

Transparency Maldives calls on the relevant authorities to expedite the investigation into the death of Mohamed Jameel and end the practice of arbitrary detention

1 July 2024 - We express grave concern over the recent and sudden death of Mohamed Jameel, who was being held at K. Maafushi Prison under the care of Maldives Correctional Services. Our deepest condolences go out to the family and friends of the deceased during this difficult time.

This incident necessitates an immediate and thorough investigation into the circumstances surrounding his death in order to ensure transparency and accountability in our prison system. It is also crucial to address the systemic deficiencies within our prison system and advocate for reforms to ensure the protection of all rights and liberties conferred to detainees under the custody and care of the state.

We further highlight the critical need to ensure that all detainees are provided with medical care without any discrimination. It is concerning that while Jameel had serious mental conditions, he was imprisoned instead of being provided with the necessary mental health care and treatment to support rehabilitation. The 2023 Annual Report of HRCM showed that a total of 231 complaints were submitted by people in prisons regarding the health services provided to them, including delays in getting the required medicine, follow-ups and obtaining care from specialized doctors.

Indefinite or arbitrary detention goes against key principles of international human rights law and denies detainees essential basic human rights. The UN Working Group on Arbitrary Detention observed during their visit (29 November – 9 December 2021) that pre-trial detainees constitute nearly 30% of those currently held in detention facilities across the country. The Working Group also noted that while authorities report the average time spent in pre-trial detention according to the authorities is about 1.5 years, it is very common for people to be in pre-trial detention for 3-4 years and even longer. **This practice is incompatible with the obligations under Article 9 of the ICCPR.**

We call upon the Human Rights Commission of the Maldives to conduct an independent investigation into the death of Mohamed Jameel to ascertain whether there were any infringements of rights and liberties provided to detainees in this matter and hold those responsible for any potential malpractices, negligence or mistreatment to account. In doing so, we urge all relevant authorities to respect the privacy and wishes of the family of the deceased.

We further call on the State to:

- Ensure that pre-trial detention is only used as an exceptional measure, and as such urgently revise the current practice to make greater use of alternatives to detention, including conditional release, bail and reporting.
- Invest in public health care systems to ensure universal mental health support is available and accessible to all, especially to reduce inequality in care and avoid incarceration of people suffering from mental health and drug-use disorders.
- Improve oversight mechanisms in prison systems to monitor prison conditions and treatment of detainees to identify and actively work towards bringing meaningful and effective reforms.
- Commit to meaningful reform of the prison system, including strengthening governance mechanisms and the management structure as well as the rehabilitation and reintegration services across all relevant agencies to ensure accessibility of essential service to clients.
- Expedite the investigation process and publicize the findings by the Inspector of Correctional Services.

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