

Restore ex-President's right to stand for election, UN expert committee directs Maldives

Deciding upon complaints filed by Mohamed Nasheed, the ex-President of Maldives, a United Nations human rights expert committee has called on the Government to restore Mr. Nasheed's right to stand for public office, including the office of the President.

"Political rights can be suspended or restricted only in exceptional circumstances and under certain conditions," said Sarah Cleveland, member of the UN Human Rights Committee – an expert body that oversees implementation of the [International Covenant on Civil and Political Rights](#) (ICCPR) by its States parties.

["Judicial proceedings that violate the right to fair trial"](#) can render the resulting restriction of political rights arbitrary," she added.

In its [decision](#) of 4 April, which was made public Monday, the Committee stated that the judicial proceedings in which Mr. Nasheed was convicted were based on vague legislation, contained serious flaws and violated his right to a fair trial under the Covenant.

The Committee underscored Maldives' obligation to "avoid similar violations in the future, including reviewing its legislation to ensure that any restriction on the right to stand for office is reasonable and proportionate."

Mr. Nasheed, first brought to a Maldivian court in 2012, was ultimately charged with terrorism and sentenced to 13 years' imprisonment in March 2015. As a result, he was disqualified from running in presidential elections for 16 years – the term of his sentence plus an additional three years.

He filed his submissions to the Human Rights Committee in July 2013 and October 2016.

The Committee's decision also directs Maldives to "quash [Mr. Nasheed's] conviction, review the charges against him taking into account the present Views, and, if appropriate, conduct a new trial ensuring all fair trial guarantees."

The Human Rights Committee also stressed Maldives' responsibility to provide effective remedy.

"As a party to the ICCPR, Maldives is obliged to make full reparation to individuals whose rights have been violated. We have asked Maldives to inform us within 180 days about the measures they have taken to implement our

decision,” added Yuval Shany, Vice-Chair of the Committee.

The Human Rights Committee is composed of 18 independent experts who are not UN staff and serve in their personal capacity. They are elected for a term of four years by States parties in accordance with articles 28 to 39 of the Covenant and may be re-elected if nominated.