

MALDIVES

ASSAULT ON CIVIL
AND POLITICAL
RIGHTS

AMNESTY
INTERNATIONAL



Amnesty International Publications

First published in 2015 by
Amnesty International Publications
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org

© Amnesty International Publications 2015

Index: ASA 29/1501/2015
Original Language: English
Printed by Amnesty International, International Secretariat, United Kingdom

[ISBN:]

[ISSN:]

All rights reserved. This publication is copyright, but may be reproduced by any method without fee for advocacy, campaigning and teaching purposes, but not for resale. The copyright holders request that all such use be registered with them for impact assessment purposes. For copying in any other circumstances, or for reuse in other publications, or for translation or adaptation, prior written permission must be obtained from the publishers, and a fee may be payable. To request permission, or for any other inquiries, please contact copyright@amnesty.org

Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

**AMNESTY
INTERNATIONAL**



CONTENTS

Introduction	4
Methodology	4
Political Context	5
Politically Motivated Charges and Lack of Fair Trial	6
Arrest and Imprisonment of Former President Mohamed Nasheed	7
Arrest and Imprisonment of Former Defence Minister, Mohamed Nazim	9
Imprisonment of MP and Former Deputy Speaker of Parliament, Ahmed Nazim.....	10
Restrictions on Freedom of Assembly	11
Attacks on Freedom of Expression.....	12
Human Rights Defenders Under Pressure	13
Recommendations	15

INTRODUCTION

At the conclusion of a visit to the Republic of Maldives, Amnesty International believes human rights in the country have already been seriously eroded and are at risk of further deterioration. The following briefing is based on the findings of this visit, which was prompted by reports of blatant breaches of the right to a fair trial for some leading opponents of the government. Political tension in the country has been exacerbated by the harassment, detention and imprisonment of government opponents.

Safeguards against human rights violations are progressively eroding and the government is failing in its duty to stop this. Serious irregularities within judicial processes have resulted in rampant violations of the right to a fair trial and a severe weakening of the fundamental principle of judicial impartiality.

The Maldives' human rights infrastructure and civil society are also under threat. The Human Rights Commission of the Maldives (HRCM), whose constitutional independence should be guarded by all other state institutions, has been subjected to judicial harassment for reporting to international mechanisms on human rights violations. Human rights NGOs are harassed and threatened that they will be deregistered.

Political opponents of the government taking part in peaceful demonstrations have been arrested, detained for days or weeks, and released only after having conditions imposed that they must not take part in future demonstrations for a certain period of time. Journalists, human rights defenders and opposition politicians have received death threats, and police have failed to mount credible investigations to bring those responsible to justice. Political rallies have been attacked by gangs suspected of working in connivance with the police. None of the attackers, even when they are allegedly known to the police, are known to have been brought to justice.

METHODOLOGY AND SCOPE

The findings of this briefing are based on information gathered during the research mission from 17-22 April 2015, as well as Amnesty International's other findings in recent months. While this briefing specifically highlights serious recent developments relating to judicial processes and restrictions on the right to freedom of peaceful assembly and freedom of expression, Amnesty International's wider concerns are highlighted within a submission to the Maldives' forthcoming Universal Periodic Review (UPR).¹

During the visit, the delegation held meetings with around 20 people including lawyers, journalists, human rights activists, and political activists.

¹ Amnesty International submission to the UN Universal Periodic Review on the Republic of Maldives, 9 September 2014, ASA 29/0003/2014, <https://www.amnesty.org/en/documents/asa29/0003/2014/en/>

The delegation also examined documentary evidence on unfair trials and obtained information about other related concerns such as restrictions on the right to freedom of assembly and freedom of expression, and the situation of human rights defenders.

Amnesty International requested meetings with government officials and authorities during this mission but the government offered such meetings only in May. The delegation also requested the Ministry of Foreign Affairs to facilitate a visit for them to the Dhoonihdoo detention centre, an island close to the capital Male where former President Mohamed Nasheed and other detainees are held. The government did not give permission for this visit, but has offered to facilitate a visit in May. Amnesty International intends to accept these offers.

POLITICAL CONTEXT

Following the adoption of a new constitution in 2008, political parties were allowed to function for the first time in the Maldives' history. The first multi-party elections took place in October 2008, and the Maldivian Democratic Party (MDP) leader Mohamed Nasheed won the elections. He defeated the sitting President Maumoon Abdul Gayoom who had ruled the country for three decades.

At the parliamentary elections in 2009, parties allied to Maumoon Abdul Gayoom gained a majority. This led to a political impasse, and political opposition to President Nasheed grew with demonstrators calling for his resignation. Opponents of Nasheed criticised his policies as "un-Islamic", and their campaign culminated in a huge rally in Male in December 2011, under the banner of defending Islam and calling for him to resign.

On 7 February 2012, police and elements from the military joined ranks with the politicians opposing Nasheed and started a brutal campaign targeting against MDP supporters, especially against MPs from the party.² President Nasheed resigned, and said he had been forced to do so at gunpoint.

During Nasheed's presidency, several politicians including the current president were briefly detained.³ Another person who was detained for 22 days was the Chief Judge of the Criminal Court. A case was filed against Nasheed for the detention of the judge, and his current imprisonment is in relation to the detention of that judge.

Despite widespread concern about the brutality meted out by the police against MDP supporters and the abundance of documentary evidence about this, none of the administrations succeeding President Nasheed has brought anyone to justice for the attacks,

² Amnesty International briefing, *The Other Side of Paradise: a Human Rights Crisis in the Maldives*, September 2012, ASA 29/005/2012, <https://www.amnesty.org/en/documents/asa29/005/2012/en/>

³ Amnesty International press release, 'Maldives: Release of Maldives opposition leader is chance for political resolution', 23 July 2010, ASA 29/01/2010, <https://www.amnesty.org/en/documents/asa29/001/2010/en/>

beatings in the streets and torture of dozens of MDP supporters in the custody of police.

After Nasheed resigned, his deputy Mohamed Waheed became president. New presidential elections were called in 2013. The MDP won the majority of seats but fell short of the 51 per cent majority required to win the elections in the first round.

However, the Supreme Court annulled those elections and ordered that a new round of presidential elections take place, but none of the candidates gained a majority. In the final round in November 2013, Abdulla Yameen Abdul Gayoom secured a majority and became president.

His party, the PPM, also gained the majority of seats in parliamentary elections in 2014, and was joined in a coalition with the third largest party and a number of smaller parties. In recent months, however, a number of these parties have left the coalition. Meanwhile, several leading opponents of the president have been imprisoned.

POLITICALLY-MOTIVATED CHARGES AND LACK OF FAIR TRIAL

Among the cases Amnesty International reviewed during this visit were the arrest and imprisonment of former President Mohamed Nasheed, former Defence Minister Mohamed Nazim, and MP Ahmed Nazim. These high-profile cases have shown up the most serious violations in the area of fair trials in the Maldives.

There was a clear indication that in these cases, constitutional and international fair trial guarantees were not respected. For example the defence was not given adequate time to prepare; the right of the defence to call and examine witnesses was either denied or severely limited; and the appeal processes were severely hampered by the courts who did not provide the necessary documentation in time for the defence to launch an appeal.

There appears to be a severe lack of independence and impartiality in the judicial system as exemplified by these cases. In one case, the Criminal Court bypassed the requirement of impartiality by allowing two judges to try a case in which they had previously acted as witnesses against the accused. In another case, the High Court dismissed an appeal against a Criminal Court ruling that the detainee should be kept in custody until the end of the trial – by the time the High Court fixed the appeal hearing, the Criminal Court had already passed its judgement, leaving the appeal with no merit. Legal experts say in such circumstances the High Court is expected to stay the proceedings in the lower court until the appeal is heard, rather than allowing it to continue.

ARREST AND IMPRISONMENT OF FORMER PRESIDENT MOHAMED NASHEED

Maldives' first democratically elected president, Mohamed Nasheed was ousted in February 2012 but continued to face the threat of arrest on allegations that he had authorised the unlawful detention of Criminal Court Judge Abdulla Mohamed in 2012 while he was still president. Amnesty International welcomes the investigation of alleged past human rights abuses committed in the Maldives, but the organization remains concerned that the case pursued against Mohamed Nasheed was politically motivated and selective. Widespread human rights violations under other Maldivian presidents, including under the current administration,⁴ remain unaddressed.

Amnesty International is also concerned that the outcome of the trial appeared to have been predetermined to procure a conviction against Nasheed even before the trial began. Evidence for this includes the bringing of new charges against him under the Anti-Terrorism Act after the original charges had been withdrawn by the former Prosecutor General, the courts' refusal to allow him access to a lawyer during his first hearing, and obstacles placed before his right to appeal.

The principle of impartiality was compromised from the beginning of the trial, as two of the three judges that tried and convicted Nasheed had themselves acted as witnesses against Nasheed in 2012, in relation to the same incident for which he was tried last February. The judges refused to recuse themselves after a request by the defence, despite a clear manifestation of a conflict of interest.

His trial was rushed and manifested severe bias throughout the proceedings. Hearings in the trial were held over 19 days and the sentence was issued only three weeks after the Prosecutor General submitted the charges before the Criminal Court. Several irregularities were present at all stages, from the time he was arrested through to the sham trial by the Criminal Court and the obstacles created by the High Court in his attempts to appeal the conviction.

Nasheed was sentenced on 13 March 2015 to 13 years in prison on charges of terrorism after a summary trial which defied due process and fair trial guarantees. Until 21 April, he was detained at Dhoonidhoo detention centre near Male but there were reports that he was moved to another prison on 21 April.

In addition to the evidence of a serious lack of impartiality, Amnesty International has a number of specific concerns about the trial process, as follows.

During his first hearing before the Criminal Court on 23 February, the court did not allow him

⁴ Amnesty International's Submission to the Universal Periodic Review of the Maldives, 22nd session of the UPR Working Group, September 2014, ASA 29/0003/2014, <https://www.amnesty.org/en/documents/asa29/0003/2014/en/>, and Amnesty International Report 2014/15, entry on the Republic of Maldives, February 2015, <https://www.amnesty.org/en/countries/asia-and-the-pacific/maldives/report-maldives/>

access to legal counsel. Despite this serious breach of the Maldives Constitution and international law, the court proceeded to read the charges against him. Following mounting concern about this by the defence team, the court allowed Nasheed to appoint a legal counsel of his choice before the second hearing.

The process of appointing his lawyers was also strewn with obstacles. After seven hearings, the defence counsel announced that due to the difficult conditions created for them by the trial court and the High Court, they were unable to continue the representation of their client and recused on 8 March. The court then refused to allow former President Nasheed to appoint a new counsel or to assign him free legal counsel for the rest of the trial.

The defence team also complained about the lack of adequate time to prepare Nasheed's defence when they were representing him. After charges were presented, the next hearing was scheduled only two days later. Furthermore, necessary documentation, including full evidence against the accused and a list of witnesses presented by the prosecution was not procured within a workable period of time that would allow the defence sufficient time to read them and prepare their argument. Even when the defence requested some hearings to be adjourned, the court refused to allow more time, in clear contravention of international law and standards.

The UN Human Rights Committee, which monitors compliance with the International Covenant on Civil and Political Rights (ICCPR), to which the Maldives is a state party, has reiterated that the right to adequate facilities to prepare a defence requires that, in addition to information about the charges, the accused and their counsel should be granted timely access to all relevant information.⁵ This information includes witness lists and information, documents and other evidence on which the prosecution intends to rely.

The court also refused the right of the accused to present witnesses, arguing that defence witnesses would not be able to refute the evidence already submitted by the prosecution during previous hearings. The refusal of the court to hear defence witnesses hindered the principle of "equality of arms", undermining the right to the presumption of innocence and raising further concerns about the impartiality of the tribunal.

Following a circular issued by the Supreme Court on January 2015, the period to appeal a sentence was reduced to 10 days. Amnesty International is concerned about the limited time currently granted to exercise the right to appeal.

Furthermore, the Criminal Court which sentenced former President Nasheed released the trial record to the defence one day after the deadline to submit an appeal had expired. Although this documentation was formally requested by the defence in advance, the court did not grant an extended period to submit the appeal.

The UN Human Rights Committee has clearly stated that setting an unduly short time for lodging an appeal impedes the effective exercise of the right to appeal. To grant an effective right to appeal, states must also ensure reasonable time to lodge and appeal, access to the

⁵ UN Human Rights Committee, General Comment No. 32, CCPR/C/GC/32, paragraph 33.

trial transcript, recent judgement and rulings on the appeal within a reasonable time.⁶

ARREST AND IMPRISONMENT OF FORMER DEFENCE MINISTER, MOHAMED NAZIM

Likewise, the arrest and trial of former Defence Minister, Mohamed Nazim was marred with severe irregularities that infringed his right to a fair trial.

He was taken into custody on 10 February 2015. Earlier, on 18 January at around 3:30am, a number of masked police officers had entered his apartment in Male. The officers went to his bedroom, took Mohamed Nazim and his wife to their sitting room, and told them to stay there. They then brought his son and daughter to the sitting room and stayed with them so they would not leave the room. The rest of the police contingent stayed in the bedroom for around 10 minutes. Mohamed Nazim and family could hear activity in the bedroom but could not see what they were doing.

After a while, some masked officers left and more officers in plain clothes together with some forensic officers entered his apartment. Mohamed Nazim agreed to let them carry out a search, after they showed their warrant. His family told Amnesty International that the officers went directly to a drawer on a chest of drawers at the far end of the bedroom, opened it and took out a black bag. They asked if it belonged to Mohamed Nazim. He denied it. The officers then opened the bag and brought out a pistol, three bullets and a magazine. More than a week later, Maldives police publicly said they had found two other items – an explosive device and a pen drive.

Mohamed Nazim has consistently said these items were planted in his apartment by the police with the connivance of the authorities. The circumstances surrounding the police action appear to give weight to his allegation, especially that they found these allegedly incriminating items without taking a video recording nor other legally required procedures of registration.

Nazim was accused of “bringing weapons into the Maldives and possessing weapons” under Law No. 4/75 (Items Prohibited from being brought into the Maldives). His legal team argues that this 1955 law is out-dated and that the prosecution should have instead used Law No. 17/2010 (Prohibition of Threatening Behaviour and the Possession of Dangerous Weapons and Sharp Objects) which requires a higher burden of proof on the police for bringing charges under this law.

After charges were presented, the court gave the defence team only three days to prepare. Following a request for more time to prepare his defence, the court granted just two more days. The defence team told Amnesty International this was too short a time, given the severity of the charges.

⁶ UN Human Rights Committee, General Comment No. 32, paragraph 49. See also ‘Concluding Observations: Barbados’, UN. Doc. CCPR/BRB/CO/3 (2007), paragraph 7.

Some of the documents provided by the prosecution to the court, used as evidence at the trial, were withheld from the defence. The court and the prosecution never revealed to the defence team the exact number of documents that were submitted to the court. Those given to the defence team were numbered from 27 to 51, suggesting that at least 26 documents may have been withheld. In response to a defence query about the missing documents, the court said the other documents were “secret” and would not be disclosed to the defence.

During the trial, the prosecution did not prove beyond any reasonable doubt that the weapon belonged to Mohamed Nazim. Essential evidence like fingerprints on the weapon was not presented in court. The burden of proof was put on Mohamed Nazim to demonstrate it did not belong to him or his family, contravening the right to the presumption of innocence.

The right of the defence to present witnesses was severely limited by the court. From a list of 50 witnesses submitted by Mohamed Nazim’s defence, the court allowed testimony from only three. The right of the defence to cross-examine witnesses presented by the prosecution was also hampered. Of the six prosecution witnesses, three were anonymous and restrictions were imposed during cross-examination even after the defence challenged anonymity.

Mohamed Nazim was sentenced to 11 years in prison on 26 March 2015.

His right to appeal was also hindered by the authorities. The appeal deadline was set at 14:00 on 12 April 2015, but the defence lawyers had not received from the court the documents they needed to mount their appeal by that time. The defence lawyers said to Amnesty International they had to mount their appeal based on their own recollection of the judgement when it had been read out in the court, in order not to miss the deadline. They told Amnesty International they lodged their appeal on 26 grounds. The court is expected to decide on the appeal soon.

There are also serious concerns about the way the authorities responded to Mohamed Nazim’s need for medical treatment. As his health was deteriorating during his detention, his family tried to convince the authorities that he should be seen by a qualified doctor. After many appeals to the authorities by the family, he was finally allowed to be seen by a specialist who recommended medical treatment in another country, as it was not available to him in the Maldives. However, the authorities failed to act on this medical advice for almost two months. Finally, they agreed to allow him to travel to Singapore for treatment for a period of 45 days. He flew on 10 April, and is currently under medical treatment there.

IMPRISONMENT OF MP AND FORMER DEPUTY SPEAKER OF PARLIAMENT, AHMED NAZIM

On 6 April 2015, Ahmed Nazim was sentenced to 25 years in prison on charges of corruption after a proceeding that violated due process and the right to a fair trial. Contrary to provisions in Maldivian law on the right of appeal, Ahmed Nazim was convicted by the Supreme Court during its hearing of an appeal by the Prosecutor General after two lower courts had acquitted him of all charges.

In February 2012, a Maldives trial court acquitted Ahmed Nazim in four cases of alleged corruption. The prosecution appealed this case in the High Court, which in a February 2014 ruling upheld the trial court's decision that had acquitted Ahmed Nazim in all four charges against him.

The Prosecutor General's office appealed the High Court verdict of acquittal before the Supreme Court in July 2014, long after the then 90-day appeal period had lapsed.

However, not only did the Supreme Court accept the appeal after its deadline had passed, but contrary to national and international standards of fair trial the court decided to try the case itself rather than rule on procedures and High Court verdict.

The Supreme Court does not have the faculty to analyze the facts of a case during an appeal and should be limited to order a new trial if procedural problems are found.

The proceedings at the Supreme Court were also marked with inconsistencies that violated Ahmed Nazim's right to a fair trial. Maldives media reported that at the beginning of the hearings by the Supreme Court, Ahmed Nazim told the court that he needed more time to appoint a defence lawyer as his previous counsels were "too scared" to represent him.

However, the Supreme Court did not consider his request nor was a public defence assigned to him. As a result, Ahmed Nazim appeared at the first hearing without legal representation.

Thus in a trial that lasted less than one month, a Supreme Court bench headed by the Chief Justice found him guilty on the same corruption charges that two lower courts had earlier acquitted him. Ahmed Nazim was sentenced to 25 years in prison and was also deprived of an appeal, as the top court of the land had found him guilty in a unanimous verdict.

RESTRICTIONS ON FREEDOM OF ASSEMBLY

Restrictions on freedom of assembly also form part of a wider picture of shrinking space for civil society in the Maldives.

Since the detention of former President Nasheed, opposition supporters have frequently organized peaceful demonstrations demanding his release. However, action by Maldives police in disbanding demonstrations has curtailed the right to freedom of expression and peaceful assembly. Since February, police have arrested more than 140 peaceful protestors taking part in the demonstrations. Some demonstrators were taken to the Criminal Court, which imposed conditions on their release, unlawfully restricting their participation in future protests.

The detainees have included at least three opposition MPs and other MDP politicians. They were arrested at different protests rallies. They were all taken to Dhoonidhoo detention centre, or placed under house arrest for periods of between five and 15 days. They were then

released after the court imposed restrictions on their freedom of movement for periods between 15 to 60 days. They were specially barred from areas where they had taken part in demonstrations.

When they appealed against those conditions, the High Court dismissed their claims citing a lack of jurisdiction, saying the matter did not amount to a case for interpreting the Constitution.

In addition, the police have issued circulars banning certain times and places for the protests. Important areas of the city have been banned or closed to demonstrators, including the Jomhuri Maidan, which is the main square where protesters have frequently gathered in the past.

Maldivian authorities have failed to guarantee protesters the freedom to express their views peacefully in a visible, public location. Protesters in Male are only allowed to assemble in areas designated by the authorities, far from official buildings, contrary to international law and standards.

ATTACKS ON FREEDOM OF EXPRESSION

Space for freedom of expression in the Maldives has also contracted, especially for criticism of the government and perceived social or religious norms.

News media and journalists publishing news and opinions critical of the authorities are continually being threatened with death and physical harm. In particular, journalists covering demonstrations are at risk of attacks. Several journalists have told Amnesty International that they have received death threats by Twitter or SMS. They have filed reports of such threats before the police but no thorough investigation is known to have taken place.

In the past two years, attacks on freedom of expression have taken a new form with vigilante religious groups or criminal gangs allegedly acting in connivance with the police, attacking political gatherings or social events. For example in June 2014 a vigilante religious group kidnapped several young men, held them for hours, ill-treated them and warned them not to promote "atheism." As of April 2015, no one has been brought to justice, even though the identities of some have allegedly been divulged by the victims.

Some journalists have also been arrested while covering opposition demonstrations. Journalists and human rights organizations have told Amnesty International about reporters banned from accessing the court at the time of the conviction of former President Nasheed.

Threats and attacks of journalists remain unaddressed by the authorities, thus perpetuating impunity.

Almost nine months after the disappearance in August 2014 of a well-known journalist of Minivan News, Ahmed Rilwan Abdulla, the police has failed to provide information on his fate or whereabouts. Rilwan was last seen in the early hours of 8 August on the Male-Hulhumale ferry. He had been investigating the activities of vigilante religious groups, and his disappearance is believed to be linked to his work as a journalist.

Rilwan's family, MPs and other journalists raising their voice against Rilwan's disappearance have themselves received death threats. No one has been brought to justice for these threats, while the police is yet to provide a credible explanation for his disappearance.

The violent attack committed in February 2013 that left Ibrahim Waheed (Asward) in a critical condition, a journalist then with Raajje TV News, still remains uninvestigated. He had received several death threats to stop his news reporting.

The stabbing and serious wounding of religious freedom advocate Ismail "Hilath" Rasheed in 2012 and previous attacks in 2011 have not been thoroughly investigated.

HUMAN RIGHTS DEFENDERS UNDER PRESSURE

Civil society organizations and human rights defenders have increasingly faced harassment, threats and attacks. Several different organizations that submitted information for the Maldives' forthcoming UPR in May 2015 have been intimidated and are at risk of losing their legal registration.

The Human Rights Commission of the Maldives suffered reprisals in the form of harassment and intimidation after submitting its report for the UPR. Following the publication of its submission in September 2014, the Supreme Court summoned the HRCM and presented charges of high treason, and undermining the constitution and the sovereignty of the country, which may carry up to 25 years imprisonment for those compiling the report. Amnesty International has previously raised concern over the Supreme Court's action against the HRCM, which constitutes harassment and intimidation against the independent work of the commission in flagrant violation of the Paris Principles and independence of national human rights institutions.⁷ The Office of the High Commissioner for Human Rights (OHCHR) also released a statement at the time, reminding the Government of Maldives that it "has a

⁷ Amnesty International's Submission to the Universal Periodic Review of the Maldives, 22nd session of the UPR Working Group, September 2014, ASA 29/0003/2014, <https://www.amnesty.org/en/documents/asa29/0003/2014/en/>, and Amnesty International Report 2014/15, entry on the Republic of Maldives, February 2015, <https://www.amnesty.org/en/countries/asia-and-the-pacific/maldives/report-maldives/>

responsibility to ensure a safe operating space for the Commission and for civil society actors in the country, so that they are able to cooperate with UN human rights mechanisms without fear of reprisals.”⁸

Non-governmental organizations (NGOs) have also faced reprisals. For example, on the night of 16 November 2014, after issuing a public statement with regard to the parliamentary elections, the offices of one such NGO, the Maldivian Democracy Network (MDN), were vandalized. The attackers broke the doors and took away several laptops and sensible information from the office. No other valuables were stolen, indicating that the attackers were not motivated by theft of property.

The MDN reported the incident to the police, but no thorough investigation followed. For instance, the police did not take away the evidence of the attack, including the hammers with which the doors were broken. Five months after the attack, the organization has not received any further information from the police nor has it been asked to provide further information.

The MDN also received letters from the Home Minister after submitting a report in advance to the Maldives’ next UPR, threatening to revoke its legal registration.

As stated in the UN Declaration on Human Rights Defenders, states have a duty to protect those who work for the promotion and protection of human rights under their jurisdiction, regardless of the status of the alleged perpetrators, from any violence, threats or any other arbitrary action taken as a consequence of the legitimate exercise of their work.⁹ Protection of human rights defenders and civil society organizations, as well as national human rights institutions, must include freedom from reprisals or the threat of reprisals against those who have spoken or submitted information before international human rights mechanisms.

⁸ OHCHR, press briefing on the Maldives, 17 October 2014, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15178&LangID=E>

⁹ UN Declaration on Human Rights Defenders, A/RES/53/144, <http://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration.pdf>

RECOMMENDATIONS

RECOMMENDATIONS TO THE GOVERNMENT OF MALDIVES

- Ensure that all institutions of the state entrusted to safeguard human rights are strengthened to carry out their functions in an independent and impartial manner;
- Strengthen the independence and impartiality of the judicial system;
- Ensure that all internationally recognized fair trial guarantees are consistently respected both in law and practice;
- Guarantee that the right to appeal can be exercised in practice, particularly by granting reasonable time to lodge an appeal and ensuring prompt access to the trial transcript;
- Investigate violations of due process and fair trials through an independent and impartial process and hold to account anyone responsible for such violations;
- Ensure that violations of the right to a fair trial in the cases of former President Mohamed Nasheed, former Defence Minister Mohamed Nazim and former Deputy Speaker of Parliament Ahmed Nazim are urgently remedied, or else release them;
- Stop the use of release conditions that prevent people from engaging in peaceful demonstrations;
- Ensure that peaceful demonstrators are enabled to protest within sight and sound of their target audience;
- Fully investigate all allegations of threats and physical violence carried out by police officials and gang members during public assemblies, and ensure those responsible are brought to justice in fair trials;
- Ensure adequate protection of journalists and human rights defenders facing threats and attacks due to their legitimate work, investigate such threats and attacks, and bring those responsible to justice in fair trials;
- Publicly condemn all threats and attacks against journalists and human rights defenders, and explicitly and publicly defend the legitimacy of their work;
- Thoroughly investigate the possible abduction or enforced disappearance of Ahmed Rilwan Abdulla and bring to justice those responsible in a fair trial;
- Carry out prompt, impartial and thorough investigations into the attacks on Ismail Hilath Rasheed and Ibrahim Waheed (Asward) and bring the perpetrators to justice in fair trials;

- Immediately desist from bringing or threatening any reprisals against human rights organizations for their engagement with international human rights bodies, and ensure any such organizations which have been attacked receive adequate protection and that the attacks are fully investigated and the perpetrators are brought to justice in fair trials;
- Ensure that the Human Rights Commission of the Maldives is able to carry out its mandate, in accordance with the Maldives Constitution and the Paris Principles, without any form of reprisal or intimidation.

RECOMMENDATIONS TO THE INTERNATIONAL COMMUNITY

- Bring Amnesty International's recommendations, as detailed above, to the attention of the Government of Maldives, and urge their immediate implementation;
- Actively participate during the forthcoming Universal Periodic Review of the Maldives, including through clear and measurable recommendations for action to address the human rights concerns in the country.

AMNESTY
INTERNATIONAL



www.amnesty.org