



HUSSEIN HUMAM SENTENCED IN AFRASHEEM MURDER



Hussain Humaam was arrested for the murder of Raa. Ungoofaaru Member of Parliament Afrasheem Ali, who was found murdered near his residence on the 8th of October 2012.

He was arrested as a suspect during the initial round of investigations during which he confessed to the crime. He was tried at the Criminal Court where he was found guilty of first-degree murder on January 2013 on the basis of the aforementioned confession, and also witness testimony and forensic evidence which, according to prosecutors, attested to his guilt and corroborates with his confession.

Humaam subsequently retracted his previous confession, stating that it had been made under duress following police intimidation and, furthermore, on the understanding that if he had confessed, prosecutors would not press for the death penalty. Whilst Humaam has stated that although he is responsible for much violent activity during his criminal past, he denies involvement in Afrasheem's murder.

The case was subsequently appealed to the High Court. It should be noted that although Humaam did not appeal the verdict within the time period allowed to make an appeal, under regulations pertinent to the death penalty in the Maldives, the death sentence can only be implemented after all stages of appeal have been exhausted. Hence death sentences handed out by the Criminal Court

will automatically be appealed to the High Court after the period of appeal ends. Corollarily, if death penalty verdicts are upheld at the High Court, such cases will then automatically be sent to the Supreme Court for the final stage of appeal.

The High Court upheld the verdict in December 2015 stating that Humaam had twice confessed, and that court guidelines do not allow one to retract confessions of that nature at a later date; they further iterated the Criminal Court ruling citing that the aforementioned witness testimony and forensic evidence corroborated with Humaam's earlier confession.

Currently the case is at the final stage of appeal at the Supreme Court, which has already held preliminary hearings. Humaam's lawyers are, as of this writing, requesting that the Supreme Court allow them more time to prepare a defence, as the High Court has not yet given them the case report elaborating on their verdict (this reasoning was dismissed by the SC on the understanding that the relevant report is available on the High Court website).

If the Supreme Court upholds the verdict of the Criminal Court and the High Court and all of Dr. Afrasheem's surviving relatives insist on the application of the death penalty, there is a significant possibility that the state will put Humaam to death.