



OPEN LETTER

4 JUNE 2025

His Excellency Dr. Mohamed Muizzu
President of the Republic of Maldives

Re: The dismissal of three Justices of the Supreme Court of the Maldives

Your Excellency,

We, the undersigned international and jurisdictional bar associations, address this open letter to express our deep concern about recent events in the Maldives that undermine the independence of the judiciary, the Rule of Law, and the fair administration of justice.

As Your Excellency is aware, in February 2025, Justice Dr Azmiralda Zahir, Justice Mahaz Ali Zahir, and Justice Husnu al Suood were suspended from the Hon'ble Supreme Court of Maldives by the Judicial Services Commission (JSC) following allegations of corruption. Justice Al Suood later resigned. These actions coincided with the introduction of a constitutional amendment that reduced the strength of the Supreme Court bench from seven to five and mandated the JSC to retroactively deem two justices 'incompetent' within five days of the bill's ratification.

As Your Excellency is also aware, the Bar Council of Maldives issued a statement raising significant concerns regarding the process followed in the disciplinary proceedings as well as the recommendation of the JSC.

We invite Your Excellency to draw your kind attention to the statements issued by various bar associations in response to these events:

i. Nepal Bar Association:

“Nepal Bar Association stands in solidarity with the legal community of Maldives and joins others in urging the Government and the Parliament of Maldives to refrain from proceeding further until the concerns raised by the Bar Council of Maldives are thoroughly addressed.”

ii. Commonwealth Lawyers Association (CLA)¹:

“The CLA urges the Committee and the Parliament to ensure that the independence of the judiciary of the Maldives is not eroded and compromised by disciplinary action against judges that are based on unsubstantiated or arbitrary grounds and /or which is contrary to due process.

The CLA also urges the Committee and Parliament to be mindful of its own constitutional and statutory requirements for the removal of judges, and further respects and adheres to the stringent international standards to protect judicial independence.

The CLA further urges the Committee and Parliament to carefully scrutinize the recommendation by the JSC and reject the recommendation if it fails to meet the substantive procedural and evidentiary requirements.”

iii. The Law Association for Asia and the Pacific (LAWASIA)²:

“Refrain from proceeding with the matter till the time the concerns raised by the Bar Council of Maldives in its statement are addressed;

b. Ensure transparency and adherence to due process in relation to any proposed actions against serving judges including justices on the Supreme Court; and

c. Ensure that the procedure adopted for the removal of judges is credible and comports to essential features of fairness including granting a full and effective hearing.”

iv. Bar Association of India³:

“Bar Association of India joins the Bar Council of Maldives, LAWASIA and the Commonwealth Lawyers Association to urge the Government of Maldives and the Parliament to not proceed with the matter till the time the concerns raised by the Bar Council of Maldives in its statement are addressed”

v. Bar Association of Sri Lanka⁴:

“The Bar Association of Sri Lanka calls upon the Government of the Maldives and the Parliament of the Maldives not to proceed with this matter until the concerns raised by the Bar Council of Maldives in their communique are duly addressed and communicated.

¹ https://www.commonwealthlawyers.com/wp-content/uploads/2025/05/CLA-Statement-on-dismissal-of-SC-Judges-Maldives_final.pdf

² <https://lawasia.asn.au/sites/default/files/2025-05/LAWASIA%20STATEMENT%20OF%20CONCERN%20ON%20THE%20RECOMMENDATION%20OF%20THE%20JUDICIAL%20SERVICES%20COMMISSION%20OF%20MALDIVES%20-%2012.05.2025.pdf>

³ <https://barindia.in/bai-statement-of-concern-on-judicial-services-commission-of-maldives.pdf>

⁴ <https://basl.lk/statement-of-the-bar-association-of-sri-lanka/>

The Bar Association of Sri Lanka underscores the need for adherence to the Rule of Law, the safeguarding and protection of the Independence of the Judiciary and ensuring Due Process and the Principles of Natural Justice.”

The above statements followed the JSC’s recommendation to remove the judges, amid reports of serious procedural concerns, specifically that the disciplinary proceedings had not been conducted fairly or transparently. The summary removal of sitting Justices, without ensuring a credible, fair, and impartial process, undermines public confidence in the judiciary and poses a serious threat to the constitutional order.

We are particularly concerned that on 14 May 2025, the Parliament of the Maldives voted to impeach the aforementioned justices without addressing the concerns raised by the Bar Council of Maldives and other international bodies.⁵ This action undermines public confidence in the judiciary and poses a serious threat to the constitutional order.

We remind Your Excellency of the Basic Principles on the Independence of the Judiciary 1985⁶, which state that:

1. The independence of the judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country. It is the duty of all governmental and other institutions to respect and observe the independence of the judiciary.

17. A charge or complaint made against a judge in his/her judicial and professional capacity shall be processed expeditiously and fairly under an appropriate procedure. The judge shall have the right to a fair hearing. The examination of the matter at its initial stage shall be kept confidential, unless otherwise requested by the judge.

18. Judges shall be subject to suspension or removal only for reasons of incapacity or behaviour that renders them unfit to discharge their duties.

19. All disciplinary, suspension or removal proceedings shall be determined in accordance with established standards of judicial conduct.

20. Decisions in disciplinary, suspension or removal proceedings should be subject to an independent review. This principle may not apply to the decisions of the highest court and those of the legislature in impeachment or similar proceedings.

Furthermore, the Beijing Statement of Principles of the Independence of the Judiciary in the LAWASIA Region (1995)⁷ and the Bangalore Principles of Judicial Conduct (2006)⁸ emphasize the importance of judicial independence as a prerequisite to the rule of law.

⁵ <https://www.aljazeera.com/news/2025/5/14/maldives-parliament-removes-two-supreme-court-judges>

⁶ <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary>

⁷ <https://www.icj.org/wp-content/uploads/2014/10/Beijing-Statement.pdf>

⁸ <https://www.unodc.org/documents/ji/training/bangaloreprinciples.pdf>

In light of these concerns, we respectfully urge the Government of Maldives to:

- i. Immediately suspend the impeachment of Justices Azmiralda Zahir and Mahaz Ali Zahir and;
- ii. To create a fair and transparent procedure for any removal of judges that adheres to international standards.

We remain hopeful that the Government of the Maldives will take meaningful steps to restore confidence in the rule of law and the independence of the judiciary.

Respectfully,

Commonwealth Lawyers Association (CLA)
The Law Association for Asia and the Pacific (LAWASIA)
Bar Association of India (BAI)
Nepal Bar Association (NBA)