accused of speaking in a manner that encouraged the illegal overthrow of the government and of undermining public trust and inciting hatred toward the judiciary.

A number of journalists – four from Sangu TV and three from Raajje TV, were arrested and oth-ers roughed up during an opposition rally held on the 52nd Independence Day in July. The jour-nalists detained on charges of “obstructing the duties of a law enforcement officer” were Mo-hamed Wisam, Murshid Abdul Hakeem and videographer Ahmed Mamdhoo of Raajje TV, and Adam Janah, Ahmed Riffath, Mohamed Shanoon, and Abdullah Yamin of Sangu TV. They were later released.

On May 29, 2017, the Maldivian police issued summons on Twitter to three liberal bloggers -Dr Azra Naseem, Muzaffar ‘Muju’ Naeem, and Hani Amir- living abroad to present themselves for prosecution over unspecified charges. The police said they would ask the Prosecutor General’s office to press charges and try them in absentia if they refused. All three bloggers are known for their secular views and critical writing on Maldivian society and politics.

FURTHER CLAMPDOWN AFOOT

Further media restrictions are likely to be imposed as the government-sponsored bill for the ‘Maldives Media Commission’ was tabled in the Parliament. Proposed by ruling party lawmaker Jafar Dawood for the creation of a new media regulatory body after dissolving the broadcasting commission and media council, the proposed regulator can impose hefty fines and temporarily shut down newspapers and TV stations. After investigating breaches of a new code of ethics, the Maldives Media Commission can order print and online outlets to make corrections, issue warnings, and impose fines of up to MVR100,000 (USD6,485) for repeated violations.

If written or broadcast content is deemed to pose a danger to Islam, national security, public or-der or public health, the Commission can ask the police to stop publication or broadcast. The Commission can also seek court judgments to cancel the registration or broadcasting license of newspapers and TV stations.

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Journalists believe that the new bill, once passed, will target the print and online media. The current MBC can only target televisions and radios and the new Bill has been conceived so as to ensure that the print and online media come within the jurisdiction of the state-controlled authority.

International non-profit Transparency International Maldives condemned the government for proposing a bill that would merge two existing media watchdogs and “expand its sphere of state control on print and social media as well”. There was no progress in the Bill due to the political crisis and the state of emergency, but it is likely to be revived once the situation is normal.

Similarly, the Maldives government also issued new guidelines on the qualification for editors and asked all media outlets to meet the guidelines within 18 months. A Home Ministry regulation gazetted in January, 2018 imposes new criteria for editors at registered media outlets. According to the guidelines, editors need to be a Maldivian, aged 25 and above, have a degree in journalism or a related field as well as five years’ experience at a ministry-registered media organisation. The guidelines are seen as a way to control media given there are only 483 people with a graduate degree in Maldives, according to 2014 census.

BUILDING REGIONAL SOLIDARITY

In September 2017, the South Asia Media Solidarity Network (SAMSN) meeting in Kathmandu focussed attention on the Maldives as a zone in need of urgent intervention to protect press freedom and journalists’ rights. While expressing solidarity with Maldivian journalists, SAMSN pointed at the need for strategies for national, regional and international solidarity to enable meaningful interventions in the public sphere, both inside and outside the beleaguered region.

The major issues in the Maldives, often interconnected were broadly related to arbitrary and repeated (mis)use of the Anti-Defamation and Freedom of Expression Act 2016 to penalize critical voices; the threat to critical voice; the state censorship of media content; violation of press freedom and journalist’s rights including arrests and criminal cases against journalists; new tougher law and regulations on the offing; impunity for perpetrators in the crimes against journalists; and self-censorship by the journalists.

The Election Commission has announced the first round of presidential elections in early September 2018. A second round, should it be necessary, would be held within 21 days from first election day. President Yameen is looking for a new mandate to extend his presidency, while the opposition is looking for an opportunity to oust him. The media, reeling under constant pressure from threats and repression and resorting to self-censorship, will face yet another challenge to cover the election in an independent manner. Although the EC had promised to allow foreign journalists to cover the election, there are already stricter measures for visa issuance for journalists in place.

With the election looming amidst the political crisis, the media is likely to witness another challenging year where press freedom comes under severe pressure.

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LIVING TO TELL THE STORY

On August 31, 2016, I packed a small suitcase and reluctantly left the Maldives, thinking I was only leaving for a week. I told my parents I'd be back as soon as the furore over a documentary I had worked on had died. I didn't want to leave - it felt like giving in. It will soon be two years, but the situation has only gotten worse.

The documentary by Al Jazeera, titled *Stealing Paradise*, exposed corruption and abuse of power at the highest levels of government, including a conspiracy to launder up to USD 1.5 billion through the central bank. Weeks before the film aired, the government, pushed through a new law criminalizing defamation. It allows journalists to be fined up to USD 30,000, and sets a six-month jail term if they are not able to pay the fine. The law also grants the government authority to impose fines and shut down publications.

The assault on the press has taken many forms in Malé, from threats and attacks to co-optation. Ministers offered money to the best journalists in newsrooms to set up alternative outlets. Some-times, half of newsrooms were poached to set up new websites or TV stations that were often pro-government in their coverage.

An oft-ignored topic is mental health. As journalists in the Maldives, we bore daily witness to grave injustices. Massive corruption and the squandering of public funds, police brutality and mass arrests, and the jailing and banishment of nearly all opposition leaders. Covering court hearings which went late into the night, I would leave the court house shocked by the blatant injustice I had just witnessed.

The hardest story I reported on was my colleague Ahmed Rilwan's disappearance. How do you tell a story objectively when that story concerns a member of your team? As journalists, we think of ourselves or are expected to be objective observers of human history, but we are as susceptible to trauma as the victims of the stories we tell.

In addition to the threats and harassment by the government, as an editor of a small and independent news website, I also frequently worried about funding for our website. The pressure was immense. When I left the Maldives a year ago, I was a mess. I was suspicious of strangers. I jumped at shadows, and I was afraid of the dark. My friend and blogger, Yameen Rashid's murder in April 2017 prompted a crisis of faith and a cynicism that I have not been able to shake off. Professionally and personally, the past few years have been some of the toughest in my life.

Through all of this, regional and international organisations have been keeping an eye on us, helping to keep global attention on what has been happening in the Maldives. The solidarity has made us feel that we are not alone. Conversations with journalists in Sri Lanka who had reported on the war, were eye openers. They told us, don't be martyrs, you must live to tell the story another day. That advice has always stuck with me.

Zaheena Rasheed, Al Jazeera Media Network, is also the editor-in-exile of the Maldives Independent. This is an excerpt of a speech delivered on September 8, 2017 at a meeting in Kathmandu organised by the IFJ and SAMSN.

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MEDIA VIOLATIONS: MAY 2017 - APRIL 2018

Killings of journalists: 0 – None recorded

Threats against the lives of journalists: 0 – None recorded

Other threats to journalists: 0 – None recorded

Non-fatal attacks on journalists: 0 – None recorded

Threats against media institutions: 1

Attacks on media institutions: 0 – None recorded

Threat against media institutions

February 8, 2018: Male’ The opposition aligned Raajje TV suspended its regular broadcast from February 8 to 10 due to increased harassment, threats and intimidation as well as an unsafe environment for journalists to report freely and independently. The TV station’s decision came after a warning by the Ministry of Defence and National Security alongside the withdrawal of security provided to the station by the Maldives Police. Earlier on February 4, Abdul Raheem Abdullah, the deputy leader of the ruling Progressive Party of Maldives (PPM), had called on the security forces to immediately shut down Raajje TV accusing it of giving airtime to opposition leaders.

Other notable incidents / developments

Arrest/Detention

July 26, 2017: Male’ At least seven journalists – four from Sangu TV and three from Raajje TV – were arrested and a number of others roughed up by the Maldives police on charges of ‘obstructing the duties of a law enforcement officer’. The media reported damage to the camera and other equipment while the videos showed that police used excessive and unnecessary force against the journalists reporting the rally organised on the 52nd Independence Day of the Maldives. The arrested journalists were later released. They were Mohamed Wisam, Murshid Abdul Hakeem and videographer Ahmed Mamdhoo of Raajje TV, and Adam Janah, Ahmed Riffath, Mohamed Shanoon, and Abdullah Yamin of Sangu TV.

February 16, 2018: Male’ Hussain Hassan from RaajjeTV and Leevan Ali Nasir from VTV were arrested during a protest rally at Male’. Around 20 journalists were taken to hospital after being pepper-sprayed.

January 12, 2018: Male’ Sheikh Nasrullah Musthafa, a preacher, lodged a defamation case against five journalists of Mihaaru daily and the media group VMedia over news reports. The stories referred to the preacher’s arrest for illegally sending four individuals on Hajj pilgrimage to Saudi Arabia in November 2017. The five reporters from Mihaaru and VMedia were summoned to court for a dispute resolution hearing on defamation charges. The preacher later withdrew the case.

Regulations

March 1, 2018: Male’ The opposition aligned VTV was fined 400,000 rufiyaa (USD 25,940) for alleged defamation of the President.

March 29, 2018: Male’ Private TV Sungu was fined with 100,000 rufiaa (USD 6485), for alleged defamation of the President.