

[Maldives: Withdraw charges and end reprisals against national human rights commission](#)

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(Geneva) - The Maldives must immediately withdraw charges of high treason levelled by the country's Supreme Court against all five members of the Maldives Human Rights Commission in connection with a report the Commission submitted to the UN in advance of the Universal Periodic Review of the country, ISHR said today.

'The prosecution of members of the Maldives Human Rights Commission for submitting a report on the human rights situation in the country is a flagrant reprisal for cooperating with the United Nations,' said ISHR's Eleanor Openshaw.

'The UN Human Rights Council should immediately and unequivocally condemn this development in the Maldives, which is a Member State of the Council. We call on the Council's President and Bureau, together with other Member States, to publicly denounce this case and to call on the Maldives to issue a public response,' Ms Openshaw said.

ISHR formally brought the situation to the attention of the Council with a statement under Human Rights Council Agenda Item 8 today, expressing 'grave concern at reprisals against the Maldives Human Rights Commission for submitting a report for the UPR'. ISHR has also submitted its own [Briefing Paper on the situation of human rights defenders in the Maldives](#) to the UPR.

The five Commissioners were summonsed to the Supreme Court on 22 September and charged with high treason for allegedly undermining the Maldives' constitution, sovereignty and independence through the UPR report, which raised concerns regarding the rule of law and the independence of the judiciary. It is understood that the Commissioners will return to Court on 24 September, when it is expected that the case will move to trial.

'This is a grave attack against a national human rights institution,' said Ms Openshaw. 'Whilst the independence of the judiciary is an important principle, when the courts are employed to subvert international human rights law their actions need to be denounced and reversed,' she said.

A [draft resolution on national human rights institutions](#), tabled by Australia, will be voted on at the Human Rights Council later this week. The resolution contains provisions condemning 'any cases of alleged reprisal or intimidation against national human rights institutions and their respective members and staff', and calls on any such cases to be 'promptly and thoroughly investigated, with the perpetrators brought to justice'.

'The situation in the Maldives demonstrates the necessity and urgency of the Council adopting a resolution on national human rights institutions with strong language condemning and calling for accountability for reprisals against NHRIs and those who cooperate with them,' Ms Openshaw said.

While States including Russia, South Africa, India and Pakistan have previously sought to weaken the reprisals provisions in the draft resolution, Ms Openshaw said the situation in the Maldives should force them to re-think their position.

'All cases of reprisals should be condemned, but there should be a particular level of condemnation when that act is perpetrated in or by a State which is a member of the Human Rights Council. We call on States to unreservedly support language that denounces reprisals and to commit to comprehensive measures to prevent and respond to them,' Ms Openshaw said.

It is understood that the Maldives government has yet to make a public statement regarding the Supreme Court charges against the Commissioners or to respond to an approach by the Commission to intervene on their behalf.

'NHRIs have the role and the right to submit information to the United Nations, including for the purposes of the Universal Periodic Review,' Ms Openshaw said. 'It is imperative that the various arms of government of the Maldives respect and uphold this right and safeguard the independence of the national human rights institution and their role as constructive critics of the State.'

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