

The Lutfy Report

Ibrahim Lutfy
Malé 1999

translated by Maldives Culture editors

Note from Maldives Culture editors:

For years Amnesty International, foreign embassies and journalists have been receiving reports of human rights abuses in Maldives. The Maldivian government has consistently denied that these abuses occur.

In July 2002 Ibrahim Lutfy was sentenced to life imprisonment for writing and publishing a political email newsletter called Sandhaanu. But his first serious encounter with the Maldivian police and court system was in 1997, when a rental dispute, over a building, brought him into conflict with the Minister of Health Ahmed Abdullah and other powerful officials. The alleged behaviour of the NSS officers exposes their role as enforcers of ministerial business interests.

During the next few weeks Maldives Culture will publish translations of letters and statements written by Ibrahim Lutfy in 1999, and sent that year to the President, the Cabinet, the Chief Justice, the head of the Maldivian Supreme Council of Islamic Affairs, the speaker of the Majlis, and members of the Majlis.

Readers are warned that the translations contain occasional obscene language and disturbing revelations.

Full name: Ibrahim Moosa Lutfy
Nickname: Ibrahim Lutfy, Ibrahim, Lutfy
Permanent address: Fenmuli house, Hithadhoo island, Seenu (Addu) atoll
Current residence: Vinoaia block, Henveiru ward, Malé island
Age: 35 years
Father's name: Moosa Lutfy
I.D Number: A042195
Date: 7 October 1999

This is a summary report of how the police intervened and imprisoned me five times over a civil dispute between myself and my father-in-law, Ismail Manik (Fusthulhaa), in whose name is registered the block of land called Vinoaia block/Henveiru ward. He made false complaints to the Police Office that I have refused to pay rents based on agreement between us about a building that I had built at my own expense on that land. I refused to pay rental fees higher than we had agreed.

NOTE: Miadhu daily is actually owned and controlled by Gayoom even though he has put former Minister of Health Ahmed Abdulla (current Minister of Environment, Energy and Water) in charge of running the newspaper. The newspaper is printed by Print Image, a press that is owned by Adam Naeem, the Director General of the Presidential Palace. Miadhu serves as a propaganda tool of Gayoom, and sometimes even the pictures that are published in the paper are dictated from the palace. It is said that Gayoom formed Miadhu after his brother-in-law Ilyas Ibrahim was sidelined after a failed attempt to come to power in 1993. Before the formation of Miadhu, there were two newspapers, Haveeru, owned by

Information about the building

Near the end of 1990, I rented a section among the buildings on the Vinoaia block. At that time the buildings were seriously dilapidated. After renting this place I made up a written agreement, but my father-in-law Ismail Manik refused to sign it. "Why should a father-in-law and son need such an agreement?" he said.

So from the beginning, the building was rented without any written agreement. Although the rent went up at various times, I rented additional sections of the building and made alterations to the structure. All these dealings were done by verbal agreement, because he was my 'father-in-law'.

Around 1995, after discussions with Ismail Manik, I demolished a run-down building on the block and built a two-storey structure costing Rufiya 650,000/- (approx. US\$54,000). During that time Ismail Manik received Rf100,000/- (approx US\$8,300) cash from me. From this money, Rf75,000/- was used to pay off a loan Ismail Manik had received from the Bank of Maldives.

Due to a downturn in my business in 1997, I arranged an overdraft from the State Bank (of India). As a guarantee, I needed to show that I had an agreement to rent the building for the next five years. So I prepared a written agreement in line with our verbal arrangement that I had the building for another five years. I also included a clause making the rent Rf1,500/- higher than we have previously agreed. The monthly rent for the last three years of the coming five year period was to be Rf10,000/-. This agreement was written for the bank, not because my father-in-law asked for it. I already had an arrangement under a verbal agreement to rent this building for the mentioned period. I did not include in the document the amount of money I had spent on this building and the cash he had received from me during the prior arrangement.

My father-in-law was married to a young woman from Kon'dey island (Huvadhu atoll), and he was living in that island. For this reason the rent I paid for the building was received by one of Ismail Manik's children. My wife, Adeela Ismail, is his daughter. I also have the responsibility of transferring part of the rent to Ismail Manik's other children who are studying in India.

How the Problem Began

At the beginning of the year 1997, Ismail Manik asked me for an advance payment of Rf60,000/-. My intention was to pay him the money when the overdraft from the bank came through.

It was at this time that an employee of Muli-aage (the temporary President's Office in 1998), Ibrahim Ali, approached me and asked if I would rent my building. I explained to him that I had built the place for myself and couldn't rent it out. However, he contacted me again many times and repeatedly asked me to lease the building. I continued to refuse. Eventually he told me the person who was interested in renting the building was Honourable Ahmed Abdullah (Minister of Health) who wanted to use it as the printery and administrative office of his daily newspaper Miadhu.

Gayoom's close friend and former Minister of Youth Development and Sports Zahir Hussain, and Aafathis, owned by Gayoom's brother-in-law Abbas Ibrahim. Abbas, who is a brother of Ilyas, was also sacked from his cabinet post following Ilyas' attempt to win presidency. With Abbas and Ilyas out of his loyal circle Gayoom needed another newspaper to add weight to his propaganda. Ilyas is now a cabinet minister again and Abbas has been given a government job. However, Aafathis and Haveeru are now moderate in their support to the regime compared to the loyalist hardcore propaganda published in Miadhu. Lutfy's troubles began when he refused to rent out the building to be used as the office of Miadhu.

Despite this, I continued to refuse to rent my building, and then Ibrahim Ali insisted that I should rent it to these gentlemen and set up my business somewhere else. He said I would receive their help, and I would have no more trouble obtaining the loan I wanted. But I refused the offer because there was already a very good relationship between the bank, the guarantor and myself. Then Ibrahim told me that even though I wasn't going to rent the building, Ahmed Abdullah (the Minister) would like to inspect it. I replied there was no point inspecting a building that he would not be able to rent, but if he was that keen to see it, I was happy to show him around.

One night the Honourable Ahmed Abdullah, Adam Naeem and three or four senior workers from Miadhu came to see the building. Ibrahim Ali came earlier and was here when they arrived. After inspecting the building Ahmed Abdullah asked me to lease the building to him and I gave him the same reply I had already given to Ibrahim Ali.

Ahmed Abdullah said to me that instead of starting a business in such a large place, it would be better to rent the place to them and then for me to rent another place with that money. And he also tried very hard to get me to name the rent I wanted. I told him that I was not intending to rent it, and hence could not give a rental figure. He also asked who the owner of the building was, and if I renting it, then how much the rent would be. I said the owner of the building was Ismail Manik and if I was unable to get the overdraft, then I would rent it out at a price on par with other rented places in Malé. Ahmed Abdullah asked me that if such circumstances arose, then I should rent the building to him. I agreed, but not because I had any intention to rent out the building.

When Ahmed Abdullah left, Ibrahim Ali told me again that renting the building to these gentlemen would benefit me immensely. There would be a special room for the President, Maamoon Gayyoom, because he was one of the editors of Miadhu. He would be coming to the building, and if I rented the building to them I must keep these things confidential. Up until now, this information has remained confidential.

I had received every indication that the overdraft would be approved and the money would be deposited in my account the next week. Then I received news from my wife in India that she would be giving birth that same week. After discussions with my business partner, I made preparations to go to India. Before leaving I gave three months rent owing to my father-in-law to his eldest son, Mohamed Ziyad. I was still at the Indian hospital with my wife after the birth of the baby when Ziyad phoned me and said his father had refused to accept the rent, and that he would only accept it if he was paid the same amount any other person would have to pay in Malé.

When I contacted him, Ismail Manik said, 'I don't want to take the place away from you, Ibrahim, but the amount of the rent should be the same as others would pay.' I said to him that since it was an agreed rent, and it had cost me so much for the building and other moneys already paid to him, that I could not afford to pay anymore than the amount we had already agreed to. Then he said we would settle the matter when I returned to Malé.

When I came back and tried to pay he demanded rent at the rate of R30,000/- per month. I strongly objected. Ismail Manik went to see my

NOTE: In 2002 November, Monday Times, an English language weekly which was being published in the Maldives, published a column about the corruption of Ahmed Abdulla, the health minister of the time. The writer's satire discussed the influence Ahmed Abdulla exerted on health ministry staff and employees of health centres and hospitals to boost the circulation of Miadhu and distribute the newspaper.

Adventures of Alla Beyyaa

About Abuduge Ahammaa's Corruption

This week Beyyaa is angered by the corruption of another official (Abduge Ahammaa) in the Democratic-Some-Peoples-Republic-of-Lollipop. This person is the Manager of an organisation that owns many clinics in Lollipop Country. Ahammaa does not own his organisation, he is just the Manager, but he uses that organisation to boost his personal businesses too. Isn't that corruption, asks Beyyaa!

All the private clinics in the country come under his authority. That's his official job, but he has his private businesses too. One such business is the magazine (Blue Print) that he publishes. Blue Print is distributed nationwide and it has a huge circulation, not because people like to buy and read it but because it is virtually forced through the throats of people. Since Ahammaa is a man with a lot of authority he intimidates everyone to subscribe to his magazine.

Hence, many of the offices and places around Lollipop Country subscribe to this worthless magazine (nicknamed Folhi). Ahammaa has an ingenious system to distribute his magazine. The staffs of all the private clinics of Lollipop Country use their time and the facilities to distribute the magazine. The magazine is Ahammaa's private business and he does not own the clinics, so strictly speaking he cannot use the facilities and staff of the clinics to distribute a magazine that is his private business.

This is a perfect example of using the manpower and the facilities of one's office to promote one's personal businesses. If this is not corruption then nothing is corrupt. Various clinics around Lollipop Country have buses and vans and pickups and all sorts of other vehicles. There are plenty of staffs too in these clinics. Hence it is very easy for Ahammaa to promote

his magazine around the country.

Each staff of each clinic has to buy a copy of Ahammaa's magazine even if they don't read it. Tens of copies are sent to each clinic and this itself boosts the circulation of the Blue Print Magazine.

When delivery of a bundle of the magazine is made to each region of the country, the staff of the clinic in that region would pick the bundle on the clinic's van and then deliver copies of the magazine from house to house. How convenient and easy for Ahammaa.

Though Beyyaa is originally from the Maldives he has been given honorary citizenship of the Democratic-Some-Peoples-Republic-of-Lollipop. This is because of his services to the country in reducing corruption there. Beyyaa knows that when the head of the Lollipop Country comes to know about the way that Ahammaa conducts his private businesses by using company facilities, action would be taken against Abuduge Ahammaa.

As long as the black roots of corruption remain in the country, the word "Some" cannot be removed from the country's name (Democratic-Some-Peoples-Republic-of-Lollipop).

- Monday Times, 18 November 2002

Unfortunately what Beyyaa did not realize was that the head of Democratic-Some-Peoples-Republic-of-Lollipop was actually the owner of the Blue Print Magazine and that Abduge Ahammaa was merely running it for him.

The issue of Monday Times in which this column appeared was the last issue of the ill-fated weekly. The founder of Monday Times was Zahir Hussain's daughter Leena Zahir and its editor was her husband of that time, Mohamed Bushry. However, those connections could not save the magazine after this criticism of Ahmed Abdulla was published. Monday Times was being printed at Loamaafaanu Print, a print shop owned by Zahir Hussain, used for printing Haveeru. Shortly after the November 18, 2002 issue was published, Gayoom told his friend Zahir Hussain not to allow Monday Times to be printed at Loamaafaanu Print. The government also gave the same message to all other print shops. Hence, Monday Times was effectively stopped. It was later shutdown, with several other newspapers and magazines, by Ministry of Information on 4 March 2003.

uncle, the Learned Mohamed Ibrahim Lutfy, from Sosunny house in Galolhu ward, and told him that the Honourable Ahmed Abdullah wished to rent my building for a monthly amount of Rf30,000/- and he had agreed to pay an appropriate advance as well. Uncle Mohamed tried to settle the issue between my father-in-law and myself. He convinced Ismail Manik that my welfare was in his long-term interest and Ismail Manik eventually accepted the rent I offered and returned to Kon'dey island in Huvadhoo atoll.

I do not know what happened. The bank refused the overdraft and the guarantor took back his guarantee. Unable to obtain finance, my business stagnated. On 5 January 1998 Ismail Manik asked me for the rent and when I said to him that I would arrange payment on 15 January, he took me to the Police Office. When I gave the details of the matter to the police, they released me without taking a statement. The money that was to be sent to India was finalised up to December 1997. But my father-in-law refused to accept the money I owed him when I tried to pay him on 15 January.

Imprisonment in Gaamaadhoo Prison

On 22 February 1998 I woke up at about 9 o'clock in the morning. I was heading towards the bathroom outside the bedroom when Staff Sergeant Jadullah Nazim and Lance Corporal Aseeth called out to me. They asked me to come to the Police Office. 'When?' I asked. 'Right now,' they said. I asked them if I could first drop off my child at school, and they said it would be too late and told me to get ready as quickly as I could. After showering I was getting dressed in the bedroom when they knocked on the door and told me to hurry up. I hurried and as I was walking out my wife asked me to eat breakfast before I left. I replied that I would be back for breakfast. When I took my motorbike out through the gate they told me to put my bike back inside and to go with them in the jeep to the Police Office. As we went in, Jadullah signalled to the young person at the counter to register me. I saw my full name and address being written down and the time of arrival of 9.40 a.m. being recorded in the book. I looked at my watch. The time was correct.

In Maldives in 1998, matters regarding money and agreements and other related issues were handled by the traffic branch section of the Police Office. The traffic branch is in part of the Odeon Building. However, my case was handled at Police Headquarters.

They kept me in there until the evening without asking any questions. Then they asked me if I agreed to the proposition that as a consequence

of non-payment of rent for three months my agreement with my father-in-law was terminated. Without listening to anything I said, they tried to make me sign a false statement saying that I agreed to being in breach of the agreement and I would vacate the building and hand it over to Ismail Manik within thirty days. I said that this was a civil matter and there is a civil court set up to determine these issues and the police should not interfere in such matters. I also told them the statement they were trying to make me sign was written in breach of the laws and regulations of Maldives. Further, I said if there was a case then they should send it to the civil court.

When I refused to sign that statement they kept me under arrest at Police H.Q. Every morning they woke me at 6 a.m. and kept me sitting on a chair at the foot of the staircase, where everyone who came in and out of the office could see me. They kept me there for 18 hours a day, occasionally asking me if I would sign the statement. When I said that I would not sign, they told me they could send me to jail. At other times I was advised by Staff Sergeant Jadullah Nazim who said to me: 'You are known to many people in Malé and you're involved in business. There was no point in being arrested and held here. Just sign and go home'.

On the seventh day of my sitting at the foot of the staircase, Ismail Manik was summoned and told there was no way for them to obtain my agreement and to take the case to the court, and then he was sent away.

From my brother-in-law Ziyad, I found out that my father-in-law had said to grandmother that he would go to First Lieutenant Hussein Shakir (his first cousin) and would force me to hand over the building. I said that I would not sign any statement that transferred my building to Ismail Manik. It was fine by me if he used the influence of First Lieutenant Hussein Shakir and the power of the police to clear the building and hand it over to him.

After this, a false complaint of 'disobeying authority' was made against me. Staff Sergeant Jadullah Nazim wrote a statement saying that when they went to summon me I had refused to come and spent a long time in the bathroom. Because of the delay, he wrote, they told me when I was getting ready in the bedroom that they could take me by force, and by the time they were able to bring me to the Police office it was sometime after 10 a.m.. I was told to sign this statement.

I said it was contrary to the facts. They had summoned me just before 9 o'clock and we arrived at the Police Office at 9.40 a.m.. When I said this they insisted the Police Office clock was wrong. I said repeatedly this was not the fact of the matter, and when I said I would write my own statement

NOTE: In the Maldives, even the commercial banks are under the influence of the ruling regime. The government owns majority shares in Bank of Maldives, which is a public limited company, and the only local commercial bank. The other three commercial banks are foreign banks operating in the Maldives. It is possible that Ibrahim Lutfy was refused the overdraft because he became a victim of a conspiracy against him because he refused to rent out the building. Qasim Ibrahim, one of the richest men in the country faced similar problems when he was labelled as working with reformers. Qasim was one of the 42 people who signed a petition to form the Maldivian Democratic Party in 2001.

"Recently there were rumours that Gasim's company has defaulted in paying salaries to some of his staff. We called Mr. Gasim and he spoke to us at length. He admitted that there have been some problems in paying the salaries of his staff; but he said that he is trying his best to put the matter right. He blamed the situation on a variety of economic reasons, some of which were beyond his control. He said that he approached a number of local banks to acquire commercial loans and for reason beyond his comprehension, his requests were denied. He even said that he put forward property as collateral for these loans and the banks still refused to grant the loans. Because of this Gasim approached foreign banks or financiers," Mohamed Bushry wrote in 20 August 2001 issue of Monday Times.

Qasim's fortunes soared again later. It is not clear whether Qasim, who is a major contributor of funds for Gayoom's presidential campaigns, ditched the reformists. However, Qasim played a role in the reform movement in 2004 and he was arrested following the August 13 protest. In a twist that was shocking to some people, Qasim joined DRP, the party of Gayoom, and accepted the position of Minister of Finance and Treasury in August 2005.

NOTE: Maldives had its first constitution on 22 December 1932. The constitution was short-lived and it was abolished. Later a new constitution was introduced. A republic was established on 1 January 1953 but it was short-lived and monarchy was restored on 21 August 1953. The constitution was revised on 7 March 1954. A second republic was proclaimed on 11 November 1968. Maumoon Abdul Gayoom became the second president of the second republic on 11 November 1978. In his first year in office, the parliament passed a bill to amend the constitution. President Gayoom formed a People's Special Majlis on 29 November 1980 and assigned it the task of amending the constitution. It took almost 17 years for the People's Special Majlis to complete the task. When the new constitution was completed on 6 November 1997 it received the assent of the president on 27 November 1997 and came into force on 1 January 1998. Article 15 of the constitution says:

15.—(1)(a) The right to protection under the law, the guarantee hereof, and treatment in accordance with the law shall be an inalienable right of every Maldivian citizen, irrespective of where he may be, and of every person while in the Maldives.

(b) No person shall be arrested or detained except as provided by law. No person shall be detained for a period exceeding twenty-four hours without being informed of the grounds of arrest or detention.

(c) No act detrimental to the life, liberty, body, name, reputation or property of a person shall be committed except as provided by law.

(d) No person charged with an offence shall be kept in detention for a period exceeding seven days except as provided by law.

(2) Any Maldivian citizen subjected to oppressive treatment shall have the right to appeal against such treatment to the concerned authorities and to the President of the Republic.

and sign it, he threatened me by saying that he did not want me to sign any statement I wrote, and that I must sign the statement he wrote, or he would send me to prison. The statement was Staff Sergeant Jadullah Nazim's own, not mine. Nor was it anything I had said. No human being anywhere could say he had heard me say any of those things. Further, it was factually inaccurate.

Because I didn't sign the statement, everything was arranged to send me to jail. I was given a document to sign and told it was required under section 15 of the statute. I said that I did not know that particular law and I requested he show me a copy of it. He said he didn't have a copy and 'the law says that a person being imprisoned must be informed of the reason of imprisonment'. I signed the form.

A new Constitution had just been passed. I went to buy a copy of that constitution twice. The first print had been sold out and the second run was yet to be printed. After being released from prison, I checked the law and found out that Jadullah's interpretation was totally incorrect and false. On the day I was sent to jail, I was given my I.D. card and they kept the rest of my things and gave me a receipt for them. I also found out when I read the regulations, that people who are imprisoned can write to the President and to the prison authorities in order to obtain the rights of a prisoner. But after 30 days in the prison I still had no means of writing a letter. Despite constant pleading I was unable to get even a piece of paper.

Then Staff Sergeant Jadullah Nazim and Lance Corporal Aseeth came to jail to see me and asked me to sign the statement Jadullah had written. I replied the same way as before. I said that I would only sign a statement I wrote, and they gave me a sheet of paper to do a rough draft. After completing it, I asked for sheet of paper to write the final copy. They took my rough draft and read it, and then they said they did not want me to sign my own statement, and instructed me sign the statement written by Jadullah. When I repeatedly refused, Aseeth said to me, 'What you have written is your mother's cunt!' I lost my temper and threw my arm at Aseeth and I told him if he slurred my mother a second time I would bash his mouth. He told me that I had no idea who the police were, and the extent of their powers, and they would keep me in jail until I understood that. After arguing with me about the extent of police powers and my rights they left me in jail once more.

Aseeth told me that I had no idea who the police were, and the extent of their powers, and they would keep me in jail until I understood that.

About a week after this I was taken to Malé and told that I had been brought to finalise the case and then be released. I was taken to a room with Jadullah, and two other police men were brought in. Aseeth was not among them. They said that my statement was to be read out, and I said that it could not be a statement I had given. 'Alright, keep your mouth shut,' they said. The statement written by Jadullah was read out to me and it was signed by the two policemen who were standing beside him. They told me they were sending me home, but I was sent back to Gaamaadhoo jail.

After 49 days in the prison I was given two sheets of paper to write a letter. They would not give me any more than that. I wrote a letter to the President on both sides of the paper. In the letter to the President I examined in detail the matter under investigation. And I also wrote that I had been imprisoned in breach of the laws and regulations of Maldives and had suffered grievous harm. I received the reply to this letter three months after being released from prison. I do not know who wrote this reply. It wasn't signed by the President. But the brief statement read as follows: 'Ibrahim Moosa Lutfy is being imprisoned in relation to matter under investigation by the Police Office on the instruction of the Magistrate according to the laws and regulations of Maldives.'

During the two months I was kept in prison I did not see a magistrate. I was not taken to a court of law. I did not see anyone other than the policemen and prison people.

After obtaining an extra sheet of paper I also wrote a letter to Brigadier Adam Zahir. In this letter I explained that these two policemen have violated my rights, and I requested he assign a third party to look into my case because justice will not be done if the same policemen investigate a case of their own making. I also said that they made me admit to things under duress. I sent a copy of the letter to the President as well. At the time of writing I have not received a reply to this letter.

After almost two months of imprisonment I was taken to headquarters in Malé and released. That day I went home, after trying in vain to find out why I had been imprisoned and subject to such harsh punishment.

Ismail Manik and a claim of 'non-payment of rent' in the Civil Court

Shortly after I was released from prison, Ismail Manik filed a case against me for the 'non-payment of rent'. However, the claim did not have a strong basis. This case was justly determined, and the court held that there were no grounds for the termination of the agreement. When one looks at the judgment in this case, doesn't it show clear evidence that the police had arrested me in breach of the laws and regulations of Maldives? When I was instructed to deposit the rent money, Ismail Manik refused to accept the outstanding rent, so I deposited all of the money at the court. During the trial, I explained in detail how, in relation to this civil matter, I was summoned to the police, and when I refused to agree to hand over the building, I was imprisoned. I also detailed the brutality I was subjected to.

The 'demolition of the building' claim Ismail Manik raised in the Civil Court

The court also ruled that this case had no basis.

Claim for the eviction of my family and myself from Vinalia in Henveiru ward

Ismail Manik did not succeed in this claim. My wife, myself, and our three children were living in a section of a building that I built at my own expense, so his attempt to evict us was unsuccessful.

The Maldivian government accuses me of disobeying authority

This is the first litigation the government had ever begun against me. The case was raised in mid-1998. The Criminal Court served me a notice to attend the court, and gave my name as Ibrahim Lutfy. At the commencement of the trial, when I was asked my name I gave my full name, the magistrate obtained my ID Card from me, and then asked me if any of my father's children were called Ibrahim. In reply, I said that there was no one other than me called Ibrahim. When the magistrate said to the state prosecutor that my name, address, father's name and age were inconsistent, the prosecutor pointed at me and said that, according to my wife, my full name was Ibrahim Lutfy. I said my wife may have said that, but it was inaccurate, and my full name and address were on the ID Card.

From what the magistrate said to the state prosecutor, I understood that the statement of claim contained my address as Emmudige house, Hithadhoo island, Seenu atoll, and my father's name was Moosa Ali. When the magistrate questioned me in detail, I explained how I was held in custody in the Police office and then this charge of disobeying authority was concocted. The magistrate looked surprised. He told me to wait outside, and short while later he sent me home.

A second court action by Ismail Manik to evict my family and myself from Vinalia in Henveiru ward

On the very first day, the hearing was cancelled. The reason, said the civil court, was that Ismail Manik has raised the matter at the Defence Ministry and that ministry was investigating the case. I had been summoned to the

Defence Ministry couple of times and questioned.

Summons at the Police Office

On a notice sent to me by Staff Sergeant Jadullah Nazim I went to his desk, and there was the statement he had written claiming I have 'disobeyed authority'. He asked me what happened in court. I answered the question properly. He said that previously, they had written my name incorrectly, and I had been called to his desk to correct that.

He asked me to give a statement that I had been imprisoned for two months, starting from 22 February 1998, in Gaamaadhoo prison for the purpose of an investigation about disobeying police orders. I refused, and in detail I made it clear that writing a statement contrary to the facts, giving me incorrect interpretation of the law, holding me in custody, and intervening into a civil case, had caused me grievous harm.

When he asked me what my statement would be, I said that I would give a statement saying that I had been arrested in regard to a civil matter involving a building. He did not want a statement like that, and he wrote his own statement. It said:

'From 22 February 1998 until my release, I had been imprisoned on a matter that was under investigation by the police, and I had not falsified my name and address, and had not given the police any false information.'

I signed four copies of this statement.

Who is Ismail Zahir?

The honourable member for Dhaalu Atoll since 1994, Ismail Zahir of Finihiyaage house, Kudahuvadhoo island, Dhaalu Atoll, used to work in a tailor's shop about 15 years ago. It is attached to the property of Vaifilaage in Henveiru ward, which is across the road from Vinoaia.

At that time he had a wife and two children. However, he went to a lot of trouble to establish a relationship with Agleema, the second daughter of Ismail Manik the owner of Vinoaia, and Zahir succeeded. Soon after, he asked her parents for her hand in marriage, but both parents totally rejected the idea. Due to the parents' refusal, he developed a grudge against them and began a harassment campaign. Sometimes he yelled at them, using offensive language, and because of this he was kept under house arrest a couple of times.

Zahir's resentment deepened against Agleema's parents, and he made her to take her father to the court to obtain paternal consent for the marriage. From a very young age, Agleema had been looked after by her father's older brother, Fusthulhaage Thuththu Manik. A part of the Fusthulhaage house had been registered in her name. After Zahir and Agleema were married, they both lived in the Agleema's section of that house which was named Agi. But even after the marriage, apparently, Zahir still went to Vinoaia house and caused serious trouble. It is also said that one day he purposely bumped into Agleema's mother, while she was walking along the street. After the marriage, Zahir and Agleema cut off all contact with the family.

Contact between Ismail Manik and Zahir was re-established after Ismail Manik began his attempts to take away the building from me, and all the children of the family and my mother-in-law were opposed to this action.

Zahir told his father-in-law, Ismail Manik, that he knew how to get control of the building, and Ismail Manik gave him power of attorney. Ismail Manik then moved to the house where Zahir and his wife Agleema were living. A copy of this power of attorney is attached with this report.

Zahir assaults my wife

On 22 July 1998 Zahir came with this power of attorney to my house at Vinoaia, and said to me that he had come for a reason. Because I knew his temperament and past behaviour, I went inside the house without answering him. Shortly after, he hit my wife in the stomach and left. Although this was reported to the police, there was no investigation of the matter. Up until now, we have not received any response.

Zahir assaults me for the first time

One afternoon, Zahir suddenly appeared at our house with the police. As soon as he came in, I asked him to leave. He showed me the power of attorney, like someone from a Hindi film. Without any further discussion, I told him to get out of the house. I also said that I would not look at any document he had to show me.

When he did not leave after being asked many times, I requested the police to take him out. There was a signal from the officers and he moved outside the door. The police questioned me, and said that they had come to check a report that I had demolished a section of the building. I said that I had not demolished any part of the building. When the three children of Ismail Manik had returned from studying in India, there had been nowhere for them to sleep. As a temporary place, I had re-opened a door way that had been sealed, and installed a door in one of the rooms in the building that I had built. The police looked at the new door, and then they told me to come to the police office. As we came out of the house, in the presence of the officers, Zahir said, 'I'll get you out of there, boy.' In the presence of many other witnesses Zahir also said, 'The law and legal power is in our hands. We'll do what we like.'

At the Police office they tried to make me sign a statement that said: 'If anything is done in Vinoaia, Henveiru ward, that would in any way disturb Ismail Manik (Fusthulhaa), then I will be summoned to the police station and legal measures will be taken against me, whether I admit to the allegations or not. I am warned.'

When I refused to sign this statement, I was threatened with detention at the police station. I continued to refuse to sign, and they kept me in custody in the prison at the Odeon office for 18 days. Eventually they took a statement I consented to. They made me sign it and sent me home. The policeman who handled the matter asked me not have hard feelings against him, because he was acting on orders from his superiors, and had been ordered to force me to sign a statement.

By the way, my agreement concerning the Vinoaia property, allows me to alter parts of the building.

Ismail Manik hits me on the mouth and makes it bleed

During these disputes, my father-in-law Ismail Manik hit me on the mouth and there was serious bleeding. My wife phoned the police station, and when the police jeep arrived, I was also taken with them. I said to the police that I would like to make an assault complaint. However, the case was put aside.

Zahir takes me to the Civil Court

Zahir raised a case against me in the civil court based on false allegations of non-payment of rent and demolishing a section of Vinoaia in August 1998. However, the case was cancelled due to his failure to attend the court after being notified twice. Zahir was informed that there could be no further legal proceedings concerning this property for at least 90 days.

Zahir assaults me at the Civil Court

According to the rules of civil court procedure, if a case is cancelled due to the complainant's failure to attend to the court, the same case shall only be tried after 90 days from the date of the cancellation. However, after only 30 days, he filed a second case and when the court accepted it, I went to see the chief magistrate of the civil court and pointed this out to him. As well, I went to the Justice ministry, and raised the issue with some of the senior officials there. Despite this, the case proceeded.

On the first day of the trial, when the magistrate asked what was my response to the allegations, I replied that I did not accept that the case was legitimate. I said I had been informed that the case had been cancelled, and it could not be tried until after 90 days had elapsed. I said that because the case was proceeding contrary to the rules of the civil court, I would not respond to any of the allegations. Zahir and I were asked to go outside.

I was first to open the door to leave the room, but Zahir walked out before me. We came out into a narrow space between a wall and a desk. Just as door shut behind me, Zahir swung his foot up and kicked me on the left shin with his boot. To prevent a second kick I lifted up my right foot, blocking the blow. My foot hit somewhere on his leg. Straight away he yelled, asking why I hit him. I immediately reported the matter to chief magistrate.

When Zahir was summoned to the magistrate and was asked why he hit me, he denied it. I was wearing black trousers and there was a dust mark where he hit me. The chief magistrate pointed to the dust mark on my trousers and said that is where you hit. Zahir said I had rubbed my shoes on my trousers. When I complained and condemned Zahir's act, and asked for it to be investigated, it was decided that we should both be sent to police headquarters. Zahir desperately wanted to avoid this. He gave many excuses, but eventually he went after being warned he might be taken by force. Zahir told me he had the law in his hands, and by using the power of the law, he would soon evict me from the building. Many people must have heard this. The Defence Ministry took him upstairs. I was sent home. As I was being sent away, I was told that the Police office would look into my complaint, and to take care.

Second detention in Gaamaadhoo and Maafushi Prison

I came home, and after lunch I sat down to write a letter to the President [Maumoon Gayyoom] explaining in detail what had happened that day. Suddenly, the police jeep arrived with an emergency order, 'Come to the police station right now!' and I was taken away.

The police questioned me about a complaint made by Zahir that I had physically assaulted him. When I explained in detail what had happened, the officer wrote down my statement and made four copies of it.

In the fight with Zahir, I suffered abrasions to my leg. According to the policeman, Ismail Zahir also had an abrasion. We were not questioned in each other's presence.

After the investigation was over, I did not see the policeman who questioned me, and I was not taken to the hospital for a medical report on my leg. After keeping me in detention for 24 hours in the police station, (in breach of section 15 of the law), they tried to make me sign the form containing the reason for my detention. When I said that I would sign only after writing the date and time of my arrest, their reply was that they did not care if I did sign it or not. I wrote down the date and time of my detention anyway and signed it. I was arrested and detained without being informed why. An action in breach of the law.

On the second day of my detention, I was sent to Gaamaadhoo jail. When they tried to send me there, I told them I would like to make arrangements for the payment of my rent for the leased building, and so my wife could withdraw money from the bank for her and the children. They said yes, but I was sent straight off to jail.

After keeping me there for a while, I was transferred to the prison in Maafushi island. I was kept in a dormitory containing 104 people. There was only one tiny toilet for the 104 inmates. I have an illness of the bowel, and due to difficulties using the toilet, I became seriously constipated. There was a constant queue at the toilet for 24 hours a day. I explained my condition to the prison warders, and mentioned the rent for the leased building and the maintenance expenses of my wife and children. To many of the police officers, I explained that if the rent was not paid, the lease agreement would be cancelled.

After 22 days in prison, I fell seriously ill and was taken out of the cell and was put on an intravenous drip. Next morning I was back in the cell. Two days later I was so ill I was taken out again. I was seriously weak and the doctor advised for me to be sent to Male' as an emergency case. But the police would not allow it. I heard the policemen asking the doctor to put

give me the intravenous drip again. I was left on a stretcher they used to cart me out of my cell early in the morning.

A group of policemen came up and opened a bottle of intravenous fluid. They sat me up, and poured it into my mouth. Before half of the contents went into my stomach, I began to vomit. When I threw up, they let me lie there.

Fusfaru, the prison chief came and spoke to me. He told me to try and eat something, and that I would be taken to Malé and released. He sent me a cup of milk and a large bun. I was very weak. I had no strength in my arms or legs. Someone fed me the milk in small amounts. A short while later a large force of police came and yelled at me. 'If you don't eat we won't take you to Malé!' 'This has happened because you people burnt the jail, hasn't it?' '[Despite your efforts, the president] has just been elected for a fifth term, there you are!' 'When you burnt the prison, our laws and regulations were also burnt,' 'You are lying there pretending to be sick, aren't you?'

They pulled me upright and I fell. They held me and put my shoes on. I fell over again. Then they carried me in the stretcher, rocking it violently. 'This prick is pretending,' they said. 'He'll recover when we put him in the sea.' They dropped me with the stretcher onto the jetty. Some people put me on a launch and poured a bottle of intravenous fluid into my mouth. I don't know what happened after that.

When I woke up, I was in the casualty ward at the Indira Gandhi Memorial Hospital in Malé, connected to an intravenous drip. It was late afternoon, and beside me was someone from the Department of Correction. He said that he had been told to take me to the authorities to arrange my release, when the intravenous treatment was finished. Around 9 o'clock that night, with the help of another man, he put me in a taxi and took me to Defence ministry and made a phone call, and then again took me to the police station. The young man at the counter seemed to have understood how ill I was. I heard him mention my name frequently over the phone to the people upstairs. I was barely able to sit up.

After a long time, a group of people came and took me to a cell at the Odeon police station. While I was kept in that prison my condition seriously deteriorated. I had begun to vomit blood after a cup of coffee in hospital. I was taken again to the hospital and the same doctors were on duty. I heard the doctors ask why I was taken out of the hospital against their advice. This time, I was admitted properly to the hospital. Soon after sunrise, a force of police arrived. They brought buns, milk, eggs, juice, bananas and many other things. A police officer gently patted my head and said, 'The police didn't hurt you, did they?' I replied by nodding my head. I was told that my wife had been sent for, and when she arrived, I would be left in her care and released from detention. Soon after, my wife arrived and I was free. I stayed in hospital for three days and then went home.

Cancellation of the Building Agreement

After being released from detention, the first thing I did was deposit the outstanding rent for the building at the Civil Court. Shortly after, a court action for delayed payment of rent was raised against me and there was a trial.

In the court, I read out a detailed statement describing the trap these people had laid for me. The magistrate was pre-occupied in reading a report on some other matter. I am sure he did not follow what I said in court. When I complained to the chief magistrate about this, the trial magistrate hastily made a decision that the agreement had been terminated.

I was unhappy with this decision, and I went to see the Minister for Justice and discussed the matter with him. He expressed regret and said if he was informed prior to the judgment, he would have had another magistrate determine the case. He also advised me to appeal the decision without delay.

NOTE: Fusfaru is the nickname given to Captain Adam Mohamed who was the commanding officer of the NSS Prison Security Unit when Eavan Naseem was tortured to death and NSS shootings killed 3 prisoners in September 2003. He was acquitted in the murder trial of Eavan Naseem, an inmate tortured to death in Maafushi prison in September 2003.

The Building Agreement trial proceedings in High Court

I appealed to the High Court because I was completely dissatisfied about the decision of the Civil Court. I made the appeal on 31 December 1998.

On the first day (15 February 1999) of the hearing, the court heard, in a very fair and just manner, the submissions from both sides in the dispute.

Some significant exchanges from the trial:

The Judge to Ismail Manik and myself:

'When this decision was made, was there any outstanding rent money owed by Ibrahim Moosa Lutfy to Ismail Manik that was not deposited at the Civil Court?'

Ismail Manik: 'If the rent was deposited at the Civil Court, I wasn't aware of it.'

Myself: 'I have deposited all the rent money owed. Immediately after I was released from detention, I deposited all outstanding rent. It is not my problem that Ismail Manik was not notified about the deposited money.'

Judge: 'Where is receipt for the deposited rent money?'

Myself: 'All the documentation is there, along with the receipts given for money deposited at the Civil Court.'

Judge: 'Did you take Rf650,000 cash and Rf75,000 to pay a bank loan from Ibrahim?'

Ismail Manik: 'What Ibrahim has done for me as a son-in-law is irrelevant to this court case.'

Myself: 'Ismail Manik took that money from me on the basis of the agreements between us with regard to this building, and those agreements were only verbal.'

In this fair and just environment, the court heard the story from each side, providing time for each party. At the end of the allocated time for the court session, there still remained a great deal to be said on both sides. I had very important issues to raise, and I mentioned this. I was told the court was adjourning and 'the time for today's court is over and you will be notified of the date for the continuation of the trial.'

Early in April 1999, on a day of very heavy rain in Malé, I was summoned to attend the High Court. The notice informed me I was 'to sign the statement'. But due to the heavy rains and other reasons, I did not attend to the court to sign the statement. I attended two days later and refused to sign the statement.

Late in the afternoon of 7 April 1999, a summons arrived by post for me. It said to attend the court on that very day at 8.45 in the morning. When the person who received it pointed this out, the postman checked it and took it back with him. The following day at 8.00 am the assistant secretary of the High Court, Faheema, phoned me and told me that the date on the notice was a mistake, and it had been arranged to hold the trial on that day (8 April 1999) at 8.45 am. She asked me if I could attend the Court. I said usually I write down in point form the things I would like to say in court, before the proceedings. In such a short time, I could not prepare for such a serious trial. So when I asked her what should be done about it, she said she would mention it to the judge and phone back, but I heard nothing on that day and there was no news after that.

The following Saturday, someone phoned me and said there was a public announcement on radio about me being missing. I phoned Ibrahim Sobir, administrator of the High Court, and when I asked him why there was a public radio announcement about me being missing, he said that the government had endless options to achieve its aims, and they are looking for me to keep me in detention so they could finalise the court case.

I told Sobir not to joke, because I have been imprisoned so many times and have been subject to severe punishment. When he mentioned detention, it stressed me immensely. So I told him to stop making fun, and to take me seriously.

Sobir said that he was not joking, and that the next day they would deliver the final decision even if it meant keeping me under detention.

When an official of the High Court said such unlawful things so openly, I was particularly alarmed and I complained about it. I was the person who had appealed to the High Court, and although the court had written down a wrong date on the summons, it had been decided I was the one who had failed to attend to the court and I deserved public humiliation.

Sobir said that when I attend to High Court the next day, all would be clear to me.

I pointed out that, at the back of the court notice, it was stated according to the rules of the High Court that in the event of failure by the appellant (claimant) to attend the court, on the first notice the court would consider the appellant had dropped the claim temporarily. Failure to attend the court, on the second notification, would make the court conclude that the claimant had dropped the claim altogether. Since this was on the back of the court notice, and I was the claimant, and at the same time the High Court had written the wrong date on the notice for attendance, was that also my mistake? And I asked whether it was not a serious mistake to announce my name over the radio?

Sobir's reply was that all would become clear when I attend the court the next day.

The next day, I went to the High Court and asked why my name was broadcast on radio. The court secretary said with surprise, 'Is that so?' Then she asked assistant secretary Faheema, who confirmed it. When Faheema was asked on who's instruction that had been done, I overheard her say that it was on the instructions of Sobir.

On that very day, the trial was held and without saying anything, the judge just gave the verdict upholding the decision of the civil court. Without asking me whether I had anything further to say, or even saying that he was about to pass the judgment, he just gave the verdict. When this happened so suddenly, I was very alarmed.

I requested an appointment about the judgment with the Chief Justice of the High Court, Faleelathul Sheikh Mohamed Rasheed Ibrahim. The reply I received was, 'This is a matter prohibited by the government'. Due to the seriousness of the situation, I wrote a second letter stating how important it was to grant me an appointment, but I have not yet received a reply.

At the time of writing, there was no ongoing case involving me in the High Court. When I requested an appointment, my case had been finalised. So I was very surprised that the government had a prohibition on speaking to me.

State prosecution alleges I assaulted Ismail Zahir

Shortly after the High Court decision on my appeal regarding the termination of the building agreement, the state brought a case against me about the dispute between myself and Ismail Zahir in the Criminal Court.

Earlier, when I had tried to press charges against Ismail Manik for bashing me on the mouth (the evidence of my injuries was clearly available in a doctor's certificate), and at the same time complained about him entering our house and committing assault, both matters were ignored.

When the state prosecution raised its allegations in court, I explained in detail to Magistrate Bakr how Ismail Manik and Ismail Zahir had behaved. The prosecution alleged that I hit Zahir with my hand. There was a medical report saying the blow caused a cut. I acted out how he hit me, to show the magistrate, and I requested that Zahir show the scar of the cut on his leg and that he be questioned in court. Magistrate Bakr said Zahir could be summoned. The magistrate relied heavily on Zahir's medical report. I said that I was arrested less than half an hour after the incident, even though I was the one who made a complaint on the matter. Now the situation has been reversed. I added that if I was allowed to be free, the way he was, I would have been able to produce a medical report like his.

When I was asked if I had admitted to hitting Ismail Zahir on the leg, I replied that when a person is being physically attacked by another, not to react to defend oneself is inconceivable to a reasonable person.

On that very day, the court made the decision that I was guilty, disregarding the facts entirely. The sentence was, 'While Lutfy and his brother-in-law Ismail Zahir were leaving a civil court session, Lutfy lifted up his leg and hit Zahir somewhere on the leg. He has admitted to this during the investigation, and the court finds that this was an act of assault and Lutfy is fined Rf200/- (US\$16). The case is concluded.'

A plea to the President about the building issue

I was very dissatisfied with the trial proceedings, so I wrote a short but detailed letter to the President (Maumoon Abdul Gayyoom) requesting he reconsider the case. In this letter I briefly explained how the police arrested me several times.

Because the matter was being considered by the President, I had a signed and sealed document from the Chief Magistrate of Civil Court stating that 'Myself, my wife and children and my possessions cannot be removed from the building until the President looks at the matter and makes a decision.'

The third arrest — a tiny cell in Dhoonidhoo

I arrived at the police station at 11.00 o'clock on 3 July 1999 to answer a summons from the police demanding clarification of some information. It was nearly 1.00 p.m. when I was taken upstairs and shown a draft document prepared by Jadullah Nazim during my time in prison in February 1998. It alleged I had disobeyed authority. I had been summoned to sign this document, because I had not signed it before.

I was instructed to sign it immediately, but as soon as I saw the document I knew exactly what it was. I replied briefly and plainly to the investigating officer, and he told me to wait. Half an hour later, I was taken upstairs once again and told that the officer who originally took the statement had said that it was a statement I had given. I was told to sign it and return home.

I repeated the same thing I had said before and again I was kept waiting. Just before three o'clock in the afternoon, Warrant Officer Abdullah Rasheed led me to another policeman and instructed him to delete my name from the register, and to take me to prison. Without giving me the opportunity even to ask why I was being imprisoned, I was suddenly locked up in small cell in the police station.

After being held in this cell for a day, I was told to get ready to go to Dhoonidhoo island (just north of Malé). I was still in Malé the following morning when the cell was opened and I was taken out and told to sign the 'Form stating the reason for imprisonment'. It said: I was being imprisoned 'because he had falsified his name and address in a court case against him.' Instantly I said that this was a document written in breach of rules and regulations and not based on any factual matter.

Warrant Officer Abdullah Rasheed arrived and said, 'There it is, he didn't sign it?' and signalled to the other policemen, 'Sign it (as witnesses),' he said, 'and send him off to Dhoonidhoo.' That was sometime in the morning on 5 July 1999.

Less than an hour after being in prison an investigating team arrived and I was taken outside. Nearby, Abdullah Rasheed and Assistant Commissioner of Police Sodiq were talking to each other. At the desk I was met by a person I later became familiar with, Warrant Officer Class 2 Ahmed Faseehu. When I was asked how this problem had arisen, I explained (to Ahmed Faseehu) the whole story in detail. As he listened, he took notes in point form. After I finished, he lowered his head in deep thought, and then he asked me many questions.

Some of Faseehu's more notable comments:

▫ I'm just puzzled how someone who is so innocent has been accused of falsifying his name and address to the police. It is hard to believe. If that investigation (Jadullah's investigation) had been carried out by me, and if you Ibrahim had given me an incorrect name and failed to give me your identity card, I would have checked your name by sending a fax to Hithadhoo island, on Seenu atoll.

▫ The other puzzling matter is that there is a later statement by Jadullah, that you had not misled the police about the name and address. And also in that statement there is reference to other documents regarding this matter.

▫ The problem is that in your court case when the claims were made against you, the magistrate refused to accept the case because of this mis-matching of the name and address. If there is a smallest anomaly, the court will not accept the case. I believe you have not falsified your name and address.

Later on, I told Faseehu that on the day I was detained at the police station, Jadullah took everything I had with me, including my ID card and driver's licence. When I was sent to the prison, my ID card was returned to me, along with a receipt for the other personal belongings. On the other side of this receipt I have drawn a set of squares to count prayers during my time in prison. I took this receipt home with me when I was released, and I think I left it somewhere in my house. All the information on my ID card is also in my driver's licence booklet. My identity number also is in the licence booklet. Therefore Jadullah had my complete identification information. The allegation that I falsified my identification cannot be reasonably accepted.

After I said all this to Faseehu, he told me he had learnt a lot by questioning me, and had found nothing to show that I was a disobedient person.

Then he got up and shook my hand. He said I was in prison under his care, and that it was unacceptable for him to waste time keeping an innocent person in prison. He said that the following day he would write a draft statement and get me sign it and release me straight away. With these encouraging words, he left. All this time, Abdullah Rasheed and Sodiq were within hearing distance.

Eye infection, no ventilation

I stayed in a tiny cell for a week without any news. My eyes swelled up with an infection similar to conjunctivitis. I pleaded in vain for a doctor and after nearly 10 days I was suddenly taken to Malé late in the afternoon and put in another tiny cell. When I asked why I was being told I was going to see a doctor, and then ended up in a tiny cell, the reply was that I would see a doctor the next day.

Due to the lack of ventilation in the Malé cell, my eye condition worsened. In the morning I asked to see an eye specialist, but I was taken to Doctor Mohamed Ahmed. He gave me several medications and in the afternoon I was sent back to the cell in Dhoonidhoo. My eyes reacted badly to the medication and the condition worsened. About a week later I was taken to Malé to see Dr Imthiaz and received more medication. By then I noticed that my eyesight was deteriorating. It took 20 agonising days for my eyes to heal completely after taking the medication prescribed by Dr Imthiaz.

Another false statement

On the day I was in Malé to see a doctor, I tried to see Faseehu but after being told I would be able to see him, he never appeared. Around 22 July, I was brought to Malé and summoned into the presence of a corporal. He gave me a statement prepared on a computer and I was told to read it. The statement said that I had disobeyed orders, and when I was brought to the police and questioned I had falsified my name and address and also given a false name for my father.

At the end of the statement there were two or three names of police officers who were to witness that I was given this statement. I asked where Faseehu was, and said I would like to see him. While the corporal was searching in vain for him, Corporal Abdullah Rasheed came and said, 'He refused to sign, isn't it? you people sign it and send him off.'

Then Abdullah Rasheed asked me why I wanted to see Faseehu. I explained that Faseehu and I had discussions regarding this matter. Without a response, he made the police officers sign the statement in front of me, claiming that I have refused to sign it. Once again I was sent away to a tiny cell in Dhoonidhoo island.

Defense intervention

After 30 days in prison, I was brought to Malé to be handed over to the Defence Ministry. A young woman (not a police officer) from the Defence Ministry was leading me out of the police building when Abdullah Rasheed appeared in front of us. He immediately asked her where she was taking me to, and I did not hear very clearly what she said. However, Abdullah Rasheed said loudly that I should not be sent home under any circumstances, and that I was not brought to Malé to be sent home. He said I must be sent to Maafushi island. He told her to contact Faseehu and to inform him that he had said this. 'If Faseehu cannot be contacted by phone, then page and inform him,' he said before walking away.

After some time, the woman said to me that I would be sent home and kept under house arrest. When I asked why, she said Faseehu had said so. I replied that I had not breached any law and it would be in breach of law to put me under house arrest, hence I do not wish to be kept under house arrest under those conditions. I was told that if I refused to be kept under house arrest, then she has instructions to send me to Maafushi prison, so I returned to my house under home detention.

After a week of home detention, on 9 August 1999, I was taken to the Defence ministry and a person in normal clothes told me that I cannot be kept under house arrest at Vinalia house in Henveiru ward in Malé. When I asked why, the reply was that Vinalia house had been returned to the owner because I have breached the rental agreement. It was the verdict of the Civil Court which had been upheld by the High Court.

When I said that despite these decisions of the Civil Court and High Court, according to the judicial system of Maldives I had made an appeal to the President to consider the case. Until the President's Office deliberates and makes a decision on the matter, myself, my wife, children and property cannot be removed from Vinalia house. I said I have documented evidence from the Civil Court and the President's Office to prove that this was the case. I was told to wait.

About two hours later, a police officer came and asked me what I was talking about. This time I was being questioned while sitting at a desk in front of many people who had been summoned to the police station for various reasons. The person was talking to me so loudly that all those who were present would have clearly heard what he was saying. I answered his questions in detail, and said that I had these two documents. But he insisted that I could not stay under house arrest in Vinalia and I must stay at some other house.

I said I could not move out of a house I have paid to build, and then rent another place while I was under house arrest. I was told that if I did not have another house to stay, I would be sent to Maafushi prison on that very day. This made me angry, but I managed to control myself and asked him who was the chief of the Defence Ministry. He replied that it was alusthaz Maumoon Abdul Gayyoom. When I asked him whether Maumoon Abdul Gayyoom was the President, he replied yes. So I asked him if he accepted that a document from the President's Office saying that the President says such and such (and based on this document and the documentation, signed by the Chief Magistrate of the Civil Court, stating that I, my family and property must not be removed from Vinalia house) was official, he replied, 'Yes.'

I put to him that if they (the police) accept that what is in those documents is correct, then they are required to follow the instructions in these documents, and when they tell me that I cannot stay in Vinalia house, I take it to mean that they are not following the instructions of the President.

He said he believed all what I was saying about those documents, but he told me if I did not wish to be transferred to another house to stay under house detention, then I must get ready to go to Maafushi prison at two o'clock. At this moment I noticed some of the people around us shook their heads and made a loud 'tsk' sound. If he accepted all that I was saying, why wasn't he listening to me? He agreed that was partly true.

I agreed to rent a room for Rf 3,500/- (US\$280) per month, and I stayed there under home detention.

Court charges that I gave a false identity

On 26 August 1999 I was under house arrest in the rented room when I received a summons from the Civil Court to attend hearing about a 'perjury charge' (i.e. that I gave a false name, address and father's name to the police).

When I mentioned that I was under detention at the order of the Defence department, a person was sent to escort me to the court. Before the hearing, I tried to find the receipt. With the help and support of holy Allah, I had left this receipt in a safe place. The piece of paper was worn and dilapidated. It was a coincidence. I had not tried to preserve it. But with Allah's assistance it had survived. A photocopy of the receipt is attached to this report.

[This evidence of Lutfy's innocence of the 'false identity' charges is available below].

Presenting the state's case, the government prosecutor Nasir said that there was a claim of committing perjury because I had given false testimony in February 1998 to the court in a case involving disobeying police orders.

I replied to the allegations very effectively, and explained the details to Magistrate Areef, showing him my ID card, driving licence and the receipt. He took a photocopy of the receipt.

After making this claim and without any warning, another charge was suddenly raised in court. It alleged I had disobeyed police orders in February 1998. I replied that there was a civil case involving a building I had built on the Vinalia block in Henveiru ward Malé. I explained to the magistrate that a complaint was made by my father in law, Fusthulhaa Ismail Manik, in an attempt to take-over the building from me. The police had tried to make me sign an agreement saying that I would hand over the building within 30 days. I refused to sign the agreement and said it was a statement made in breach of the laws and rules of Maldives. The police were upset and kept me in custody for 7 days. They then manufactured a case alleging that I had disobeyed orders, and imprisoned me. There was no statement from me admitting that I had disobeyed orders, and the whole case is a complete fabrication by the police. I said that my earlier statements had made all this clear, and therefore I had nothing further to say concerning that allegation.

On 5 September, the second day of the trial, Warrant Officer Class 2 Faseehu was present. He had spoken to me at Dhoonidhoo prison, but now he was to testify that I had falsified my name, address and father's name. Witnessing the trial proceedings was Warrant Officer Class 1 Abdullah Riyaz.

In line with court procedures, before testifying Faseehu took an oath invoking the name of Allah to speak the truth and nothing but the truth. He did not put his hand on the Koran. He repeated the words of the Magistrate. Faseehu was sitting on my left, so I heard the Magistrate dictate the oath, word by word.

In his evidence Faseehu said that on 28 February 1998 I had given an inaccurate name and address in a statement taken by the police. When I was summoned to the police station to correct the discrepancy, claimed Faseehu, the problem was confirmed and he (Faseehu) had contacted Hithadhoo island, in Addu atoll, to cross-check and it matched the information on my ID card. Faseehu said he recorded the results of his inquiries in another statement, and when it was time for me to sign this new statement, I refused just as I had done before, Faseehu claimed. He said he did not speak to me at that time. Faseehu told the court that the statement was read out to me by the policemen and they signed it. Faseehu claimed he was not present when this occurred. Faseehu said that another statement, concerning the disobeying of police orders, had been taken by another group of officers, and he had relied on their records to write the new statement.

Then I had the opportunity to question Faseehu. I began by pointing to the Koran and saying that it was the holy words of Allah, and after taking an oath in the name of Allah's words, Faseehu had deliberately lied. I insisted that I had not falsified my name, address or even my father's name to the police.

After that, I showed both Faseehu and the magistrate the original documents proving that the police already had my identification and driving licence. I asked them if they accepted that these were original documents. When Faseehu indicated with a nod that he accepted my claim, I said that I would like to ask him some questions.

Lutfy: Do you remember what you said to me when you came to see me in Dhoonidhoo prison? (I repeated these discussions and reminded him about them) Would you like to tell the court that I did not falsify my name and address in a statement that I signed and fingerprinted? You had it stored in your drawer, didn't you? Where is that statement? Please answer.

Faseehu did not reply, so I tried to obtain a reply through the magistrate.

Faseehu: I don't remember any such statement.

Magistrate: Answer the questions asked in court directly.

Faseehu: I have not seen, nor am I aware of the existence of such a statement.

Lutfy: Honourable magistrate. Faseehu is plainly lying. Under an oath invoking the name of holy Allah, he has lied.

I spoke loudly in my own defence, repeating what was in that statement and all that Faseehu said to me. I repeated that the false identity allegations being made were beyond the belief of any sane mind, and I had no further questions to ask Faseehu.

I strongly defended the charges, by pointing out that on 22 February 1998 when I was taken to the police station and gave my full name and address to the police register, and later when I was in prison, and when I sent letters from the prison to the President, and to Adam Zahir, that my full name and address was correctly given. And further, on the day I was taken to the Defence Ministry and released from custody, the book I signed had my correct full name and address. I told the court that I had irrefutable evidence, and yet the police were falsifying government records and giving false testimony in this court case against me.

At this stage Faseehu had tears in his eyes that were about to pour down. Faseehu looked up to the ceiling and tried to prevent the tears from falling.

I concluded my defence, and the magistrate said to Faseehu that he may leave the court and wait out side.

Later, when I went outside, our eyes met and Faseehu's face showed signs of crying and sadness. From what Faseehu said in court that day, I gathered that Jadullah Nazim had now left the police force.

Off to the Maafushi prison for the fifth time in two years

On 8 September 1999, three days after Faseehu testified in court, the police jeep arrived around 2.30 p. m. and under an emergency order I was taken to the police station and checked in. Without any questioning or food, I was kept there until 1 o'clock in the morning when a policeman came and took me to the prison and locked me up.

Lutfy: Why am I being imprisoned?

Policeman: You'll find out tomorrow.

Lutfy: Are you aware that I am under detention by the Defence ministry?

Policeman: Yes!, I know.

Lutfy: Are you also aware that there is a court proceeding in Civil Court involving me?

Policeman: Yes! I know.

Lutfy: So you are aware of all these matters?

Policeman: Yes!

After keeping me locked up, I was taken out the next day and met by Staff Sergeant Adam Ibrahim.

Adam: What is the matter here?

Lutfy: What is the matter here?

Adam: Where has this problem proceeded to?

I gave the details.

Adam: Where's the receipt paper?

Lutfy: I have it. Why?

Adam: Why not give it to us. We are thinking of bringing the problem to a close. That would be the end of it.

Lutfy: The receipt belongs to me. I am not handing it over.

Adam: (changing his tone) Did you phone Jadullah's mother and speak to her using foul language?

Lutfy: Why would I speak in foul language?

Lutfy's identity evidence submitted to the Civil Court (English translation):

Police Headquarters, Malé, Maldives
No. 01166

1 March 1998 AD

Money and other things retained during case matters

Handed over by:
Signature: Ibrahim Lutfy (Lutfy's handwriting)
Name: Ibrahim Lutfy
Address: Vinoaia block, Henveiru ward

Items:

1 licence book
1 pair of glasses
1 pager (Dhiraagu)
1 pen
620 dhivehi rufiya [approx. US\$50]

Received by:

Signature: SS Jadullah Nazim (Jadullah's handwriting)
Name: SS Jadullah Nazim

The above money and things were received.

Adam: Did you contact Jadullah's mother?

Lutfy: I did not contact her knowingly. When I rang to speak to Jadullah, I found I was speaking to Jadullah's mother.

Adam: Why were you looking for Jadullah?

Lutfy: To obtain testimony that I did not falsify my name and address.
Adam: Jadullah would not testify to support you.

Lutfy: That's not a problem. The efforts I make to obtain evidence in my defence have nothing to do with you, sir.

Adam: You'll find out it does matter. Did you phone Faseehu's mother and speak abusively? And did you say Faseehu lied under oath?

Lutfy: That is a ridiculous question! I am not afraid of talking about the fact that Faseehu lied under oath. Not only here, but right in front of Faseehu and the court magistrate, I said Faseehu lied under oath. I have said that to many people. I will say it again. Why should I phone Faseehu's mother and abuse her. I have nothing to do with Faseehu's mother. First you claim that I phoned Jadullah's mother and spoke abusively and then you say I phoned Faseehu's mother and abused her too. What is the matter with you all?

Adam: You'll find out. You don't understand your size, so this time we'll teach you what your size really is. We'll make sure you are sentenced over your other court case. But these matters are also an issue. We'll make sure you get a sentence over this, as well. You go around telling everyone that Faseehu has lied under oath. Faseehu was crying! Who are the people you have told that Faseehu lied under oath?

Lutfy: You are a police officer. How can a police officer hand out a court sentence? Isn't it the magistrate who passes sentence in court? I am prepared to hear the verdict. I'm not afraid of being sentenced.'

I gave him list of people who I had talked to about Faseehu lying under oath.

Adam: This time we'll release you after filing you down a little. The previous time we also took you down a peg or two. This prick thinks he is really great. Get out! Go into the cell and lay there.

Even after six days in custody I was not told why I was kept in gaol. The next day, someone called Ahmed Nafiz took a statement from me. I said that I phoned Jadullah to see if he would give evidence for me, and I had not spoken to his mother or Faseehu's mother in foul language but I admitted that I said that Faseehu lied under oath, and I said this in the court during the proceedings, and had said the same to my family, friends and legal advisors.

After signing four copies of the statement, I asked him why I was being sent to prison. He said he did not know. I advised him that if he wished find out the truth he should summon the mothers of Jadullah and Faseehu and ask them in my presence about what has been alleged that I have said to them. He said that he would summon them, and ask them about what happened.

But I knew their investigation was over. I was in prison to be filed down and reduced in size. On the seventh day after being locked up, they tried to make me sign the form stating why I was being held. But the time for that was long gone, I refused to sign it.

After being in prison for twenty days [in Maafushi prison], I was brought to Malé and in a police jeep they paraded me through town before being taken to the Criminal Court. I tried to see the chief magistrate through a secretary in the court, but I had not been brought to the court for any legal reason. Only when I am summoned there by the court will I be able to see the magistrate if I so request. After keeping me there for three-four hours, I was taken to a prison in the Corrections department. It was nearly three o'clock when I was taken to the police station and locked in a cell there. In the evening at about 5.30 p.m. I was taken out to see Nafiz.

Nafiz: With regard to the alleged claim against Ibrahim Moosa Luthufee for verbally abusing the mothers of Jadullah and Faseehu, the investigation did not show any substantial evidence the case can be proven

against Ibrahim Moosa Luthufee, and for this reason he is released from custody in which he had been held by the police for the purpose of their investigations.

Lutfy: Aren't you going to get me to sign the release form?

Nafiz: This is the end of the matter. What's the use of a signature?

Lutfy: Then, in that case, may I go home?

Nafiz: Wait for a moment! I'll be back.

After some time he came back and tried to take me into a jeep. I asked him where he was taking me.

Nafiz: I have contacted the Defence ministry. They said to keep you in the house where Defence had you in detention.

I was kept there paying Rf 3500/- in rent each month while remaining in detention. I paid the people in the house Rf 1,000/- per month for meals twice a day. I was separated from my wife and children and unable to make any income for nearly four months.

The trial alleging the falsification of name and address re-commences

On 7 October 1999 Jadullah [from the National Security Service, NSS] was present to give evidence. Before the court proceedings began, I asked Jadullah if I had phoned his mother and verbally abused her. He replied that he was not aware that I phoned his mother.

Jadullah took the oath invoking Allah's name according to the trial procedure laws, to speak the truth and nothing but the truth, but without touching the Quran. When the magistrate recited the oath for him I was looking at Jadullah's mouth and listening to what he was saying very carefully. The phrase 'I take the oath by the name of Allah' he repeated very softly. Considering the movement of his lips, it can be said that he said 'do not take the oath in the name of Allah'. But the sad thing is there was no recording system, so there is no way to question whether he took the oath properly or not.

Magistrate: Regarding the statements Ibrahim Moosa Luthufee, who is present here, gave to the police on 22 February 1998; when you questioned him to obtain this statement, did he say he was Ibrahim Luthufee?

Jadullah: I cannot recollect word for word. What is written in that statement is what he had said. When the police conduct investigations, (now I am not working in the policeforce, but referring to the time I worked there), when we summon a person for investigation for the first time, we ask the name and address of the person and write the name in the statement.

Magistrate: Did he say his address is Emmudige of Seenu Hiithadhoo?

Jadullah: I can't remember. What he said will be in the statement.

Magistrate: What did he say his father's name was? Was it Ali Moosa?

Jadullah: I cannot remember. In the statement will be what he said. In the statement is the information he gave, I did not write anything else.

Magistrate: Why didn't Ibrahim Moosa Luthufee sign the statement?

Jadullah: When I finished writing the statement, he read it and asked if he would be sentenced. I said that he would get some sort of sentence, but the extent of the sentence will be up to the court magistrate. When I said that, he refused to sign.

In my defence, I strongly challenged the testimony of Jadullah. Because I had doubts about Jadullah's oath, I pointed to the book and asked him if he was telling the truth after taking the oath in the name of Allah who revealed the Holy Quran. He replied yes by nodding his head.

Lutfy (me): Jadullah, did you summon me to the police station in July or August of 1998 when I was accused of falsifying my name and address? And since then have you summoned me to the police station?... Jadullah,

please answer my question. Did you summon me?... Honourable judge, I would like to hear Jadullah say if he summoned me or not. Please answer.

Jadullah: I can only answer the judge's questions.

Magistrate: Did you summon him?

Jadullah: Yes, I did.

Lutfy: What was the reason for summoning?

Jadullah: I cannot remember.

Lutfy: You summoned me and took a statement, didn't you?

Jadullah: I don't remember taking a statement.

Lutfy: In that statement, didn't you write that I did not falsify my name and address?

Jadullah: I don't remember writing that.

Lutfy: Honourable judge, I have no further questions to ask Jadullah. He is plainly lying. When I was first checked in at the police station, my full name was recorded in the book. There is a document acknowledging that Jadullah was in possession of my identity card. There are letters I wrote to the President and sent via the prison's division when I was in prison, which contained my full name and address. And the reply to the letter I sent to the President's office, has my full name and address. The letter I sent to Adam Zahir while I was in prison contained my full name and address, and the register I signed at the Defence Department on the day I was released from custody contained my full name and address. Please bring all this evidence to the court. These are not documents I have created. These are official government documents I am talking about.

Then Jadullah was allowed to leave the court and the next police officer brought in was Aseeth. He took oath as normal.

Magistrate: One document says 'Hassan Aseeth' and the other has another 'Aseeth'. What's the correct one here?

Aseeth handed over his identity card to the magistrate.

Magistrate: On 22 February 1998, when Ibrahim Moosa Luthufee here was summoned to the police and questioned. In his statement did he say his name is Ibrahim Luthufee?

Aseeth: I cannot remember at all. What is written there, is what he said.

Magistrate: Did he say his address was Seenu Hithadhoo Emmudige?

Aseeth: I cannot remember at all. What he said is in the statement.

Magistrate: Did he say his father's name is Moosa Ali?

Aseeth: It is written there, what he said.

Magistrate: Why didn't he sign that statement?

Aseeth: He said he would not sign.

Magistrate: Why did he say he would not sign?

Aseeth: He emphatically said he would not sign.

NOTE: Policemen like Aseeth have no discipline but they are part of the investigation team and exert a lot of influence among police. Even though Police became a civilian branch under Ministry of Home Affairs effective from September 2004, no concrete changes will come with people like Aseeth leading the investigations. The first civilian police force of the Maldives will not be able to leave behind its notorious legacy unless it gets rid of the torturers in its ranks including the Chief of Police Adam Zahir.

Magistrate: Did he give any reason why he would not sign?

Aseeth: He said that he would not sign, without giving any reason. He just said that he would not sign.

Magistrate: What did he say then?

Aseeth: He said many things. I cannot remember any of them.

The magistrate read out Aseeth's statement.

Lutfy: Your honour, please grant me the opportunity to question Aseeth. Aseeth could you please tell us the statement you are referring to, when it was taken, and if you were present?

Magistrate: In Aseeth's statement it says that he was present.

Lutfy: I would like to ask Aseeth whether he went to Vinalia house to arrest me. Aseeth please answer.

Aseeth jumped up with wide eyes and said to me with a changed voice, 'I'm not going to answer questions you ask.'

Magistrate: Let me say this to you, in court during a trial proceeding it is prohibited to speak disrespectfully. No party is to address the other in disrespectful language.

Lutfy: Your honour, see for yourself. This is how the police behave. This is a court proceeding. This is the extent they go to, even here! So what would it be like in the police station? Please imagine how investigations would be carried out in the police station. I have no further questions to ask him.

Summary of Aseeth's statement to the court, recorded by the magistrate: '... This is a statement given by Ibrahim Moosa Luthufee, giving his name as Ibrahim Luthufee. His address is Emmudige, Hithadhoo island, Seenu atoll, and his father's name is Moosa Ali. When he was told to sign the statement he refused to sign, and spoke at length.'

I mentioned that a very important part of the statement had been omitted. I told the magistrate that the person who gave evidence first, said that I refused to sign and gave a reason, but Aseeth is saying clearly that I refused to sign without providing a reason. This should be expressly and clearly written in his statement because there is inconsistency in the evidence given by the two witnesses.

Magistrate: Isn't Aseeth also saying that Ibrahim Luthufee would not sign and spoke at length, and now he cannot remember any of it.

Lutfy: But he also is saying plainly that I refused to sign without giving any reason. So please reconsider this sentence and include it in his statement.

Magistrate: Even if it is not written in those words, what is the problem?

Lutfy: There is a very serious problem. It is to show the big discrepancy between what the previous witness said and what Aseeth said.

Magistrate: Isn't it alright to write it this way?

Lutfy: Your honour heard him say that I refused to sign without giving any reason. This is a very important point which demonstrates the inconsistency of the testimonies, isn't that so? The state prosecutor here would have heard it. I definitely heard that. I mention this because Aseeth said these things.

Even when I repeatedly pointed to the omissions made in the statement based on what Aseeth said, the magistrate refused to refer to the matter either directly or indirectly. So I said to the magistrate:

Lutfy: Your honour, please write down a statement from me and in that statement please include that Aseeth said that, and this is the issue we are discussing. And also I would like to mention many other things.

Magistrate: I grant you, Ibrahim Moosa Luthufee, the opportunity to write down all the things you would like to say in a report form and present to the court. I declare that today's court proceedings end here and will notify you when the next court session will be held.

Lutfy: When will this trial end? I have been in detention now for nearly 4 months. Is Your honour aware that I have three children and a wife to look after. As this case lengthens like this, think of the loss it is causing me?

Magistrate: We have to summon another person to the court. I am trying to finalise the case as soon as I can. As soon as the police bring him to the court the trial will re-commence.

Lutfy: Do you have a grudge against me?

Magistrate: Why do you ask that?

Lutfy: The police said to me that they will get you to sentence me because I said that Faseehu lied under oath. They were unhappy about that, and they put me in jail and shaved my head. Look at what they have done to my head. (Here he interrupted what I was saying)

Magistrate: All those things you would like to say, write them in a report and present it to the court.

After this day's trial, there was no news and on 17 October at 10.10 a.m. someone came from the court and told me the trial will be held again at 10.30 a.m. that very day.

I contacted the court by phone to find out why, all of a sudden, without any notification or phone message, the trial was being held. Their reply was that they forgot to inform me. And yet they asked me to attend to the trial proceedings that very day! I said that it was very difficult for me to attend to the court all of sudden and present my arguments and so I asked if it was possible to defer the trial until the next day. I heard a girl in the background say, 'Tell him if he did not come to the court we can inform the police and send the jeep to bring him to the court. Remind him that he is under the detention of the police.'

After this reply I quickly called a taxi and went to the court. But the magistrate said that the trial has been deferred to another day. I mentioned to the magistrate that when I phoned to enquire about why I was ordered to attend to court all of a sudden without any notification, I was told they could bring me with police help. He said that the staff forgot to send the court notice. Then they gave me a notice saying that the trial will be held on 24 October and sent me to the house.

The Horrors of Maafushi prison in Maldives

I am not a cigarette smoker and had never even seen a bit of brown sugar [cheap heroin produced and widely used in Pakistan and India]. I saw brown sugar for the first time in the police station when I was kept in custody. A group of people were smoking it. When I was imprisoned in Gaamaadhoo island, it was available in the block I was kept in. People who go to Malé bring it back with them. New arrivals sometimes bring brown sugar inserted inside a slit in the soles of their Zado sandals. Inmates in the block commonly sell their expensive wrist watches, designer jeans, clothes, bidis and cigarettes for brown sugar.

The inmates in the block tried to make me smoke cigarettes, and 'to try' a bit of brown sugar. They said it would be 'very nice'. Apparently it helps to relieve stress, and makes the person feel happy. With the help of holy Allah, the first time I came out I managed to avoid smoking a cigarette or

a bit of brown sugar to make me feel 'nice'. Praise to Allah!

If a person who looks weak in build, and a quiet type, is brought in then the other inmates check him out. During this investigation they tie the person's hands and legs together and hoist up the bed sheets leaving the person hanging upside down from the rafters in the ceiling. Sometimes the person will end up naked. Other times, they would beat the prisoner continuously, and make him admit to things he had never committed. After about three days of this 'investigation' they will make that person massage them and wash their dishes and give him many other similar tasks.

It is said that imprisoned people have rights. But there is no way of getting a piece of paper to write a letter! At the time I was in gaol, before the fire at the prison, I was able to get a piece of paper after 49 days. Now there is no way for a prisoner to write a letter. Not after three months, or even after six months, the prisoner has no right to write a letter. Police explain this by saying that when the prison got burned, the rules and regulations also were burnt.

From the day I was locked up in a small cell in Dhoonidhoo, I pleaded to be allowed to write a letter. On the 16th day I asked a man who was on guard (a policeman named Moosa) if he could arrange for me to be able to write a letter. His reply was that I was imprisoned only the other day, and there were prisoners who had been inside for two or three months who had not been allowed to write a letter. So, he said, I would only be permitted to write after they had finished writing their letters. I said that even a policeman should not speak in breach of the laws and regulations of Maldives, and I was trying to write a letter because I had been deprived my rights. I would like to write a letter asking that my rights be granted to me.

When I said this, he widened his eyes and jumped at me and hit me on my hands which were holding the bars of the cell. He asked me whether I was aware that I was in the Dhoonidhoo prison. And also he said he would teach me what kind of place Dhoonidhoo prison was. A short while later, a taskforce group came and opened the cell and told me to come out. They took me to see the chief of the prison, who was very angry.

The first thing he asked me was whether I was particularly knowledgeable of the rules and regulations of Maldives. I said even though I may not understand completely the rules and regulations of Maldives, I know that I am being deprived of my rights and I have children and a wife to look after and a mother who I have to support, and I should be granted an opportunity to make arrangements for these matters. After listening to what I said he calmed down and replied that the policy was that they allow prisoners to write letters after 30 days in prison. So I had to obey this practice. Tortures inflicted in Maafushi prison include handcuffing prisoners behind their back around a coconut palm or a tree, and keeping the prisoner in that position for many days. When there is a dispute between prisoners, they are handcuffed and beaten up severely without any consideration where they are hit on their body. They are sometimes thrown into the sea, or made to urinate on each other. There is a lot of this sort of torture.

Sometimes when the police beat up prisoners, they hit them on their spine. I saw the police hit prisoners on their eyes and ears very hard. If any of these things were reported to the chief of the prison 30 - 50 police officers would come and wake up the inmates in that block. They will march all the prisoners out of the block and pull out the bedsheets, pillows, clothes, soap and even the water they keep for drinking. The police would throw these things all over the place, making a mess. After that, they will order the inmates to find their own things and to lay on the benches asleep within 15 minutes. Anyone who failed to do so would be severely punished.

When the police mess the block up they pour drinking water, shampoo and detergent onto the linen and clothes. Anyone can imagine what conditions would be like for people who are have to live in place where there is no water. I stayed awake many nights unable sleep because of the thakubeeru (cries to Allah) I heard people crying out because of the torture inflicted upon them by the police brutally. There is no doubt that when a person is kept handcuffed with his hands behind his back against a coconut palm for 20 or 25 days, that person will be crippled for life. A prisoner handcuffed like this, has to stay in the sun and rain. When torture became unbearable, the prisoners went on a hunger strike. Inmates were taken out in groups of 10-15 men and tied up to coconut palms for

NOTE: The courts of the Maldives are still as inefficient as it had been in 1998 and 1999 when Lutfy was going through the ordeal. Even during the recent trials of Maafushi shootings and death of Eavan Naseem, trials were deferred because the court failed to inform witnesses and lawyers. The court systems are archaic and riddled with corruption. Lutfy's report shows how the police influence the court decisions and trials and that magistrates are mere puppets. The judicial system is not independent in the Maldives because the executive controls the judiciary; there is no separation of powers.

7 days.

When the duty officers feel like it, they will open the door of the prison block and let inmates from the next block come in and sort out any grudges and frustrations they might have. When prisoners practise homosexuality in the block, it is largely ignored, but those who don't perform prayers in the congregation are hunted and punished. There is only one toilet for 104 people. At the time there was a queue at the toilet for 24 hours every day. Now there are three toilets for 104 people. Even though it is better than it was before, 104 people cannot do ablutions to perform prayer in a single congregation. Anyone who fails to wash and attend the prayer congregation is severely punished.

On a day I failed to attend prayer and the police came and took me away. They asked me why I didn't join the congregation. When I explained I had had to go to the toilet to defecate, and had to wait until the toilet was available. I said I was now ready to pray, and then they ordered me to kneel down.

In police language, I had committed a 'galhi' ['caught in an act of foolishness']. It is difficult to forget a galhi. Private Wikram and Ahmed were two of the policemen among the three who were on duty.

Police: Why didn't you perform prayer in the congregation?

Lutfy: I had the urge to defecate and when the toilet became vacant I relieved myself. Now I have done ablutions and was on my way to prayer.

Police: Kneel down right now.

I knelt down.

Police: You have committed a galhi, haven't you?

Lutfy: What is a galhi?

Police: Until you understand what a galhi is, you will be kept here. On what matter have you been imprisoned?

Lutfy: That is a very long story.

Police: Tell us.

I gave them a summary.

Police: So, you really did falsify your name and address?

Lutfy: Anyone with a sane mind would not believe that I have falsified my name and address. Very few people in Malé would not know me, and I am known to the police as well.

Police: Are you a particularly famous person. Are you a film star?

Lutfy: No, but I am known to many people in Malé.

Police: You are a criminal, aren't you?

Lutfy: No, I have been accused of a crime and have been imprisoned until the completion of the investigation into the matter.

Police: You are stupid, aren't you? Do you think the government would want to feed and look after you? It isn't easy for the government. It isn't a small expense to feed and look after all you goats. You all are criminals. In this prison there is no one who has not committed a crime.

Lutfy: No. I'm not a criminal, and in this block other people have not been sentenced by a court of law.

Police: There are people who have been sentenced, aren't there?

Lutfy: Yes!

Police: So you will be sentenced too and they have not yet been able to sentence you yet. So all you goats here are criminals.

Lutfy: Let me say this. If you would like to get respect, please show respect. I am speaking to you gentleman with polite language.

Police: Don't talk about your mother's cunt!

Lutfy: Please don't swear at me.

Police: We'll call you whatever we like. Do you know that in this block there are people who are lower than animals?

Lutfy: Yes, there may be, but I'm not a person of that level.

Police: We are not saying you are an animal. Why have you allowed yourself to drop to the level of an animal? Why are you kneeling down?

Lutfy: On your orders.

Police: The other day when we were on duty, you joined prayer congregation at the last rakath. Why was that?

Lutfy: The water in the bathrooms here is contaminated, people get rashes on their skin and other types of sicknesses. So it is not healthy to use that water. Because of that, I carefully use the daily ration of five litres of drinking water for ablutions, and sometimes I perform the noon

NOTE: Lutfy sent a copy of this report to President Gayoom in 1999. This report details the tortures and unbearable suffering inmates go through in prisons of the country. Hence, Gayoom could not say he is not aware of torture in Maldives jails. Between October 1999 and September 2003, he had four years to improve the conditions of the jails. But he ignored the plight of the prisoners and in April 2003, Ali Shahir died presumably after NSS torture in jail. Gayoom promised Shahir's family that an inquiry will be made into the death and Gayoom visited Maafushi to observe the conditions of the jail. The government's inquiry concluded that Shahir died of natural causes. Gayoom did not take any action to improve the conditions of the jail. Lieutenant Mohamed Ashwan, a senior NSS officer at Maafushi, compiled a detailed report of NSS torture in jail, and sent copies to the highest ranking officers of NSS in early 2003. This is evident from 5.2.4 of the report entitled "Investigative Findings on the Death of Hassan Evan Naseem" prepared by the Presidential Commission formed to investigate the death of Eavan Naseem. The report says Ashwan sent a report in early 2003 and a letter on 2 July 2003 to senior officers about torture inflicted on prisoners by the NSS Prison Security Unit at Maafushi. Even after Ashwan's report no steps were taken to stop NSS torture in jails. Thus this paved way to the brutal torture and killing of Hassan Eavan Naseem and the prison riots and shootings at Maafushi prison in September 2003. Ashwan's report has been published in DhivehiObserver.com.

The Presidential Commission report on the death of Eavan Naseem also recommended (Section 6.2.3) to widen the roles of the

temporary committee formed on 5 October 1998 to advise on the affairs of prison, and the committee formed on 1 March 2001 to look into complaints concerning prison conditions. The Presidential Commission's report recommends setting up a mechanism for members of such committees to visit Maafushi in the future and see the conditions there. This recommendation indicates that such committees were ineffective and not aware of the jail conditions prior to September 2003.

Furthermore, the Presidential Commission recommended in its report (Section 6.3.3) that prisoners jailed for drug abuse should be separated from hardcore criminals and other convicts. Even after Lutfy's report told about the availability of drugs in prisons and the culture of introducing new inmates to drugs, no actions were taken to solve the problem till September 2003.

The Presidential Commission also recommended in its report of December 2003 (section 6.3.4) that the people who are detained for investigation purposes should be separated from convicts. Despite Lutfy's report detailing the horrors he had to face when imprisoned by police for investigations into a civil case, several people continued to be detained and mistreated in Maldives prisons without them being convicted in a court of law.

All this proves that Gayoom and his regime did not bring any positive changes based on the report that Lutfy so honourably compiled and sent them and that Gayoom was fully aware of the NSS brutality in prison.

prayer close to afternoon prayer so that noon and afternoon prayer could be performed with one ablution.

Police: From now on, you must join the congregation for prayer.

Lutfy: If I can do the ablution, I will.

Police: We don't care if you can do ablutions or not. You must join the congregation for prayer.

Lutfy: Allah forbids prayer without ablutions. I do not pray because I am imprisoned. I have prayed since my childhood. Here I pray five times a day. This is between myself and holy Allah.

Police: You must pray to show QRT. Goat, don't talk anymore. You have talked too much. This is not your mother or father's household. This is the prison, here you must obey our orders or else we can take you out and file you down. If you do a galhi after this, we'll make sure you know about it. Get up and go now.

Because of the shortage of water and difficulty of access to the toilet, during most days, I performed two prayers with the congregation each day without ablutions. And when I am able to do ablutions, I re-perform that prayer. Without ablutions, I prayed to QRT. When praying after ablutions, I pray to my creator Allah.

On the first day I was put in prison, a policeman arrived and shaved my head without saying anything to me. And on that day, I was told to take off my trousers in front of about 30 prisoners who were brought with me and half a dozen policemen and four Correction Department officers. I was told to take off my underpants. I could not refuse so I took them off. I was told to remove my shirt. When I asked if I could take a towel to wrap around myself, I was told very loudly, 'No! No!' Then I took off my shirt. Now I was naked in front of all these people.

'Lift up your willy.' I lifted up my penis. 'Lift up your balls.' I did that too. 'Turn around', 'bend over', 'put your hands on your cheeks and spread them apart.'

I had one hand at the front to hide my genitals, and because of the orders that followed, I had to put both hands on my bottom and open spread my cheeks apart. 'Open them wider', 'more', 'have we told you to open them wider', so I opened them as much as I could. This was not done to me only. This was done to all of the 30 people who were imprisoned with me.

I have seen with my own eyes many different types of serious injuries being done to people. I also cried.

They allow us to take into the cell only the few clothes we have. Soap is put in our hands. We cannot take our bags. We can take a toothbrush and toothpaste tube. We cannot take shampoo, lotion or any of that type of thing. We cannot take watches with us. Not even a case for eye glasses. They took my mobile phone and asked me what I was intending to do with it. They asked me why I had brought such expensive things. I said I am more valuable than that phone, and now it was a thing of no value to me.

The pillow they gave me was old and had been used by many people. It had a foul smell and was not healthy to use. When I was put in prison I found that the security check they did was useless. That is because in the prison blocks, lighters and cigarettes were commonly available, even though this was prohibited by the prison rules. We were informed that if we held hungerstrikes in the prison, we'd be force-fed. If we refused to take any medication prescribed, we'd be forced to take the medication. We were made to sign this notification. The notice also informed us that when we are being forced to comply, then any punishments or harm caused to the person will be considered self-inflicted harm and punishment, and the authorities will not take any responsibility.

Stories about prison torture are not new to me now. After being imprisoned five times, I have seen with my own eyes many different types of serious injuries being done to people. I also cried. I wondered whether all those tortures were really carried by Maldivian police. This is only a very brief description of the torture practiced in jail.

The food served in prison is not in any way nutritious. There is never a cup of tea with milk. Even small children now know how important milk is for the body. Every 24 hours, five litres of water is given to each person. With this water, people are to bath, do ablutions, drink, and clean themselves after going to the toilet. Those people who washed their private parts with prison water suffer sores in their groin. Even when people fall sick, it was terribly difficult to see a doctor.

The last time I was in prison, the prison block next to mine (previously D block now called C3) had its doorlock broken by one of the inmates by inserting something into the key hole of the lock. No one among the 104 inmates admitted to doing it. Right in front of me, these people were refused the daily ration of five litres of water for 48 hours. At meal time, only 15 litres of water were available for the 104 men.

Did my wife know my whereabouts when I was in prison?

From the very first time I was imprisoned for two months, and all other times, there were police officers who informed my wife of my whereabouts and what was happening to me. They acted as well-wishers, and were even ready to pay for her upkeep if she ran out of money.

If I was to be taken from the police station to the prison, or from prison to Malé or then back again to prison, or when I was to be released from prison, a group of policemen would tell my wife hours before.

The last time, when they brought me from prison to the court, my wife knew about it. Before I arrived at the court, a sister-in-law of mine was there waiting for me. These were the actions of those who wished me well. According to what these policemen said, the NSS had a personal grudge against me.

One of the policemen phoned and wanted my wife to divorce me and marry him. He said to my wife that I had lost my status because the police are smearing my reputation. He tried to make her understand that I had no future left, my business had collapsed, and there was no way I could start again. He told my wife there was no way of getting a guarantee or loan from a bank or anywhere else. Those who criticise the police will be squashed.

Another phoning policeman had a completely different idea. He said his sympathies and pity lay with me. For the sake of my wife, he sent a man to our house to do sorcery to calm my father-in-law. This man sat with the Koran in front of him and read out some chapters. Then he said he believed some black magic had been done to separate us both, and there was only one way to escape from it. That way involved writing a spell on the side of my wife's body and then washing that writing with enchanted water and rubbing the water on various parts of her body. This would continue for three months. To do this rite, she did not have to be naked.

The next stage of the magic was treacherous. For the following three months he would rub enchanted sandalwood paste all over her body every night, reciting a spell. When my wife said that she would not agree if she had to be naked, the man said she could have a covering sheet. He said he would not do anything inappropriate, and that she was just like a child to him. This anti-sorcery magic was deferred.

One of these policemen, without shame or consideration and without my wife's permission, began to visit our house. Even when he was told not to enter, he came in and told my wife that he would like her to have sex with him, and there would be nothing wrong with her kissing him. He asked her if he could hug her, and then took her hand. When she shook her hand away, he put his hands on her shoulders and tried to force her to sit on a chair. At that time he also grabbed her hand and kissed it, saying what a lovely hand she had.

By this stage, his harassment had become gross. He kept visiting our house, and kept asking her to go to restaurants with him. When he was told that she would not go, he began to send food he hoped she would like, prepared at a restaurant. He phoned her, and kept asking her to have intercourse with him. My wife said the harassment from him was unbearable.

The police investigations related to the building court case

Every time my case was heard in the civil court, the police conducted investigations involving me. For this purpose, the police summoned me often to the police station in the Odeon building where the traffic branch is located. Many times they would take me in the police jeep to inspect the building at Vinoaia block.

My father-in-law and Zahir would already be there on their motor bikes. The neighbours would gather in front of the house and wait. Even if I went to the police station on my motor bike, I have to go in the police jeep for the inspection of the building. If I refused it would be 'disobeying authority'. After inspecting the building they would take me back to the police station, stopping publicly at many places around Malé.

On one of these occasions, the traffic branch investigation was carried out by warrant officer Abdullah Rasheed. This time my father-in-law and Ismail Zahir came with a document stating I had made accusations in court that the police arrested me in breach of the rules and regulations of Maldives, and that the police conducted investigations during the case proceedings of a civil court. The document also stated that I said that any of these arrests could not have been made under the law. Many other things I said in court were marked on the document with a highlight pen. The matter under investigation this time was that I had slandered the police, and defamed their reputation, and I was an anti-government person.

This time the matter was very serious, and Abdullah Rasheed told me that I could not say these things in court. I told him that I could. I told him that the fact was the state had prosecuted me for committing a crime, and I had not been sentenced by a court, and that was unequivocal evidence that I had not committed any crime. He replied that he would show me I had committed a crime. He said if I said such things in court, they would take legal action against me.

What is the purpose of the arrest form and the copy of the investigation statement?

When the police arrest someone, they keep the person in custody as long as they like and then make the person sign the 'reason for arrest' form which is backdated to the day of arrest. This is plainly in breach of Maldivian law. When they try to do this, those people who understand the law, will refuse to sign the form. As soon as the person refuses to sign, the police will sign it and add a statement recording that the arrested person refused to sign the form. All documents will contain the 'right' date. This unlawful action cannot be proven from evidence in their records.

The statement the person gives during the investigation, or the advice and warnings the police give to the person, are very important documents. I now understand the importance of these documents. A person should receive a copy of any of the documents the person signs. If not, such document could be destroyed or added to, or deletions made. Remember, this is technologically developed era.

During the investigations the police conducted on me, I sometimes attempted to get a copy of the statements. But I was told I could not have copies because they were police documents.

Defence Ministry detention after the investigations

On some occasions when I was released from custody by the Defence Ministry, I had to sign a document that required me to go to the Defence Ministry once a week to sign a register. If I were to be out of Malé for long period or go abroad, I had to get permission to leave. Other times I was kept under house arrest for no assigned length of time. At the end of this month, it will have been four months of house arrest in this way. But I have still not been sentenced by a court.

Harassment to prevent the leasing of the building

After being released from prison in April 1998, I realised it would be very hard to run a business in the building at Vinoaia block. I gave first priority

to leasing the business area, but although I advertised in the newspaper, for the rest of the year, I was unable to lease the building.

As soon as I had people about to come to an agreement, my father-in-law and Ismail Zahir would go and see them and warn that there was court case regarding the building, and if they leased it, then my father-in-law and Zahir would take it from them. So there was no one who wanted to lease a building for Rf 15,000 per month [nearly US\$1300 at 1998 exchange rate] that could have been leased for as much as Rf 30,000 [US\$2,600] at the real current market value.

Eventually, someone who was well aware of the case, leased the building from me by obtaining a guarantee from Ismail Zahir that if the building was taken away from me, then the lessee would be able to make an agreement with Ismail Manik [Lutfy's father-in-law]. The rent was set at only Rf 15,000 a month.

When I was trying to lease the building, my father-in-law caused disturbances in various ways. Once I engaged workmen to alter a set of windows. They had the windows cut out, and were in the process of fitting the new set when he arrived and intimidated them, stopping their work by saying it was his building. The set of windows remain unfinished.

Another noteworthy thing is the occasion when he had two full lorryloads of sand brought in and dumped inside the garage. As a result, the main entrance doors of the building were blocked. When I made a complaint to the police about this, they refused to act on it. After more than 24 hours, I had to pay a group of people to remove this sand and transfer it to Ismail Manik's section of the Vinoaia block. However, after two to three days, the police began investigating the allegation that I had stolen a lorryload of Manik's sand. Luckily, this time I was not imprisoned. They could not prove the theft either.

Even though there was copious evidence that Manik had caused all the trouble, it was found that I had breached the building agreement between us.

Falling ill while under Defence Ministry detention

While I was under Defence detention without a court sentence, I fell ill and informed them. I was told there was no arrangement in place for the government to provide medical treatment. They said they could send the jeep and take me to the hospital. When I asked them how a person who had been detention for three months was going to earn a living, their reply was that it was not their concern. Now I am in the situation where I am being deprived of medical treatment for a sickness.

The future of my life

I had been imprisoned five times in two years, and arrested and kept at the police station many times. It had caused serious psychological problems for my wife and children. When the children see me after a long time, the first thing they ask me is, 'Daddy, did you come from jail?'

And when I return home after going out for a short time, they ask, 'Daddy, did you go to court today? The police came today looking for you. Why was that?'

I was not surprised when my children asked me these things. The reason is, the police had come to the house so many times and arrested me, or they had come and to ask where I was, or when they come to deliver a summons, everything takes place in front of the children.

The first thing my friends ask when they see me is, 'When did you get released?' 'Saw you the other day in the police jeep' 'Have been found offending again? What is the problem?'

I have lost my self-confidence. I constantly worry that I will be arrested at any time. My business has failed completely. Every time I get released, I make arrangements for an investment and get ready to start work, but soon I am imprisoned again. People who would normally help me with capital, and those who provide me with guarantees to withdraw overdrafts, and many others who help in these business matters, they have all lost trust in me. The reason is, that all investments involving me have

100% risk. Even I am afraid of getting involved in a business, to the extent I am afraid to work as an employee for anybody else.

In conclusion

The information in this report is the reality of what has happened to me. It is all true. After finishing, I re-read it, and tears came to my eyes. The question that comes to mind is why people who are summoned by the police do not even have the right to speak in defence of themselves? What is the huge crime that I have committed that prompts the government to mount a case in court against me? Is the sentence for these offences a long term banishment? Or a small fine? It is hard to obtain answers to these questions.

* Note: Some of the documents I would like to attach with this report were not included because I was refused permission by the Defence Ministry.

* There is very important information not included in this report. I would like to disclose that information only in the presence of the president.

NOTE: After compiling this report and sending it, Ibrahim Lutfy was detained once again in Dhoonidhoo for three months. He was later released. He later formed Viuga, an information technology company, after getting finance from Qasim Ibrahim. Lutfy, some of Qasim's close business associates and Qasim himself were shareholders. The company had planned to venture into large projects such as bidding for the second ISP in the Maldives. However, while his business fortunes were rising, Lutfy was taking the largest risk in his life. Risking his life and his business he and some friends started the underground newsletter Sandhaanu in 2001. They were later caught and arrested, and after being kept in jail for almost five months, Lutfy and two other men, Ahmed Didi and Mohamed Zaki, received a life sentence in July 2002. A girl named Fathimath Nisreen was sentenced to ten years of jail. Having experienced the horrors of Maldives jails in 1998 and 1999, it was indeed a great risk to take and an act of selflessness on the part of Lutfy. He preferred the betterment of his country to an improvement in his personal fortunes. Lutfy later escaped while he was in Sri Lanka for a medical treatment and sought asylum in Europe.

Ibrahim Lutfy's letter to the Maldives Justice Minister

Malé 1999

To the Minister of Justice, the Honourable Ahmed Zahir

Greetings and I would like to say,

When someone files a case against another person, and is attempting to incriminate that person, the court should not facilitate this sort of action. If the court does act in this way, then it is nothing less than judging people under the law of the jungle.

If a trial is conducted according to justice and fairness, then the court should consider evidence from both the defendant and the complainant. If the court rulings are made only on the complainant's evidence, it will not provide justice and fairness. It is my view that if the evidence the defendant has to present to court is to be found in the government records, the court should order its presentation to the court.

Government records are not to be destroyed whenever someone feels like it. When there is clear evidence of the existence of such documentary evidence, it must be found.

When the complainant's evidence is not substantial, and there is inconsistent testimony from two witnesses, then to say that witness statements

are 'incomplete', and 'further evidence is needed' from the complaint, is conducting a trial with bias. It is also a departure from justice to omit the main parts of the witnesses' statements, and then write a summary of their evidence in a way that hides the inconsistencies. When this happens, I do not think there is any reason for a trial.

Due to the above reasons, questions arise in my mind about the way Criminal Court Judge Abdullah Areef is conducting the trial on charges that the state has raised against me, alleging I was 'falsifying my name, address and father's name'. When I presented in my defence an official document proving that the police were in possession of my identity card, it was not given satisfactory consideration. When staff sergeant Jadullah Nazim gave evidence in court, no questions were put to him about my evidence that he was in possession of my identity card.

When a person is arrested in the police station, the police take away everything except for the clothes the person is wearing. When the police held me in custody at the police station on 22 February 1998, they took away everything I had on me. This included my identity card and driver's licence. Both of these documents are unaltered; they are official documents and clearly show my identity. After keeping me in custody in the police station, they sent me to Gaamaadhoo prison on 1 March 1998 and returned my identity card. But they kept the remaining things, like the driver's licence. The investigating officer, staff sergeant Jadullah Nazim, gave me an official document acknowledging this.

Doesn't this document prove that Jadullah Nazim was in possession of my identity when he carried out this investigation? How much evidence do the police need to prove that I did not falsify my name, address and father's name? When I was registered at the police station, was the information recorded in the register incorrect? Is the information in the letter I wrote in prison, and I sent through the prison's management to the President, also incorrect? Is the information in the Defence Ministry's register, that I signed when I was released from detention, incorrect as well?

According to what Attorney-General Dr Mohamed Munawar says, the moment the government officially files a case against an individual, the laws of Maldives allow the person to do all that person can in defence of himself or herself. So obstructing a defence, and stopping it, is an act in breach of the law. It is a violation of the rights and freedom of a person. The police have violated this freedom of mine.

Without a court sentence, the police have imprisoned me and kept me under house detention for nearly four months. They are unhappy about my claim in court that a policeman lied under oath. In order to 'file me down to size', the police have imprisoned me. Is this also part of court proceedings? I was brought to the court from prison only once. Is this maintaining justice in its perfect form?

Is it also part of the rules, to come and tell me all of a sudden to attend court without any reasonable prior notice, and while I am under house arrest? Should I have to take responsibility for the court staff forgetting to send me the court summons? When the court summons had been sent informing me of the date and time of the court attendance, the police arrived long before the date and took me away in a jeep under 'emergency orders' and had me locked up in a holding cell in the court building until the end of office hours without providing any food. Is this also a step towards respecting and protecting the rights of the people? When a court trial is taking place, the defendant is being kept 'chained' and under house arrest. Is that done because otherwise the person may succeed in defending himself?

What I am trying to say is – things have reached such a point that it can be said the trial judge Abdullah Areef is under someone's control. After attending court on the 17th of this month, he said during a discussion that he was continuing the trial because 'evidence is incomplete'. This statement shows clearly that I am not guilty. Without realising it, the judge said very plainly why I have not been found guilty. So even a child would understand that I am certainly not guilty.

Attempting to summon other policemen to testify against me, after two policemen gave inconsistent evidence in court, is an indication that the judge is acting with bias against me. It is not something a judge would do in a just and fair trial. The judge should make a ruling based on the evidence presented to the court. However, when he informs the police that I cannot be found guilty yet and he needs more evidence, then he isn't

running an Islamic trial; he's playing a long Hindi raga!

It is becoming clear that the evidence I present is not considered valid by the court. Obviously this means the purpose of the trial is to grant the wishes of the complainant, without any consideration for my rights. In a just and fair trial, the judge would not be biased. If the judge is prosecuting me, then the verdict is devoid of justice. Jadullah and Aseeth created and investigated my case. If the people who create a case also investigate it, will they respect my rights?

When I had doubts about the testimony of Sergeant Aseeth, I cross-examined him with the permission of the judge. He widened his eyes and changed his tone of voice and said to me 'I won't answer questions you ask.' What are we to understand from this? Is this the standard of behaviour for police at court? So just imagine the way these two policeman would have conducted my investigation. Any rational thinking person will not hesitate to agree that the testimonies of Jadullah Nazim and Aseeth are unacceptable. They manufactured and investigated the case.

In the absence of any statement carrying my signature and finger prints in which I have admitted to falsifying my name, address and father's name, the judge accepted evidence from these two men in court. This indicates that judge Abdullah Areef is under the influence of a powerful person. When I was repeating in court what Jadullah Nazim had said, the judge refused to hear some parts of my evidence, which indicates the judge was frightened of what he might hear. Therefore, I suspect that judge Abdullah Areef is facing pressure from a person with power and influence. In other words, the prosecutor is the manufacturer of the case as well. They investigate the case. They act as witnesses in court. Is this a modern day joke?

It is hard to believe that the activities of the courts run by the Ministry of Justice, under your capable control, would be subject to the influence of a second party. However, my experience proves that chiefs and the staff of the court are under the intimidation of someone who is more powerful than you.

The day I was taken to the court from the prison, I tried to see the chief judge, Ahmed Mohamed, but could not, because I wasn't there under court orders at the time. I was told that the chief judge said he would see me on the day my trial takes place. So I believe I was summoned to the court on police orders. On that day, I was kept in the court building and then taken to the police station. This is a very confusing system of court procedure.

On the 19th of this month, the police came and told me I had to go to the Defence Ministry. They took me to the court instead, and I asked the secretary if I could see the chief judge. At that moment, I was pointed in the direction of a set of chairs and I sat down. Immediately a policeman told me not to sit there. The court secretary and other staff witnessed this scene. I got up and repeatedly asked the secretary where I should sit. I was told to sit in the same place and I sat there. The policeman became angry and pointed at me and said, 'Didn't I tell you to stand up? You sit where we tell you. We brought you here.' The policeman was throwing up his hands in way that degraded the court building, speaking loudly and in the presence many staff he pointed to the office staff and said, 'They don't know where you should sit. Have you heard what I said?' I obeyed his orders, and was told to sit in a small holding cell. This proves that the Criminal Court is under the power and control of the police. Can it mean anything else?

Honourable Justice Minister, is the Criminal Court really a military court? Is it a court run by the police department? Or is it a court run by the Justice Ministry under your authority? Would you please explain this confusing system of court procedure that the common people cannot understand? In my opinion, judgment was passed on the last day of the trial, when the judge accidentally said that the evidence presented had failed to prove the offence. There is unequivocal evidence of my innocence. Other evidence, brought in to convict me of something else, cannot be added to the case. Only judge Abdullah Areef knows what is in store for me.

Please accept my respects,

21 October 1999

Yours sincerely

[Lutfy's signature]
Ibrahim Moosa Lutfy
Fenmuli, Hithadhoo, Seenu

Ministry of Justice
Malé, Maldives

Copy to:
President al-usthaz Maumoon Abdul Gayyoom
Advisor of the Supreme Council of Islamic Affairs
Speaker of the People's Majlis
Members of the People's Majlis
Members of the Cabinet
The Chief Justice of Maldives
Chief Justice of the Criminal Court
Candidates of the General Elections 1999

NOTE: Abdulla Areef is the same magistrate who sentenced Lutfy, Ahmed Didi and Mohamed Zaki to life for their involvement in Sandhaanu, and issued a sentence of ten years imprisonment for Fathimath Nisreen, a girl who was not even involved in Sandhaanu, according to the other three men.

Ibrahim Lutfy's letter to the Maldives Attorney General

From:
Ibrahim Moosa Lutfy
P.O. Box 20188
Phone: 772002

To the Attorney General Dr Mohamed Munavvar

Greetings and I would like to say,

When a person is arrested and accused of committing a crime without satisfactory evidence, it is not difficult to make the accused person admit to committing the offence.

First, before questioning begins, the person is beaten up without any consideration of long-term injury. Limbs are sometimes broken. If this doesn't work, then the person's backbone will be broken. After that, the investigator writes a statement saying whatever he likes, and gives it to the accused for signing. There is no doubt that after being subject to torture like this, the person would be willing to admit to things that he had never done.

No talent is required to conduct this sort of investigation. It is enough that the investigator has received colourful medals for bravery. In general, the public does not see police actions of the type I have described. However, we all know this kind of thing happens. We may have experienced them in films or in the news bulletins.

Should police inquiries have specific procedures and rules? Does a person being investigated have rights? Should defence evidence be destroyed? Should there be fairness when providing the protection of legal rights, when the law is applied to an accused person? If the person is subject to harm, should that person's right to send a plea, to the authorities or to the president, be taken away? If that person is likely to be successful in defending himself, should he be chained?

Police brutality is not new to you sir. I remember very well what you said to me, in reference to police brutality, during the few meetings we had. In this situation, I am surprised and stunned by the fact that you prosecute me based on reports from investigations of this type.

I made a claim of being physically assaulted inside the Civil Court by the honourable Member of Peoples' Majlis, Ismail Zahir (Agi house, Henveiru ward) of Kudahuvahu island, Dhaalu Atoll, and about the brutal investigation conducted by the police. Despite this information being known to you,

a claim was raised against me on the same matter in court. This shocked me even more.

You have supported a bankrupt investigative system. However, I argued in defence of the claim raised against me, though your skilful prosecuting lawyer kept saying in eloquent language that I was the one who committed the assault, and that what I said had 'no legal weight'.

When asked whether Isamil Zahir, who claimed to have been assaulted, could be summoned to the court, it was affirmed. However, in the same way the investigation was carried out, the trial was also concluded without him being summoned to the court. I was fined two hundred rufiyaa after being found guilty of the offence of battery.

In the belief that people like Dr Munavwar, who hold degrees, would know what best to do about this sort of investigation and the trial, I remained silent. My great grandfather, Faleelathul Sheikh Ibrahim Lutfy (Addu Thuththu Didi) during his time as the Attorney General of Maldives resigned from his position on a day he had to raise a particular claim in court. He refused to raise that claim. Was it because of his lack of skills and the 'legal weight' his educational certificates?

Honourable Attorney General, since I appear to have woken up in a completely new world and feeling immature, I respectfully remind you about this trial because you have raised a new type of legal claim against me, and the tune of this litigation is changing. This claim of having lied about my identity; the obvious question is, what is the grave crime that I have committed here?

I am surprised and stunned. It is not possible for me to be guilty. And I do not know how to defend this sort of thing, and I don't know when the trial will come to an end. I have been put in prison twice. I have been placed under house arrest in a rented room, twice. Since the 3rd of July I have been under detention. A third of the year is now gone. It is all because of this same problem. Neither a court of law, nor any other authority, has sentenced me, and yet I am being kept under arrest. Isn't this a remarkable matter?

Please accept my respects,

22 October 1999

Yours sincerely,
(Lutfy's signature)

Ibrahim Moosa Lutfy
Fenmulu house, Hithadhoo island, Seenu Atoll

To:
Office of the Attorney General
Malé, Maldives

Copy to:
To the noble presence of the President al-usthaz Maumoon Abdul Gayyoom
Head of the Supreme Council of Islamic Affairs
Speaker of the People's Majlis
Members of the People's Majlis
Members of the Cabinet
Chief Justice of Maldives
Chief Magistrate of the Criminal Court
Candidates of the General Elections 1999

NOTE: Former Attorney General Dr Mohamed Munawwar had the choice to resign rather than prosecute innocent people such as Lutfy in 1998 and 1999. However, Dr Munawwar was not as noble as former Attorney General late Faleelathul Sheikh Ibrahim Lutfy (Addu Thuththu Didi). Dr Munawwar chose to remain in the cabinet post that he got in 1993. He protected his friends from cases against them but he was ruthless in prosecuting dissidents and political prisoners. Dr Munawwar was the Attorney General when Lutfy, Ahmed Didi, Mohamed Zaki and Fathimath Nisreen were prosecuted for creating Sandhaanu. Nisreen was an innocent girl who was not even involved in Sandhaanu according to Lutfy, Didi and Zaki. The three men were sentenced to life in prison and Nisreen

was sentenced to ten years of jail based on charges that they conspired in acts hostile to the state. The three men received a separate sentence of one year's banishment and Nisreen received a sentence of one year of house arrest based on charges of defamation. The government prosecution alleged that Sandhaanu called for a holy jihad to overthrow the 'legally elected' government of the Maldives. After defending the regime so loyally, Dr Munawwar was nevertheless sacked from his post by Gayoom in November 2003. He later joined Maldivian Democratic Party (MDP). Dr Munavwar realized that the only playing card left for him was joining the reform movement and overnight he turned a zealous reformist. As a result, he was also arrested following the pro-democracy protest of Black Friday, August 13, 2004. Recently, in a public meeting of MDP, Dr Munawwar apologized to the public for any instances in which a person was prosecuted based on confession statements obtained through force, while he was the Attorney General. He said that during his ten years as Attorney General he was not aware that people were forced by police while in detention to obtain confession statements. He said he became aware of this fact only while he was in detention in Dhoonidhoo following the August 13 demonstration. After reading this letter from Lutfy, sent in 1999, to Dr Munawwar, and after reading Lutfy's report detailing torture used in obtaining confessions, (a report which was also sent to Dr Munawwar in 1999) one could see that Dr Munawwar is a skillful liar.

Ibrahim Lutfy's 1999 letter to President Maumoon Gayyoom

Ibrahim Moosa Lutfy
P.O. Box 20188
Phone: 772002

To the noble President al-usthaz Maumoon Abdul Gayyoom,

Greetings and I would like say,

I am not particularly competent in the law of this country. But I was confident that when the Constitution of Maldives was reformed over a seventeen year period, or more than three terms of the Peoples' Majlis, that constitution would protect the people's rights perfectly. The purpose of a law is the establishment of justice and fairness in a society. Law is the establishment of a system of principles which provides a satisfactory relationship between the people and the government, and the protection of business dealings between individuals. In the absence of a valid legal system, or failure to enforce the existing law, the justice system is destroyed. Power and influence buy everything. When this happens, there is virtually no law.

The way I am being treated is shocking. The matter concerns an allegation made by my father-in-law and the police, that I have breached a family agreement regarding leasing of a building. The day I was sent to prison without a court sentence over a civil matter, I wondered about the extent that our constitution protected our rights. I realised that the constitution, after seventeen years of reformation, did not provide any protection to a person punished in the name of the government, regardless of the torment the person is subjected to.

At the same time, I came to the sad realisation that there was no legal means of being compensated for the physical, psychological and financial damages caused by this punishment. Regarding the civil matter already mentioned, when the case did not go according to the wishes of the police, they developed a personal grudge against me. When I became a kicking ball for the police, I did not find any evidence of a good constitutional legal system to protect the rights of the people.

When things reached this stage, I wrote a letter to you describing what happened. But there was no end to these cruel acts. So I requested an appointment with you, but I was unable to get an appointment.

I also wrote a letter to the Police Commissioner Brigadier Adam Zahir, requesting he arrange a third party to investigate my case because the police had created it, and were conducting a punishing investigation in

violation of my rights. When there was no reply to my letter, I requested an appointment but there was no response. Once again, I was sent to prison, and then again. I have received every kind of torment a person could receive in a place where there is not a fragment of justice and fairness.

The policeman who sent me to prison, wrote what he liked and kept me locked up as long as he wanted. This was the truth of what actually happens. The verdict given at the police desk is guaranteed to be carried out by the same policeman who makes the ruling. There is no doubt that this person has the power and the authority to act in this way without any discussion with anybody else. The facts are clear.

Hence, I wonder whether the Peoples' Majlis really took over seventeen years to shape the constitution into its present weak form. Or is it that I am yet to see the chapter of this constitution dealing with the protection of my rights? Or is it that the police are granted the power and discretion to arrest and imprison people for as long as they please, in the name of an investigation without a court sentence? In that case, I believe that unless a leader such as Umar bin Khattab is leading the country, justice and fairness cannot be established here. This is a rational idea, and the whole world would agree. Keeping people in captivity without a court sentence for as long as the police please, has become very common practice in Maldives. 'When the prison was burnt, the laws and regulations of Maldives were burnt as well.' This police comment is very clear in meaning.

Honourable President, I have been imprisoned five times in two years for no valid reason. It is remarkable that this investigation could not be carried out without imprisonment. Or is it that the case must be carried out according to the wishes of the complainant? A person under investigation should only be kept in captivity if that investigation cannot be carried out effectively when the accused is free. However, recently the police take people into captivity when they feel like it, and keep the person for as long as they like. When they feel like it, they put people under house arrest. I was in shock, not knowing the reason for my imprisonment. The police are unable to accept they must take me to court if I had committed an offence, and get me sentenced there. I wonder what kind of pleasure they get by imprisoning me so frequently. Since this is my situation, I wonder whether these procedures are lawful.

A person under investigation should only be kept in captivity if that investigation cannot be carried out effectively when the accused is free. However, recently the police take people into captivity when they feel like it, and keep the person for as long as they like. When they feel like it, they put people under house arrest.

When my father-in-law did not succeed in any of the matters he filed with the police and the court cases regarding the legal termination of the building agreement between us, the person who took the matter into his own hands was the honourable Member for Dhaalu Atoll, who is my brother-in-law Ismail Zahir, Finihiyaage house, Kudahuvadhoon island, Dhaalu atoll, resident in Malé at Agi house, Henveiru ward.

The first thing he did was come into our house and physically assault my wife. The police did not act on this matter either. Then he assaulted me in the premises of the Civil Court. Although it was me who reported the case to the police, the records have been completely altered. In his absence, the matter was investigated and finalised. Without giving me the opportunity to see a doctor about the injury on my leg, I was sent to prison. Later on, I learned that he went to see a doctor and obtained a medical report. Even though the police investigation was over, they still kept me imprisoned as long as they liked.

The police facilitated the way for the termination of the agreement between me and my father-in-law. I was unable to pay rent on time. My father-in-law physically assaulted me, and hit me on the mouth and caused bleeding. Even then there was no investigation of the matter. There was no imprisonment. There was no court case. But the police managed to keep up with the proceedings of all my cases at the civil court.

Because I was revealing these facts in court, my father-in-law and brother-in-law constantly filed complaints with the police. I filed an appeal to you,

Honourable President, regarding the court ruling which terminated the building agreement. There were then two documents — the President's reply and the court document stating that myself, wife, children and possessions could not be removed from the premises until the President made a decision on the case. But the police disregarded these two documents, and took me away and imprisoned me. I was told that I could not live in my (Vinoalia) house under house arrest, and the police said if I tried to stay there, I would have to go to jail again. Under police duress I have been kept under house arrest in a room rented at my expense. I will have been there four months in two or three days time.

Honourable President, what lays in front me is fear and menace, pain and suffering. I am in constant fear of being arrested at any moment and put in a prison that is full of abusive practices. I raise my voice in calling to the whole country for a law that would save me from this horror. If such a procedure or law cannot not be found, then I leave it with the Lord of the universe.

Honourable President, what lays in front me is fear and menace, pain and suffering. I am in constant fear of being arrested at any moment and put in a prison that is full of abusive practices. I raise my voice in calling to the whole country for a law that would save me from this horror.

What remains is the Day of Judgment. It is a day that will come for sure. On that day, some people will go down. Others will be raised. Human beings, who are formed from a tiny amount of semen, will stand in front of the Creator. The Judge will determine the fate of those who wore the golden robe in the name of sustaining perfect justice and then slaughtered that justice on earth. Those people will hear a sentence of the most severe punishment. Holy Allah has those powers. So I remain waiting for that day. I leave it to holy Allah. Today it is the police who have the power. We have to be patient. I have no hope of not being imprisoned again. I have to be prepared at any moment to be arrested and imprisoned in a place full of abuse. But this dream will end very soon. And then we will all be in the eternal world.

I have attached with this letter a brief report for your information about my case. It began as a civil issue, and due to the fist power of the police, it became a number of criminal cases. I was arrested and subjected to cruel investigations and trials that are still continuing.

Honourable President, I would like to describe to you the brutal investigations the police conduct and the tortures that occur in the prison that I have witnessed with my own eyes. I very respectfully request an appointment with you.

Please accept my respects.

24 October 1999

Yours sincerely,
[Ibrahim Lutfy's signature]

Ibrahim Moosa Lutfy
(Fenmulu, Hithadhoo, Seenu)

President's Office
Male', Maldives

Copy to:
Presidential Palace
Advisor to the Supreme Council of Islamic Affairs
Speaker of the People's Majlis
Members of the People's Majlis
Members of the Cabinet
The Chief Justice of Maldives
Chief Judge of the Criminal Court
Candidates of the General Elections 1999

سَوَسَسَ سَوَسَسَ (تَرْسِيقُ مَعِي يَؤِي)

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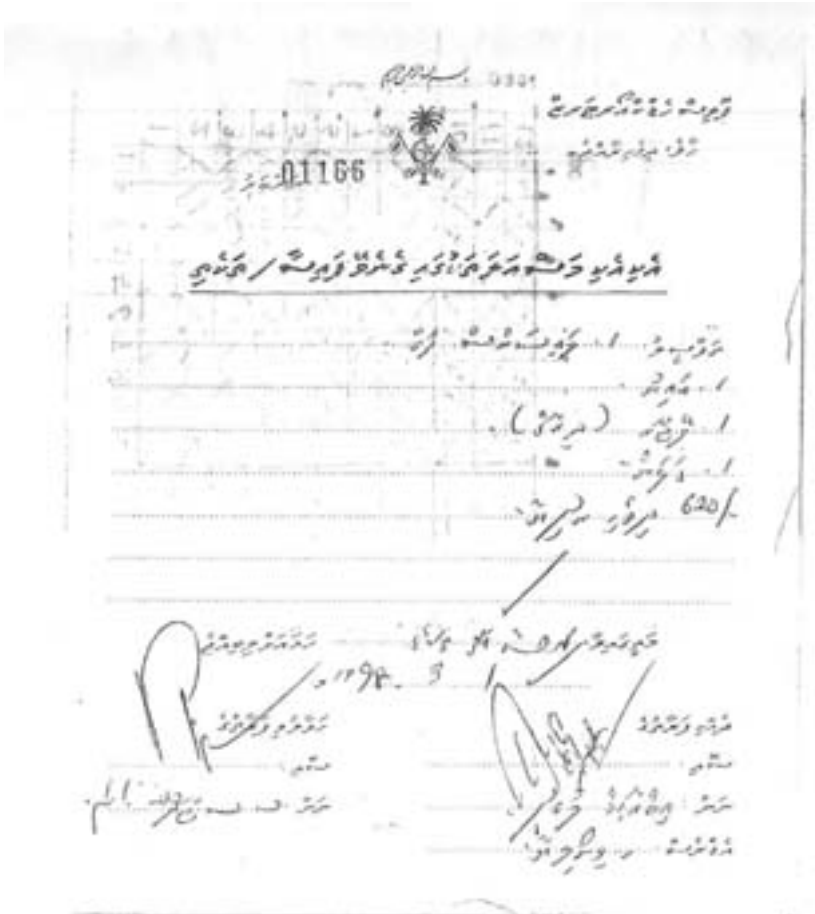
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Handwritten text in Arabic script, likely a receipt or document related to the case.

The image below is the receipt issued by police after arresting Ibrahim Lutfy and keeping his driving license and some other possessions; and a photocopy of his driving license.



Handwritten text in Arabic script, continuing the document or providing additional details.

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Handwritten signature or mark.

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Handwritten text in Arabic script, possibly a list or detailed notes.

מרחבי עוצמה וזמן אסטרטגיה נכונה נכונה

העמודים 19-20, ספטמבר 2004

המחבר מנסה להסביר את המושגים של "מרחבי עוצמה" ו"זמן אסטרטגיה נכונה". המושגים הללו מתייחסים לשימוש יעיל במשאבים ובזמן כדי להשיג את המטרות האסטרטגיות. המחבר מדגיש את חשיבות התכנון והארגון של המאמצים, ואת הצורך בהתאמתם לשינויים במצב. המחבר מציג דוגמאות שונות של אסטרטגיות נכונות, ומסביר כיצד הן עובדות. המחבר מסיים את המאמר בהצעה להשתמש בכלים אלו כדי לשפר את היעילות וההצלחה של המאמצים.

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Gross and inhuman torture carried out in Maldives prisons

Ibrahim Lutfy, Sandhaanu, 19 September 2004, translated by RESIST

Nobody will inflict pain on own self because one will realise and understand the pain one will go through. In the same way, one should understand that if one inflicts pain on another person that person will also feel pain. So nobody should torture another. As one desires justice for one's self, one should agree for others to receive it. Everybody should love justice and equality. Nobody should support revenge and cruelty. People should wage a fierce fight against an oppressor. This does not mean exterminating the oppressor and neither does it means killing the oppressor. It means eliminating the oppression of the oppressor. If people show weakness in the face of an oppressor and does not fight against oppression, the oppressor will feel that there is nobody more powerful and that the people will live with fear and cowardice and live with submission. Living without resistance under an oppressor means inviting tyranny. It is a virtue not to resort to revenge. Measures taken against oppressors and steps taken to overcome them could not be described as avenging. That is a lesson to oppressors. If oppressors know that there are people who are smarter than them and that there are few people who will submit to their demands, then their treacherous plans will decrease, and the society could be made safer. Instead if people pretend not to see or know about the oppression, the result will be bitter. Today we all are regretting because of this complacency.

Living without resistance under an oppressor means inviting tyranny.

I believe that the results of the hard work done with patriotic spirit by several Maldivians within a short span of time are yielding positively. As unity is strength, when we united to bring an end to tyranny, the oppressors received a sudden shock. At the point when we showed them our power and courage, they were forced to retreat in their oppression. This is a fact.

My Testimony

In this time of sadness, I am giving my testimony not to encourage any party to seek revenge from Maumoon. I myself do not want to take revenge from Maumoon. However, I work restlessly to bring an end to the tyranny of Maumoon. He should ask for our forgiveness for the crimes he has committed. We need reforms, true reforms, and change that is free from any deception. We need to establish a fine system so that oppression could not be practiced in the future. I call to facilitate such change. Very grave consequences might occur if (Maumoon) plays a game in the name of 'reform' without asking the people for forgiveness.

I saw all prisons made during President Maumoon's rule. I would not say that was a misfortune. I got the opportunity to study up to PhD about the inhuman and heartless torture in prisons of the Maldives, the unfair investigations and the unfair trials. I learned all those things very attentively. That was a stroke of very good luck. My thesis has been written based on truth. Since Maumoon does not like people who speak the truth I was not given the title of Doctor. Instead he gave me pain. Not a small pain but torture that would cause suffering throughout the rest of life. Yes, during Maumoon's rule, I have been taken to prison ten times during the past seventeen years and have been subjected to various forms of torture. I never went to prison voluntarily to receive the torture. I was never a thief, a pirate, a person who fought with people, a deceiver, a drug user or a drug dealer. I was imprisoned because I criticised the unjust policies of the government and the cruel methods of the police. I was jailed 'to reduce' my 'size'. Because I speak based on fairness and the right way, police ask me why I have 'misunderstood my size.' Because I do not know the 'size' in which the police want to keep me, they try to force the 'size' they want on me. With the blessings of Allah, and with the will of Allah, I am still living in my own size.

During President Maumoon's rule, when I was becoming aware of facts of life, I heard about torture in prison. But I did not believe that such talk was true. Because of the smooth talk of Maumoon and his quiet manner, it was difficult to believe that he will intentionally perpetuate such torture as people narrated. As I became more aware of things, I heard more stories of torture.

When I was imprisoned I did not sit idly as a lost person. I asked the inmates I met and some good guards who came on duty about the methods of torture, tactics of investigations and information on other things. I did not just believe what every prisoner said. I did not accept anything as truth without listening to tales of several people and thinking about them. When I first witnessed the horrible torture of the prison I urinated because of fear.

After the first experience I concluded that the torture occurred without Maumoon's knowledge. So I tried to convey the information to Maumoon through a senior government official. I was advised not to tell anybody about what I saw in prison. I sought the advice of elders. Everybody said the same thing. That is Maumoon was aware of the torture in jail but did not want to investigate it. I did not conclude that as a fact even by then. However I believed that there was some truth in the advice I was given. Most people think that talking about torture in prison is a useless task. Even though the torture occurs and is real, it is not to be mentioned to save one from further suffering. If people talk about torture by police and the unfair actions of government offices, it is regarded as meddling with the policies of the government. People stay silent because otherwise they will have to return to prison.

In the end I wrote a letter to Maumoon with the intention of finding a solution to the inhuman and cruel torture I witnessed several times in jail. I also wrote that the things I had to tell him were linked to national safety and requested an appointment. I wrote very clearly that I could not tell those details in writing. I received the reply that it was very difficult to meet because of time constraints and I was asked to tell what I had to say in a letter. It was a time when stories of torturing of a very famous person of Male' and his friends in jail were circulating. Because of the severity of the torture, and because if they were brought to Male' for treatment the public would discover more, they were treated by bringing doctors and nurses to Dhoonidhoo. The policemen who tortured were suspended. This was because the case was leaked so much. Referring to this case, I wrote a letter to the President and the Commissioner of Police about the torture in prison. In addition, I tried in several ways to tell these stories to Maumoon. I did not succeed. From that point I concluded that President Maumoon did not want to check anything that was concerned with national safety. I also believed that he did not care whatever torture and suffering people went through.

From that point I concluded that President Maumoon did not care whatever torture and suffering people went through.

Sometime after I wrote that letter, I had to encounter police cruelty again. This time, I wrote to Maumoon, while in prison. I told that the police had detained me in violation of the laws of the Maldives and violated many rights of mine. I received the reply to the letter three months after I was released after I had spent almost two months in jail. "Ibrahim Lutfy has been detained concerning a case police is investigating, and according to the laws and regulations of the Maldives, following a court order by a judge," the reply said. The reply that I received from the President's Office said that. Even though President Maumoon had said so, I was never taken to court and I did not meet a judge. No judge could issue an order to detain me without questioning me first. Such an order will be illegal. I then concluded

that Maumoon believed that Maldivian people were an ignorant lot.

I believe it is the responsibility of each Maldivian to try to stop the torture in prison because it is a sensitive matter related to national safety and public order. I prepared a detailed report of 52 pages about the torture prisoners go through and that I myself experienced. I sent the letter to President Maumoon, members of the cabinet, Attorney General, Justice Minister, Chief Justice, President of the Supreme Council for Islamic Affairs, Chief Judge of Criminal Court, members of the parliament, and all candidates contesting in the parliamentary election of 1999. I also sent this report to many people in Male' and other islands. With this report I sent a letter to Maumoon explaining that I needed to tell him further details of torture in prison and requested an appointment.

Instead of granting an appointment President Maumoon arrested me and detained me in a small cell in Dhoonidhoo in solitary confinement for three months. When I asked the police why I was being arrested, they replied that it was because I had 'sent letters to various people accusing

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the police.' Six months after I was released I received a letter from the President's Office. "President tells to inform that an appointment could not be given because Ibrahim Lutfy had not acted correctly," the letter said.

I sent the letters and report to different people to publicise it because I had informed President Maumoon through various ways about the torture in prison but he had not taken any step to prevent it. I did this because

I had a national duty to do it. I did not write the letters and report to discredit the reputation of the police. What I wrote was the truth. I believe that President Maumoon has to be fully responsible for all inhuman torture in prison and outside prison that had taken place during his rule. If Maumoon and his senior government officials had listened to the complaints of several citizens like me, and those who had suffered, there would not have been any opportunity for the brutal torturing to death of Hassan Eavan Naseem on 19 September 2003. Similarly the cruel act of shooting unarmed prisoners at Maafushi jail the next day and killing three people and wounding about twenty people could have been prevented. And the riots in Male' on that day (September 20) would not have occurred.

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President Maumoon presented to the parliament the reports on findings of the Presidential Commission on the killing of Eavan Naseem and the shooting at Maafushi after omitting the most important findings with the justification that they were omitted for 'national security and safety. I am quoting what he said while presenting the reports to the parliament on 27 January 2004.

"The government had never permitted anybody to be tortured or physically harmed in anyway during the stage of investigation and also while a person was undergoing a sentence. If such incidents occur, they happen without the knowledge of the government. If anybody complains about such a thing, I am now also investigating it by sending the cases to a selected committee....So torture during investigation and also after sentencing was never permitted by the government.... I thought that even though the honourable members are aware of this fact, it will be important to state it in such an occasion as this," Maumoon said.

If what I had said in my testimony above was true then President Maumoon is lying. Or else I am lying about President Maumoon. The truth is one of these scenarios.

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Maumoon Abdul Gayoom, Asia's longest ruling dictator