

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ



**UNOFFICIAL TRANSLATION OF LETTER SENT TO THE  
SUPREME COURT OF MALDIVES BY HIS EXCELLENCY  
PRESIDENT ABDULLA YAMEEN ABDUL GAYOOM**

*Date 5 February 2018*

Pursuant to the powers vested in me under Article 115 subsection (a) and subsection (c) of the Constitution of the Republic of Maldives and as Head of State of the Republic of Maldives, I write to you, regarding the Supreme Court Order No. 2018/SC-SJ/01, issued on 1 February 2018, which has resulted in; an encroachment on the regulatory powers of the State, the disruption of the functions mandated to State institutions under the Constitution, and the infringement of national security and public interest, and if implemented, which would potentially lead to an undermining of the supremacy of the Constitution of the Republic of Maldives.

The Judicial Service Commission is an independent institution created under Chapter 7 of the Constitution and has been vested with the mandate for the appointment, dismissal and accountability of judges. Thereby, point two of the aforementioned Supreme Court Order No. 2018/SC-SJ/01, which purports to declare that the Judicial Service Commission does not have the authority to investigate matters relating to the Supreme Court judges, defeats the purpose of Article 157 subsection (b) of the Constitution which explicitly states that the Judicial

Service Commission has jurisdiction over all members of the judiciary and interferes with the constitutionally mandated obligations of the Commission. The Supreme Court of the Maldives does not hold the power to make this declaration pursuant to the provisions of the Constitution, and as such, I urge you to amend the aforementioned Supreme Court order accordingly, and to allow the Judicial Service Commission to carry out its constitutional obligations.

---