

URGENT ACTION

POLITICIAN FACES 7 TRUMPED UP CRIMINAL CHARGES

Faris Maumoon, an opposition politician in the Maldives, was sentenced to four months and 24 days in prison for identity fraud, and is facing five other politically motivated criminal charges. Detained for almost a year through unfair trial proceedings, Amnesty International considers Faris Maumoon a prisoner of conscience.

Faris Maumoon, an opposition politician in the Maldives was sentenced to four months and 24 days for identity fraud on 27 June 2018 in proceedings that raise questions about fair trial standards. He was accused of illegally using the flag and logo of the Progressive Party of Maldives during a press conference held on 22 March 2017, after his expulsion from it.

The conviction flies in the face of a 1 February 2018 Supreme Court ruling that ordered the release and retrial of Faris Maumoon and eight other members of the political opposition. The Supreme Court ruled that they were “convicted in breach of the Constitution and Maldives’ international obligations under various international human rights treaties” and of the opinion that the investigations were politically motivated.

Refusing to implement the verdict, the government has since arrested and convicted the Chief Justice and another Supreme Court judge.

In the case against Faris Maumoon, the prosecution presented anonymous witnesses – who could not be cross-examined – and failed to share case documents with his defense lawyers, as required by the new Criminal Procedures Act. Faris Maumoon submitted a list of 47 people as witnesses, but only 10 received summons. The rest were not heard.

Repression of peaceful political activity in the Maldives has gone little noticed in the international community. Drawing comfort from the fact that tourism has been unaffected, the government has proceeded to entrench itself by choking dissent, convicting members of the opposition in trials that are suspected to be politically-motivated and that do not meet international standards.

Please write immediately in English or Dhivehi urging the authorities to:

- Immediately and unconditionally release Faris Maumoon and withdraw all charges against him, as they have been brought solely for him exercising his rights to freedom of expression and peaceful assembly;
- Ensure that Criminal Justice System is not misused to target peaceful political opponents;
- Ensure that the human rights to freedom of expression and peaceful assembly are respected and protected in the Maldives, not least in the coming months leading up to the Presidential Election.

PLEASE SEND APPEALS BEFORE 23 AUGUST 2018 TO:

The President of Maldives
Abdulla Yameen,
The President's Office
Boduthakurufaanu Magu,
Male' 20113, Maldives
Fax: +96 03 325 500
Email: info@po.gov.mv
pressrelations@po.gov.mv
Salutation: Dear Mr President

Prosecutor General
Aishath Bisham,
Prosecutor General's Office,
Majeedhee Magu Road,
Male, Maldives
Fax: +96 03 000 644
Email: pgoffice@pgoffice.gov.mv
Salutation: Dear Prosecutor General

And copies to:
Attorney General
Mohamed Anil,
6 Floor, Velaanaage,
Ameeru Ahmed Magu,
20096, Male, Maldives
Fax: +96 03 314 109
Email: info@agoffice.gov.mv

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR AHMED SHIAAN *High Commissioner*, High Commission of the Republic of Maldives, 22 Nottingham Place W1U 5NJ, 020 7224 2135, Fax 020 7224 2157, info@maldivesembassy.uk, www.maldiveshighcommission.org

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

First arrested on 18 July 2017 on a bribery charge, days before a no-confidence vote against the Maldivian Speaker of parliament, Faris Maumoon was accused of illegally influencing lawmakers to secure votes for the no-confidence motion. He has been behind bars since, save for four days when he was freed.

Faris Maumoon is facing five other politically motivated criminal charges: three cases of bribery, a case of corruption, and a case of attempting to commit terrorism. Criminal charges have been pressed in the one bribery case and the one related to terrorism, while the last information given to Faris Maumoon's lawyer is that the prosecution is still investigating the other two bribery cases. The statutory limitation period for prosecution has expired for two corruption charges brought against him, causing the court to decline proceeding with one of these cases, but Faris Maumoon has not been informed of the status of the other case.

On 18 June 2018, Faris Maumoon told the presiding judge at Criminal Court not to pretend to be conducting a fair trial and to convict him without bringing him to court. After months of dragging his cases the court has been recently fast tracking Faris Maumoon's trials by holding back to back hearings, gearing up for the Presidential Elections in September this year, to have Maumoon convicted and not in a position to submit for nominations.

The terrorism charges against Faris Maumoon were taken up on 6 May 2018 after hurried preliminary proceedings giving only three days for the defence to prepare. Faris Maumoon understood that hearings have been conducted in absentia before that, without his knowledge, and though it was the first day he attended hearings, several court hearings have already taken place. Further, despite there being five other co-defendants, only Faris Maumoon was present at this hearing. The court said that there isn't an appropriate court room to accommodate all the six co-defendants and held pre-trial hearings separately. As a result, the state got the opportunity to change their argument with every hearing, held separately with each co-defendant.

Furthermore, different procedures were followed by the Criminal Court where the other five were informed that they will be able to submit the names of defence witnesses even after the pre-trial motion stage, while Faris Maumoon was warned that the Court will not accept any witnesses or exhibits not submitted during the pre-trial motions supported by affidavits, though that is not the customary practice of Maldivian courts. In one of the bribery cases, prosecution's key witness gave evidence exculpating Faris Maumoon and the court has not held any hearings since. The last hearing was held on 13 March 2018 and his lawyer states that there have been deliberate attempts to drag the hearings unnecessarily, for the purpose of detaining him.

Faris Maumoon was briefly released for two days in January 2018 while he was kept imprisoned in Dhoonidhoo Island, Maldives. Though he was released, he was not allowed to leave the island despite many requests, until his re-arrest. On 1 February 2018, the Supreme Court of Maldives ordered his release along with eight other political prisoners, in a landmark ruling, after which he was briefly released only to be re-arrested a couple of days later.

Most of the political prisoners in the Maldives have complained lack of fair trials which is a failure in the criminal justice system. Recently the former Chief Justice of the Maldives Abdulla Saeed and Justice Ali Hameed were sentenced to 19 months in prison for obstructing justice, which Amnesty International identified as politically motivated convictions following trials which did not meet international standards of fairness.

The human rights situation in the Maldives has been deteriorating since Abdulla Yameen came to power in 2013, new laws being passed to curtail freedom of speech and association along with other rights. Enforced disappearances and assassinations of outspoken individuals who criticised the government have gone without proper investigations and gradually all the prominent opposition political leaders were imprisoned under various charges, paving the path for President Abdulla Yameen to face an uncontested presidential election in September 2018.

Name: Faris Maumoon

Gender m/f: M

UA: 125/18 Index: ASA 29/8727/2018 Issue Date: 12 July 2018