



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

BHRC concerned at proceedings in trial of former President of the Maldives, Mohamed Nasheed

The Bar Human Rights Committee of England and Wales (BHRC) is concerned at the sudden resumption of the trial of former President Mohamed Nasheed in the Maldives. Mr Nasheed was the first democratically elected president of the Maldives who lost power in controversial circumstances in February 2012 and unsuccessfully contested the presidential election in 2014.

The BHRC has been closely following the case of Mr Nasheed who is charged with abusing his presidential office whilst in power by ordering the arrest and detention of the Head of the Maldivian Criminal Court in the capital, Malé, in January 2012. If convicted, Mr Nasheed is likely to be barred from standing in the next presidential elections due to take place in 2018.

For almost two years Mr Nasheed has contested the legitimacy and lawfulness of the appointment process for, and composition of, the judicial panel responsible for presiding over his criminal trial.

Proceedings against Mr Nasheed were first instigated in 2012. BHRC sent observers on two occasions to observe the trial hearings and to report on the underlying human rights situation in the Maldives. The BHRC'S first report [[link](#)] commented that:-

.....BHRC is concerned that a primary motivation behind the present trial is a desire by those in power to exclude Mr Nasheed from standing in

the 2013 elections, and notes international opinion that this would not be a positive outcome for the Maldives.

The BHRC also joins the UN Human Rights Committee and the International Commission of Jurists, amongst others, who have called for fundamental reform of the judiciary and its administration in the Maldives.

Those concerns were reiterated in BHRC's second report [\[link\]](#).

Following her fact-finding mission to the Maldives in 2013, UN Special Rapporteur on the Independence of Judges and Lawyers, Gabriela Knaul, stated in relation to Mr Nasheed's case that "the appointment of judges to the case has been set up in an arbitrary manner outside the parameters laid out in the laws".

The BHRC continues to be of the view that the circumstances of the trial, including its sudden, unannounced resumption, give rise to real concerns about the political nature of the proceedings, and about whether Mr Nasheed will be afforded a fair trial.

BHRC calls on international bodies and governments to closely monitor the situation as the proceedings develop over the following days and weeks.