

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Maldives: New president must ensure continued protection of human rights**

Amnesty International welcomes Mohamed Nasheed, the newly elected President of Maldives and former prisoner of conscience, and urges him to make human rights a central part of his presidency.

The legacies of human rights abuses such as politically motivated arrests, torture, and unfair trials, will mar the Maldives' human rights record if legislative reforms are delayed.

The new government must now end decades-long legacies of abuse of political power with no accountability for human rights violations such as politically motivated arrests, torture, and unfair trials said Amnesty International.

Amnesty International calls on the new president:

- to ensure that past human rights violations are investigated by an independent and competent authority, and those found responsible are brought to justice in compliance with international fair trial standards
- to further strengthen the political, institutional and legislative reforms especially around the draft penal code currently placed before the Majlis [parliament] for debate.

Human rights violations appear to have decreased significantly in the last two years.

### **Background**

In November 2006, 110 opposition activists were arrested and subjected to beatings and other ill-treatment at the time of arrest, with severe restrictions on detainees' access to lawyers, medical treatment and to their families. Scores of detainees remained held without charge for more than four weeks, while at least 22 were released after being charged with apparently unsubstantiated, politically motivated criminal offences. Others were released reportedly with a warning that they could be arrested again. No investigation has been carried out into these reports of unlawful arrest or torture, and no one has been brought to justice.

Flaws in the criminal justice system continue to deprive people of their right not to be detained arbitrarily. Criminal suspects remain in detention or under house arrest for up to a year until their case goes before a court for a decision. Prisoners do not usually become aware of any formal charges against them until a trial has started. They cannot challenge the legality of their detention in the meantime, contrary to the provisions of the International Covenant on Civil and Political Rights (ICCPR), which entitles them to do so in order that the court may decide without delay on the lawfulness of their detention and order their release if the detention is not lawful (ICCPR 9.4). Maldives is state party to the ICCPR.

Mohamed Nasheed was "expelled" from parliament in March 2002 after he lost his appeal against his conviction in November 2001 for the theft of a few children's exercise books at an auction. He denied the charges, which were believed to be politically motivated. He was initially banished to a remote island and then placed under house arrest in Malé. Amnesty International adopted him as a prisoner of conscience. He was released on 29 August 2002,

but denied his parliamentary seat. He has been detained on several other occasions including during anti-government protests.

Amnesty International declared Mohamed Nasheed as a prisoner of conscience in 1991.

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