



# MALDIVES

COMMONWEALTH PARLIAMENTARY ASSOCIATION  
BENCHMARKS FOR DEMOCRATIC LEGISLATURES

FINAL REPORT



UK Representation  
to the Commonwealth



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## SUMMARY

*“The Parliament of Maldives has the aspiration of aligning its powers and practices to effectively serve the nation’s needs whilst upholding the Constitution without external interference in accordance with international rules and standards”*



A central objective of the Parliament of Maldives is to ‘align its powers and practices to effectively serve the nation’s needs whilst upholding the Constitution without external interference in accordance with international rules and standards’. This ambition is commendable and closely aligns with a fundamental belief of the Commonwealth that independent, effective Legislatures are one of the key political institutions of any successful democracy. With this in mind, the People’s Majlis should be praised for how it conducts many of its affairs and Maldivian citizens can be optimistic that their Legislature’s dedication to these underlying values will continue to guide its work towards the country’s next General Election this year and beyond.

The CPA’s *Recommended Benchmarks for Democratic Legislatures* are underpinned by the 2012 Commonwealth Charter’s ambition to create free, fair and democratic societies in every nation of the Commonwealth. Maldives’ Parliament is undoubtedly committed to these principles and, overall, meets many of the CPA’s standards across several workstreams. Senior political leadership in the Legislature should be praised for achieving these standards and positive acknowledgement given to the wide-ranging efforts of staff (led by the Secretary General), who support many of the Legislature’s core parliamentary services with talent, effort, and pride.

Democratic progress made by the People’s Majlis since impactful constitutional change in 2008 should be positively acknowledged. In the years since, Maldives has taken important steps towards becoming a fully democratic nation and Parliament has continually sought to improve its ways of working for the benefit of Maldivian citizens across the country. Recent elections have been internationally-recognised as both free and fair, with the People’s Majlis showing positive performance in a range of areas including how: Maldives’ Constitution is adhered to; its Standing Orders are applied; Plenary business is facilitated, official records are produced; internal parliamentary services are provided to Members; communications are shared with external stakeholders; engagement projects are coordinated with marginalised sections of the electorate; and its website is maintained for wider public benefit. The officials who support the work of Parliament are all committed to ensuring that the People’s Majlis continues to positively evolve and these encouraging achievements are highlighted throughout the course of this Report.

That said, there are a number of areas in which the Parliament does not currently meet the CPA’s *Recommended Benchmarks* and a strong commitment at both the political and official level will be required to ensure that the People’s Majlis continues its progress of attainment against these.

They include but are not limited to: establishing a Parliamentary Service Commission; introducing a Members’ Code of Conduct scheme; creating an independent Remuneration Authority; streamlining parliamentary Committees and ensuring that a commensurate number of these are chaired by opposition MPs; integrating means of pre/post-legislative scrutiny; producing Strategic Plans for the Legislature; providing Members with constituency staff to alleviate burdens currently placed on the

parliamentary administration; developing cross-party caucuses and interest groups; improving physical infrastructure in places; building greater capacity and training opportunities for staff; ensuring learning and development opportunities are equitably shared; uplifting female representation among MPs; and broadening Civil Society engagement to better enable Maldivian citizens to engage with the political process that ultimately shapes how they can lead their lives.

To that end, the burden of responsibility for improvement in some of these areas does not rest entirely with Parliament. The Maldivian Government should also take this opportunity to: grant the People's Majlis greater operational autonomy in several areas through the establishment of a Parliamentary Service Commission; in the meantime relinquish additional financial controls on the People's Majlis that were adopted during the Covid-19 pandemic; actively support political party mechanisms for improving female representation among elected Members; encourage Parliament to ensure that several of its Committees are chaired by opposition MPs; introduce legislative provisions to ensure that more robust campaign finance law for national elections are in place; and balance the need for legislative expediency against the democratic mandate of Parliament to pass laws with fuller means of and greater timeframes for the consideration and scrutiny of draft Bills.

Overall, the People's Majlis should be praised for building a Legislature that meets many of the CPA's *Recommended Benchmarks* and appears to be improving its performance on a continuous basis. While several areas for reform are identified in this Report, we hope that its recommendations will act as a valuable guide to the Legislature on its journey to '*align its powers and practices to effectively serve the nation's needs whilst upholding the Constitution without external interference in accordance with international rules and standards*'. Realising this ambition will build a stronger Parliament, develop better Government, and ultimately deliver more for the people of Maldives in the years ahead.

## Background

The **Commonwealth Parliamentary Association (CPA)** is an international community of 180 Parliaments and Legislatures working together to deepen the Commonwealth's commitment to the highest standards of democratic governance. Founded in 1911, the CPA brings together Members of Parliament and parliamentary staff to identify benchmarks of good governance and implement the enduring values of the Commonwealth. It offers vast opportunity for Parliamentarians and parliamentary staff to collaborate on issues of mutual interest and to share good practice.

In 2018, the CPA undertook a consultation and review process that resulted in the adoption of updated **Recommended Benchmarks for Democratic Legislatures**.<sup>1</sup> The Benchmarks provide a minimum standard and guide on how a Parliament should be constituted and how it should function. They play an important role in developing the effectiveness of parliamentary institutions across the 180 Parliaments and Legislatures of the CPA and contribute to the implementation of the Sustainable Development Goals.<sup>2</sup>

In February 2024, the **Parliament of Maldives** (The People's Majlis) became the 30th Commonwealth Legislature to use this framework to conduct a Self-Assessment against the Benchmarks. The Self-Assessment exercise was approved by the Speaker, **Hon. Mohamed Aslam**, and organised by parliamentary staff. CPA International Secretariat Headquarters appointed **Fraser McIntosh** (Good Governance Project Manager, CPA HQ) and **Tania Isaac** (Clerk, The National Assembly of Seychelles) to undertake this Self-Assessment from 12-16 February 2024. The Self-Assessment took place as part of the CPA's Good Governance Project – an initiative part-funded by the UK's **Foreign, Commonwealth and Development Office**.

During their time in Malé, Fraser and Tania met Speaker Aslam and other MPs from the People's Majlis. They also had discussions with Ms. **Niusha Fathimath** (Secretary General of the Parliament) and various senior parliamentary staff, as well as holding meetings with a wide range of external stakeholders including Maldives' Government, Elections Commission, and Auditor General offices, as well as representatives of both Maldivian Civil Society and the Media.

These meetings took place alongside a review of certain key documents including: the Constitution of Maldives<sup>3</sup> and the Standing Orders for the People's Majlis<sup>4</sup>, as well as other related parliamentary materials.

## Acknowledgements

The Parliament of Maldives proactively chose to assess itself against the CPA Benchmarks. As such, Hon. Speaker Aslam, Ms. Niusha Fathimath, and other senior parliamentary staff should be praised for both their willingness and enthusiasm to undertake this important piece of work. Their doing so demonstrated a positive approach to the CPA Self-Assessment, which was consistent throughout Fraser and Tania's time in Malé. This commitment to continued learning and improvement is admirable.

1 Recommended Benchmarks for Democratic Legislatures. (n.d.). Available at: <https://www.cpahq.org/media/10jik2nh/recommended-benchmarks-for-democratic-legislatures-updated-2018-final-online-version-single.pdf>

2 In particular Goal 16.6 (Develop effective, accountable and transparent institutions at all levels) and Goal 16.7 (Ensure responsive, inclusive, participatory and representative decision-making at all levels).

3 [Home Page - The President's Office \(presidency.gov.mv\)](https://www.presidency.gov.mv/). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](https://storage.googleapis.com/constitutionofmaldives.pdf).

4 [Home Page - The People's Majlis of Maldives](https://www.pml.gov.mv/). The People's Majlis – Standing Orders. [online] Available at: [The People's Majlis Standing Orders](https://www.pml.gov.mv/standing-orders/).

The CPA would also like to place on record its sincere thanks to all stakeholders who participated in this Self-Assessment and draw particular attention to the invaluable efforts of Ms. **Zuyyina Badhree** (Director, Foreign Relations Department, The People's Majlis) and Ms. **Eeman Aishath** (Senior Officer, Foreign Relations Department, The People's Majlis) for coordinating an excellent programme of meetings, facilitating key logistical arrangements, and providing such warm hospitality for the duration of Fraser and Tania's visit to Malé. Many other officials with whom the CPA delegation met are all a credit to the People's Majlis and its continued efforts to improve parliamentary democracy for the citizens of Maldives.



Hon. Speaker Aslam meeting the CPA delegation

## Support and Follow-Up

Following the publication and consideration of the findings of this report, and within the boundaries of financial constraints, the CPA is committed to supporting the Tongan Legislative Assembly in further strengthening its democratic processes. As such, the CPA stands ready to enable the Parliament to take forward these recommendations – where requested and appropriate – through its *Technical Assistance Programme*<sup>5</sup> scheme and wider efforts linked to institutional parliamentary strengthening.

## Political, Economic and Social Context

The Republic of Maldives is an independent archipelagic state located in the Indian Ocean. It is situated southwest of India and Sri Lanka approximately 750 kilometres from the Asian continent's mainland and comprises 26 atolls stretching across the Equator from Ihavandhippolhu Atoll in the north to Addu Atoll in the south. The territory of Maldives comprises approximately 1,200 small coral islands (200 of which are inhabited) and spans roughly 90,000 square kilometres (albeit only 300 square kilometres of this area covers land). It is one of the world's most geographically dispersed sovereign states. Maldives has an average ground-level elevation of 1.5 metres above sea level and a highest natural point of only 2.4 metres, making it the world's lowest-lying country and particularly susceptible to rising sea levels owed to climate change.<sup>6</sup>

Maldives has a current population of around 520,000<sup>7</sup>, making it the second least populous country in Asia after Brunei. The country's capital city is Malé (with around 275,000 inhabitants) which, with an area of just 8 square kilometres, is one of the world's most densely populated urban centres. The vast majority of Maldives' population (approximately 80%) is native Maldivian with the remaining 20% largely made up of foreign workers from neighbouring India and Sri Lanka, as well as large numbers from Bangladesh. The national language is Dhivehi albeit English is taught in schools and widely spoken across society. Islam is the country's state religion (followed by over 98% of the population) with small numbers of citizens practising other faiths.

Until the 1970s, Maldives' economy was traditionally dependent on fishing, boat building/repair services, and trading various local agricultural commodities with other countries in the Indian Ocean region. To accelerate fiscal growth, the Maldivian Government began a far-reaching economic reform programme in the 1980s which saw import quotas lifted, more opportunities given to the private sector, and overseas workers encouraged to migrate. In the years since, Maldives' economy has rapidly developed largely due to the country's world-famous tourist industry. With over 1.5 million annual visitors, tourism now accounts for over 32% of GDP, 60% of Maldives' foreign exchange receipts, and 90% of Government tax revenue flows from import duties and tourism-related taxation.<sup>8</sup>

5 [www.cpahq.org](https://www.cpahq.org) (n.d.). How is the CPA supporting Commonwealth Parliaments? [online] Available at: <https://www.cpahq.org/what-we-do/institutional-parliamentary-strengthening/>.

6 Encyclopaedia Britannica (2024). Maldives | History, Points of Interest, & Tourism. [online] Available at: <https://www.britannica.com/place/Maldives>.

7 Worldometer (2024). Maldives Population (2024). [online] Available at: <https://www.worldometers.info/world-population/maldives-population/>.

8 World Bank (2024). The World Bank in Maldives. [online] Available at: <https://www.worldbank.org/en/country/maldives/overview>.

Throughout much of the 16th and 17th centuries, Maldives was a sultanate initially controlled by the Portuguese and then the Dutch rulers of Ceylon (modern day Sri Lanka). Following Britain's possession of Ceylon in 1796, Maldives became a British protectorate, with this status being formalised in 1887. The country's first Constitution was adopted in 1932 but it remained under British rule until 1965, at which point full political independence was achieved. In 1968, Maldives abolished the sultanate, inaugurated a new republic, and has enjoyed sole sovereignty of its national affairs ever since. The country's first President was Ibrahim Nasr (1968-1978), followed by Maumoon Abdul Gayoom (1978-2008), Mohamed Nasheed (2008-2012), Mohamed Waheed Hasan (2012-2013), Yameen Abdul Gayoom (2013-2018) and Ibrahim Mohamed Solih (2018-2023) before current President Mohamed Muizzu took office in November 2023 after successfully defeating incumbent President Solih in last year's Presidential Election.

Maldives is a presidential constitutional republic with the President enjoying extensive influence as both Head of Government and Head of State. The President leads the Executive branch of Government, commands the Armed Forces, and appoints the Cabinet (comprising the Vice-President, Government Ministers and the Attorney General), which is approved by the Legislature (The People's Majlis). Under Maldives' Constitution (adopted in 2008), holders of Presidential office can be elected for a maximum of two five-year terms, must be a Maldivian citizen born to parents who themselves are Maldivian citizens, not hold dual nationality of any foreign country, and be a Muslim following the Sunni school of Islamic faith.

Legislative power in Maldives rests with the country's unicameral Parliament (The People's Majlis) where the total number of MPs is determined by the populations of Malé and the country's 20 inhabited atoll groups. The most recent People's Majlis (since 2019) has been comprised of 87 Members with this number being increased to 93 MPs after upcoming Parliamentary Elections in April 2024 (postponed from March 2024 to accommodate the holy month of Ramadan). Since constitutional reform of 2008, MPs are elected to five-year terms and multi-party politics has become commonplace in Parliament. The current People's Majlis has representation from nine political parties with the Legislature able to enact, amend and revise laws, as well as grant approval to annual state budget proposals put forward by the Executive. The only constitutional limitation placed upon the People's Majlis in its legislative functions is that Parliament is prohibited from passing any law that contravenes tenets of the country's official state religion (Islam).

Maldives' legal system is based on Islamic law with elements of English common law primarily used in commercial matters. The country's highest legal authority is the Supreme Court whose judges are appointed by the President in consultation with the Judicial Service Commission (a body of 10 members appointed or elected from various branches of Government and the general public). The Judicial Service Commission independently appoints all other judges to Maldives' High Court, trial courts, and civil small claim courts. There are no judicial term limits in Maldives albeit a mandatory retirement age of 70 exists and by law all judges must be of Sunni Muslim faith. When presiding over matters before them, judges in courts at all levels of society must base their decision on the Constitution or Maldivian law. In cases where neither of these offer clear provisions, then judges should be guided by Islamic Shari'ah law.

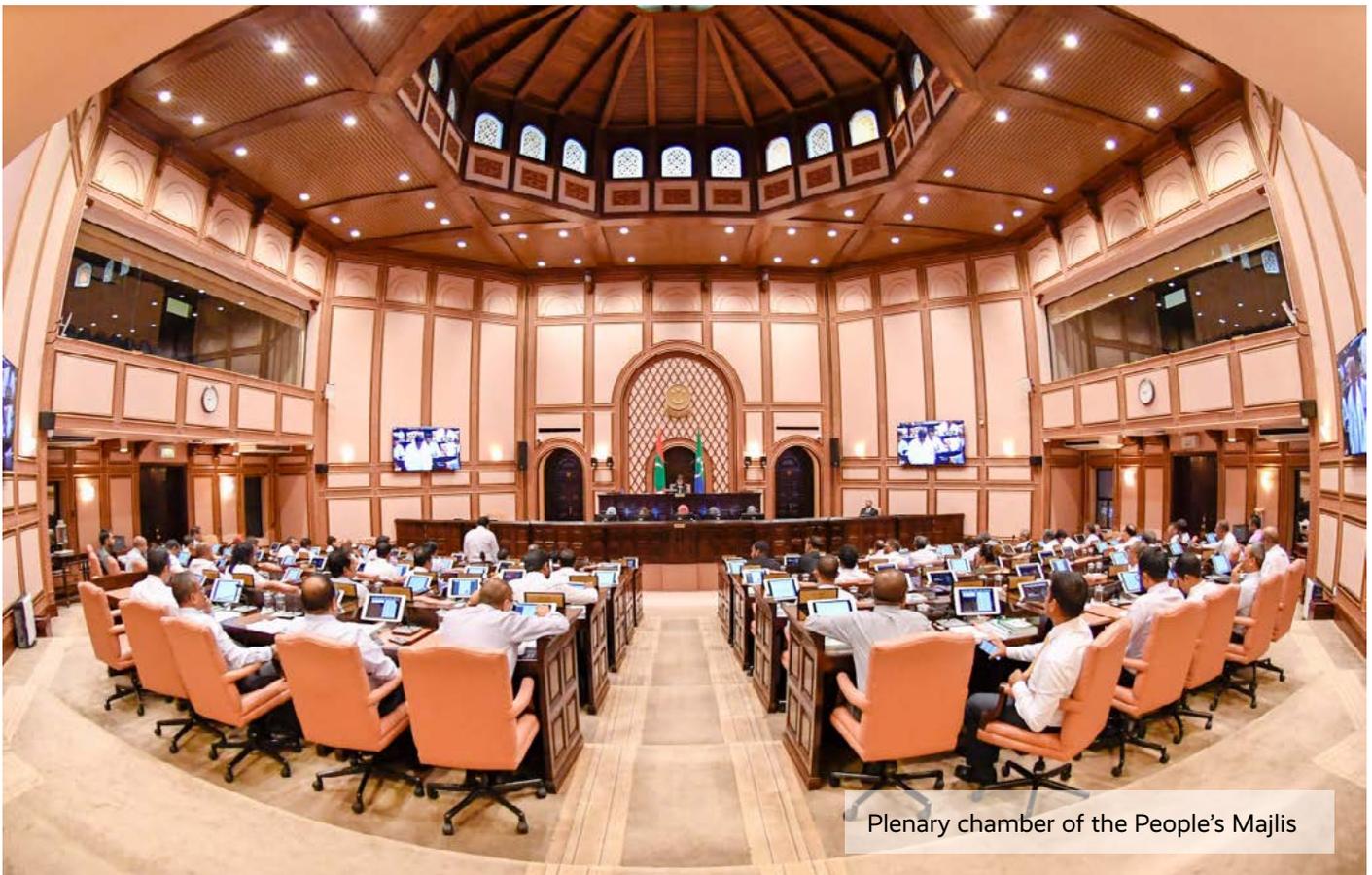
Maldives first joined the Commonwealth in 1982, 17 years after gaining full political independence. It left the organisation for four years (2016-2020) after being threatened with suspension over its human rights record and lack of democratic reform. Maldives rejoined the Commonwealth in 2020 and the People's Majlis became a CPA member once again in 2022.

# I. GENERAL

## Elections

Maldives is a presidential constitutional republic whereby both the President (Head of State) and Members of the People's Majlis are popularly elected by direct and equal suffrage. Any Maldivian citizen aged 18 or above who has not been convicted of a criminal offence and is actively serving a prison sentence of at least five years is entitled to vote and does so through secret ballots at both Presidential and Parliamentary Elections, as well as national referenda. Following the country's constitutional reform of 2008, multiparty politics in Maldives has grown and formed the basis of every national ballot held in the years since.

As per the Constitution<sup>9</sup>, Members of the People's Majlis are elected by residents of the capital city of Malé and Maldives' 20 inhabited atolls with two MPs being elected for each constituency and then one further representative elected for each additional 5,000 citizens registered in that administrative division. Parliamentary elections in Maldives are governed by the country's 2008 Electoral Act<sup>10</sup> which provides clear rules and regulations relating to the holding of and conduct within elections to the People's Majlis. These provisions are monitored and enforced by Maldives' independent Elections Commission<sup>11</sup> with recent national elections meeting international standards for openness and transparency following electoral observation visits by both the Commonwealth Secretariat<sup>12</sup> and European Union External Action Service.<sup>13</sup>



Plenary chamber of the People's Majlis

Members of the People's Majlis are elected to represent individual constituencies under a first-past-the-post voting system and serve five-year terms in office. Maldives' last Parliamentary Election was held in 2019 with the Maldivian Democratic Party (MDP) winning 65 of the Legislature's 87 seats. This was the first time since democratic constitutional reform in 2008 that a single party had been voted into power without the need for a parliamentary coalition. Turnout at the election was 81.32%, Member turnover was 62%, and a total of 360 candidates contested seats.<sup>14</sup>

9 [Home Page - The President's Office \(presidency.gov.mv\)](http://presidency.gov.mv). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](https://storage.googleapis.com/ConstitutionOfMaldives.pdf).

10 ELECTIONS (GENERAL) ACT. [online] Available at: <https://www.elections.gov.mv/en/core/downloads/Elections%20General%20Act%202008.pdf>.

11 [www.elections.gov.mv](http://www.elections.gov.mv). Election Commission of Maldives. [online] Available at: <https://www.elections.gov.mv/en/>.

12 Commonwealth election observers arrive in Maldives. [online] Available at: <https://thecommonwealth.org/news/commonwealth-election-observers-arrive-maldives>.

13 [www.eeas.europa.eu](http://www.eeas.europa.eu). European Union Election Observation Mission in Maldives 2023 | EEAS. [online] Available at: [https://www.eeas.europa.eu/eom-maldives-2023\\_en?s=410327](https://www.eeas.europa.eu/eom-maldives-2023_en?s=410327).

14 Parline: the IPU's Open Data Platform. Maldives People's Majlis 2019 Election. [online]. Available at: [https://data.ipu.org/node/104/elections?chamber\\_id=13457](https://data.ipu.org/node/104/elections?chamber_id=13457).

While (in a positive demonstration of Maldives' evolving multiparty political system) 10 different parties fought the election, less than 10% of candidates on the ballot paper were female (with only four of 87 parliamentary seats ultimately being won by women). Despite there being no formal barriers (Constitution, law, policies) that limit the political participation of women in the political process, this sees the People's Majlis compare unfavourably with many other Commonwealth Legislatures and appears to be a result of a long-standing political culture in Maldives whereby individual political parties do not typically afford women the same electoral opportunities they do men and the electorate traditionally do not support female candidates running for political office. Several stakeholders consulted as part of the Self-Assessment exercise acknowledged this inequity and wanted to see positive strides made towards a better gender-balanced Parliament that more accurately reflects Maldivian society. Engaging with civil society groups in this area would be advisable for the People's Majlis and help bring it in line with other democratic Legislatures around the world, ultimately paving the way for a Parliament that better resembles the citizens it is elected to serve.

## RECOMMENDATION 1

**The People's Majlis should work with political parties to increase the number of female candidates standing for election. Additional efforts should be made to maximise awareness among women of standing for election and ultimately being elected to Parliament.**

As noted above, Parliamentary Elections for the People's Majlis are regulated by Maldives' Elections Commission. The body was established in line with the constitutional reforms of 2008 and acts as an independent and impartial institution with the mission of conducting and supervising all state elections and public referenda, as well as monitoring the regulatory framework pertaining to the functioning of political parties.



During conversations with stakeholders consulted as part of the Self-Assessment exercise, the Elections Commission appears to function well and enjoys broad independence from the Executive branch of Government. That said, it is worth stressing that the nominating of and final appointment of Elections Commission members are ultimately overseen by the President, who is also a party leader. Increasing the independence of the Elections Commission and further strengthening the role of Parliament in selecting the composition of its membership would be a positive step towards further embedding the separation of powers in Maldives' political system and bring it more in line with the CPA's Latimer House Principles on the Three Branches of Government.<sup>15</sup>

Another area in which the role of the Elections Commission should be strengthened is how it regulates the financing of national elections in Maldives. While all candidates seeking a parliamentary seat are required to submit a financial report outlining all donations and transactions relating to their campaign within 30 days of an election being held (these reports are subsequently

<sup>15</sup> Commonwealth (Latimer House) Principles on the Three Branches of Government. Available at: <https://www.cpahq.org/media/dhfajkpg/commonwealth-latimer-principles-web-version.pdf>.

and positively shared with Maldives' Anti-Corruption Commission<sup>16</sup>), the rules that govern how political parties raise funds and apportion these to individual candidates are less clear.

Under the Constitution, political parties can raise funds from membership fees, donations, and the commercialisation of party assets alongside receiving public subsidies (0.1%-0.2% of Maldives' annual state budget is allocated for the functioning of political parties), however the Elections Commission does not currently have a standard format for parties to report on this in line with minimum transparency requirements, and nor does the People's Majlis mandate parties to submit official records of how their funds are raised. Political parties currently provide a lump sum amount in their accounting reports submitted to the Elections Commission however these do not provide an itemised breakdown of which funds have been raised and from where.

Through discussions with stakeholders, the Self-Assessment team also learned that staff resources in the Elections Commission are stretched and, as such, the body does not have designated auditing staff that conduct a detailed analysis of reports submitted to them by political parties. Increasing capacity for the Elections Commission office and introducing more robust campaign finance provisions would strengthen the transparency and fairness of subsequent Parliamentary Elections.

## RECOMMENDATION 2

**Maldives' Elections Act should be updated to include clearer provisions for how political parties report on their financing of electoral campaigns and to provide the Elections Commission office with greater resources to improve their monitoring capabilities of future Parliamentary Elections.**

### Separation of Powers, Immunity and Natural Justice

Maldives' Constitution separates political powers between the Executive, Legislative and Judicial branches of Government. Under the Constitution (Chapter III)<sup>17</sup>, no elected Member of Parliament may serve in the Judiciary or hold an Executive civil service position while they are in office. MPs are also prohibited from serving in the Police and Armed Forces, as well as Independent Commissions and any Corporation wholly or partly owned or managed by the Government.

Upon taking up their seat in the Legislature, Maldives' Constitution also stipulates that Members of the People's Majlis must take and subscribe to Parliament's oath of office. This is done before the Chief Justice (or an appointed designate) and, as per the Constitution, is mandatory for all candidates successful in parliamentary elections before they can begin their legislative duties. A failure or refusal to take the oath can in theory result in Members being excluded from sitting or voting in that session of Parliament until they do so. In reality, however, this does not happen. Given that Islam is Maldives' state religion, and any individual elected to the People's Majlis must follow Sunni faith, the Self-Assessment team was not made aware of any newly-elected MPs ever having refused to take the parliamentary oath. It is worth noting, however, that the practice of requiring prospective Members to take a religious oath (without offering an alternative) is an anomaly when compared to other Legislatures across the Commonwealth today.

### Immunity and Natural Justice

When in office, Maldives' Constitution (Chapter III)<sup>18</sup> protects Members of Parliament from liability for anything they say or do in the Legislature. With the exception of indictable offences, Members are also immune from any inquiry, arrest, detention or prosecution relating to their legislative duties. In a positive demonstration of parliamentary practice, these privileges are also extended (by way of the Constitution) to individual citizens, representatives of organisations, and Media outlets who contribute to or report on parliamentary proceedings. Whilst carrying out the Self-Assessment exercise, however, some stakeholders noted that while Members of the People's Majlis are universally protected by these constitutional provisions, external stakeholders would benefit from additional provisions to further protect them in their interaction with the Legislature.

For example, there are no bespoke Acts of Parliament that provide for the formal protection of witnesses or whistleblowers giving evidence to the People's Majlis and nor do any citizens that feel their reputation has been damaged or brought into disrepute during the course of parliamentary proceedings have formal means to a right of reply. Introducing such provisions would add invaluable extra protections for those external stakeholders supporting the work of Parliament and bring the People's Majlis more in line with other democratic Legislatures around the Commonwealth.

16 Maldives' Anti-Corruption Commission. Anti-Corruption Commission. [online] Available at: <https://acc.gov.mv/en/>.

17 [Home Page - The President's Office \(presidency.gov.mv\)](#). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](#).

18 [Home Page - The President's Office \(presidency.gov.mv\)](#). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](#).

### RECOMMENDATION 3

**The People’s Majlis should pass bespoke legislation to enshrine in law protections for witnesses and whistleblowers supporting the work of Parliament and introduce a citizens’ right of reply scheme in relation to adverse references made to individuals during legislative proceedings.**

One linked area in which the People’s Majlis does fully meet the relevant CPA Benchmark relates to sub judice provisions. The Constitution (Chapter IV)<sup>19</sup> protects the independence of Maldives’ court system by prohibiting Members of Parliament from discussing issues that are subject to live judicial review. MPs from all political parties in the Legislature appear to respect these rules and the Self-Assessment team was not made aware of any issues relating to their implementation during stakeholder discussions.



### Remuneration and Benefits

The size and scale of remuneration, benefits, and other statutory benefits for Members of the People’s Majlis are currently determined by Parliament’s Public Accounts Committee. While it is positive that this function is not held by the Executive Branch of Government (as is the case in some Commonwealth countries), the ideal practice for democratic Legislatures is for payments made to MPs to be regulated by an independent Remuneration Authority. No such body currently exists in Maldives and its establishment would both be a strong demonstration of positive parliamentary transparency/accountability and bring the People’s Majlis in line with other Commonwealth Legislatures that embody model parliamentary practice in this regard.

The benefit of establishing such a body is demonstrated by the fact that in December 2023 Parliament’s Public Accounts Committee passed a resolution to increase Members’ monthly take-home pay to at least 80,000 MVR (Maldivian Rufiyaa) comprising 55,000 MVR as basic pay and a further 25,000 MVR as an additional cost of living allowance. As part of this resolution, Members of the People’s Majlis who sit on parliamentary Committees will also be entitled to an extra 20,000 MVR per month taking their total take-home pay to 100,000 MVR for each month that the Parliament is in session.<sup>20</sup> These changes are expected to take effect following upcoming Parliamentary Elections. Previously this figure has been 80,000 MVR when all three allowances were combined. The adoption of this resolution was done in a private meeting of the Public Accounts Committee and received negative public feedback given the lack of transparency surrounding how the Committee’s decision was reached and the fact that average monthly take-home pay in the Maldives is approximately 20,000 MVR with the country’s minimum wage set at just 7,000 MVR per month.<sup>21</sup>

19 [Home Page - The President’s Office \(presidency.gov.mv\)](https://presidency.gov.mv/). Maldives’ Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf](https://storage.googleapis.com/ConstitutionOfMaldives.pdf) (storage.googleapis.com).

20 The Edition. (n.d.). Committee passes hiking MP salaries to MVR 100,000. [online] Available at: <https://edition.mv/features/30714>.

21 Paylab - Salary data. Salaries on positions in Maldives - Paylab.com. [online] Available at: <https://www.paylab.com/mv/salaryinfo>.

Positive practice clearly evident in other Commonwealth Legislatures is for such decisions to be taken by an external body as opposed to a Committee of Parliament. In order to avoid future repetition of last year's events, the People's Majlis should seek to establish an independent organisation that sets the level of Members' remuneration without the involvement of MPs themselves. It is also worth noting that wherever possible, committee meetings should always be conducting in public.

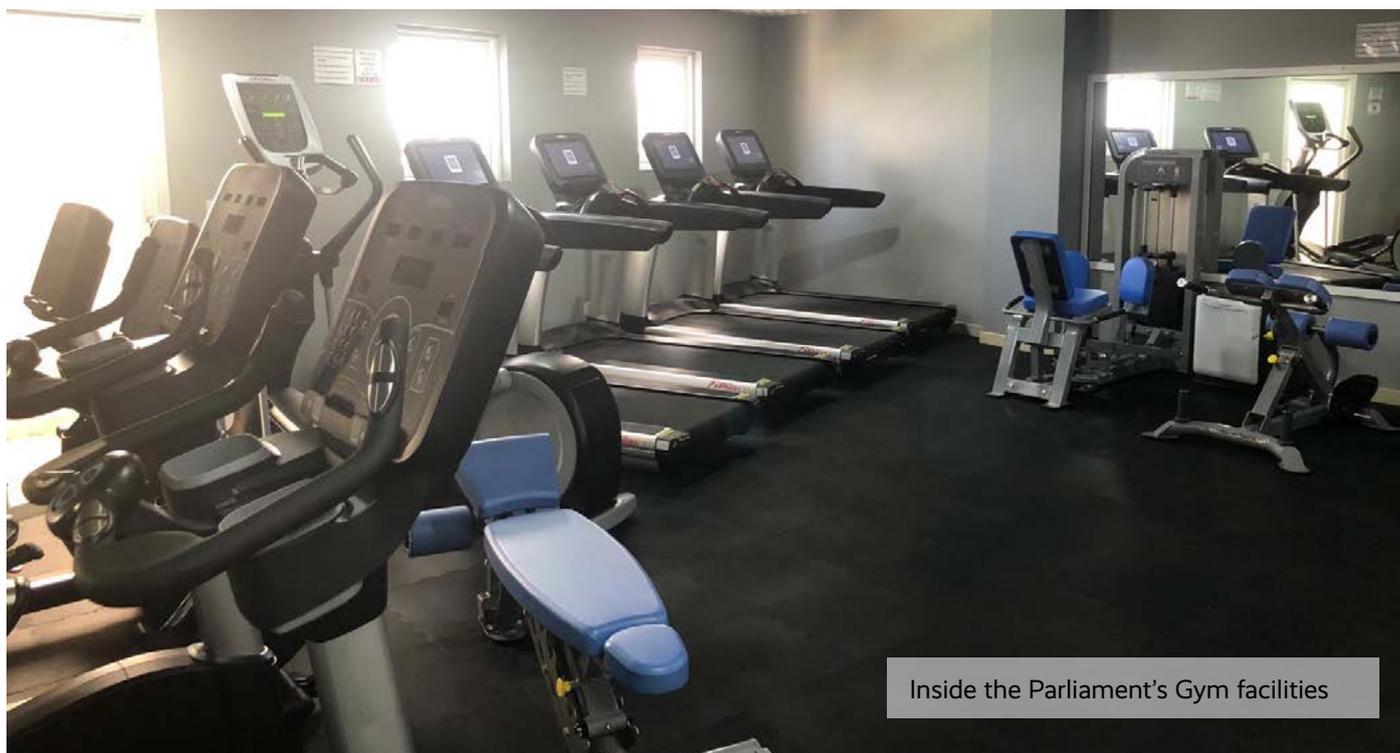
## RECOMMENDATION 4

**The People's Majlis should establish an independent Remuneration Authority that sets the size and scale of financial recompense for Maldivian legislators.**

### Infrastructure

Maldives' parliamentary building is located in central Malé, was opened in 1998, and partially funded by a grant from the Government of Pakistan. In 2019, a new annex was added to these premises which houses rooms for Parliament's Committees and offices for both Members and staff. Parliament's Plenary chamber is bright, spacious, and equipped with impressive modern technology. Every MP has their own designated seating space and these include advanced electronic tablet provisions that monitor Members' attendance, their voting records, and provides them with a wide range of briefing material relating to that day's sitting. The chamber also has three distinct viewing galleries: one for diplomatic visitors; another for private citizens; and a third for members of the Press. This compares favourably to many other Commonwealth Legislatures and is a fitting centrepiece for the People's Majlis' ambition of being a fully-functional modern day Parliament.

Elsewhere, physical infrastructure on the parliamentary precinct is impressive in several other areas. The Legislature has multiple rooms set aside for Committee business and a striking Library with an array of digital/hard copy resources and archiving facilities, as well as a modern multi-purpose gym which is open to all Members and staff to benefit from free of charge.



Inside the Parliament's Gym facilities

That said, the Self-Assessment team was made aware of two particular areas in which infrastructural improvements could and should be made:

- **Members:** the vast majority of individual MPs do not have their own designated working space. With the exception of party leaders (who do), most Members are required to conduct their parliamentary business in a large open plan room with individual cubicles separated by dividers. These cubicles have a landline telephone for internal and external calls but are not conducive to conducting sensitive political business or having confidential conversations with constituents. Members are also not provided with their own parliamentary laptop which in some instances discourages working on the parliamentary precinct beyond official Plenary business and limits their ability to access internal electronic resources produced by Parliament's secretariat staff which are produced to support the Legislature's affairs.

- **Persons with Disabilities:** while impressive in many areas, the Parliament's physical infrastructure is challenging for persons with a range of disabilities. Access to the main building is difficult for individuals in a wheelchair, disabled restroom facilities are limited, and there are currently no elevators in operation that cater for individuals who are blind or partially sighted (albeit plans to rectify this are currently being put in place). Linked to this, the Legislature also lacks brail provisions and does not appear to produce any of its hard copy material in large text font or by way of alternative formats.



Representatives of Maldives Association for Persons with Disabilities meeting the CPA delegation

Making improvements in both of these critical areas would not only provide Members with important physical and digital capabilities useful for them to fully meet their legislative responsibilities but would also increase accessibility to and engagement with the People's Majlis for Maldivian citizens who are living with disabilities. Doing so would also bring the Parliament in line with best practices.

## RECOMMENDATION 5

**The People's Majlis should seek to improve its parliamentary infrastructure in certain areas with a particular focus on Members' resources and provisions for Persons with Disabilities.**

### Professional Development

The secretariat of the People's Majlis conducts induction programmes for all MPs (be they returning or newly-elected) at the beginning of each session of Parliament following a General Election whereby key information concerning the Constitution, Standing Orders, and parliamentary duties, services and entitlements are shared with Members to help facilitate their understanding of how the Legislature functions. In general, these appear valuable and well received, however some MPs consulted voiced a desire for this training to be made more comprehensive and conducted on a rolling basis throughout the life cycle of a Parliament (particularly for the benefit of Members who join the People's Majlis through by-elections). From speaking to officials within the parliamentary administration, there is scope to uplift the levels of training currently provided to MPs and doing so would bring the key benefits of continually developing Members' knowledge and ensuring that the People's Majlis remains in line with evolving best parliamentary practices in other Legislatures across the Commonwealth.

To this end, increased professional development opportunities should also be afforded to parliamentary staff. Speaking to officials within the secretariat of the People's Majlis, it became clear to the Self-Assessment team that these are currently few and far between. This was particularly evident for more junior staff and those officials who take up their role between General Elections.

In order to increase sustainability within the parliamentary administration, it is advised that the Parliament focus resources on adequately training staff throughout the parliamentary term.

Several stakeholders voiced a desire for the Self-Assessment exercise to be used not only as a chance for the People's Majlis to take stock of its operations against the *Recommended Benchmarks for Democratic Legislatures*, but also as an opportunity to re-engage more broadly with the CPA following the years in which Maldives revoked itself of Commonwealth membership (the People's Majlis only re-joined the CPA in 2022). With this in mind, the suggestion of future enrolment in CPA *Technical Assistance Programmes*<sup>22</sup>, the hosting of *Post-Election Seminars*<sup>23</sup>, and involvement in tailored study visits/exchange programmes were welcomed, albeit it is recommended that participation in such events is spread across Members and parliamentary staff with particular attention given to those MPs who are newly elected and officials who have recently taken up their post.

Doing so would further develop collective understanding of best parliamentary practice and related soft skills across the People's Majlis which, in turn, should lead to the Legislature functioning more proficiently and ultimately delivering better outcomes for the citizens of Maldives. Mindful that the cost and lengthy travel distances sometimes associated with international events can often be a barrier to participation, the Parliament should also take advantage of free online courses available through the CPA's *Parliamentary Academy*<sup>24</sup> (a resource that was repeatedly flagged by the Self-Assessment team and positively received).

## RECOMMENDATION 6

**The People's Majlis should expand its Professional Development Programmes so that these are held periodically between General Elections and ensure that such opportunities are open to all Members of Parliament and secretariat staff.**

Headquarters of the People's Majlis Secretariat



22 [www.cpahq.org](https://www.cpahq.org). How is the CPA supporting Commonwealth Parliaments? [online] Available at: <https://www.cpahq.org/what-we-do/institutional-parliamentary-strengthening/>.

23 [www.cpahq.org](https://www.cpahq.org). Professional Development. [online] Available at: <https://www.cpahq.org/what-we-do/professional-development/>.

24 [www.cpahq.org](https://www.cpahq.org). The CPA Parliamentary Academy. [online] Available at: <https://www.cpahq.org/parliamentary-academy/>.

## II. ORGANISATION OF THE LEGISLATURE

### 1. PROCEDURES AND SESSIONS

#### Rules of Procedure

The Standing Orders for the People's Majlis<sup>25</sup> reflect and support the actual practice and culture of Parliament. In a positive demonstration of democratic practice, the Legislature also systematically reviews its procedures in detail every five years following Parliamentary Elections through the General Purpose Committee. Adoption of the rules requires support from a simple majority of Members, but best practice is for a qualified majority, consensus across Party groups or a vote of unanimity to be required so that democratic legitimacy underpins any changes made and guarantees that they are in harmony with the Parliament's will.

#### Presiding Officers

The Constitution of Maldives and the Standing Orders for the People's Majlis clearly state the measures for electing a Presiding Officer. As per Article 82(a) of the Constitution<sup>26</sup>, the People's Majlis shall appoint a temporary Committee (comprised of five Members) at the first sitting of each new Parliament to select the Speaker and Deputy Speaker by secret ballot followed by a simple majority vote in the House for shortlisted candidates.

The Speaker of the People's Majlis maintains order in the Chamber so that Parliament carries out its functions effectively whereby Members have full opportunities to participate and be heard in accordance with the Standing Orders. Questions of procedure are decided by the Speaker in a manner that is often guided by previous decisions or practices. Although nothing prevents the Speaker from using his power to punish Members that impact on constructive parliamentary debate, it was evident to the Self-Assessment team through consultation with stakeholders that the consistency of punishment could be improved to avoid any potential perceived bias.

It was flagged to the CPA team that there have been a few occasions where different punishments have been administered to different Members for committing the same perceived offence. Whilst these inconsistencies do not appear to have arisen along any party-political lines, having the Presiding Officer consistently exercise uniform authority leads to the institutionalisation of this practice and sets a positive tone for the conduct of Members during parliamentary proceedings.

#### **RECOMMENDATION 7**

**The Presiding Officer and Deputy Presiding Officer should undergo training on their role, with a particular focus on the Parliament's Standing Orders.**

<sup>25</sup> [Home Page – The People's Majlis of Maldives](#). The People's Majlis – Standing Orders. [online] Available at: [The People's Majlis Standing Orders](#).

<sup>26</sup> [Home Page - The President's Office \(presidency.gov.mv\)](#). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](#).

Speaker's Chair in the Plenary Chamber



### Convening Sessions and Setting the Agenda

The People's Majlis should be praised for having an institutionalised practice of meetings based on a set annual calendar of sitting days agreed by all major political parties. At least three sessions are held annually, including extraordinary or special sessions. For 2023, recorded sittings totalled 89 days and the People's Majlis held a further two special sessions.<sup>27</sup> Although the calendar of sittings exists and is published on the Parliament's website<sup>28</sup>, several officials consulted by the CPA team expressed the need to improve the online calendar by not only showing when the Parliament is sitting but to add the specific items of the agenda for that day. By doing so, this will address concerns raised by stakeholders interviewed by the CPA team that there is sometimes a backlog of parliamentary questions due to non-adherence to the calendar and a tendency for the Government to undermine Parliament's agenda. A detailed online public agenda will ensure transparency in the work of Parliament and strengthen Members' resolve to carry out their roles and responsibilities in a more effective manner which, in turn, would increase public confidence and improve citizens' outlook of their Legislature.

The President of Maldives must address the House in an extraordinary sitting held at the first session of each year as specified in Article 84 of the Constitution.<sup>29</sup> The Self-Assessment team acknowledged the fact that the People's Majlis can call itself into extraordinary or special sessions although there would be value in Parliament adopting specific provisions in law and its procedures for the Executive to convene a special session of the Legislature. Legal and procedural provisions are important for the convening of special sessions of the Legislature by the Executive because while Parliament should have exclusive cognisance (total control) of its proceedings and procedures, there is value in the Executive being able to call for special sittings under specific circumstances.

There are no rules that set aside time to consider business proposed by non-Government Members and this led to the perception of various stakeholders interviewed that the majority rules in Parliament. Having specific days set aside to consider business proposed by non-Government Members would demonstrate sound application of the democratic principle of 'minority right' in practice but, just as importantly, provide a conducive environment for Members to debate all pertinent issues raised by different

27 [www.majlis.gov.sc](http://www.majlis.gov.sc). The People's Majlis -Parliament Sitting: [online] Available at [Sittings - People's Majlis of Maldives](#).

28 [www.majlis.gov.sc](http://www.majlis.gov.sc). The People's Majlis - Parliament Calendar: [online] Available at [Sittings - People's Majlis of Maldives](#).

29 [Home Page - The President's Office](#) (presidency.gov.mv). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](#).

sections of the House. In many Parliaments across the Commonwealth where there are days set aside for the House to consider business proposed by non-Government Members, the number of Private Members Bills has increased in recent years.<sup>30</sup> This could be beneficial for the People's Majlis as Private Members Bills come from the Legislature and, therefore, Parliament has greater control of its agenda.

## **RECOMMENDATION 8**

**The People's Majlis should adopt formal provisions that allow the Executive to convene special sessions of the Legislature and provide specific days in the parliamentary calendar for Opposition business.**

### **Debating and Voting**

The People's Majlis is performing well in most areas relating to debate and voting according to the Benchmark Self-Assessment criteria. It has an impressive electronic voting system in the Chamber which was implemented as part of a broader 2019 digitalisation project. The CPA team observed that each Member has a tablet at their seat which records their attendance at that day's sitting and any votes cast. In a positive demonstration of parliamentary practice, both of these are shown on larger screens within the Chamber and recorded by the Legislature's Hansard Unit in accordance with Article 191 of the Standing Orders. The Standing Orders (Article 170)<sup>31</sup> are also clear in terms of the structure for debates and deciding the precedence for motions.

Members and officials agreed that current rules give sufficient time for legislators to debate prior to voting on a Bill, although some representatives of the Media and Civil Society felt that they cannot always respond adequately to requests for feedback on urgent Bills because the timeframe for doing so can be unrealistic. Civil society stakeholders interviewed by the CPA team noted that this could sometime be just a few days for important pieces of legislation. Limiting the voice of Maldivian citizens from being heard on important Bills is something that the People's Majlis should look to address.

One further area that may need improvement through a Constitutional Amendment is the provision found in Article 264 of the Constitution, which does not always give legislators full authority to vote on issues before the Legislature. If the President does not assent to a Bill amending the Constitution that has been voted on and passed by People's Majlis, the vote is instead referred to a public referendum.

This situation arises simply from the President failing to provide required Assent in a timely manner and should be avoided wherever possible. Any failure to provide Presidential Assent on legislation passed by the People's Majlis undermines the power of legislators to be the only people who can vote on issues before the Legislature, thus curtailing the ability of Members to be influential and trustworthy representatives of the people. In the long term, the People's Majlis should seek to amend Article 264 of the Constitution so that legislators are empowered to have exclusive votes on issues before the Legislature.

### **Petitions**

There is a public petitions system in the People's Majlis which is clearly outlined by Article 232 of the Standing Orders and Parliament's Petitions Committee handles all matters relating to these. Outcomes of meetings (including decisions on which petitions will be considered by Parliament) are posted on the Legislature's website.<sup>32</sup> Work is currently underway by the Petitions Committee to review the petition system. Members of this Committee met with officials from the United Nations Development Programme (UNDP) in November 2023 to discuss the introduction of an electronic petition system in Maldives.

The People's Majlis understands the importance of engaging the public in parliamentary processes and hopefully this electronic system will improve on the current practice where written petitions are submitted to the Petitions Committee only if it is sponsored by a Member of Parliament. Stakeholders voiced a desire to remove the provision that petitions must be sponsored by an MP when an electronic system is up and running, albeit a final decision on this has not yet been taken. The common practice in other Commonwealth Legislatures is also to have a signature threshold for petitions to be debated by the Parliament.

## **RECOMMENDATION 9**

**The People's Majlis should amend its Standing Orders to provide a threshold for petitions to be meaningfully considered by Parliament either in the Petitions Committee or on the Floor of the House.**

30 [www.facebook.com/ParliamentOfMalawi/posts/parliament](https://www.facebook.com/ParliamentOfMalawi/posts/parliament): Facebook Page: Parliament of Malawi: [Parliament passes 2 amendment Bills. - Parliament of Malawi | Facebook](#).

31 [Home Page – The People's Majlis of Maldives](#). The People's Majlis – Standing Orders. [online] Available at: [The People's Majlis Standing Orders](#).

32 [Home Page – The People's Majlis of Maldives](#). The People's Majlis – Committees. [online] Available at: [Committee - People's Majlis of Maldives](#).



Office of the President in Malé

## Records

The Hansard Department maintains records of all People's Majlis proceedings and the general view of parliamentary staff is that this Department has sufficient staff (16 including typers, editors and the Director) skilled enough to adhere to the Standing Orders by reporting on Plenary sessions within 36 hours and Committee proceedings within five days. All publications such as agendas, votes and Hansard transcripts are uploaded in a timely manner on the website except confidential and sensitive materials which are kept as internal records.

The CPA team was made aware that the Hansard Department is introducing software to automatically transcribe parliamentary proceedings in real time. These voice-to-text capabilities will transcribe verbal Dhivehi into instant text. Staff interviewed by the Self-Assessment team also praised electronic voting provisions in Parliament which has ensured that Hansard records are robust in their accuracy.

## 2. COMMITTEES

### Organisation

The People's Majlis has the right to form both permanent Standing Committees and temporary Select Committees. The Standing Committees have the power to propose amendments to Bills and their mandates varies (depending on its purpose) compared to Select Committees which automatically dissolve once their selected purpose is achieved by submitting a report to the House.

There are currently 18 Committees<sup>33</sup> being serviced by 22 dedicated Committee and Research staff whereby each official is allocated two or three Committees to support. Members are happy with the service provided and applaud Committee staff for their hard work and commitment.

The election of the Chair and Vice-Chair of Committees is carried out in a transparent manner with a simple majority vote among Members of that Committee. In a positive demonstration of parliamentary practice, most Committee meetings are public unless it is considering sensitive information, in which case private in camera sessions are convened. Additionally, Committee reports are published online, and audio recordings are available for the public to follow Committee debates.

Senior management in the People's Majlis are currently looking to introduce standard Committee materials (such as letters and briefing packs) and procedural manuals for staff assigned to work on Committees with the aim of standardising Committee services across Parliament.

While these achievements are noteworthy, the Committee set-up in Parliament could improve in several ways:

- **Committee Work Plan:** The Committee and Research staff agreed that the introduction of a robust work plan by each Committee is required to drive the activities of the Committee, provide coherence across the Committee Division, and avoid needless duplication in the mandates of different Committees.
- **Streamline and standardise Committees:** There is an imbalance between the number of staff available to work with Committees compared to the number of Committees that exists in the People's Majlis, causing staff to work long hours and often weekends. Although staff are used to this practice, they recognised the negative impact of working with too many Committees. The absence of clear guidance in the Standing Orders to dictate membership numbers of Committees also results in some Committees being too big and somewhat unwieldy, while others are too small and regularly face quorum challenges.
- **Opposition Chairs:** The Practice of having Opposition Chairs of Committees in the People's Majlis is few and far between with the current Parliament's Committees all being chaired by Members from the ruling party. The only Committee on record with an Opposition Chair is the Public Accounts Committee (PAC), although this practice was discontinued after the Parliamentary Elections of 2019. Best practice is to have the Opposition as Chair of this specific Committee because it's difficult for the ruling party to impartially scrutinise its own expenditure and potential inefficiencies in financial management. Having a Member of the ruling party as Chair of PAC not only hamstrings its work but brings no substantial benefit to the important oversight role that Parliament has on the Executive. The Self-Assessment team was told that this often leads to delays in the processing of financial reports and contributes to a negative perception among the public of the work of Members because Parliament is not effectively holding the Executive to account.

In practice, the Auditor General's Office of Maldives provides the PAC with its audit findings for State Owned Enterprises, Local Councils and Government Agencies<sup>34</sup>. While the PAC is the Auditor General's primary parliamentary customer<sup>35</sup>, it would be advisable for the Auditor General's Office to conduct regular meetings with the Committee on its audit processes and findings. The presence of the Auditor General's Office at PAC meetings would empower Members to effectively scrutinise the Government's budget and build crucial technical expertise among staff.

## RECOMMENDATION 10

**The People's Majlis should strengthen the set-up of its Committees by producing Work Plans, standardising the size/composition of their membership, and ensuring that several of its Committees (in particular PAC) are chaired by opposition Members.**

### Powers and Resources

In practice, all legislation is referred to a specific Standing Committee to be scrutinised and these Standing Committees have the power to recommend amendments to the legislation in question. All meetings are live-streamed on YouTube which allows the Media and public to follow proceedings unless the business under consideration is of a confidential nature.

The Whistleblower Protection Act 2019 requires the People's Majlis as an institution to have its own internal mechanism to handle cases of wrongdoings within the Legislature. The Parliament has a Whistleblower Protection Committee, and any cases

33 [Home Page – The People's Majlis of Maldives](#). The People's Majlis – Committees. [online] Available at: [Committee - People's Majlis of Maldives](#).

34 [www.audit.gov.mv](http://www.audit.gov.mv); Auditing for the Nation and Citizens. Annual Workplan 2023. [Online] Available at: [AWP+2023+Final.pdf \(audit.gov.mv\)](#).

35 [www.internationalbudget.org](http://www.internationalbudget.org). Best practices of Public Accounts Committees. [Online] Available at: [Best Practice Guide\\_11.rtf \(internationalbudget.org\)](#).

can be reported confidentially through a link on its website<sup>36</sup> regarding potential cases of corruption or abuse of public office. The CPA team was not made aware of any cases reported to the People's Majlis at the time of the Self-Assessment exercise.

The Constitution of Maldives grants Committees in the People's Majlis powers to summon persons, papers, and records for the purpose of discharging their mandate in a similar fashion to that of the Supreme Court<sup>37</sup> and this power extends to taking evidence from the Executive. Stakeholders informed the CPA team that there are instances when officials from the Executive do not attend Committee meetings when summoned or provide information requested by Committees. There is currently a lack of punishments available to Committees to deploy in instances where representatives of the Executive fail to comply with such requests, which both limits the effective running of the Committee process, and further fuels the perception that the Executive undermines Parliament's authority. To alleviate these concerns, the People's Majlis should more robustly exercise its power to summon any witness as necessary to carry out its work effectively.

## **RECOMMENDATION 11**

**The Legislature should robustly exercise its power to summon persons, papers and records from the Executive, including the attendance of Government officials before parliamentary Committees.**

### **3. CROSS PARTY GROUPS**

#### **Interest Caucuses**

While in Malé, the CPA team explored the rights of legislators to form cross-party interest groups based on a common theme or concern and whether this happens in practice. During the Self-Assessment, it became clear that there was little appreciation for the culture of parties working 'across the political divide' and several stakeholders highlighted a current lack of rules within Parliament guiding the creation of such bodies in the People's Majlis. Having a Women's Caucus, for example, is common in many Legislatures across the Commonwealth but, at present, no such structure exists within Parliament. Both Members and representatives of Civil Society interviewed by the CPA team welcomed the idea of changing this and beginning a culture of cross-party work in the People's Majlis on issues of particular interest or importance. Doing so was viewed as having two main benefits: firstly, preventing unnecessary duplication in the mandates of parliamentary Committees, where an interest caucus would be a more efficient vehicle for considering such topics; and secondly, providing Parliament with more scope to effectively address often non-political cross-cutting issues, while also fostering a culture within the People's Majlis of Members from different political parties working together to deliver positive outcomes for their citizens.

### **4. PARLIAMENTARY STAFF**

#### **Recruitment and Management**

The People's Majlis currently has an administration of approximately 170 staff. When compared to other Commonwealth Legislatures similar in size, the parliamentary secretariat is well-resourced. The Parliament has talented, dedicated and hardworking non-partisan staff to support many aspects of its operations has a clear management structure in place which is published on the parliamentary website.<sup>38</sup>

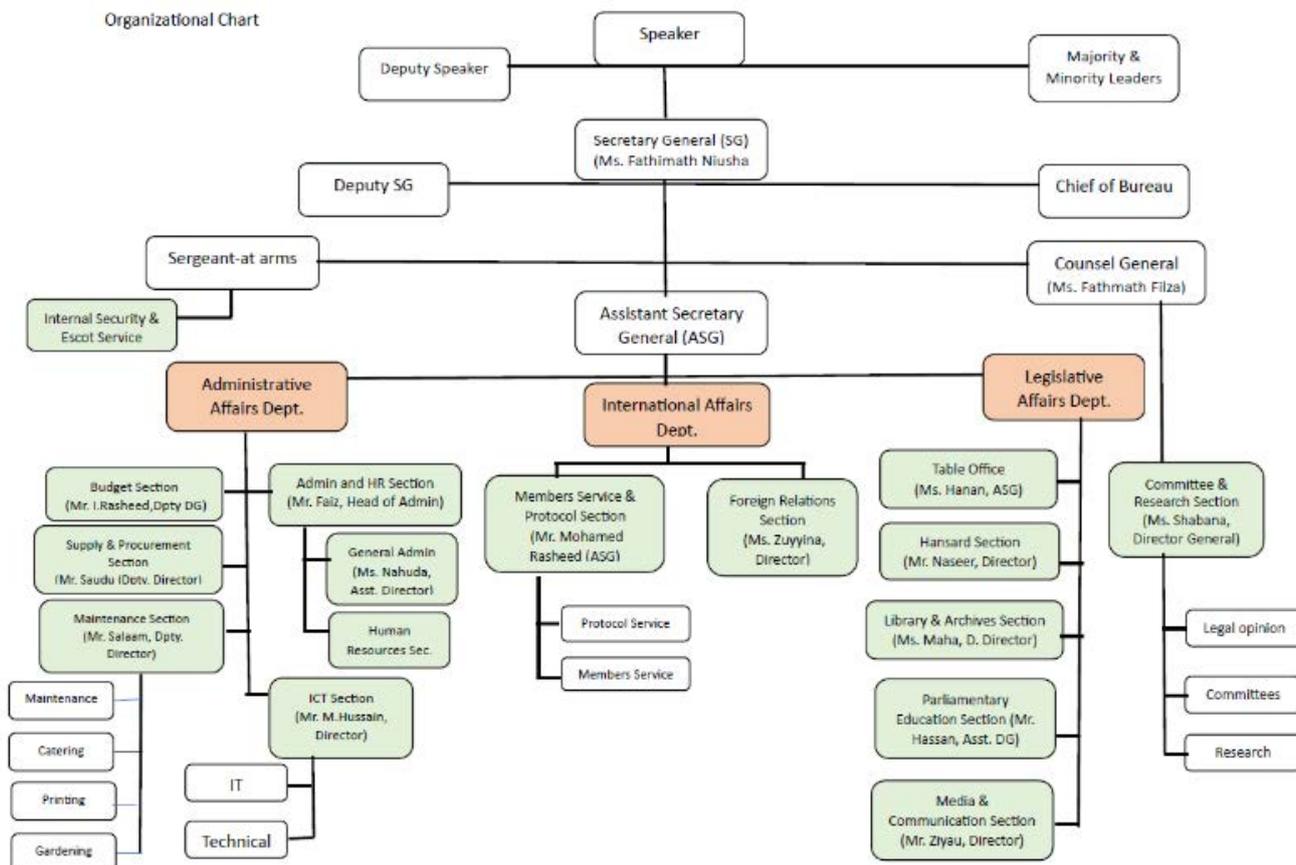
In a positive demonstration of democratic practice, the People's Majlis controls its Parliamentary Service and determines the terms of employment of staff (including the appointment of the Secretary General) in line with Article 104 of the Constitution. Recruitment of staff is done in a transparent manner, namely by publishing vacancies in the Official Gazette. Despite the lack of female representation among the Legislature's elected membership, women represent more than 75% of parliamentary staff. Through conversations with the CPA team, it was revealed that incentives such as a competitive salary package, flexible hours, availability of free on-site meals, and a modern gym were all positive draws for individuals wanting to work in Parliament. It was also noteworthy that many officials had long service records working as part of the secretariat staff. Several individuals who were interviewed as part of the Self-Assessment exercise had recently been recognised for 15, 20 or even 25 years of continuous employment.

36 [Home Page – The People's Majlis of Maldives](#). The People's Majlis – Whistleblow form. [online] Available at: [Whistleblow - People's Majlis of Maldives](#).

37 [Home Page - The President's Office \(presidency.gov.mv\)](#). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](#).

38 [www.Majlis.gov.mv](#). The People's Majlis Secretariat. [Online]. Available at: [Structure - People's Majlis of Maldives](#).

Organizational Chart



Organogram of the People's Majlis Secretariat

While this is undoubtedly positive, one area for potential improvement that was regularly raised by stakeholders concerned rules around incentivising performance and opportunities for promotion. Presently, small incremental rises in performance-related pay are offered on exceptional bases every four years and chances of promotion are available only when a position becomes vacant due to resignation or retirement of the current post-holder. It was suggested that a review by Senior Management of Parliament's organisational structure would be welcomed to explore potential means of creating more dynamic career paths for existing staff.

The biggest shortcoming identified by the CPA team, however, was the current lack of legislation providing for the People's Majlis to establish its own corporate body responsible for providing funding entitlements for key parliamentary services and outlining clear governance structures for those who work within the Legislature's secretariat. At present, Parliament has to submit financial proposals to the Ministry of Finance whenever it wishes to amend its infrastructure or develop new ways of working. Several stakeholders noted that, while many requests for funding are granted by the Executive, not having fiscal autonomy or corporate independence often led to the Legislature being treated as a Government Ministry or arms-length Executive agency.

Best practice demonstrated in other Commonwealth Parliaments is to legislate for the establishment of a Parliamentary Service Commission (PSC) that would enable the People's Majlis to have full control of its corporate operations, build capacity across the parliamentary precinct without Executive restrictions, and better allow the Legislature to put in place longer-term strategic plans. The CPA team strongly recommended the establishment of a PSC during their visit to Malé and this was universally popular in conversations with all Members and staff consulted as part of the Self-Assessment exercise.

## RECOMMENDATION 12

**The People's Majlis should enact legislation to establish a Parliamentary Service Commission charged with managing the internal governance and related parliamentary services for the Legislature.**

# III. FUNCTIONS OF THE LEGISLATURE

## 5. LEGISLATIVE FUNCTION

### Legislative Process

Like many Parliaments in the Commonwealth, most legislation in the Maldives is drafted and approved by the Cabinet of Ministers, then reviewed, approved and passed by the People's Majlis before assent by the President of the Republic. The Constitution provides Parliament with supreme authority for law-making according to Article 70, so long as it does not contravene the principles of Islam.

In Maldives, there are two types of legislation considered by Parliament. These are Government Bills (introduced by the Executive) and Private Members Bills (introduced by Members whether independent or from a political party), albeit instances of these are uncommon.

Similar to other Commonwealth Legislatures, draft Bills in the People's Majlis must be read three times with the aim of providing Members of Parliament enough time to consult their constituents and scrutinise the legislation in both Committees and Plenary. Standing Orders clearly outline the stages through which Bills must pass the People's Majlis, and this is further illustrated on the Parliament's website to keep the general public and Media representatives informed of the status of draft Bills as they become law.

Previous Standing Orders of the People's Majlis defined procedures for the conducting of pre-legislative and post-legislative scrutiny, but the Self-Assessment team learned that the latest Standing Orders of the current Parliament no longer make these provisions. This hasn't prevented the Environment Committee from seeking external assistance from the Westminster Foundation for Democracy (WFD) to carry out post-legislative scrutiny of the Climate Emergency Act<sup>39</sup>, however it is important that the People's Majlis re-instate such provisions by default to ensure that Bills are scrutinised effectively at every stage.

Both pre-legislative and post-legislative scrutiny are core functions of many Commonwealth Parliaments. Pre-legislative scrutiny can take various forms but has a number of benefits including creating opportunities for Parliament to influence legislation at an early stage, drawing upon particular policy expertise that individual Members might have, and providing a key tool for Civil Society Organisations and wider members of the public to engage with crafting the laws that ultimately shape their lives. All of these measures together act as a form of quality control to ensure that legislation is in its best possible form before entering into force.

Post-legislative scrutiny has the aim of ensuring that Acts of Parliament have done, or are doing, what they were originally intended to achieve. It heightens accountability that those tasked with implementing particular laws are doing so effectively and offers an opportunity to evaluate whether alternative means of reaching intended goals could be pursued. As with pre-legislative scrutiny, post-legislative scrutiny can take various forms but ultimately should lead to better legislation, better government, and better outcomes for the citizens of Maldives.

### RECOMMENDATION 13

#### The People's Majlis should review its Standing Orders:

- **to include provisions for the establishment of cross-party groups and interest caucuses.**
- **to reintegrate mechanisms for pre-legislative and post-legislative scrutiny.**
- **to ensure that they passed by at least a two thirds majority of Members to ensure the democratic will of the House.**

39 [www.Majlis.gov.mv](http://www.Majlis.gov.mv). The People's Majlis-19th Parliament-Committees. [Online]. Available at [Committee - People's Majlis of Maldives](#).

## 6. OVERSIGHT FUNCTION

### Oversight of the Executive

The oversight functions of the People's Majlis are quite effective in several ways. There are clear procedures for the Executive to provide timely responses to oral and written questions as well as Parliamentary Committee reports and recommendations. There is oversight on the military, security, and intelligence services through the Committee on National Security Services<sup>40</sup> and state-owned enterprises through reports from the Auditor General's Office submitted to the People's Majlis on a regular basis.

An area in which the Legislature seems to be lacking, however, is oversight of compliance with international treaties and obligations, including international human rights instruments and the UN's Sustainable Development Goals (SDGs). A browse through the Parliamentary Foreign Relations Committee's page on Parliament's website confirms that in recent years priority work of this Committee has been to appoint Ambassadors of Maldives to foreign postings with little work conducted vis-à-vis international obligations. The Sustainable Development Goals are of particular importance to Maldives given its vulnerabilities as a Small Island Developing State. Much like other Commonwealth Legislatures, the People's Majlis should have oversight of international treaties and obligations relating to SDGs given their significant impact on the future livelihoods of citizens in Maldives.

#### RECOMMENDATION 14

**The People's Majlis should introduce mechanisms of ensuring that it has oversight responsibility for Maldives' compliance with international treaties (including UN Sustainable Development Goals).**

### Oversight of Independent Constitutional Bodies

The Legislature has powers vested in it by the Constitution to establish independent constitutional bodies such as the Human Rights Commission, Elections Commission and Anti-Corruption Commission. The Human Rights Commission was first established under Presidential Decree in 2003, became the first autonomous statutory body in Maldives in 2005, and adopted its current form with the ratification of the 2008 Constitution, making it both independent and autonomous.<sup>41</sup> Its five members are approved by a majority of the People's Majlis upon recommendation of the President who also formally appoints them. This Commission has improved its relationship with Parliament in recent years by fervently advocating for the establishment of a Human Rights Committee in the People's Majlis (realised in 2019) through which its annual reports are scrutinised.

The Elections Commission enjoys its privileges from the Constitution and the Election Commission Act 2004 (amended in 2008) to conduct and supervise all parliamentary, presidential and council elections, as well as public referenda in Maldives. It also has the responsibility of monitoring the regulatory functioning of political parties. The appointment of Commissioners follows a similar procedure to that of the Human Rights Commission<sup>42</sup> with five members being approved by a majority of the People's Majlis upon recommendation of the President who, again, also formally appoints them.

The People's Majlis is trying its best to monitor these independent bodies, but their main concern is having complete financial autonomy from the Executive and being able to seek independent funding when needs arise. The People's Majlis should amend current legislation relating to these organisations to provide them with the financial freedom required to fully perform their duties.

#### RECOMMENDATION 15

**The People's Majlis should amend requisite legislation to ensure that Independent Constitutional Bodies have the operational autonomy and financial independence required to effectively discharge their functions.**

### Financial and Budget Oversight

The Legislature has the required procedures in place in accordance with the Constitution, its Standing Orders, and the Public Financial Management Act to have oversight of the financial and budgetary process and these procedures are well understood by all concerned stakeholders and followed annually. The Minister for Finance presents State budget proposals to the Legislature during the first week of November and these are commuted to the Budget Committee which provides an evaluation report to the House within 30 days. A vote among all Members is subsequently cast on the evaluation report without any amendment

40 [www.Majlis.gov.mv](http://www.Majlis.gov.mv). The People's Majlis-19th Parliament-Committees. [Online]. Available at [Committee - People's Majlis of Maldives](#).

41 [www.ohchr.org](http://www.ohchr.org). November 2010HRCM Submission to the Universal Periodic Review of the Maldives. Available at: [Microsoft Word - HRCM\\_upr\\_report\\_final\\_12April\\_2\\_\(ohchr.org\)](#).

42 [Home Page - The President's Office \(presidency.gov.mv\)](#). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](#).

provisions. While Members from all parties are provided with the opportunity to debate the evaluation report, their right to scrutinise the budget is limited to the evaluation report and at this stage they cannot make any meaningful amendment proposals to the budget as a whole.

The Self-Assessment team felt that the Legislature would benefit from having a parliamentary Budget Office to support its oversight of the proposed national budget and that it should strengthen its relationship with the Auditor General's office to improve effective scrutiny of annual audit statements. It is important for Parliament to regularly scrutinise financial reports produced by the Auditor General's team to ensure transparency, accountability, and good governance in Government spending. Doing so would build public confidence in the work of Parliament and trust in Members as effective representatives of the people.

## RECOMMENDATION 16

**The People's Majlis should seek to strengthen the role it plays in scrutinising the annual State budget and develop more comprehensive relations with the Office of the Auditor General to receive regular in-year budget reports from the bodies it audits.**



## No Confidence and Impeachment

The Constitution and Standing Orders provide clear guidance on the impeachment or censure of the Executive and related procedures of a no-confidence vote in the Government. The Constitution (Clause 100) permits the removal of the President by a motion passed by at least two thirds of Members in the People's Majlis. In the same light, a motion expressing no confidence in a Member of Cabinet can be moved by 10 Members of Parliament and passed by a two thirds majority of all MPs.

## 7. REPRESENTATION FUNCTION

### Representation of Constituents

There were mixed views among stakeholder as to what constitutes adequate resource for Members to fulfil their representative role. There was no consensus among MPs regarding the appropriate level and means of support required by them and for the most part parliamentary officials are happy to assist Members with a range of tasks that in other Commonwealth Legislatures are delegated to staff working in individual Member's offices. While some of these support an MP's legislative work in Malé, several relate to constituency responsibilities, which often leads to officials in Parliament's secretariat assisting with party-political requests and being taken away from their core professional function in the People's Majlis. Such occurrences not only reduce the

effectiveness of how some core parliamentary functions are conducted but can also create difficulties for the Legislature's non-partisan staff when they are tasked with supporting party-political objectives.

## RECOMMENDATION 17

**The People's Majlis should ensure that a clear distinction is drawn between partisan and non-partisan staff by providing MPs with at least one official whose responsibilities are to provide the Member with administrative support and help carry out their constituency responsibilities.**

### Representation of Women

The Constitution and legislative provisions of Maldives do not marginalise any groups within society. On the contrary, the CPA team was appreciative of every effort being made by the People's Majlis to improve the participation of women, youth and persons with disabilities in the democratic process. Through collaboration with organisations such as the Westminster Foundation for Democracy (WFD) and UNDP, Parliament's Education and Library Departments have initiated several projects with the ambition of making Parliament accessible and inclusive to all groups in society. There are also current plans to publish fact sheets on Parliament's website providing the public with key information on the Legislature and revive an annual workshop with Civil Society Organisations.

Conversations with the Electoral Commission, Media, and Civil Society also drew similar conclusions. Women are well represented in most offices of Government and occupy many senior positions. However, female representation in Parliament is declining after every election despite the total number of MPs increasing: six out of 77 in the 17th Parliament, five out of 85 in the 18th Parliament, and four out of 87 in the current 19th Parliament. Recent Primary results for this year's Parliamentary Elections show no reversal of this trend. While the total number of Members in the People's Majlis will again increase (from 87 to 93) in the 20th Parliament, latest polls suggest that the total number of women MPs returned will be less than the current four.

The CPA team heard several possible factors affecting women's participation in politics, but limited available data makes it difficult to pinpoint specific issues and, consequently, apply effective remedial strategies to empower more women to actively participate in the democratic process and successfully achieve election to Parliament. Addressing the current imbalance should, however, be a top priority for the People's Majlis. The benefit of having healthy representation in Parliament from all societal groups is that it ensures the Legislature more accurately reflects the communities it serves and hopefully enables MPs to deliver better outcomes for the citizens they represent.

To this end, the People's Majlis does run an annual Practice Parliament for Women scheme in collaboration with the Ministry for Social Affairs and Development, UNDP and Australia Aid. Each year, the initiative targets 40 women above the age of 25 to be trained and empowered to contest public office and ultimately be elected to Parliament.<sup>43</sup> The programme appears highly popular, is livestreamed on social media, and held its latest incarnation the week after the CPA Self-Assessment exercise took place.



Hon. Jeehan Mahmood MP meeting the CPA delegation

<sup>43</sup> [www.undp.org](https://www.undp.org). Press Release. Call for Applications. Practice Parliament for Women 2024. Available at [Call for Applications - Practice Parliament for Women 2024 | United Nations Development Programme \(undp.org\)](#).

## 8. PARLIAMENTARY ASSISTANCE AND NETWORKING

### Commonwealth Connections

Maldives joined the Commonwealth in 1982 and withdrew from the Organisation in 2016, a period affectionately called ‘the break’ by parliamentary staff in the People’s Majlis. It rejoined in February 2020 during the Covid-19 pandemic and, since then, the People’s Majlis (which-re-joined the CPA in 2022) has been actively involved in various activities, such as the Commonwealth Association of Public Accounts Committees (CAPAC).<sup>44</sup>

During conversations with Members and parliamentary staff, the CPA team shared plenty of information about the resources for assistance, networking, learning and development available to the People’s Majlis as a fully-fledged member of the Commonwealth Parliamentary Association (which it rejoined in 2022). Some of the capacity building and technical assistance opportunities available have already been mentioned in the Professional Development section above.

The CPA *Small Branches Network*<sup>45</sup> was introduced to stakeholders across Parliament and positively received. The network represents Commonwealth jurisdictions (national or sub-national) with a population of up to 1 million, making the Maldives (a Small Island Developing State with a population of approximately 520,000) a perfect candidate to engage fully with this network. The CPA *Small Branches* network also has a *Regional Initiative Fund* which supports the operations of small jurisdictions by improving the technical functioning of their Legislature. The availability of this fund is very important for small jurisdictions and/or Legislatures with either limited resources or curtailed financial autonomy because it provides an alternative source of funding for undertaking important parliamentary development. Again, this was highlighted to parliamentary personnel and enthusiastically acknowledged.



The **CPA Small Branches network** represents small jurisdictions of the Commonwealth Parliamentary Association (CPA) to identify their particular needs and requirements in parliamentary strengthening, development and cooperation. CPA Small Branches are classified as those jurisdictions (national and sub-national) with populations of up to 1 million inhabitants. The CPA has a long history of working with its Small Branches and since 1981, has held an annual CPA Small Branches Conference for Parliamentarians to promote cooperation and share best practice.

Members of the CPA Small Branches network discuss political problems and the operation of democratic systems in some of the world’s smallest jurisdictions.

#### CPA Small Branches Mission:

*To empower small Parliaments to overcome national and global challenges through cooperation, advocacy and the strengthening of parliamentary democracy and good governance.*

Small Branches Network page from the CPA website

44 [www.uk-cpa.org](http://www.uk-cpa.org). Where We Work. Asia pacific Maldives. [Online] Available at: [Maldives \(uk-cpa.org\)](http://Maldives(uk-cpa.org)).

45 [www.cpaHQ.org](http://www.cpaHQ.org). CPA Small Branches. [Online] Available at: [CPA Small Branches \(cpaHQ.org\)](http://CPASmallBranches(cpaHQ.org)).

## IV. VALUES OF THE LEGISLATURE

### 9. ACCESSIBILITY, OPENNESS AND ENGAGEMENT

#### Citizens and Public Engagement

The Constitution (Chapter III)<sup>46</sup> requires all meetings of the People's Majlis and its Committees to be held in public unless 'there is a compelling need' to conduct parliamentary business privately 'in the interests of public order of national security'. Separate to the Constitution, Parliament's Standing Orders (Section 30)<sup>47</sup> also underline the importance of legislative proceedings being conducted in an accessible and transparent manner. To this end, all Plenary sittings of the Legislature are open to members of the public to attend in person and a live stream of events is broadcast online via both the People's Majlis Web TV<sup>48</sup> channel and YouTube.<sup>49</sup> Similarly for Committees, citizens are allowed to attend such meetings and live audio accounts of business can be followed online. In terms of accessibility to Parliament for persons with disabilities, it was accepted that they were adequate for the temporary building that is currently occupied by Parliament, but that better access was expected when permanent new parliamentary premises are completed in 2026.

In a further demonstration of positive parliamentary practice, the Hansard team within Parliament's Secretariat also ensures that accurate records of legislative business are produced and uploaded to Parliament's website<sup>50</sup> so that interested stakeholders and members of the public who are unable to visit the People's Majlis in person or follow online proceedings live can keep up-to-date with parliamentary developments. Parliament's Standing Orders dictate that this should be done within 36 hours for Plenary business and five days for Committee proceedings. It was demonstrated to the Self-Assessment team that these timeframes are invariably met and, for that, the relevant members of parliamentary staff should be praised.

Alongside these procedures, the People's Majlis also has a dedicated Parliamentary Education Section (PES)<sup>51</sup> which recognises the importance of educating, empowering, and encouraging Maldivian citizens to actively participate in their country's democratic process. To this end, PES has two central objectives to:

1. Enhance public knowledge about the Constitution of Maldives, the People's Majlis, and its processes; and
2. Increase public engagement and participation in the democratic process and works of the People's Majlis.

During their visit to Malé, the Self-Assessment team was provided with a comprehensive overview of the activities conducted by PES, all of which are active, popular with participants, and positively received. They include:

**Outreach Sessions** – as part of its outreach activities, PES conducts on-day seminars in selected schools across Maldives every year. The purpose of these seminars is to provide pupils with knowledge and understanding of Maldives' constitutional history, explain how the country's system of governance has evolved since gaining independence, and to educate students on democratic principles that underpin the parliamentary process.

**Guided Information Tours** – PES conducts guided tours of the People's Majlis for groups of participants from schools, colleges and universities, as well as members of the public. These tours include visits to Parliament's chamber, Committee rooms, Library and Archive, as well as informing participants on the role, responsibilities and functions of the Legislature, how a Bill becomes a Law, State duties, fundamental rights and freedoms, and ways in which the public can engage with the People's Majlis and its Members.

46 [Home Page - The President's Office \(presidency.gov.mv\)](#). Maldives' Constitution – English translation. [online] Available at: [ConstitutionOfMaldives.pdf \(storage.googleapis.com\)](#).

47 [Home Page – The People's Majlis of Maldives](#). The People's Majlis – Standing Orders. [online] Available at: [The People's Majlis Standing Orders](#).

48 [www.majlis.gov.mv](#). Stream - People's Majlis of Maldives. [online] Available at: [https://majlis.gov.mv/en/19-parliament/stream](#).

49 [www.youtube.com](#). People's Majlis - YouTube. [online] Available at: [https://www.youtube.com/channel/UCCNGwK1wJExFHdRxUzcbZtq](#).

50 [www.majlis.gov.mv](#). Chamber Documents - People's Majlis of Maldives. [online] Available at: [https://majlis.gov.mv/en/19-parliament/parliament-works](#).

51 [www.majlis.gov.mv](#). Sittings - People's Majlis of Maldives. [online] Available at: [https://majlis.gov.mv/en/education](#).

Pupils of Muhyiddin School visit Parliament during the CPA Self-Assessment



**Practice Parliament** – Practice Parliament programmes targeting youth and women have been conducted by the People's Majlis in partnership with UNDP Maldives.<sup>52</sup> The aim of these programmes is to provide an opportunity for both groups to build their capacity to participate in democratic processes and eventually put themselves forward for elected office. These initiatives combine training workshops on the fundamentals of civic education, key parliamentary processes, and relevant policy issues, as well as a mock practice sitting of the People's Majlis in which participants can take their seat in the Chamber and participate in a range of parliamentary proceedings.

Parliamentary Education Workshop for Women Candidates standing in 2024 Parliamentary Elections



While all of these initiatives above are undoubtedly positive (and the Legislature should be commended for maintaining them on a regular basis), various stakeholders consulted as part of the Self-Assessment exercise suggested that Parliament could further improve engagement with the electorate through strengthening its working relationships with Maldivian Civil Society Organisations (governed by the 2022 Associations Act<sup>53</sup> which established mechanisms to ensure the accountability of associations and to provide them with a legal framework to contribute towards the development of Maldivian society).

The Self-Assessment team was told that Parliament's current interaction with CSOs is done on an ad hoc basis sometimes without clear means and realistic timeframes for such organisations to engage with the political process. For example, statements on Bills (including their objectives and financial implications) are not readily produced (requests for such information is routinely initiated by the CSOs themselves) and consultation opportunities for representatives of Civil Society are often limited to a few days (even with respect to major pieces of legislation). It was also felt that many MPs in the People's Majlis have a limited understanding of the role that CSOs play in Maldivian society and that uplifting this level of knowledge would bring considerable benefit to democratic processes at large.

52 United Nations Development Programme. (2024). UNDP. [online] Available at: <https://www.undp.org/maldives>.

53 The President's Office. The President ratifies the Associations Act. [online] Available at: <https://presidency.gov.mv/Press/Article/26596>.

## RECOMMENDATION 18

**The People’s Majlis should establish mechanisms for increasing its interaction with Maldivian Civil Society Organisations so that they are routinely involved in the legislative process and have sufficient opportunities to represent the views of their members in political outcomes.**

### The Media

The People’s Majlis has had a dedicated Media and Communications Department. The team of staff includes both former journalists and graphic designers who, throughout the duration of the Self-Assessment visit, ably demonstrated that they are all expert professionals making a significant contribution towards how Parliament publicises its work and communicates with the outside world.

The Media and Communications Department re-launched Parliament’s website<sup>54</sup> in 2019 and retains current responsibility for its day-to-day maintenance. The website is stylish, dual linguistic in most areas (Dhivehi and English), and user-friendly for external stakeholders interested in following parliamentary proceedings. It includes abundant information (updated several times each day) and several modern multimedia features that represent a ‘*best in class*’ approach to legislative communications.

As well providing livestream capabilities for Plenary business and Committee meetings, the Media and Communications Department also runs a suite of active social media channels (Facebook, Twitter, Instagram and TikTok) and regularly uploads informative image and video content to the Parliament’s website. This was evident throughout the Self-Assessment team’s visit to Malé where real time media content of their engagements across Parliament were captured and published on a daily basis.

The Department also leads on Parliament’s interaction with the Media, produces regular press briefings for outlets on a range of parliamentary developments, and communicates with journalists through WhatsApp groups. Representatives of the Press that met with the Self-Assessment team during their visit all spoke highly of this correspondence and raised no concerns regarding ease of access to information or face-to-face time with senior MPs (including the Speaker).

Where the Parliament doesn’t perform as well in its relationship with the Media is in regard to facilities provided to journalists on the parliamentary precinct. Reporters are not routinely issued with formal accreditation to access the premises and nor are there dedicated on-site space or resources for journalists to carry out their work. Some representatives of the Media who met with the Self-Assessment team suggested that they can remotely access all the information they need to do their jobs, however this may not be the case for all journalists, and the Parliament has a responsibility to ensure that those reporters who wish to work on-site can do so in appropriate surroundings. Members of the Press who follow the work of Parliament (particularly those who are less experienced or new in post) would also benefit from being provided with an induction handbook from the Media and Communications Department. Doing so would be a useful resource for journalists, ideally improve the accuracy/quality of their reporting, and be an important demonstration of Parliament’s commitment to a strong, mutually beneficial relationship with the Press.



54 [www.majlis.gov.mv](http://www.majlis.gov.mv). Home - People’s Majlis of Maldives. [online] Available at: <https://majlis.gov.mv/en/19-parliament>.

## RECOMMENDATION 19

**The People’s Majlis should establish dedicated Media facilities on the parliamentary precinct and supply members of the Press with an induction handbook when they begin reporting on Parliament’s proceedings.**

### 3. ETHICAL GOVERNANCE

#### Transparency and Integrity

As already discussed in this Report, the People’s Majlis has clear procedures in place to conduct the vast majority of its business in an open and transparent manner whereby external stakeholders have various means of following parliamentary proceedings in both real time and post-deliberations. These should be positively acknowledged and praised as excellent demonstrations of model legislative practice.

Where the Parliament appears to fall short, however, is in relation to how it meets various CPA Benchmarks linked to integrity. While elections to the People’s Majlis have been recognised as ‘free and fair’ by various international observation groups, the Self-Assessment team was told of various scenarios whereby individuals or corporations aligned with the Government of the day seek to pressurise citizens or their employers into voting for a particular candidate. While these instances are reported to Maldives’ Anti-Corruption Commission<sup>55</sup> (established under the 2008 Anti-Corruption Commission Act<sup>56</sup>), the organisation appears to lack clear independence from the Executive (its five members are appointed by the President) and sufficient human resource to produce impactful reports and take remedial action. In circumstances when the Commission does submit public reports relating to examples of corrupt political practice, the Self-Assessment team was told by various stakeholders in Malé that its recommended actions are seldom enforced. The People’s Majlis should seek to pass updated legislation that strengthens the independence and powers of Maldives’ Anti-Corruption Commission to ensure that the organisation is fully able to maintain a higher degree of propriety in subsequent Parliamentary Elections.

Another area in which the People’s Majlis should seek to improve the integrity of its operations is by codifying a formal Code of Conduct for Members of Parliament. This does not currently exist in any form and the vast majority of stakeholders who met with the Self-Assessment team in Malé were overwhelmingly supportive of its introduction and the benefits this would bring. While the Legislature does have a functioning Committee on Privileges and Ethics<sup>57</sup>, it was clear in discussions that several MPs often make unreasonable requests of secretariat staff and, from time to time, fail to conduct themselves in an appropriately parliamentary fashion. A very public recent example of this took place in January 2024 when violent scenes unfolded on the Floor of Parliament between Government and Opposition Members relating to the approval of Ministers in newly-elected President Muizzu’s Cabinet.

While these particular events were exceptional, introducing a Code of Conduct for MPs would be a strong demonstration of the People’s Majlis taking proactive steps to ensure they are not repeated. Doing so would also establish broader standards for conduct across Parliament and bring the House in line with current best practice demonstrated by other Legislatures across the Commonwealth.

## RECOMMENDATION 20

**The People’s Majlis should introduce a Code of Conduct for all Members to ensure that the highest standards of behaviour/propriety are adhered to in Parliament and bring Maldives in line with international best practice.**

55 Anti-Corruption Commission. Anti-Corruption Commission. [online] Available at: <https://acc.gov.mv/en/>.

56 Maldives Anti-Corruption Commission Act (2008) [online] Available at: <mdv202644.pdf> (fao.org).

57 [www.majlis.gov.mv](http://www.majlis.gov.mv). Committee - People’s Majlis of Maldives. [online] Available at: <https://majlis.gov.mv/en/19-parliament/committee/26>.

## RECOMMENDATIONS

### RECOMMENDATION 1

The People's Majlis should pass legislation or establish alternative mechanisms that encourage political parties to increase the number of female candidates standing for election. Additional efforts should be made in election years to maximise awareness among women of standing for election and ultimately being elected to Parliament.

### RECOMMENDATION 2

Maldives' Elections Act should be updated to include clearer provisions for how political parties report on their financing of electoral campaigns and to provide the Elections Commission office with greater resources to improve their monitoring capabilities of future Parliamentary Elections.

### RECOMMENDATION 3

The People's Majlis should pass bespoke legislation to enshrine in law protections for witnesses and whistleblowers supporting the work of Parliament and introduce a citizens' right of reply scheme in relation to adverse references made to individuals during legislative proceedings.

### RECOMMENDATION 4

The People's Majlis should establish an independent Remuneration Authority that sets the size and scale of financial recompense for Maldivian legislators.

### RECOMMENDATION 5

The People's Majlis should seek to improve its parliamentary infrastructure in certain areas with a particular focus on Members' resources and provisions for Persons with Disabilities.

### RECOMMENDATION 6

The People's Majlis should expand its Professional Development Programmes so that these are held periodically between General Elections and ensure that such opportunities are open to all Members of Parliament and secretariat staff.

### RECOMMENDATION 7

The Presiding Officer and Deputy Presiding Officer should undergo training on their role, with a particular focus on the Parliament's Standing Orders.

### RECOMMENDATION 8

The People's Majlis should adopt formal provisions that allow the Executive to convene special sessions of the Legislature and provide specific days in the parliamentary calendar for Opposition Members to set the agenda of business.

### RECOMMENDATION 9

The People's Majlis should amend its Standing Orders to provide a threshold for petitions to be meaningfully considered by Parliament either in the Petitions Committee or on the Floor of the House.

### RECOMMENDATION 10

The People's Majlis should strengthen the set-up of its Committees by producing Work Plans, standardising the size/composition of their membership, and ensuring that several of its Committees (in particular PAC) are chaired by opposition Members.

### RECOMMENDATION 11

The Legislature should robustly exercise its power to summon persons, papers and records from the Executive, including the attendance of Government officials before parliamentary Committees.

### RECOMMENDATION 12

The People's Majlis should enact legislation to establish a Parliamentary Service Commission charged with managing the internal governance and related parliamentary services for the Legislature.

### **RECOMMENDATION 13**

The People's Majlis should review its Standing Orders:

- to include provisions for the establishment of cross-party groups and interest caucuses.
- to reintegrate mechanisms for pre-legislative and post-legislative scrutiny.
- to ensure that they passed by at least a two thirds majority of Members to ensure the democratic will of the House.

### **RECOMMENDATION 14**

The People's Majlis should introduce mechanisms of ensuring that it has oversight responsibility for Maldives' compliance with international treaties (including UN Sustainable Development Goals).

### **RECOMMENDATION 15**

The People's Majlis should amend requisite legislation to ensure that Independent Constitutional Bodies have the operational autonomy and financial independence required to effectively discharge their functions.

### **RECOMMENDATION 16**

The People's Majlis should seek to strengthen the role it plays in scrutinising the annual State budget and develop more comprehensive relations with the Office of the Auditor General to receive regular in-year budget reports from the bodies it audits.

### **RECOMMENDATION 17**

The People's Majlis should ensure that a clear distinction is drawn between partisan and non-partisan staff by providing MPs with at least one official whose responsibilities are to provide the Member with administrative support and help carry out their constituency responsibilities.

### **RECOMMENDATION 18**

The People's Majlis should establish mechanisms for increasing its interaction with Maldivian Civil Society Organisations so that they are routinely involved in the legislative process and have sufficient opportunities to represent the views of their members in political outcomes.

### **RECOMMENDATION 19**

The People's Majlis should establish dedicated Media facilities on the parliamentary precinct and supply members of the Press with an induction handbook when they begin reporting on Parliament's proceedings.

**Recommendation 20:** The People's Majlis should introduce a Code of Conduct for all Members to ensure that the highest standards of behaviour/propriety are adhered to in Parliament and bring Maldives in line with international best practice demonstrated in other Commonwealth Legislatures.

## STAKEHOLDERS

| Name                      | Title  |
|---------------------------|--|
| Hon. Mohamed Aslam MP     | Speaker, Namibian National Assembly  |
| Hon. Jeehan Mahmood MP    | Majority Member (Opposition Party), the People's Majlis of Maldives  |
| Hon. Ahmed Haitham MP     | Minority Member (Ruling Party), the People's Majlis of Maldives  |
| Ms. Niusha Fathimath      | Secretary General, the People's Majlis of Maldives   |
| Ms. Filza Fathimath       | Counsel General, the People's Majlis of Maldives   |
| Mr. Mohamed Rasheed       | Assistant Secretary General, the People's Majlis of Maldives   |
| Ms. Hanan Hussain         | Assistant Secretary General, the People's Majlis of Maldives   |
| Mr. Ahmed Faiz Mohamed    | Head of Administration, the People's Majlis of Maldives  |
| Ms. Shabana Rasheed       | Assistant Director General (Section Head – Committee and Research Section), the People's Majlis of Maldives  |
| Mr. Hassan Rafeeu         | Assistant Director General (Section Head – Parliamentary Education Section), the People's Majlis of Maldives |
| Mr. Hassan Ziyau          | Director – Media and Communication, the People's Majlis of Maldives  |
| Mr. Ahmed Naseer          | Director (Section Head – Hansard), the People's Majlis of Maldives   |
| Ms. Zuyyina Badhree       | Director (Section Head – Foreign Relations), the People's Majlis of Maldives                                 |
| Ms. Eeman Aishath         | Senior Foreign Relations Officers, the People's Majlis of Maldives   |
| Mr. Mohamed Hussain       | Director (Section Head – ICT), the People's Majlis of Maldives   |
| Mr. Saudullah Ibrahim     | Deputy Director (Section Head – Procurement), the People's Majlis of Maldives                                |
| Mr. Abdulla Salam Ibrahim | Deputy Director (Section Head – Maintenance), the People's Majlis of Maldives                                |
| Ms. Mahasin Ahmed Didi    | Deputy Director (Library and Archives), the People's Majlis of Maldives                                      |
| Ms. Haleemath Shafeeq     | Assistant Director (Finance Section), the People's Majlis of Maldives  |
| Mr. Fuwad Thowfeek        | Chairman, Elections Commission of Maldives   |
| Mr. Ibrahim Aiman         | Assistant Auditor General, Auditor General's Office of Maldives  |
| Ms. Zidna Ibrahim         | Minister of State for Finance, Ministry of Finance of Maldives   |
| Mr. Saruvash Adam         | Chief Financial Budget Executive, Ministry of Finance of Maldives  |
| Ms. Sara Naseem           | Communications and Advocacy Manager, Transparency Maldives   |
| Mr. Ahmed Mohamed         | Chairperson, Maldives Association of Persons with Disabilities   |





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