

TRUTH IN A TIME OF CONTAGION: THE VIRAL FRONTLINE

MALDIVES COUNTRY REPORT

MALDIVES

ENDING IMPUNITY: PLEDGES AND PROMISES

For most of the past half-century, when the Maldives underwent its transformation from a poor island nation to an upmarket tourist destination, freedom of expression was severely curtailed. Autocratic regimes set up the first television and radio stations and the few privately-owned newspapers were subservient to the government. No dissent was tolerated.

The Maldives was nearing middle-income status when former strongman Maumoon Abdul Gayoom acquiesced to demands for democratic reforms. The emergence of six daily newspapers and 15 magazines coincided with the formation of political parties in June 2005 when administrative restrictions were lifted. A relatively free media soon flourished. The end of Gayoom's 30-year rule in November 2008 opened up further space for free speech as defamation was decriminalised by the first democratically elected president, Mohamed Nasheed.

The health of the media has since been inextricably tied to the country's democratic fortunes. The overthrow of Nasheed's government in February 2012 and the election of former president Abdulla Yameen in November 2013 heralded a dark period of impunity for crimes against journalists. One television station studio was torched in October 2013, journalist Ahmed Rilwan Abdulla was abducted in August 2014 and blogger Yameen Rasheed was stabbed to death in April 2017. A new law re-criminalising defamation that was enacted in 2016 slapped crippling fines on private broadcasters. In this repressive climate, *Haveeru*, the country's oldest newspaper was shuttered by a dubious court judgment over its ownership. Online publication CNM was forced to shut down after exposing government corruption. Three journalists, who were found guilty of obstructing police duty and fined, became the first journalists to be convicted in the country in more than a decade.

The resounding victory of President Ibrahim Mohamed Solih in the September 2018 election renewed hopes for a return to democracy. As pledged during his campaign, the draconian defamation law of 2016 was quickly repealed and a presidential commission was set up to probe the unresolved cases of Rilwan and Yameen Rasheed. The broadcasting regulator that imposed fines for defamation was reconstituted. A whistleblower protection law added further legal safeguards for journalists. Reflecting this progress, the Maldives improved its score on international indices of press freedom, climbing to the rank of 79 in 2020 up from 120 in 2018.

Despite positive changes in the media landscape, longstanding challenges remain and the Maldivian president's pledge to end impunity and bring

perpetrators to justice is yet to be fulfilled.

Most media organisations rely on politicians and businessmen for funding, often to the detriment of editorial independence. Some outlets promote political parties without even a pretence of impartiality. Advertising by state-owned companies is a major source of income but its allocation is widely seen as unfair and not based on merit.

Six years after the enactment of a Right to Information Act, a culture of secrecy persists and journalists find it nearly impossible to get information from some state institutions. A survey by the Human Rights Commission of Maldives released in December 2020 showed that a majority of people were dissatisfied with access to official information and only 36 per cent found the right to information law helpful. Of 100 'right to information' requests filed by NGO Transparency Maldives between 2017 and 2019, state institutions fully complied in only 26 cases. Another 19 cases appealed to the Information Commissioner's office were concluded without legally mandated open hearings.

Murder, physical assault and abduction of journalists by non-state actors have not occurred since the current administration took office but cases of harassment and police violence have been reported by opposition-aligned media.

In October 2020, *Dhiyares News* journalists Ahmed Azaan and Nahil Ahmed faced alleged harassment and intimidation on the street. On 29 January 2021, Channel 13 news head Mariyam Isaadha Ismail was injured while covering a protest by opposition parties and termed the incident "unwarranted and unprovoked violence against media personnel". Channel 13 cameraman Mohamed Shaheem was also injured during a protest on 19 February 2021 and required hospital treatment. The same day, Channel 13 CEO Mohamed Samah and deputy station in-charge Hussain Ihsan were forcibly dragged out of a restaurant by police officers. Footage showed them wearing press passes and repeatedly identifying themselves. Both were released outside the restaurant. The state's media oversight bodies promptly launched inquiries and decided to lodge cases with the police watchdog. In an encouraging sign of solidarity, journalists from several media outlets joined a silent protest held two days later against police brutality and obstruction.

JUSTICE DELAYED

In September 2019, the Presidential Commission mandated to independently investigate unresolved murders and disappearances in the Maldives concluded that missing journalist Rilwan was killed by a local extremist group with links to al-Qaeda. But charges are yet to be pressed against new suspects and former officials complicit in an attempted cover-up. After facing criticism from Rilwan's despairing family, the government in late 2020 heeded their calls and enlisted a foreign expert to assist the commission's investigation.

In February 2021, the commission offered a USD32,400

THE OVERTHROW OF NASHEED'S GOVERNMENT IN FEBRUARY 2012 AND THE

ELECTION OF FORMER PRESIDENT ABDULLA YAMEEN IN NOVEMBER 2013 HERALDED

A DARK PERIOD OF IMPUNITY FOR CRIMES AGAINST JOURNALISTS.

reward for credible information about either the case or a knife found at the scene of Rilwan's abduction. Forensic analysis of the knife carried out abroad has yielded important evidence and 11 people have been barred from leaving the country, the commission revealed.

Rilwan's family welcomed the apparent progress but raised questions about the lack of action against police officers and prosecutors culpable of failure to submit the knife as evidence in the trial of two suspects who were found "not guilty" of the abduction in August 2018.

Stalled by delays and last-minute cancellations of hearings, the trial of six suspects charged over the murder of Yameen Rasheed resumed in February 2021 after a hiatus of more than a year. Following the hearing, the slain blogger's family requested the Prosecutor General himself to represent the state in light of glaring prosecutorial failures that led to the acquittal of defendants in Rilwan's case.

THE THIRD RAIL

As the 2008 Maldives constitution states, laws and exercise of freedoms must not be "contrary to any tenet of Islam", the country maintains reservations to the International Covenant on Civil and Political Rights' article 18 on freedom of thought, conscience and religion. The Communications Authority of Maldives regularly blocks websites with anti-Islamic content upon request by ministries and other agencies, yet a list of blacklisted sites is not made public.

With internet access otherwise unrestricted and 70 per cent of the population using social media, the Maldives has a vibrant digital space where the media evolved and freethinking bloggers and pro-democracy activists thrive. But intimidation and deaths threats have been steadily shrinking the space for free expression.

Both Rilwan and Yameen were influential voices who were targeted for their outspoken criticism of religious fundamentalism. Labels of "apostate" or "secularist" - in some cases pinned by irresponsible media reports - against those accused of advocating religious freedom or minority rights continue to carry risks for journalists of violent reprisal.

Religion remains a taboo subject for public discourse and fear of being branded anti-Islamic encourages journalists to practice self-censorship. Several outlets avoid publishing bylines on sensitive stories, such as Maldivians joining militant groups fighting in Syria and Iraq. In January 2021, journalists from Vaguthu faced death threats after publishing a story about extremists in Addu City.

The government continued to come under fire for dissolving an NGO in November 2019 over a report on radicalisation that was deemed blasphemous and insulting to Islam. In its World Report 2021, Human Rights Watch accused the Solih administration of failing to confront the influence of hardline Islamist groups. "Online intimidation of human rights groups continued to have a chilling effect on civil society in 2020," it warned, echoing previous calls from other international groups to monitor hate speech and investigate threats.

The government noted its decision to ratify the International Convention for the Protection of all Persons from Enforced Disappearance and assured the UN Human Rights Council's Universal Periodic Review in 2020 that the police service "continues to actively engage in

ONE SILVER LINING OF THE PANDEMIC WAS THE OPPORTUNITY FOR REGIONAL OUTLETS TO PARTICIPATE IN VIRTUAL PRESS CONFERENCES, EXPANDING THEIR REACH AND RECOGNITION.

countering threats and harassment against individuals both on online platforms and in person to ensure the protection of journalists and human rights defenders."

In responses provided in mid-2020 to a joint questionnaire by UN special rapporteurs, the government said that "no specific measures aimed at hate speech in cyber space have been implemented." During the pandemic "enhanced information security monitoring was established" but online content was not censored or removed by the Ministry of Science, Communication and Technology, and no incidents of hate speech were reported to the police, it added.

PANDEMIC STRAIN

As with every corner of the globe, the Maldives was touched by the Covid-19 pandemic.

In the year since the first cases were detected on March 7, 2020, there have been 64 deaths and more than 20,000 confirmed cases. The vaccine, available to everyone over 18 years of age, provides some hope towards controlling its spread.

A survey conducted by the Maldives Media Council (MMC) to assess the impact of the Covid-19 pandemic found that the income of media organisations declined on average by 60 to 80 per cent due to the cancellation or suspension of advertising contracts. This resulted in pay cuts for 65 per cent of staff. Some 37 per cent of employees saw their wages cut in half. But there were no closures or mass layoffs and the SME Development Finance Corporation issued relief loans to eight media companies.

A large majority of respondents of the MMC survey expressed satisfaction with the dissemination of information on the pandemic response, particularly daily briefings that journalists could join via video conference. But nearly 80 per cent complained that costly internet services and weak connections disrupted the duties of journalists working from home.

Field reporting and fact-checking proved challenging when the capital was under strict lockdown from mid-April to July 2020. On the one hand, remote working allowed most journalists to spend more time with their families but on the other, some journalists lived in their newsrooms for up to a month. Journalists were allowed to travel for work purposes during the lockdown as well as during curfew and vehicle ban hours.

One silver lining of the pandemic was the opportunity for regional outlets to participate in virtual press conferences, expanding their reach and gaining recognition on the national stage. The majority of media outlets are based in the capital Malé and only the state-owned Public Service Media operates regional branches.

After a public health emergency was declared in March 2020, the MMC warned media outlets against spreading misinformation about the coronavirus. In the same month,

THE MJA CALLED FOR DEFAMATION TO REMAIN A CIVIL OFFENCE AND OBSERVED THAT “CRIMINALISATION IS A SLIPPERY SLOPE THAT IS USED - PREVIOUSLY IN THE MALDIVES AS WELL - TO MUZZLE FREE MEDIA AND CRIMINALISE DISSENT”.

the MMC was accused of overreaching when it ordered the removal and revision of articles related to the pandemic response. The law requires the regulator to investigate complaints before mandating retractions or apologies.

VANISHING WOMEN

According to a report on the 'Status of Women in Media in South Asia', released in March 2020 by the South Asia Women's Network, women accounted for only 29 per cent of staff in Maldives media organisations. Some women held positions such as senior editor and headed human resources and administrative departments but filled only five percent of leadership roles. Reasons suggested by stakeholders included perceived lack of stability of media jobs and preference of employers for men as women demand higher pay and work flexibility. However, the enrolment of women in journalism courses offered by Maldivian colleges and universities was higher than men at 3:1. So where then do these professional women vanish to?

The answer probably lies in another finding of the study, which found that many women still face immense discrimination, harassment and bullying at the workplace. In August 2020, Adam Haleem, chief editor of Avas Online, was accused of sexual harassment and assault by female staff. A petition against the veteran editor signed by 73 journalists was submitted to the MMC. Cases were lodged with the police and gender ministry as well. But charges have not been raised to date. Meanwhile Haleem, who was also caught on security camera assaulting a female employee when he was editor of Vnews, continues in his post.

In July 2020, Rae Munavvar, editor of The Edition, accused Hassan Ismail, the communications secretary in the president's office, of offering training and exclusive access in exchange for 'spending time' with him at a resort or in his apartment. Frustrated with the lack of action after she had immediately reported the incident to the president's office in February 2019, Munavvar filed a formal complaint a year later. The president's office took seven months to acknowledge receipt of the complaint and Ismail was only summoned for questioning by the police after Munavvar went public with the allegations.

The International Federation of Journalists (IFJ) voiced its concerns to President Solih on the case. "Inaction is akin to impunity for crimes against journalists, which is an issue this administration has vowed strongly to address," the IFJ said. There were calls to fire the senior official and to launch an internal investigation into "this unacceptable case of sexual harassment

combined with an attempt to bribe a journalist."

The police investigation did not lead to prosecution and Ismail remained in his post until his resignation in January 2021 to return to the private sector. The lack of action on this case is particularly disappointing for women journalists in light of President Solih's assurance after he took office in 2018 that all policies would be "aimed at eradicating the difficulties faced by women in social and economic participation, financial empowerment and just treatment in the face of the law."

UNITED FRONT

One key challenge is posed by the lack of a union or collective voice for the media fraternity. This was addressed in September 2020 with the revival of the Maldives Journalist Association (MJA), which had been dormant since a split in its membership in 2014. On September 5, a new president and six-member executive committee were elected during a general meeting held over Zoom and attended by 130 journalists. At its first meeting, the new executive committee resolved to amend the MJA's statutes, create four standing committees, and to seek technical expertise to formulate a code of ethics.

Institutional strengthening of the MJA is part of the 'Stronger Media for Stronger Democracy' project launched by the IFJ in January 2021 with support from the UK's Foreign, Commonwealth and Development Office. The project also involves training on journalism, media rights monitoring and advocacy.

In February 2021, the MJA condemned the apparent targeting of Channel 13 journalists and called on the police to ensure the safety of reporters covering protests.

In October 2020, the MJA received assurances from government officials that a proposed new defamation law would not include any provisions that could restrict press freedom. The MJA called for defamation to remain a civil offence and observed that "criminalisation is a slippery slope that is used - previously in the Maldives as well - to muzzle free media and criminalise dissent."

Also on the government's legislative agenda is a bill to create a new statutory body called the Maldives Media and Broadcasting Authority. This is proposed to be done by merging the functions of the Maldives Broadcasting Commission, which has seven members appointed by the president with parliamentary approval to oversee television and radio stations, and the Maldives Media Council, a 15-member body that regulates print and online media with seven members from the public and eight media workers elected by registered outlets.

MILES TO GO

Nothing less than justice can end impunity at all levels and bring closure to victims and the long-suffering families of Rilwan and Yameen.

Existing laws that guarantee safety, gender equality and other constitutional rights need to be faithfully and effectively implemented. Transparency of ownership to depoliticise the media and investment in the young workforce is needed to build core competencies, promote media literacy and support investigative journalism.

With a little help, the Maldives media could have its feet firmly set on the road to maturity and independence.

Cover: A Covid-19 press briefing by President Solih on June 23, 2020: CREDIT: MALDIVES PRESIDENT'S OFFICE

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The SAMSAN Digital Hub – <https://samsn.ifj.org> includes the full 2020-2021 South Asia Press Freedom Report and a full list of all known cases of media rights violations from the 2014 to 2021.

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