

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Maldives: Fair trial concerns around conviction of former Vice President

On 10 June 2016, former Maldives Vice-President Ahmed Adeeb received a 15-year jail sentence amid serious concerns about the fairness of his trial, Amnesty International said. His conviction fits a disturbing pattern in Maldives where the authorities have turned the courts into politicized tools which see frequent serious violations of the right to a fair trial.

Adeeb was sentenced to 15 years in prison for his alleged involvement in a plot to assassinate President Yameen Abdul Gayoom, two of Adeeb's bodyguards were also handed 10-year sentences in the same case. The prosecution argued that Adeeb was responsible for a bomb blast aboard a boat President Gayoom was using on a journey home from Malé airport in September 2015.

The court proceedings took place partly behind closed doors with press and the public barred from attending many sessions, particularly towards the end of the trial. According to Adeeb's legal team and independent trial observers from local civil society, no defence witnesses were allowed. The defence was also denied the right to cross examine key prosecution witnesses whose identities were withheld. This calls into question whether the proceedings have met international law and standards on fair trials.

Separately, there were serious questions raised in a report by the US Federal Bureau of Investigation (FBI) about whether the blast on the boat was even caused by an explosive device. The report found no conclusive proof of any explosives and raised the possibility that the blast was caused by an engine failure.

In a separate case on 6 June 2016, Adeeb was handed a 10-year jail sentence on terrorism charges for possessing a firearm.

The conviction of Adeeb is the latest in a string of criminal cases against opposition leaders and other political opponents of President Yameen. The most high-profile was the conviction of former President Mohamed Nasheed on terrorism charges following a deeply flawed trial in March 2015. Others, including former Defence Minister Mohamed Nazim and political leader Sheik Imran Abdulla, have also been sentenced to lengthy prison terms over the past two years.

The consistent attempts by the Maldives authorities to eliminate any form of political opposition, often through biased court proceedings which amount to little more than a charade, must end immediately.

Background

Amnesty International has serious concerns about the use of evidence from anonymous witnesses, which deprives the accused of the information they need to challenge the credibility and reliability of the witness and the evidence they present. This is inconsistent with the presumption of innocence and the ability of a court to reach a verdict based on all relevant evidence, which the parties have had the opportunity to challenge.

The right to a fair trial is enshrined in international human rights law including the International Covenant on Civil and Political Rights (ICCPR), to which Maldives is a state party. Under the ICCPR, the determination of any criminal charge against the accused must entitle them to the minimum guarantees

to “examine, or have examined, the witnesses against [the accused] and to obtain the attendance and examination of witnesses on [the accused’s] behalf under the same conditions as witnesses against [the accused].”