



For immediate release – 17 June 2009

**PRESS RELEASE**

**Maldives: Stop Prosecuting Criminal Defamation Cases**

**The first criminal case in many years began hearings at the Criminal Court in the Maldives yesterday. ARTICLE 19 calls on the Maldivian authorities to abolish the crime of defamation, replacing it with appropriate civil defamation rules, and on the Prosecutor General, Ahmed Muiz, to refrain from bringing cases in the interim.**

Muiz, appointed as an independent Prosecutor General pursuant to the new democratic 2008 Constitution, adopted after wide-ranging public consultations, announced in April 2009 that he was obliged to enforce all provisions of the Penal Code, including those on criminal defamation. Prior to the new Constitution, former Attorney General Hassan Saeed had refused to bring criminal defamation cases.

ARTICLE 19 believes that criminal defamation is a breach of the right to freedom of expression under international law, which the new Constitution closely mirrors. While Muiz does have to follow the law, his primary obligation is to uphold the Constitution, and he should not enforce provisions where there is a serious question as to their constitutionality.

In November 2008, Mohamed Nasheed, a journalist and former prisoner of conscience, overwhelmingly won the popular vote in 2008, sweeping Maumoon Abdul Gayoom, leader of the Dhivehi Rayithunge Party (DRP), out after 30 years as president. Nasheed won the 2008 general election proclaiming that his party, the Maldivian Democratic Party (MDP), would consolidate democracy and press freedom. In parliamentary elections in May 2009, the MDP got the second largest number of seats, after the DRP.

In the defamation case, Hameed Abdul Kareem, ex-editor of *Manas* magazine, is accused of publishing defamatory remarks about former Chief Justice Sheikh Mohamed Rasheed Ibrahim. The article apparently discussed Rasheed's loyalty to former President Gayoom and his lack of independence as the head of the judiciary.

**NOTES TO EDITORS:**

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- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.