

**FORMER MALDIVES PRESIDENT MOHAMED NASHEED FILES COMPLAINT
TO UN HUMAN RIGHTS COMMITTEE TO RESTORE POLITICAL RIGHTS
AHEAD OF MALDIVES 2018 PRESIDENTIAL ELECTIONS**

Asks UN to declare his disqualification by the Government of the Maldives to run for President in 2018 and to lead his political party illegal and in violation of international law

Geneva – Today, counsel for former Maldives President Mohamed Nasheed filed a formal [complaint](#) to the UN Human Rights Committee, seeking to restore his political rights that were illegally removed by operation of his wrongful conviction on bogus terrorism charges. This includes his right to participate in the 2018 presidential elections and to lead his opposition political party, the Maldivian Democratic Party.

The Maldives is a party to the International Covenant on Civil and Political Rights (ICCPR), a treaty that is binding on its government under international law. Articles 25 and 22 of that treaty provide for the rights to political participation and to freedom of association, respectively. The Optional Protocol to the ICCPR, to which the Maldives is also a party, provides an individual complaint mechanism for violations of the treaty.

In his submission, counsel to President Nasheed explains that, with the rejection of his final appeal on the terrorism conviction before the Maldives Supreme Court, his disqualifications from running for political office under the country's Constitution and from holding a leadership position in a political party under the Amendment to the Prison and Parole Act remain in effect. The Maldives Constitution prohibits individuals from holding political office for three years after the completion of a prison sentence of greater than one year. Having been sentenced to 13 years in prison, Nasheed has been effectively barred from holding political office for 16 years, or until 2031. In the meantime, if this disqualification stands, he would not be able to participate in the forthcoming presidential election of 2018.

In [Opinion No. 33/2015](#), the UN Working Group on Arbitrary Detention found that President Nasheed's arrest, conviction, sentence, and imprisonment on terrorism charges was arbitrary and in violation of international law. Indeed, at the conclusion of the process in which the Government fully participated, submitting a 111-page brief with 48 annexes, the Working Group concluded it is "impossible to invoke any legal basis justifying the deprivation of liberty of Mr. Nasheed."

Jared Genser, President Nasheed's international counsel noted, "We have filed our complaint before the Human Rights Committee because any disqualification from running for office or leading a political party emanating from what has been found to be an arbitrary detention by an independent and impartial international tribunal is fruit of the poisonous tree and hence null and void by the standards of international law."

In a prior case that is directly on point, *Dissanayake v. Sri Lanka* (1373/2005), the HRC found that if the underlying basis for a restriction on political participation is a conviction that is later found to be arbitrary that no such restriction can be found to be objective and reasonable, thereby making it illegal and in violation of international law.

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