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HIGH COMMISSIONER FOR HUMAN RIGHTS

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

**Mandate of the Special Rapporteur on the promotion and protection of the right to freedom of
opinion and expression**

REFERENCE: AL G/SO 214 (67-17)
MDV 3/2013

14 October 2013

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression pursuant to Human Rights Council resolution 16/4.

In this connection, I would like to bring to your Excellency's Government's attention information I have received concerning the **arson attack on the TV station, *Raajje TV***.

According to the information received:

On 7 October 2013, at about 4:45AM, six armed men reportedly set on fire the studio of the Raajje TV station in Male by using gasoline. Consequently, all broadcast equipment, transmission equipment and computer systems were completely destroyed.

It is alleged that the masked men were armed with machetes and while forcing their way into the building, stabbed a security guard who is now in critical condition. It is reported that hours before the arson attack, the head of the Raajje TV had requested protection from the police, which was not provided.

It is further reported that, to date, no arrest has been made in relation to the attack.

On the day of the attack, the independent Maldives Media Council released a press statement condemning the attack as an attempt to permanently shut down Raajje's broadcast service.

Grave concerns are expressed that the arson attack signals threats and harassment against media outlets and media personnel in the Maldives. Further concerns are expressed that the lack of safe environment to perform their work without undue

interference and harassment in the Maldives could severely restrict the right to freedom of opinion and expression.

While I do not wish to prejudge the accuracy of these allegations, I would like to appeal to your Excellency's Government to take all necessary steps to secure the right to freedom of opinion and expression in accordance with fundamental principles as set forth in article 19 of the International Covenant on Civil and Political Rights, which provides that "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

I would also like to refer to General Comment No. 34 adopted by the Human Rights Committee in July 2011, which affirms that "States parties should put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression." It further stipulates that "All such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, of in the case of killings, their representatives, be in receipt of appropriate forms of redress."

Moreover, it is my responsibility under the mandates provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention. Since I am expected to report on these cases to the Human Rights Council, I would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the above summary of the case accurate?
2. Has a complaint been lodged by the victims or on their behalf?
3. Please provide the details, and where available the results, of any judicial investigation, or any criminal charges, and other inquiries carried out in relation to the above cases.

I would appreciate a response within sixty days. Your Excellency's Government's response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, I urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned TV station are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. I also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Given the seriousness and urgency of the allegations, I would like to inform your Excellency's Government that I am considering issuing a press release on the issues contained herein in the near future.

Please accept, Excellency, the assurances of my highest consideration.

Frank La Rue
Special Rapporteur on the promotion and protection of the right to
freedom of opinion and expression