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**The Central Role of Mr. Mohamed Waheed in the Maldives' *Coup d'état*  
Note by the Maldives Democratic Party (MDP)**

Ms. Mariya Didi, a Member of Parliament of the Maldives Democratic Party (MDP) and a UK-trained barrister, this week presented a petition to the country's Prosecutor-General outlining the role of Mr. Mohamed Waheed Hassan Manik, the former Vice President who assumed the Maldives' Presidency on 7<sup>th</sup> February, in the *coup d'état* which led to the illegal overthrow of the country's democratically-elected President, Mr. Mohamed Nasheed. The petition calls on the Prosecutor-General to indict Mr. Mohamed Waheed for violating the Constitution and for committing crimes under the country's Penal Code.

The petition bases its analysis on the so-called Timeline of Events (Timeline) released on 4 June 2012, for public opinion by the Commission of National Inquiry (CoNI), set-up to investigate the events surrounding President Nasheed's removal from Office. While that Timeline has not been accepted by the MDP because it was issued by the CoNI prior to changes brought to the Commission's composition and mandate to ensure its independence and impartiality, it nonetheless contains important facts that should inform any criminal prosecution.

The petition highlights three main actions by Mr. Mohamed Waheed, as revealed by the Timeline, which demonstrate his personal involvement in the *coup d'état* which ended in President Nasheed's forced removal from Office. It argues that through these actions, Mr. Mohamed Waheed was acting in violation of his role and responsibilities under the Constitution, namely articles 112(b), 114 and 129(a) which make clear that the Vice-President is "assigned" by the President (who is elected by the People) to "serve with him". It also argues that his actions constitute a clear criminal activity under section 30 of the Penal Code which states "whoever conspires to unlawfully use weapons (that could cause grievous hurt to the body of a person) to remove the President from office or to overthrow the Government shall be punished with imprisonment for life or exile for life and the Judge shall have the discretion to direct a fraction of the term to include rigorous imprisonment".

The first action of Mr. Mohamed Waheed which demonstrates his central involvement in the pre-planned *coup d'état*, was his organization, on the night of 30 January 2012 at Hilaaleege (his residence), of a meeting with leaders of the Opposition Coalition (made up of supporters of the country's former autocratic leader, Mr. Maumoon Abdul Gayoom, as well as extremist religious groups). According to point 14 of the CoNI Timeline, at that meeting Mr. Waheed "was asked...whether he was prepared to carry out his constitutional responsibilities. He said he was ready to do so. Coalition leaders held a press conference after the meeting to

announce their endorsement [Ar. *bai'ah*] of the Vice President [for President]" and encouraged security forces to pledge their allegiance to the Vice President.

It is clear that for this conversation to have taken place, the members of the Opposition Coalition must have explained their plans to the Vice-President, i.e. that they were engineering a situation, with elements of the police and army, under which President Nasheed would be forced to resign (or removed from Office by some other means). If they had not, why would the Vice-President have felt the need to assure them that "he was ready"? And if they had not, then why after he had assured them of his readiness, did the Coalition leaders, immediately after the meeting, announce their endorsement of Mr. Waheed as President and pledge their allegiance to him?

In addition, at a Cabinet meeting the next day on 31 January 2012, Vice President Mohamed Waheed refused, when questioned by Ministers Adil Saleem, Shifa Mohamed and Dr Mariyam Zulfa, to elaborate on his previous night's meeting with leaders of the Opposition Coalition, claiming it was a personal matter, which he did not have to disclose to the Cabinet. The second act of the-then Vice President which demonstrates his complicity with the *coup d'état* is a statement he gave to the media in the early hours of 7<sup>th</sup> February (the day of the *coup d'état*). In this statement (point 90 of the Timeline), the Vice President said:

*"Yes! It is also my duty to say something at a time of such national crisis. I support the peaceful activities of the many to protect the country's constitution and its faith. It is important at this time that all Maldivian institutions especially those of law enforcement to protect and maintain the Constitution and laws. I call upon everyone not to obey an illegal order. In this sorrowful time, I also call upon the Maldivian security services not to leave room for those seeking to dissolve our security and not to allow any harm to be caused to people and their property, especially the media. It saddens me very much that VTV and other places have been damaged tonight. I call upon those who cause such damage to refrain from doing so. I also assure you that I will do everything I can as the Vice President of this country to free us from this dangerous and tragic time. May Allah return our country to a peaceful and secure state. Amen*

This statement then was a clear endorsement of the actions of the rebelling police and army personnel, calling on the security services "not to leave room for those seeking to dissolve our security". It is noteworthy that that same morning, and in the preceding days, the same police had undertaken a range of illegal and violent acts which the Vice President did not condemn or even mention. Point 58 of the Timeline says:

*'Some Special Operation [President Gayoom's former Star Force] officers who went to the Artificial Beach went to the MDP Meeting Hall and caused severe harm to people and property in the area.'*

Ignoring such acts of violence, of which he must have been aware because it was carried on national television, Mohamed Waheed only said: "I support the peaceful activities of the many to protect the country's constitution and its faith". He also failed to speak-out a week earlier when Opposition Coalition supporters threw a fire bomb at a police officer causing him to be severely burned, when those same supporters attacked the residence of the Home Minister, when members of the police service began demanding President Nasheed's resignation, when revolting members of the police and armed services began distributing

weapons to protesters and announced that they were “ready for a confrontation”, or when two former police and army officers under President Gayoom, Abdulla Riyaz and Mohamed Nazim, took over the police and army and publicly announced that they had given President Nasheed a 3 hour deadline for his unconditional resignation.

It is also noteworthy that while all of this was happening, the Vice President did not once try to call or otherwise contact President Nasheed or any member of Cabinet.

The third action of the Vice President which clearly indicates his support for the Opposition Coalition and his role in the *coup d'état*, was that while he spoke publicly (early hours of 7<sup>th</sup> February) to condemn damage done to the Opposition-controlled VTV television station, he maintained complete silence when, on 7<sup>th</sup> February between 1000-1100, police and army officers now under the control of Mr. Riyaz and Mr. Nazim, entered state broadcaster MNBC 1 after using a riot gun to forcefully enter the premises (point 261 of the Timeline). Moreover, it is revealing that it was Vice President Mohamed Waheed's own brother Ali Waheed who took control of MNBC 1 after the police and military had taken control of the premises (Timeline point 256). The former CEO of MNBC 1 has stated before the CoNI that Ali Waheed entered MNBC 1 declaring that it was upon the orders of his brother, the Vice President. Finally, the fact that MNBC 1's broadcast was then changed into the live feed from VTV further implicated Mohamed Waheed Hassan Manik's role in the *coup*.

The fourth indication of Mr. Mohamed Waheed's central involvement in the *coup d'état*, is the fact that he was completely absent (physically or even via the telephone) as events unfolded on 7<sup>th</sup> February - highly unusual for a Vice President during a time of national crisis. Indeed, from the time of his media address in the early hours of the 7<sup>th</sup> February calling on the security services not to obey orders, to his swearing in as President, Mr. Waheed was utterly absent from the public eye.

Why did the Vice President not try to intervene when at 1000-1100, former police officer Abdulla Riyaz and former Army officer, Mohamed Nazim (subsequently made Police Commissioner and Defence Minister by President Waheed) entered the army barracks and were formally welcomed and greeted by army officers? Why did he not intervene when (point 206 of the Timeline) Mr. Riyaz and Mr. Nazim met with the Minister of Defence, Chief of Defence Forces, Generals and other Senior officers of the Army, and emerged to announce that they had presented an unconditional demand for President Nasheed to resign and for all powers to be handed over to the Vice President? (The fact that they felt the need to be so specific – i.e. that powers be handed to the Vice President is another indication of an agreement having been reached with Mr. Waheed). Why did he not intervene when Mohamed Nazim and Abdulla Riyaz went to the President's Office (why should former army and police personal be at the President's Office?) to ensure that President Nasheed would resign (point 228)? Where was the Vice President when Mr. Nazim pressed President Nasheed to deliver his resignation letter (point 231-232)? Where was the Vice President when Mr. Nazim and Mr. Riyaz stood over President Nasheed while he wrote his resignation letter by hand? Why did the Vice President not question why Mr. Riyaz removed the letter from the President's Office dispatch service and order a police officer to deliver it to the Speaker of Parliament by hand? Why did the Vice President not enquire as to the welfare of President Nasheed when Mr. Riyaz and Mr. Nazim marched him to his residence and held him there in detention? Why did he not speak out when mutinying police and army officers

took control of the airport and foreign ministry (in addition to the State broadcaster – all classic targets for an organized *coup d'état*)?

It is vital that Dr. Mohamed Waheed and his allies in the former Opposition Coalition be held accountable for these crimes against the law of the Maldives and against the country's obligations under international law. Members of the international community have a responsibility to press Dr. Mohamed Waheed on his involvement in the *coup* as outlined above, to help hold him to account for any crimes committed, and to deliver justice to those whose human rights have been violated as a result of his actions.

**ENDS**

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