



ASIAN CENTRE FOR HUMAN RIGHTS

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Judicial Coup d'état in Maldives

1. Executive summary and recommendations

In an ironical situation, there is no government in Maldives today i.e. 12 November 2013. The term of President Mohammed Waheed expired yesterday i.e. 11 November 2013. No new government could be formed as a result of judicial *coup d'état* by the Supreme Court which postponed the Maldives' presidential run off to 16 November 2013 from 10 November 2013. Despite the absence of a legitimate government in Male, the United Nations General Assembly will today elect Maldives unopposed as a member of the UN Human Rights Council as there are only four candidates from the Asian Group i.e. Saudi Arabia, China, Maldives and Vietnam to take the four open seats following withdrawal of its candidature by Jordan.¹

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In the re-election for the President of Maldives held on 9 November 2013, Mohammed Nasheed of the Maldivian Democratic Party (MDP) won 46.93% (96,747 votes) followed by Abdullah Yameen Abdul Gayoom of Progressive Party of Maldives and brother of former dictator Maumoon Abdul Gayoom with 29.73% (61,295 votes) and Qasim Ibrahim of Jumhooree Party and a former Finance Minister under dictator Gayoom with 23.34% (48,131 votes). As no candidate received more

¹. UN UNITED NATIONS' Members Human Rights Council elections 2013 - See more at: <http://www.freedistrict.com/culture/politics/4572/un-united-nations-members-human-rights-council-elections-2013.html>

than 50% of the votes to be declared as President outright as per the Constitution of Maldives, the run-off was scheduled for 10 November 2013 before the expiry of the term of incumbent President Waheed on 11 November 2013.² All the candidates had earlier agreed to hold the run off on 10 November 2013.³

However, the Supreme Court of Maldives in a *coup d'état* on 10 November 2013 ruled through an unsigned order⁴ that the run-off election will be held on 16 November 2013. It further ruled that the incumbent president Mohammed Waheed and his government will remain in office if a president is not elected by the constitutional deadline of November 11 and that the resolution passed by the *People's Majlis*, the parliament, earlier to hand

2. Political chaos as Maldives Supreme Court suspends run-off vote, 10 November 2013, available at <http://news.yahoo.com/nasheed-tops-maldives-poll-faces-run-off-175627268.html>; and also see Preliminary Results Announced for the Presidential Election of the Maldives, Ministry of Foreign Affairs, Government of Maldives <http://www.foreign.gov.mv/new/tpl/news/article/625/>

3. Vice President resigns as threat of constitutional crisis looms, Minivan News, 10 November 2013 available at <http://minivannews.com/politics/vice-president-resigns-as-threat-of-constitutional-crisis-looms-71348>

4. Vice President resigns as threat of constitutional crisis looms, Minivan News, 10 November 2013 available at <http://minivannews.com/politics/vice-president-resigns-as-threat-of-constitutional-crisis-looms-71348>

over presidential powers to the Speaker of the *People's Majlis* if a new president is not elected before November 11 stands nullified.⁵

The Supreme Court passed its ruling on a petition filed by defeated candidate Qasim Ibrahim seeking a delay of the run-off elections on the ground that time is needed to campaign to tell voters as to which of the other two candidates the party supports.⁶ Qasim Ibrahim does not even have *locus standi* as he is not contesting the run-off election.

The judicial *coup d'état* is a blatant attempt to prevent Nasheed from coming to power. Nasheed had defeated dictator Maumoon Abdul Gayoom, who ruled Maldives for about 30 years in the first multiparty elections held in October 2008 but had to resign allegedly at gunpoint in February 2012.⁷ Then Vice President Mohammed Waheed was sworn in as the President and his term expired on 11 November 2013.

5. Postponement of the Presidential run-off 2013, Ministry of Foreign Affairs, Government of Maldives, available at <http://www.foreign.gov.mv/new/tpl/news/article/626/>

6. Maldives presidential polls postponed again, run-off on November 16, NDTV, 10 November 2013, available at: <http://www.ndtv.com/article/world/maldives-presidential-polls-postponed-again-run-off-on-november-16-443988>

7. UN Concerned About Maldives Election Delays, Voice of America, 21 October 2013, available at: <http://www.voanews.com/content/un-concerned-about-maldives-election-delays/1773541.html>

In the process of holding presidential elections before the expiry of the term of President Waheed, Maldives has effectively been reduced to a banana republic. Mr Waheed, an unelected President who received only 05.13% of the votes on 7 September 2013 has been clinging on to power in Male with the help of a compliant Supreme Court which had illegally annulled the 7 September elections. Though Nasheed had won 45.45% of the total votes,⁸ in a bizarre judgment on 7 October 2013, the Supreme Court annulled the first round of the presidential election on a petition filed by Qasim Ibrahim alleging irregularities. The Supreme Court further set 16 conditions on the Elections Commission of Maldives for holding the elections before 20 October 2013 and the second round, if necessary, before 3 November 2013.⁹ It is pertinent to mention that 2,328 observers and 1,660 monitors including 102 foreign observers and 25 monitors¹⁰ had certified the elections

on 7 September 2013 to have been free and fair.

The UN High Commissioner for Human Rights Navi Pillay in a statement on 30 October 2013 termed annulment of elections of 7 September 2013 by the Supreme Court as “*subverting the democratic process and violating the right of Maldivians to freely elect their representatives*” and “*putting an onerous set of guidelines for the conduct of the election, which will be difficult to satisfy.*”¹¹

Nonetheless, after complying with the directions of the Supreme Court, the Elections Commission set the date for the elections on 19 October 2013.¹² However, in a further bizarre turn of events, the elections had to be cancelled after the Maldivian Police blocked Elections Commission officials from conducting the presidential revote.¹³ Thereafter, on 21 October

8. It's Nasheed vs Yaameen in run-off, The Hindu, 8 September 2013 available at <http://www.thehindu.com/news/international/south-asia/its-nasheed-vs-yaameen-in-runoff/article5106629.ece>

9. Elections Commissioner slams Supreme Court, police, PPM, JP over annulment of first round, Minivan News, 20 October 2013, available at: <http://minivannews.com/politics/elections-commissioner-slams-supreme-court-police-ppm-jp-over-annulment-of-first-round-69289>

10. Preliminary Results announced for the Presidential Elections of the Maldives, Ministry of Foreign Affairs, Republic of the Maldives, 9 September 2013, available at: <http://www.foreign.gov.mv/new/tpl/news/article/587/>

11. Maldives Supreme Court is subverting the democratic process – Pillay, OHCHR, 30 October 2013, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13917&LangID=E>

12. Elections Commission confident of preparations for October 19 election, compliance with Supreme Court guidelines, Minivan News, 17 October 2013, available at: <http://minivannews.com/politics/elections-commission-confident-of-preparations-for-october-19-election-compliance-with-supreme-court-guidelines-68855>

13. Maldives police stop presidential revote, saying officials didn't follow Supreme Court rules, The Washington Post, 19 October 2013, available at: <http://www.washingtonpost.com/world/asia-pacific/maldives-police-stop-presidential->

2013, the Elections Commission announced that the first round of presidential elections will be held on 9 November 2013 and if necessary, the second round on 16 November 2013.¹⁴ However, all the candidates agreed to hold the elections on 10 November instead of 16 November following a meeting between Mohammed Nasheed, Abdullah Yameen and Qasim Ibrahim with outgoing President Mohamed Waheed Hassan on 6 November 2013 in a bid to elect a new president before the constitutional deadline of 11 November.¹⁵

The Supreme Court should not have entertained the frivolous petition of the Jumhoree Party following the election on 9 November 2013. There is no guarantee that the second round of election will be held on 16 November 2013. There are legitimate apprehensions that the ongoing election processes will be subject to further litigation before the Supreme Court compliant to the Gayoom's forces. There are also legitimate fears that the elections slated for 16 November 2013 will not be free and

fair as the Maldivian Police and pro-Gayoom forces will resort to violence.

The call of the international community to hold free and fair elections had very little impact and has been rebuffed by President Waheed. The time has come for the international community including the United Nations, European Union, the Commonwealth and India to take decisive action to restore democracy in Maldives.

The Asian Centre for Human Rights recommends the following to the international community:

- President Mohammed Waheed should not be recognised as President of Maldives beyond 11 November 2013 and engagements with all the diplomatic missions of Maldives be downgraded until a legitimate and democratically elected President takes over in Male through the run-off election slated for 16 November 2013;
- Ensure that no new agreement including for bilateral and/or multilateral aid is signed with the Government of Maldives until a legitimate and democratically elected President takes over in Male through the run-off election slated for 16 November 2013;
- Ensure a travel ban through denial of visas to Mohammed Waheed and four judges of the Supreme Court of Maldives namely Justices Ahmed Abdulla Didi, Abdulla Saeed, Adam Mohamed Abdulla and Ali Hameed Mohamed and the Maldives Police

revote-saying-commission-hasnt-complied-with-court-order/2013/10/18/4e0bdf94-3860-11e3-89db-8002ba99b894_story.html

¹⁴. Presidential polls set for November 9, Minivan News, 21 October 2013, available at: <http://minivannews.com/politics/presidential-polls-set-for-november-9-69459>

¹⁵. Maldives Supreme Court suspends today's run-off vote, Business Standard, 10 November 2013, available at: http://www.business-standard.com/article/international/maldives-supreme-court-suspends-today-s-run-off-vote-113111000055_1.html

Commissioner Abdulla Riyaz by any member State of the United Nations;

- Ensure boycott of Mohammed Waheed; four judges of the Supreme Court of Maldives namely Ahmed Abdulla Didi, Abdulla Saeed, Adam Mohamed Abdulla and Ali Hameed Mohamed; and the Maldives Police Commissioner Abdulla Riyaz including through denial of employment or any invitation to any programmes organized or hosted by the United Nations and other inter-governmental organizations;
- Ensure that Maldives is suspended as a member of the UN Human Rights Council like Libya in 2011;¹⁶ and
- Ensure that Maldives is suspended as a member of the Commonwealth in the CHOGM 2013 being held on 15-17 November 2013 if elections are not held as scheduled on 16 November 2013.

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Director

¹⁶. General Assembly Suspends Libya from Human Rights Council, General Assembly, 1 March 2011 available at <http://www.un.org/News/Press/docs/2011/ga11050.doc.htm>

2. Illegal annulment of the 7th September elections by the Supreme Court

2.1. 7th September Presidential elections

In the Presidential election held on 7th September 2013, a total of 211,890 voters, constituting over 88% voted in the election. As per the results announced by the Elections Commission, Mohamed Nasheed of Maldivian Democratic Party received 95,224 votes (45.45%) followed by Abdullah Yameen Abdul Gayoom of Progressive Party of Maldives with 53,099 votes (25.35%), Qasim Ibrahim of Jumhooree Party with 50,422 votes (24.07%), and independent candidate and incumbent President Mohamed Waheed with 10,750 votes (05.13%). A total of 2,395 votes were declared invalid.¹⁷

As none of the candidate failed to get the constitutionally required more than 50 per cent of the votes to be declared as President outright after the first round, the run-off between Mohamed Nasheed and Abdullah Yameen Abdul Gayoom, the two candidates with highest votes, was planned for 28 September 2013.¹⁸

¹⁷. Preliminary Results announced for the Presidential Elections of the Maldives, Ministry of Foreign Affairs, Republic of the Maldives, 9 September 2013, available at: <http://www.foreign.gov.mv/new/tpl/news/article/587/>

¹⁸. It's Nasheed vs Yaameen in run-off, The Hindu, 8 September 2013 available at <http://www.thehindu.com/news/international>

However, Presidential candidate Qasim Ibrahim of Jumhooree Party alleged irregularities and staged a demonstration with his supporters on 8 September 2013. Elections Commission Chairperson Fuwad Thowfeek dismissed the allegations by stating that *“The process has been transparent and overseen by so many international observers. There was no foul play.”*¹⁹ There were a total of 2,328 observers and 1,660 monitors including 102 foreign observers and 25 monitors during the election and they termed it as very smooth and transparent.²⁰

Later, Qasim Ibrahim filed a case before the Supreme Court of Maldives alleging irregularities relating to the Electoral Register and other matters that could question the outcome of the first round of the Presidential Election held on 7 September 2013. The Progressive Party of Maldives also submitted a case to the Supreme Court requesting for a postponement of the election in order to ensure that the irregularities in the Electoral Register are properly rectified.²¹

/south-asia/its-nasheed-vs-yaameen-in-runoff/article5106629.ece

¹⁹. Ibid

²⁰. Preliminary Results announced for the Presidential Elections of the Maldives, Ministry of Foreign Affairs, Republic of the Maldives, 9 September 2013, available at: <http://www.foreign.gov.mv/new/tpl/news/article/587/>

²¹. Supreme Court Annuls the First Round of the Presidential Election, Ministry of Foreign Affairs, 8 October 2013, available at: <http://www.foreign.gov.mv/new/tpl/news/article/607/>

2.2. Illegal annulment by the Supreme Court

On 7 October 2013, the Supreme Court of Maldives annulled the first round of the presidential election held on 7 September 2013 while delivering its verdict on the petition filed by Presidential candidate Qasim Ibrahim.²² Four of the seven judges viz Justices Ahmed Abdulla Didi, Abdulla Saeed, Adam Mohamed Abdulla and Ali Hameed Mohamed ruled in favour of annulling the elections while three other judges i.e. Chief Justice Ahmed Faiz Hussain and Justices Abdulla Areef and Ahmed Muthasim Adnan dissented.

Chief Justice Ahmed Faiz Hussain and Justice Abdulla Areef in their dissenting opinion stated, *“Given official results of an election can only be annulled only in the specific area, specific ballot box or boxes, in which undue influence has occurred as per Article 65 of Act 11/2008 (Elections Act), there is no room to annul the votes of the 211,890 people who voted in the 2013 Presidential Election held on 7 September 2013.”* Justice Ahmed Muthasim Adnan while concurring stated *“.....I do not see it necessary to issue a ruling on Jumhooree Party’s claims”*.²³

²². Supreme Court Annuls the First Round of the Presidential Election, Ministry of Foreign Affairs, 8 October 2013, available at: <http://www.foreign.gov.mv/new/tpl/news/article/607/>

²³. Translation: Supreme Court verdict on Jumhooree Party vs Elections Commission, Minivan News, 10 October 2013, available at: <http://minivannews.com/politics/translation->

The judges who ruled in favour of annulling the elections stated that 5,623 votes were cast fraudulently such as by using false ID cards, in the name of the deceased, by minors, votes cast without a valid ID card, double voting, votes cast using ID cards with conflicting permanent addresses and name differences as well as votes cast by those not registered under the Department of National Registration. The 5,623 votes were sufficient to significantly alter the positions of the candidates that came second and third in the Election since the difference between the two were only 2677 votes.²⁴ However, no evidence was placed on record with respect to the so-called casting of fraudulent votes.²⁵

Nonetheless, the Supreme Court directed that the first round of fresh Presidential Election be held before 20 October 2013 and the second round, if necessary, to be held before 3 November 2013.²⁶ The Supreme Court

supreme-court-verdict-on-jumhooree-party-vs-elections-commission-68169

²⁴. Supreme Court Annuls the First Round of the Presidential Election, Ministry of Foreign Affairs, 8 October 2013, available at: <http://www.foreign.gov.mv/new/tpl/news/article/607/>

²⁵. Elections Commissioner slams Supreme Court, police, PPM, JP over annulment of first round, Minivan News, 20 October 2013, available at: <http://minivannews.com/politics/elections-commissioner-slams-supreme-court-police-ppm-jp-over-annulment-of-first-round-69289>

²⁶. Elections Commissioner slams Supreme Court, police, PPM, JP over annulment of first round, Minivan News, 20 October 2013,

also issued '16 Guidelines' for the Elections Commission to follow during the new poll as given below:²⁷

(1) The Elections Commission and relevant state institutions should jointly make arrangements to hold the election required by the constitution to be held in 2013 in adherence to the guidelines provided in this judgment before October 20.

(2) If a second round is required in accordance with the law and the constitution, the Elections Commission and relevant state institutions should jointly make arrangements to ensure a second round of the presidential election before November 3, 2013.

(3) Make arrangements for voting to ensure that all citizens who turn 18 years of age by the date of the election required by the constitution to be held in 2013 is able to freely and fully exercise the constitutionally guaranteed fundamental right to vote in accordance with the

available at: <http://minivannews.com/politics/elections-commissioner-slams-supreme-court-police-ppm-jp-over-annulment-of-first-round-69289>

²⁷. Unofficial translation of the judgment (Dhivehi) delivered by the Supreme Court on 7 October 2013, available at: <http://minivannews.com/politics/translation-supreme-court-verdict-on-jumhooree-party-vs-elections-commission-68169>

rules or guidelines stated in this judgment.

(4) Accept the Department of National Registration's database as the main source to determine eligible voters in terms of age, and ensure that children under the age of 18 and the deceased are not included in listing eligible voters.

(5) Ensure that voting in all electoral districts in Maldives and abroad is based on the latest list that includes the voter's name, permanent address and ID card number and [that the list] has been agreed upon as valid by the Elections Commission, candidates or their representatives, and [ensure that] no other list will be used in any electoral district either in Maldives or abroad.

(6) Ensure that all persons who register following the announcement for voter registration will not have their names changed to a different district when they are divided into the voting districts, and [ensure that] the list does not include the names of any persons other than those registered to vote in that district.

(7) As those registered in the Male' municipality special register are legally considered residents of Male', and since

there is no real reason to register [them] in a house in a particular ward or constituency of Male' to vote in the presidential election, [the Elections Commission should] make arrangements for all persons in the Male' municipality special registry who have been changed to houses to vote in specially designated ballot boxes [for those in the special registry].

(8) Ensure that no one will be allowed to vote twice, and that every voter will be issued one ballot paper, and appoint all officials with the knowledge of candidates or their representatives to ensure that all officials in voting districts are safe from allegations of supporting or representing a particular political ideology or candidate.

(9) Ensure that reports on the voting process in every district are compiled after completion of voting in the presence of representatives of candidates to ensure that the report is compiled without fraud or falsehood, omit or mark the names of people who did not vote in that district, ensure that the number of people who voted is not higher than the list of voters, and ensure that the report is compiled in the presence of representatives of candidates to assure that the people who voted in the list are

those registered to vote in that district.

(10) The Elections Commission and relevant authorities should make it illegal for any person (including officials) who enters the polling station to carry phones, handbags, files or any item (excluding pens) that could be considered to infringe upon the rights of candidates and ensure that no such action took place.

(11) Ensure that a verified second list identical to the voters list in every district is placed in the district available for public viewing.

(12) The Elections Commission together with the security services should ensure secure arrangements for printing new ballot papers with adequate security features appropriate for the election to be held before October 20, 2013 under the constitution, transferring ballot papers from one place or island to another, maintaining security for ballot papers, and maintaining security for ballot boxes after voting.

(13) The latest token number issued to voters must be announced every 30 minutes to voters [waiting in queue], the relevant official should note the token number near the person's name on the list while marking the name of the person after he or she has voted, and impartial

officials must be appointed to ensure that no person's name is marked twice and that two token numbers are not listed near the same name.

(14) In order to ensure that arrangements for the presidential election required under the constitution are made in accordance with the compulsory guidelines given to the Elections Commission in this judgment, [the Elections Commission should] consult with other state institutions within no more than 72 hours of this judgment to ensure that [the necessary] arrangements will be made.

(15) To minimise the possibility of a person being registered to a different district illegally without his or her knowledge, the Elections Commission should not accept re-registration forms or the forms submitted by a third party that does not include the name, address, identity card number and fingerprint of the person requesting re-registration, the person submitting the form as well as [the same information of] two witnesses. To ensure that [incomplete forms are not accepted], the Elections Commission should publicise a list including the names of those re-registered, the new district they have been registered to, their names, addresses, and ID card numbers.

(16) As the aforementioned expert report revealed that a high number of foreigners who should not have had access to the Elections Commission server and database had regular access to it, the Elections Commission's server and full IT system should be reformed and improved in accordance with the professional opinion of the National Centre for Information Technology and other relevant state institutions to assure confidence [in the server and IT system].

The UN High Commissioner for Human Rights Navi Pillay in a statement on 30 October 2013 highly disapproved annulment of the elections held on 7 September 2013. Pillay stated *"the Supreme Court of the Maldives is interfering excessively in the Presidential elections, and in so doing is subverting the democratic process and violating the right of Maldivians to freely elect their representatives.... The court also imposed on the Elections Commission an onerous set of guidelines for the conduct of the election, which will be difficult to satisfy... The Supreme Court appears set on undermining other independent institutions, stifling criticism and public debate, and depriving litigants of the legal representation of their choice"*.²⁸

²⁸. Maldives Supreme Court is subverting the democratic process – Pillay, OHCHR, 30 October 2013, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13917&LangID=E>

3. Illegal cancellation of the 19th October elections by the Maldives Police

Despite putting *"onerous set of guidelines"* by the Supreme Court, the Elections Commission complied with and stated that it would hold the presidential election on 19 October 2013. In compliance with the guidelines, the Elections Commission had collaborated with 28 state institutions, particularly the police, Department of National Registration (DNR) and National Centre for Information Technology (NCIT), and processed the complaints received regarding the recompiled voters list based on the DNR's registry. New ballot boxes were introduced for the Male municipality. All elections officials were vetted and re-trained according to the Supreme Court's guidelines. New security features were included on the ballot papers while the NCIT advised the Elections Commission on its database.²⁹

However, in a further bizarre turn of events, the Elections Commission had to call off the election after the Maldives Police headed by Commissioner Abdulla Riyaz blocked officials from conducting the presidential revote. The police stated that holding the election would violate

²⁹. Elections Commission confident of preparations for October 19 election, compliance with Supreme Court guidelines, Minivan News, 17 October 2013, available at: <http://minivannews.com/politics/elections-commission-confident-of-preparations-for-october-19-election-compliance-with-supreme-court-guidelines-68855>

a Supreme Court order as the voters' list was not endorsed by all the candidates.³⁰ Out of the three candidates, only Mohamed Nasheed endorsed the voter list, while two other candidates did not sign the voters' list on 18 October 2013 saying that it needed to be verified for irregularities, if any. The Elections Commission had rejected their demands for double-checking the list due to time constraints.

As Election Commissioner Fuwad Thowfeek rightly stated the police crossed their legitimate role as the "*Supreme Court decision does not ask police officers to look into the voters' list and check what is there....*"³¹ It is for the Supreme Court to decide whether its order has been complied or not.

On 21 October 2013, the Elections Commission announced that the first round of presidential elections will be held on 9 November 2013 and if necessary, the second round on 16 November 2013.³²

³⁰. Maldives police stop presidential revote, saying officials didn't follow Supreme Court rules, The Washington Post, 19 October 2013, available at: http://www.washingtonpost.com/world/asia-pacific/maldives-police-stop-presidential-revote-saying-commission-hasnt-complied-with-court-order/2013/10/18/4e0bdf94-3860-11e3-89db-8002ba99b894_story.html

³¹. Ibid

³². Presidential polls set for November 9, Minivan News, 21 October 2013, available at: <http://minivannews.com/politics/presidential-polls-set-for-november-9-69459>

4. Illegal postponement of 10th November Elections by the Supreme Court

As stated, in the re-election for the President of Maldives held on 9 November 2013, Mohammed Nasheed of the Maldivian Democratic Party (MDP) won 46.93% (96,747 votes) followed by Abdullah Yameen Abdul Gayoom of Progressive Party of Maldives and brother of former dictator Maumoon Abdul Gayoom with 29.73% (61,295 votes) and Qasim Ibrahim of Jumhooree Party and a former Finance Minister under dictator Gayoom with 23.34% (48,131 votes).³³

Acting on a petition filed by Qasim Ibrahim who has no locus standi as he is no longer a candidate in the run-off elections, the Supreme Court of Maldives in its ruling on 10 November 2013 directed the Elections Commission and all state institutions not to hold the second round of Presidential elections scheduled on 10th November 2013 and postponed it to 16th November 2013. It further ruled that the incumbent president Mohammed Waheed and his government will remain in office if a president is not elected by the constitutional deadline of November

³³. Political chaos as Maldives Supreme Court suspends run-off vote, 10 November 2013, available at <http://news.yahoo.com/nasheed-tops-maldives-poll-faces-run-off-175627268.html>; and also see Preliminary Results Announced for the Presidential Election of the Maldives, Ministry of Foreign Affairs, Government of Maldives <http://www.foreign.gov.mv/new/tpl/news/article/625/>

11 and that the resolution passed by the *People's Majlis* earlier to hand over presidential powers to the Speaker of the *People's Majlis* if a new president is not elected before November 11 was declared as null and void.³⁴

5. The need for interventions against President Waheed and the Supreme Court judges

There have been numerous statements by the UN Secretary-General Ban Ki-moon,³⁵ the United States,³⁶ India³⁷, UK,³⁸ Commonwealth,³⁹ European

Union,⁴⁰ Australia,⁴¹ and Canada⁴² calling for free and fair elections in Maldives; and specifically asking the Supreme Court not to subvert the democratic process. The response of President Waheed has been to dismiss the concerns as interference in its internal affairs.⁴³

The time has come to ensure that all those who subvert democracy and the rule of law like President Waheed, Justices Ahmed Abdulla Didi, Abdulla Saeed, Adam Mohamed Abdulla and Ali Hameed Mohamed and Maldives Police Commissioner Abdulla Riyaz are held accountable, among others, by denying visas as well as any association including employment opportunities by the United Nations and other inter-governmental organisations.

³⁴. Postponement of the Presidential run-off 2013, Ministry of Foreign Affairs, Government of Maldives, available at <http://www.foreign.gov.mv/new/tpl/news/article/626/>

³⁵. Statement of UN Secretary General on the Maldives, 20 October 2013, available at: <http://www.un.org/sg/statements/>

³⁶. Maldives police halt presidential election; Britain, United States denounce delay, Reuters, 19 October 2013, available at: <http://in.reuters.com/article/2013/10/19/maldives-election-idINDEE99I00O20131019>

³⁷. Press statement on Maldives, Ministry of External Affairs, Government of India, available at: <http://www.mea.gov.in/press-releases.htm?dtl/22351/Press+Statement+on+Maldives>

³⁸. UK concerned at delay of Maldives Presidential elections, Press Release dated 24 September 2013 of Foreign & Commonwealth Office, available at: <https://www.gov.uk/government/news/uk-concerned-at-delay-of-maldives-presidential-elections>

³⁹. Statement issued by Commonwealth Secretary-General's Special Envoy Sir Don McKinnon, 24 September 2013, available at: <http://thecommonwealth.org/media/news/m>

aldives-supreme-court-ruling-sir-donald-mckinnon-statement

⁴⁰. Statement of European Union, 24 September 2013, available at: <http://minivannews.com/files/2013/09/HRVP-Statement-on-postponement-of-second-round-of-presidential-elections.pdf>

⁴¹. Statement issued by Australian High Commission, Colombo, 25 September 2013, available at:

<http://minivannews.com/politics/global-condemnation-as-maldivian-court-suspends-presidential-election-66642>

⁴². Statement of Canada issued by Foreign Affairs, Trade and Development Canada, 24 September 2013, available at: <http://www.international.gc.ca/media/aff/news-communications/2013/09/24b.aspx>

⁴³. India disappointed at postponement of Maldives presidential elections, NDTV, 30 September 2013, available at: <http://www.ndtv.com/article/cheat-sheet/india-disappointed-at-postponement-of-maldives-presidential-elections-424284>