



For Immediate Release

Maldives: Trial and Conviction of Former President Nasheed Condemned

(Bangkok/Malé, 14 March 2015): The Asian Forum for Human Rights and Development (FORUM-ASIA) and the Maldivian Democracy Network (MDN) today condemned the decision of the Criminal Court to convict former President, Mohamed Nasheed, under the Prevention of Terrorism Act, for allegedly ordering the detention of a Criminal Court judge in January 2012. Nasheed was sentenced to 13 years in prison late Friday night, following a trial that has been widely criticised for contravening basic fair trial guarantees provided in the Constitution of the Maldives and international standards, including the International Covenant on Civil and Political Rights to which the Maldives is a party. Nasheed had earlier faced different charges of ordering an unlawful arrest of a judge, but these charges were withdrawn and replaced by tougher terrorism charges, under which he was convicted yesterday.

It must be noted that Nasheed was never investigated for the fresh charges of terrorism before trial.

"The trial of Nasheed was riddled with numerous violations of basic human rights and fair trial standards, and his conviction must be condemned. This is a clear case of political persecution and therefore the verdict is not surprising, considering the manner in which the court has conducted the trial," said Evelyn Balais-Serrano, Executive Director of FORUM-ASIA.

Elaborating on the questionable conduct of the trial, which saw the court's refusal to acknowledge trial observers, Shahindha Ismail, Executive Director of MDN explained, *"Nasheed was denied legal counsel despite repeated requests during every hearing after 9 March 2015, when his legal team withdrew from the case."*

Nasheed's lawyers quit on 9 March in protest of the Criminal Court's refusal to provide adequate time to mount a defence against terrorism charges. Nasheed was also denied legal representation during the first hearing of the terrorism trial.

Questioning the conduct and integrity of judges who presided over Nasheed's trial, Shahindha Ismail pointed to several instances when judges answered for the prosecution and State witnesses during cross examination.

During the trial, the three-judge Criminal Court panel ruled that it has no conflict of interest in presiding over the trial or legal barriers preventing them from passing judgment despite two of the three judges testified as witnesses in the investigation of the case.

"Some of the judges were allegedly involved in the incident for which Nasheed was charged, and have been among the witnesses requested by Nasheed. However, Nasheed has been

denied admission of witnesses and further requests for the implicated judges to recuse themselves have also been denied,” Shahindha Ismail further noted.

The right to freedom of expression and media freedom, as well as the right to freedom of peaceful assembly, have also been suppressed in the context of the persecution of Nasheed. On 8 March 2015, *Rajje TV* journalists were arrested and forced to delete the video footage after they videotaped an alleged meeting at a café in Malé between a presiding judge in the trial and the Prosecutor General. Key media outlets were also denied access to the courtroom during Nasheed’s trial. Over 50 Nasheed’s supporters have been arrested for protesting against the arrest and trial of Nasheed since his arrest on 22 February 2015. Many of them were released by the court on the condition that they do not attend a protest or rally for 60 days.

FORUM-ASIA and MDN had earlier [deplored the government of Maldives for the charges and arrest against Nasheed](#) and the arrest of his supporters who protested against the arrest and charges. The two groups additionally urged the government to refrain from making further arbitrary arrests or violating the fundamental rights of its citizens.

Reiterating this call, Shahindha stressed, *“Should Nasheed appeal this decision, we strongly urge the higher courts to ensure that the blatant contraventions of human rights and fair trial standards by the Criminal Court are not condoned or accepted. We urge the Judiciary, together with other relevant institutions, including the Human Rights Commission of Maldives and the Parliament, to act immediately to stop the backslide in the rule of law and human rights in Maldives, which has been severely damaged by yesterday’s verdict.”*

FORUM-ASIA’s Balais-Serrano added, *“We further urge the government to cease all attacks on freedoms of expression and assembly. This must include the guarantee that the media will be allowed to report without fear or favour, and that all citizens, which includes Nasheed’s supporters, must be allowed to exercise their Constitutional right to express their opinions on this matter, including by protesting against the decision on the streets. We strongly call on the government to refrain from making further arrests.”*

About FORUM-ASIA:

FORUM-ASIA is a Bangkok-based regional human rights group with 47 member organizations in 16 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta and Geneva. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expressions, assembly and association, human rights defenders, and democratisation.

About MDN:

Maldivian Democracy Network is a non-governmental, non-profit organization based in Male’, Maldives. MDN focuses on the protection and promotion of human rights, especially civil and political rights, human rights defenders and engagement of the general public in ensuring respect for democratic principles in the country. MDN is a member organization of the Forum-Asia and work in close partnership with other regional and international human rights organizations.

For further inquiries, please contact:

Bangkok:

- John Liu, South & East Asia Programme Manager, johnliu@forum-asia.org +66 802828610

Malé:

- Shahindha Ismail, Executive Director, shahindha.ismail@mvdemocracynetwork.org, +960 7781364