

Mandates of the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders

REFERENCE: UA
MDV 1/2014:

7 October 2014

Dear Ms. Rasheed,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council decision 25/116, and resolutions 25/2 and 25/18.

In this connection, we would like to bring to the attention of your Government information we have received concerning the **abduction of Mr. Ahmed Rilwan Abdulla**.

Mr. Ahmed Rilwan Abdulla is a journalist in the local web-based newspaper, Minivan news. He previously worked as a media officer of the Human Rights Commission of the Maldives. Mr. Abdulla is a strong advocate for human rights issues on social media and has written articles about religious extreme ideologies, the rights of migrant workers and human trafficking. Mr. Abdulla has been subjected to a number of threats due to his work.

According to the information received:

On 4 August 2014, Mr. Abdulla published an article on death threats received by 15 journalists who reported on gang violence.

On 8 August 2014 at approximately 2 a.m., a man fitting Mr. Abdulla's description was allegedly seen by eyewitnesses being forced into a vehicle at knifepoint outside of his apartment.

On 12 August 2014, Mr. Abdulla's family filed a missing person complaint to Maldives Police Service.

On 15 August 2014, Mr. Abdulla's family received calls from an unlisted number, warning them to stop their search for Mr. Abdulla.

Mr. Abdulla's fate and whereabouts remain unknown.

While we do not wish to prejudge the accuracy of these allegations, grave concern is expressed regarding the fate and whereabouts of Mr. Abdulla. Further concern is expressed that Mr. Abdulla may have been abducted due to his work as a journalist and his peaceful and legitimate activities reporting on human rights issues.

We would also like to refer to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, in particular articles 1, 2, 6 and 12.

We further refer to Article 19 of the International Covenant of Civil and Political Rights which establishes the right to freedom of opinion and expression, as well as to the Human Rights Council Resolution 21/12 which condemns in the strongest term all attacks and violence against journalist and calls upon States to ensure accountability through the conduct of impartial, speedy and effective investigations into such acts.

In relation to the allegation that Mr. Ahmed Rilwan Abdulla's fate and whereabouts are currently unknown, we would also like to draw attention to the United Nations Declaration on the Protection of All Persons from Enforced Disappearance. In particular, the prohibition to practice, permit or tolerate enforced disappearance (article 2) and the obligation to take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance (article 3).

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

We would also like to bring to the attention of your Excellency's Government that should sources submit the allegations of enforced disappearance mentioned in this communication as cases to the Working Group on Enforced or Involuntary Disappearances, they will be considered by the Working Group according to its methods of work, in which case your Excellency's Government will be informed by a separate correspondence.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Government to safeguard the rights of the above-mentioned person in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.

2. Please provide information on the fate or whereabouts of Mr. Ahmed Rilwan Abdulla.

3. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.

4. Please provide the full details of any prosecutions related to Mr. Abdulla's abduction. Have penal, disciplinary or administrative sanctions been imposed on the alleged perpetrators?

5. Please indicate what measures have been taken to ensure that the legitimate right to seek and obtain information and to freedom of expression and opinion in the Maldives are respected and that the physical and psychological integrity of those exercising these rights is guaranteed.

6. Please indicate what measures have been taken to ensure that human rights defenders in the Maldives are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Ms. Rasheed, the assurances of our highest consideration.

Ariel Dulitzky
Chair-Rapporteur of the Working Group on Enforced or Involuntary
Disappearances

David Kaye
Special Rapporteur on the promotion and protection of the right to
freedom of opinion and expression

Michel Forst
Special Rapporteur on the situation of human rights defenders