

# PARLIAMENTARY ELECTION: PRE-ELECTION ASSESSMENT

2024



Transparency Maldives, the National Chapter of Transparency International in The Maldives is a non-partisan organization that promotes collaboration, awareness and undertakes other initiatives to improve governance and eliminate corruption from the daily lives of people. Transparency Maldives views corruption as a systemic issue and advocates for institutional changes that will punish and prevent corruption.

Transparency Maldives extends its gratitude to all interlocutors and participants of the focus group discussions for giving us their valuable insight into a highly nuanced political and electoral environment.

The information in this report was collected between January - February 2024

This publication may be produced in whole or in part in any form for education or nonprofit use, without special permission from the holder of the copyright, provided acknowledgment of the source is made. Transparency Maldives would appreciate receiving a copy of any publication which uses this book as a source. No use of this publication may be made for resale or other commercial purposes without the prior permission of Transparency Maldives.

© Transparency Maldives 2024

# TABLE OF CONTENTS

<b>01. INTRODUCTION</b>	<b>01</b>
Objectives	01
The 2024 Parliamentary Elections: An Overview	01
Methodology	04
<b>02. QUICK FACTS AND FIGURES</b>	<b>05</b>
<b>03. POLITICAL AND ELECTORAL CONTEXT</b>	<b>07</b>
<b>4. ELECTORAL FRAMEWORK AND ADMINISTRATION</b>	<b>08</b>
Minimum Prerequisite Freedoms	08
Electoral System	09
Elections Commission and Structures	09
Complaints Mechanism	10
Constituency Delimitation, Representation, and Dhaftharu Issyue	11
Ballot Secrecy	14
Invalid ballots	14
Voter Registry	14
<b>5. ELECTORAL CAMPAIGN AND MEDIA</b>	<b>17</b>
Campaign	17
Abuse of State Resources and Vote Buying	18
Media	20
<b>6. CAMPAIGN FINANCING</b>	<b>23</b>
<b>7. PARTICIPATION AND INCLUSION</b>	<b>25</b>
Women and Parliamentary Elections	25
Voter Education and Information	28
Youth Partiicipation	28
Rights of Persons with Disabilities (PWDs)	29
<b>ANNEX 1: LIST OF INTERVIEWS</b>	<b>31</b>
<b>ANNEX 2: QUESTIONNAIRE</b>	<b>32</b>
<b>SELECTED BIBLIOGRAPHY</b>	<b>33</b>

# 1. INTRODUCTION

## OBJECTIVES

Transparency Maldives (TM), a non-partisan, non-governmental and non-profit organization, has been the largest domestic Elections Observer Group since 2008, when the Maldives held its first multiparty democratic elections. As part of its election observation work, TM conducts assessments to provide recommendations to promote transparent, free, fair, and credible elections.

This Pre-Election Assessment on Parliamentary Elections 2024 in the Maldives aims to:

- Assess the current political and electoral environment, and preparations for the 2024 Parliamentary Elections.
- Understand the emerging and upcoming challenges for holding a free and fair election.
- Review the electoral legal framework applicable for the parliamentary elections.

## THE 2024 PARLIAMENTARY ELECTIONS: AN OVERVIEW

On 21 April 2024, the Maldives will hold the country's fourth multi-party parliamentary elections. The Elections Commission (EC) originally set 17 March as the Election Day and planned electoral schedule of activities based on this date. However, the opposition political parties, who control the People's Majlis majority, sought to change the date as it falls in Ramadan. Following legislative amendments, which the main ruling coalition parties did not support and the President had initially refused to ratify, the EC announced the new election date on 1 March.

The elections are taking place six months after the presidential elections held in September 2023. Elections observers, including TM and the EU Election Observation Mission, concluded that the presidential elections were generally well conducted and professionally delivered by the EC.

The presidential elections also saw the peaceful transfer of power from the President Ibrahim Mohamed Solih of the Maldivian Democratic Party (MDP) to Dr Mohamed Muizzu, the candidate of the Progressive Party of Maldives and People's National Congress (PPM-PNC coalition).

PPM-PNC coalition and MDP are the main political parties. They are fielding candidates for almost all 93 parliamentary seats.<sup>1</sup> MDP is fielding 90 candidates and PPM-PNC is fielding 89 candidates. Other political parties fielding candidates include The Democrats (38), Jumhooree Party (JP; 10), Adhaalath Party (AP; 4), the Maldivian Development Alliance (MDA; 4), and the Maldivian National Party (MNP; 2). 130 independent candidates are also contesting the parliamentary elections. All up, 368 candidates are contesting the elections.

<sup>1</sup> - PPM-PNC candidates are contesting as PNC candidates.

The electoral legal framework for the parliamentary elections provides for minimum conditions for free, fair, and credible elections. The Maldives is also party to key international human rights conventions. However, there are challenges and concerns for the upcoming elections, including recurring issues. This assessment in particular highlights three key issues:

**1 - The low number of women candidates, especially from the main parties:** the Maldives is among the worst performers globally in women's representation in the parliament. It is also the worst in South Asia.

The low representation of women appears to be linked to the low number of women candidates fielded by major parties. Even the candidates who are successful at the party level tend to be socio-economically and politically more advantaged women, suggesting the intersectional barriers that exist. However, this assessment suggests that women from major parties are not less likely than their male counterparts in winning the votes of the general public. Yet, there has been no improvement to the number of women candidates from the major parties of the day since 2009, when first multiparty parliamentary elections were held.

- *Political parties and other relevant actors should identify and address barriers for potential women at the political party levels and seek to increase the number, including through a voluntary quota system.*

**2 - Prevalence of vote buying and misuse of state resources for electoral gain:** Misuse of state resources have been major issues of concern observed in previous elections, including the last Presidential Elections. Inauguration or completion of projects coinciding with election/campaign timeframe is also another aspect of this issue. A particularly concerning issue now has been the misuse of State-Owned Enterprises (SOEs) for electoral gain. These concerns exist during the current campaign cycle too. While the law prohibits the use of state resources for personal gain, there are several loopholes.

The ACC's non-binding Guidelines on the Reduction of Corruption in Elections is a good step but requires legislative backing for enforcement. These include areas such as official trips by officials of the ruling parties and announcement of projects during campaign period.

Vote buying is the other major issue. All stakeholders interviewed for this assessment raised concerns over vote buying taking place in the current election cycle. Some candidates interviewed claimed voters outright also asked for money and other benefits in exchange of their votes. However, lack of monitoring of vote buying and weakness in speedy and successful investigation and enforcement remain key challenges.

- *Relevant actors, including the ACC and the MPS, should strengthen monitoring, investigation, and submission for prosecution, of incidences of vote buying and misuse of state resources.*
- *The Parliament should review and incorporate into law provisions in the ACC guidelines on the use of state resources by the incumbent government during the election period.*

**3 - Continuing issues around substantive representation:** As voters are allocated to constituencies based on the country's permanent address system, thousands of people vote for constituencies where they do not live normally. In other words, they do not vote for the constituencies where they normally live and may have major socio-economic and political stakes. These include the thousands of people who have (permanently) moved to the capital Male.

These also include most of the people in Male Dhaftharu register. While the EC's allocation of most of the Dhaftharu voters to two newly added constituencies in Male is an improvement, this random allocation does not fully address their concerns.

- *Consequently, relevant actors, including the Parliament, should debate and review constituency allocation based on the permanent address system. Such a review should also take into account the issue of equity between urban centres, especially Male, and the rest of the country.*
- *Relevant actors also should review the current formula to determine the size and number of constituencies with a view of capping the growth of the size of the People's Majlis.*

## METHODOLOGY

The assessment used a qualitative approach, using desk research and interviews with key electoral stakeholders. The interviews and fieldwork took place in January and February 2024. The individual interviews were conducted with an array of actors: state election stakeholders, political parties, media outlets, civil society organizations, and some representatives from international stakeholders. The interviews were based on a semi-structured questionnaire to assess concerns and perceptions around key areas relevant for a free, fair and credible election.

## 2. QUICK FACTS AND FIGURES

### KEY STATISTICS

Table 1: Population Figures

<b>Maldivian population</b>	<b>382,751</b>
<i>Male</i>	166,472
<i>Female</i>	171,962

Source: National Bureau of Statistics

Table 2: Elections Quick Figures

<b>Estimated eligible voters</b>	<b>284,663</b>
<i>Male</i>	145,302
<i>Female</i>	139,361
<i>Constituencies/Seats</i>	93
<i>Candidates</i>	368
<i>Ballot boxes</i>	602

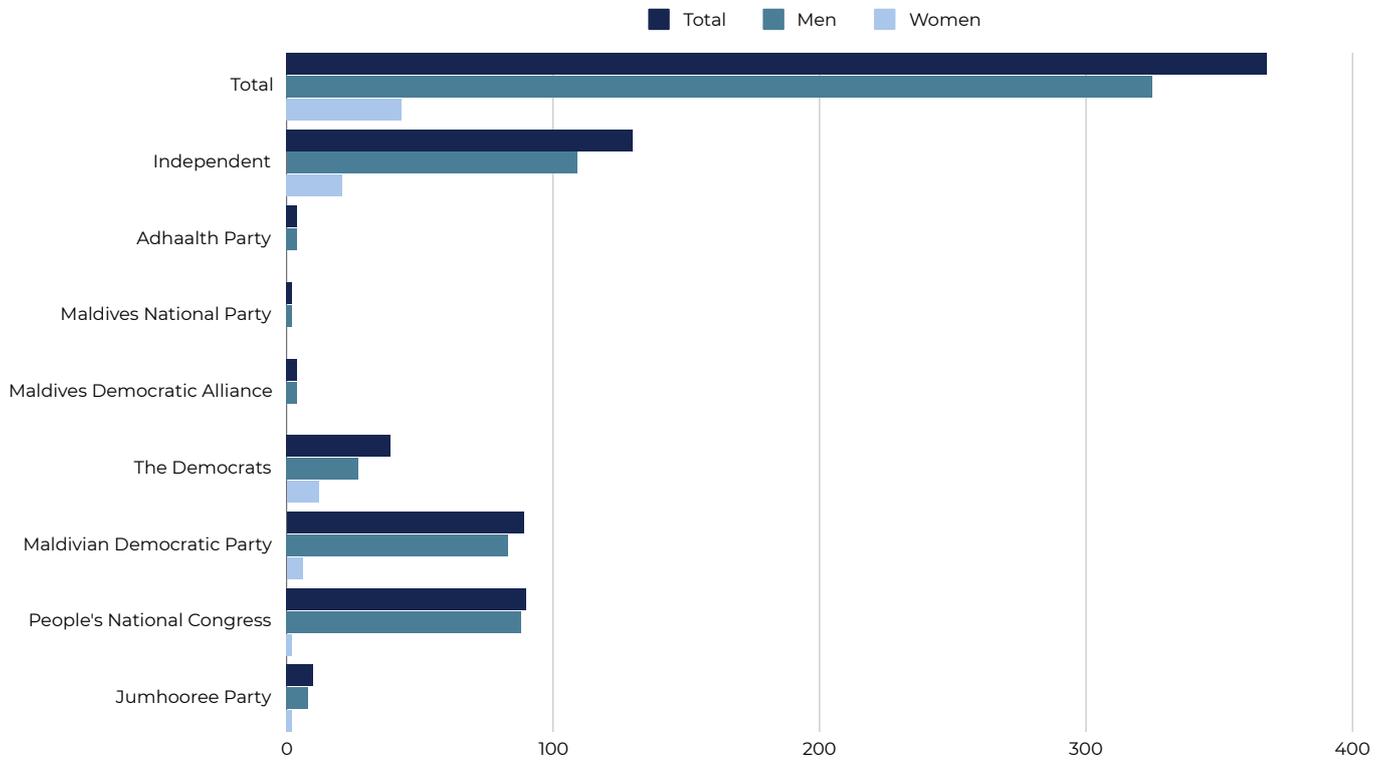
Source: Elections Commission

Table 3: Registered Political Parties

REGISTERED DATE	POLITICAL PARTY	MEMBERS
21 June 2005	Maldivian Democratic Party (MDP)	52,142
18th August 2005	Adhaalath Party	8,796
3rd August 2008	Jumhooree Party (JP)	18,349
17th October 2011	Progressive Party of Maldives (PPM)	36,223
20 December 2012	Maldives Development Alliance (MDA)	8,555
27 December 2018	Maldives Third Way Democratic (MTD)	2,437
31 January 2019	People's National Congress	28,201
20 November 2019	Maldives Reform Movement	2,210
25 October 2021	Maldives National Party	9,838
12 July 2023	The Democrats	4,259

Source: Elections Commission as of 5 March 2024

Figure 1: Candidates by parties



Source: Elections Commission

### 3. POLITICAL AND ELECTORAL CONTEXT

The fourth upcoming parliamentary elections are taking place in the backdrop of peaceful transfer of power following successfully concluded presidential elections in 2023. The political environment during the past five years and since the presidential elections have been comparatively quiet and uneventful, despite political polarization and factionalization. Hence, it is also expected the upcoming elections will take place in a generally politically peaceful context.

The Maldivian Democratic Party (MDP), which is the main opposition, and the Progressive Party of Maldives and People's National Congress coalition (PPM-PNC coalition) dominate the political landscape. MDP has a registered membership of about 52,000 (18% of the electorate), while PPM-PNC coalition together is also about 54,000 (about 19% of the electorate). Both are fielding candidates for almost all the constituencies (MDP for 90 out of 93 and PPM-PNC for 89).

However, both have seen factionalizations, breaking up into new political parties. Former President Mohamed Nasheed left the MDP after major disagreements with then President, Ibrahim Mohamed Solih, and formed The Democrats party in the run up to the presidential elections. The new party has a membership less than 5,000 but are fielding 38 candidates. Former President Abdulla Yameen, who is on house arrest on a corruption related sentence, fell out with the current President, Dr Mohamed Muizzu, and is in the process of forming a new political party, People's National Front (PNF). As PNF was not established in time for filing candidacies, it is unclear how many candidates who are running for elections, are affiliated with the PNF. There are also factionalizations within PPM-PNC as there are still supporters and potential candidates loyal to President Yameen. President Muizzu officially has membership with PNC, and all PPM-PNC candidates are officially running as PNC candidates.

Hence, while it is expected MDP and PNC candidates would dominate the elections, these factionalizations would impact the outcomes of the upcoming elections and politics following that. However, the presidential system in the country has created incentives for MPs to align with the government, and even join the ruling party. Following the presidential elections, for example, 13 sitting MDP MPs joined PNC of President Muizzu. As the President has major powers, including over State-Owned Enterprises, hiring and firing of political appointees, and say over policy and developmental projects, there is a high incentive for 'presidentialization' in the type of government systems as in the Maldives. There are also allegations that incumbent governments outright buy off MPs through bribery.

The recent efforts by the outgoing MDP and the Democrats MPs to establish a legislation on anti-defection aimed to address these issues. The People's Majlis passed the bill on 2 April. However, it is unclear whether the bill would achieve the objectives and if the President would ratify it. Key provision on consequences in the event of defection in the bill appear to vague, weak, or even non-binding. It appears to mandate defecting MP to resign (not to be expelled) from their seat, and there are no provisions on consequences in the event an MP refuses to resign.

## 4. ELECTORAL FRAMEWORK AND ADMINISTRATION

The following key laws and regulations, among others, govern the parliamentary elections:

The Constitution, 2008  
General Elections Act, 2008  
Parliamentary Election Act, 2009  
The Constituencies Act, 2009  
Political Parties Act, 2013  
Elections (General) Regulation (Regulation Number: 2020/R-48)  
Political Parties Regulation (Regulation Number: 2019/R-110)  
Parliamentary Election Regulation 2024 (Regulation Number: 2024/R-3)

### PRE-REQUISITE FREEDOMS

The electoral legal framework generally provides for minimum prerequisite freedoms for holding free, fair and credible elections. The Maldives is also party to key international human rights instruments. The relevant constitutional rights and freedoms include:

1. Freedom of movement (Article 41)
2. Freedom of assembly (Article 32)
3. Freedom of association and to form political parties (Article 30)
4. Freedom of expression (Article 27)
5. Freedom of the media (Article 28)
6. An independent judiciary (Article 7)
7. Right to vote and run for public office (Article 26)

- However, the Parliamentary Elections regulations 2024 (as was the case with the presidential election regulation) unduly restrict freedom of expression in campaigning. This concern is particularly applicable to subsection 24(a)(3) and (4), which stipulate:

3. Campaigning or anti-campaigning for a candidate or a political party during religious occasions, through religious lectures [dharus], and through sermons, is prohibited.

4. Campaigning or anti-campaigning for a candidate or a political party during classroom lessons in schools, colleges, universities and other educational facilities is prohibited.

These provisions are too broad and/or vague. Campaigning may be prohibited where it involves misuse of state resources. These include, for example, campaigning by misusing state mosques, government-paid imams misusing their official capacity, government-written sermons, or misusing government educational institutions. In other words, such a prohibition should not apply to private individuals and private settings as this would infringe on freedom of expression or freedom of campaigning.

- Another area of concern is freedom of assembly: the requirement to seek permission from the police and protest only in designated areas restrict freedom of assembly.<sup>2</sup>
- A final area of concern is media freedom: Under the Evidence Act 2022 journalists and media outlets could be compelled to reveal their sources in matters relating to ‘terrorism’ and ‘national security’ Article 136 (b)) under a court order. A failure to comply with the Act could lead to a prison sentence of up to three months.<sup>3</sup>

## ELECTORAL SYSTEM

Parliamentary elections are conducted under a first-past-the post electoral system with single member constituencies. Given the number of constituencies are determined based on population size, for the upcoming elections, 93 members will be elected (see Constituency Delimitation below).

## ELECTIONS COMMISSION AND STRUCTURES

The Elections Commission is a constitutionally independent body established under Chapter 7.2 of the Constitution. It consists of five members, nominated by the President but approved by the Parliament. The Elections Commissions Act 2008 also provides for a code of conduct for the members (s. 17). However, there are some legal weaknesses:

- The qualifications for Commission members require a candidate not to be engaged in partisan politics only at the time of appointment.
- The vagueness in some areas of the code of conduct could allow politically motivated dismissal of Commission members. A simple majority of the Parliament could dismiss a Commission member.
- There is no code of conduct for the technical staff of the Commission.
- There are gaps in the Commission’s transparency requirements. For instance, there is no clear requirement to proactive disclosure of information relating to the Commission’s work.

The EC has both permanent staff and temporary staff to help in conducting elections and other related work. The EC appoints and trains electoral focal points and support officials throughout the country and abroad where ballot boxes are allocated.

- Recruiting election officials has become a challenge for the EC.
- While election officials are required to be impartial and non-partisan and have to follow a code of conduct, some stakeholders interviewed complained that some of the officials act in a partisan manner.

The EC also appoints an ad hoc Elections National Advisory Committee to seek advice from key stakeholders. This could ensure further transparency in its work and better coordination. For the parliamentary elections, the EC appointed this committee in January 2024, and has convened at least four times.

<sup>2</sup> Bar Council of the Maldives. 2020. Press Release [on freedom of assembly]: [https://maldivesbarcouncil.org/wp-content/uploads/2020/07/20200715-Press-Release-restrictions-on-freedom-of-assembly\\_ENGLISH.pdf](https://maldivesbarcouncil.org/wp-content/uploads/2020/07/20200715-Press-Release-restrictions-on-freedom-of-assembly_ENGLISH.pdf). See also Human Rights Watch, Maldives: Events of 2022: <https://www.hrw.org/world-report/2023/country-chapters/maldives>

<sup>3</sup> For an overview see Library of Congress. 2022. Maldives: President Ratifies New Evidence Act with Controversial Provision on Revealing Journalist Sources: 20: [https://www.loc.gov/item/global-legal-monitor/2022-08-09/maldives-president-ratifies-new-evidence-act-with-controversial-provision-on-revealing-journalist-sources/#:~:text=Article%20136\(a\)%20is%20in,\(a\)%20%E2%80%9Cprohibits%20any%20compulsion](https://www.loc.gov/item/global-legal-monitor/2022-08-09/maldives-president-ratifies-new-evidence-act-with-controversial-provision-on-revealing-journalist-sources/#:~:text=Article%20136(a)%20is%20in,(a)%20%E2%80%9Cprohibits%20any%20compulsion)

## *Transparency, competency and trust*

The electoral legal framework provides for tight rules relating to Election Day matters (such as handling ballot boxes, ballot papers, voting procedures, counting and tabulation procedures). It also provides for a high level of transparency by allowing representatives of parties, candidates, media personnel as well as non-partisan observers at the polling stations. Overall, systematic election fraud is therefore unlikely.

The EC has in the past proven to be technically competent in conducting transparent and credible elections.

- Key stakeholders interviewed for this assessment expressed confidence in the EC's technical capacity in conducting the upcoming elections.

However, a few of those interviewed expressed concerns that some EC members were unduly politically influenced. There was no specific evidence of such influence beyond speculations and allegations. Such concerns were raised during presidential elections too.

- The vagueness around some of the provisions in the code of conduct<sup>4</sup> of the Commissioners under the Elections Commission Act (Art. 17) together with the fact that the EC members could be dismissed by a majority of the Parliament, lend room for perceived, if not real, political influence on some EC members.
- As reported in the Presidential Elections assessment by TM, public confidence in the EC had decreased between 2013 and 2022. In 2013, 74% of the population had confidence in the Commission. In 2015, this fell to 56%.<sup>5</sup> By 2022, according to an IRI survey, 43% had confidence in the Commission.<sup>6</sup>

## **COMPLAINTS MECHANISM**

The General Elections Act and Regulations as well as 2024 Parliamentary Elections Regulation provides for a multi-level dispute resolution mechanism. Furthermore, the General Elections Act mandates the Anti-Corruption Commission to investigate electoral corruption cases, and the Maldives Broadcasting Commission to investigate complaints related to broadcasters.

The main include a National Complaints Bureau (consisting if at least 5 members, three of whom are required to be lawyers or who have experience in the area).<sup>7</sup>

At the island, district, and city level, complaints could be submitted to island/district/city level election focal points, who in turn submit those complaints to the National Complaints Bureau.

The National Complaints Bureau is established from the day of the announcement of the elections and will carry out its work 14 days after the official results are announced.<sup>8</sup> EC has the discretion to extend its work if there were unresolved cases. Any electoral complaints before establishment of this bureau must be submitted directly to the EC and complaints on the Election Day may be submitted directly to the head of the polling station. Any violation of the electoral legal framework must be submitted within five days following the election day.

<sup>4</sup> For example, 17 (11): 'Shall at all times maintain socially acceptable standards of conduct and protect their dignity' appears to be too broad and vague.

<sup>5</sup> Transparency Maldives. 2013. Democracy Survey 2013 and Transparency Maldives. 2015. Democracy Survey 2015.

<sup>6</sup> International Republican Institute. 2022. National Survey of Residents of The Republic of Maldives | August-September 2022:

<https://www.iri.org/resources/national-survey-of-residents-of-the-republic-of-maldives-august-september-2022/>

<sup>7</sup> Parliamentary Elections Regulations

<sup>8</sup> Parliamentary Elections Regulations, s 54.

- As noted in previous election assessments by TM, the multi-level and multi-institutional structures for submitting electoral complaints could create confusion among voters.
- Additionally, information about the complaints mechanism is not adequately provided to the public. The lack of clarity and/or bureaucracy in submitting complaints could also be a disincentive for submitting complaints.
- While most of the complaints lodged and resolved are administrative in nature (for example, related to voter registry), issues of vote buying or misuse of state resources are reported less and almost never prosecuted. For instance, of the 184 complaints the EC and other complaints focal points received during the 2023 Presidential Elections, only 10 complaints related to electoral bribery.<sup>9</sup>
- The legal framework does not provide clear and detailed responsibilities of the complaints mechanism.
- Another concern with the complaints mechanism relates to the timeframes. Only five days following the elections are given for submitting electoral complaints.

## CONSTITUENCY DELIMITATION, REPRESENTATION, AND DHAFTHARU ISSUE

The EC has the responsibility to determine the number of electoral constituencies and delimit the boundaries of the constituencies for the parliamentary elections. It is required under Article 10 of the Electoral Constituencies Act to consider a number of principles in doing so. This includes maintaining an equal balance in the population of electoral constituencies. (The difference between constituencies cannot vary more than 15% and any deviation must be justified by the EC.) It is also required to consult and seek the views of the people of Administrative Divisions in determining electoral constituencies. However, no such consultations take place in practice.

The formula to determine the number of constituencies is provided under Articles 71 and 72 of the Constitution and sections 9 and 10 of the Elections Constituencies Act 2009. This formula is based on the number of Administrative Divisions and the population size of the Administrative Divisions (20 Administrative Divisions as per the Constitution). For every 5,000 or fewer people registered in an Administrative Division, two members are elected and for every subsequent 5,000 people one additional member is elected.

The EC published a draft report on constituency delimitation in September 2023 and incorporated feedback and published the final report in November 2023.

For the 2024 parliamentary elections, the EC has determined there are 93 electoral constituencies or seats, which is an increase of 6 seats from 2019 (see Table 5) and an increase of 16 seats from 2009 when the country held first multiparty parliamentary elections.

<sup>9</sup> Elections Commission, Presidential Elections Final Report, p. 17: <https://www.elections.gov.mv/uploads/Election%20report%20FINAL%202029.02-efaa8b1d85e38fbf54bb.pdf>

Table 5: Seat Increase (2019 vs 2024)

Constituency	2019	Addition	2024
Male City	15	2	17
Baa Atoll	3	1	4
Kaafu Atoll	3	1	4
Gaaf Alif Atoll	3	1	4
Addu City	7	1	8

Source: Election Commission's Boundary Delimitation Report 2023

- There are concerns among some stakeholders, including political parties, around the constitutional formula given the growth of the size of the parliament every election.<sup>10</sup>
- Beyond this concern, no stakeholder expressed any specific concern around boundary delimitation, including gerrymandering concerns, for the upcoming presidential elections.
- However, a more serious issue relates to substantive representation of thousands of residents who have moved to Male (or other areas) and have effectively made Male (or other areas) as their usual place of residence.
- They are still required to vote for candidates of the constituencies where they have a permanent house registration, not their usual place of residence. Consequently, they vote for constituencies where they may no longer have key socio-economic and other interests. According to a recent survey by Human Rights Commission, 40% of the surveyed support allocation to constituencies based on the place of usual residence and 66% wanted to keep the current system.<sup>11</sup> There is no data on how those who have faced this issue responded to the questionnaire or how much awareness there is on the issue of representation.

The thousands of people in the special Male register known as Dhaftharu have long been denied effective representation based on where they live. These are people who have moved from other islands to Male and have registered as Male residents but who have no permanent house registry.

In the past elections, the practice by the EC was to allocate these voters to various constituencies in Male. Consequently, they do not necessarily vote in constituencies where they have a stake in key socio-economic and other interests.

<sup>10</sup> <https://mvrepublic.com/main-stories-in-maldives/mdp-the-democrats-join-forces-to-cap-parliamentary-seats/>

<sup>11</sup> Human Rights Commission of the Maldives. 2024. Parliamentary Elections 2024: Public Perceptions: <https://hrcm.org.mv/storage/uploads/9kobMDq8/vew3svd0.pdf>

Table 5: Seat Increase (2019 vs 2024)

Constituency	2019	Addition	2024
Male City	15	2	17
Baa Atoll	3	1	4
Kaafu Atoll	3	1	4
Gaaf Alif Atoll	3	1	4
Addu City	7	1	8

Source: Election Commission's Boundary Delimitation Report 2023

There are at least 9,653 Dhaftharu voters in 2024 according to EC's Final Report on Constituency Delimitation. This year the EC has allocated these individuals primarily to two constituencies in Male (the two newly added constituencies of Hulhumale Central and Hulhumlae North) and the rest (about 1000 voters) to Villimale Constituency (see Table 6).

Table 6: Constituencies for Dhaftharu people<sup>12</sup>

Constituencies	Dhaftharu Voters	Non-Dhaftharu
Villimale Constituency	1000	3271
Hulhumale Central	4326	652
Hulhumale North	4327	664

Source: Election Commission's Boundary Delimitation Report 2023

This change appears to be an improvement in terms of Dhaftharu people's effective say in electing MPs of their choice. All stakeholders interviewed who commented on this issue saw the change as a major improvement to the existing practice by the EC. However, there are still several concerns:

- The three constituencies Dhaftharu people are voting are not still necessarily constituencies where they live or have key interests. A candidate who is running as an independent and anecdotal evidence suggested this was not necessarily the case. The EC also acknowledged the allocation was not based on this.

<sup>12</sup> The actual number of people registered to vote for these constituencies differ. For example, 3684 Dhaftharu people are registered for Hulhumale Central and 2636 are registered for Hulhumale North. See: <https://www.elections.gov.mv/elections/parliamentary/3/voters-list?list=constituency>

- As many of Dhaftharu people do not live in Hulhumale, they also have to travel to Hulhumale for voting, which could potentially hinder them from voting. An independent candidate, who is running in one of the Dhaftharu constituencies in Hulhumale, complained to the EC that most of the people in his constituencies faced this difficulty. The EC has the discretion to have ballot boxes in Male and Villigilli, but have not done so.

## BALLOT SECRECY

A recurring issue of ballot secrecy violation is in instances where only one or few voters are registered to cast their vote outside their constituencies. In such instances when ballot secrecy may be compromised when a voter re-register to vote in an area other than their constituency, the Parliamentary Elections Act also gives the discretion to the EC to ask voters to register to a ballot box which would not compromise ballot secrecy.<sup>13</sup>

There were 4,651 voters registered to vote in areas where their ballot secrecy would be compromised. While the EC gave the opportunity for such voters to change the ballot boxes where they had initially registered to vote, we have no final data on how many people have re-registered to different ballot boxes.

## INVALID BALLOTS

Article 56 of the General Elections Act stipulates the circumstances of an invalid vote. Subsection 56 (a) (5) stipulates that any ballot with an extra mark or symbol other than the single check mark near the name of the preferred candidate counts as an invalid vote. This provision intends to reduce vote buying as candidates/parties could verify during the counting process how a person voted through unique symbols on the ballots.

There were complaints in Presidential Elections in 2023 that this requirement led to an increase in invalid votes especially among elderly voters. Consequently, another amendment in 2024 stipulates that an extra attempt to ensure the check mark near the preferred candidate was correctly done will not invalidate the ballot.<sup>14</sup> Without adequate guidelines, this could potentially create confusions among polling officials.

## VOTER REGISTRY

Provisions relating to registry generally provide for transparent processes, as evidenced by high voter turnout and minimal voter registry issues on election day in the previous elections. In the 2018 presidential election, only 0.03% of voters were unable to vote because their names were not on the voter registry.<sup>15</sup>

The voter registry is based on the national register of citizens maintained by the Department of National Registration. However, the Elections Commission may obtain information from other state institutions to verify the voter registry.

<sup>13</sup> Parliamentary Elections Act 2009, s20

<sup>14</sup> General Elections Act, s 56 (f).

<sup>15</sup> Transparency Maldives. 2019. Election Observation Report 2019: [https://transparency.mv/v17/wp-content/uploads/2019/03/Election-Observation-Report\\_-1.pdf](https://transparency.mv/v17/wp-content/uploads/2019/03/Election-Observation-Report_-1.pdf)

The Commission is required to publish the voter registry within a minimum of 45 days before the elections. A 10-day period is given to submit complaints to the voter registry. The Elections Commission gets a five-day period to respond to complaints. The Commission's decision regarding a complaint may be appealed at the High Court of the Maldives within five days. The High Court has to adjudicate such a complaint within 15 days.

Those who intend to vote in a location outside the constituencies where they have their permanent addresses could nominate the ballot boxes in which they will be voting. This process is known as 're-registration'. EC has introduced an online re-registration process through its website (<https://form.elections.gov.mv/>). Re-registration was opened on 10 March for six days.

- In the case of cities, EC has not allowed to re-register to a ballot box in a different constituency in the cities. This could be problematic for Male Dhaftharu voters whose normal place of residence is outside their electoral constituencies (which are now primarily two constituencies in Hulhumale).
- Several stakeholders also complained that EC has not provided adequate information on online re-registration process and on the timelines. In the past, when re-registration was manually done, political parties drove the re-registration process for potential voters, and submitted the forms in bulk. Consequently, some stakeholders interviewed raised concerns that many voters were unable to re-register to vote in locations where they may be on the Election Day.

## RECOMMENDATIONS

### Prerequisite Freedoms

- Review and amend the Parliamentary Election Regulations to ensure freedom of expression and freedom in campaigning as per the constitutional provisions and best practices.
- Review and amend the provisions restricting freedom of assembly as per the constitutional provisions and best practices.
- The EC should lead an electoral stakeholder review that integrates diverse perspectives in order to inform the legal reform process.

### Elections Commission

- Relevant institutions (including the AG and the Parliament) should review and propose amendments to the Elections Commission Act, including the code of conduct, to further ensure that EC members can fulfill their responsibilities without undue political interference.
- The EC should increase transparency around all its work and provide timely and regular updates to the public. Strengthen the electoral legal framework to ensure an inclusive decision-making process within the national advisory committee.

### Complaints Mechanism

- The EC and other relevant actors should review and amend the electoral legal framework to clarify the roles, responsibilities, and procedures of the complaints mechanism to ensure effective coordination among stakeholders, and make the mechanism accessible to the public.
- The EC and other relevant actors such as ACC and MBC should increase voter information on complaints mechanism and reduce bureaucratic difficulties in submitting complaints

### Constituency delimitation, Representation and Dhaftharu Issue

- Parliament should review and amend relevant legislation to review the rate of growth of the size People's Majlis.
- Parliament and other actors should debate and review the current system of allocation to constituencies based on permanent addresses towards a system that can ensure better substantive representation. When doing this, it is also crucial to ensure equity between the capital and the rest of the country.

### Invalid ballots

- The EC should ensure clear written guidelines exist on determining invalid votes given the recent amendment on check mark symbols and ensure adequate training is conducted for officials.

### Voter registry

- EC and other relevant actors should provide adequate information and create awareness in a timely manner on re-registration process '

### Ballot secrecy

- Review relevant laws to bring a more adequate and permanent solution (such as early voting and postal voting) to re-registration so that ballot secrecy is ensured and voter turnout is not affected

## 5. ELECTORAL CAMPAIGN AND MEDIA

### CAMPAIGN

The legal framework generally provides for minimal electoral rights for candidates and supporters to conduct campaigns freely. The Parliamentary Elections Regulations also has an extensive code of conduct for candidates and supporters. However, as explained in the previous section, the code of conduct for campaigning places some undue restrictions on freedom of expression/campaigning.

Overall, the campaign has so far been largely quiet and peaceful. The Maldives Police Services also do not expect there will likely be major incidences of obstructions, disturbance, or protests either during campaign period or on the Election Day.

- However, there are potential risks of some disturbances. especially because several candidates in the upcoming elections allegedly have had links to gangs. A key stakeholder stated that the disagreements or clashes between supporters of some rival candidates during PNC primaries added to these worries. The MPS informed they would be ready for all such scenarios.

Most stakeholders interviewed reported candidates were generally able to freely campaign so far.

- However, some stakeholders interviewed for the assessment and media reported obstructions, especially from supporters of the ruling parties. Most of the concerns though relate to damage and/or vandalism to their campaign materials, including damage to posters and removal of billboards.

An independent candidate running for Maafannu Central Constituency, Aminath Hassan, also issued a statement on 10 March noting the obstructions from 'various parties', including Male City Council against her campaign. These included removal of a billboard with her manifesto and other obstructive attempts. A campaign worker for the candidate also complained Male City Council was acting in an arbitrary manner and did not have clear published rules on the installation of campaign posters, billboards, and other materials.

Some stakeholders also complained their rival candidates or supporters of their opponents resorted to smear anti-campaigns. Other challenges noted include limited resources some candidates, especially independent candidates and candidates from smaller parties, have for their campaign. However, a candidate from a major party said that the party had only limited funds for candidates, and he had received little financial support so far. (Issues of campaign financing, vote buying, abuse of state resources, and media bias are discussed below.)

## MISUSE OF STATE RESOURCES AND VOTE BUYING

Misuse of state resources have been major issues of concern observed in previous elections, including the last Presidential Elections. The Prevention and Prohibition of Corruption Act (2000) has a general prohibition against misuse of state resources for personal gain. Article 14 (a) of the Act stipulates:

It is an offence for anyone to use any government property in contravention of government regulations to get an income or personal gain. It is also an offence for a government employee to compel another government employee to work or undertake a task during official working hours of the employee, in contravention of government regulations to get an income or personal gain.

The Political Parties Act also prohibits misuse of state resources for the private benefit of parties (Articles 45 and 46). However, the electoral legal framework has inadequacies or gaps in effectively addressing regulating use of state resources during election period.

Misuse of state venues, vehicles, and human resources are frequent and give undue advantages to the incumbent parties. State officials often exploit a loophole by categorizing campaign trips as official trips, which allows them to evade accountability for their actions. The timing of government project inauguration or completion coinciding with election/campaign timeframe is also another aspect of concern.

Abuse of resources of SOEs and staff by the incumbent has become a key concern as highlighted in TM's Presidential Pre-Election Assessment. Such misuses take many forms, but prominently include hiring and firing staff, awarding projects, and abuse of resources under Corporate Social Responsibility, to gain electoral benefits.

- The ACC has issued non-binding Guidelines on the Reduction of Corruption in Elections to address some of the gaps in the law, which if adhered could go a long way.<sup>16</sup> However, key guidelines in the document require legislation for enforcement. These include areas such as official trips by officials of the ruling parties during campaign period, announcement of projects, and use of SOE resources.
- Almost all stakeholders interviewed expressed concern over issues of abuse of state resources, including during the current campaign period.<sup>17</sup> These concerns include:
  - Abuse of SOEs, including hiring of staff for electoral gains and use of staff for campaigns.
  - Trips by incumbent President to islands during the campaign period.
  - Announcement of major projects or changes to major projects that could influence voters.

<sup>16</sup> Anti-Corruption Commission, Guidelines to Reduce Electoral Corruption: [https://elections.acc.gov.mv/files/elections\\_guideline.pdf](https://elections.acc.gov.mv/files/elections_guideline.pdf)

<sup>17</sup> Also see TM's statement on 4 April 2024: <https://transparency.mv/downloads/press-statement-transparency-maldives-condemns-the-continued-abuse-of-state-resources-during-the-official-campaign-period-of-the-2024-parliamentary-elections/>

Vote buying is the other major issue that unduly influences voters. However, there are provisions in the laws that prohibit vote buying. The General Elections Act stipulates offering of gifts with the intention of influencing voter as an act of bribery (Article 74 (a) (11)). The act of providing or pledging to provide ‘a material benefit’ or ‘a service’ to a specific individual, or a specific group, or for general benefit, in the period from the election announcement to 30 days after the official results are declared, is also classified as bribery (Article 74 (a) (12)). Article 120 of the Penal Code 2014 also stipulates:

It is an offence to induce the inclination of the exercise of an electoral right for the benefit of a certain party or to offer or promise to offer anything as a gesture of gratitude or gratification or reward for having exercised the electoral right in a certain manner.

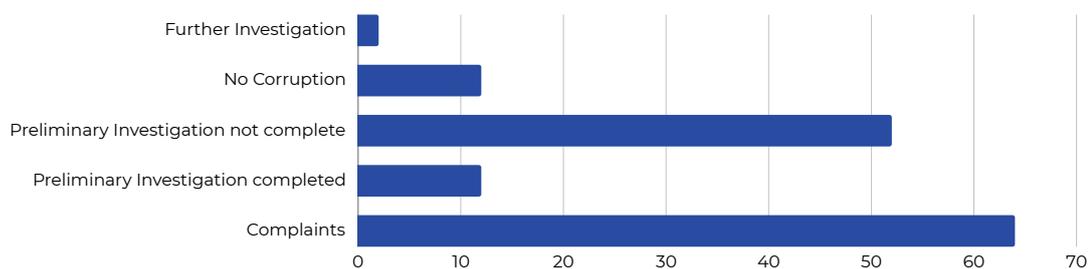
This offence is categorized as ‘electoral bribery’ under the Penal Code and can carry a prison sentence of up to one year.

While these provisions may not be fully adequate to capture all forms of vote buying<sup>18</sup>, the key concerns on vote buying are now mostly related to complaints mechanism, lack of monitoring of vote buying, investigation and enforcement weaknesses.

- In this regard, particularly challenges for speedy and successful investigation and prosecution of electoral corruption remain a major issue.

In 2023, for example, the ACC received a total of 64 complaints relating to elections out of which, preliminary investigation was completed for only 12 cases. Hence, 52 cases were at the preliminary stage. Ten of those 12 cases were found to have no evidence of electoral corruption, and further investigation was undertaken for two cases (see Figure 2 below).<sup>19</sup>

Figure 2: Electoral Complaints Submitted to ACC in 2023



Source: ACC 2023 Annual Report

- All stakeholders interviewed for this report raised concerns over vote buying during the current election cycle. Some candidates interviewed claimed voters outright also asked for money and other benefits in exchange of their votes. Media reports also suggested vote buying was taking place in the form of widespread distribution of ‘gifts’.<sup>20</sup>

<sup>18</sup> See Review of the Transparency Maldives. 2019. Electoral Legal Framework Review: [https://transparency.mv/v17/wp-content/uploads/2021/01/Review-of-Electoral-Legal-Framework\\_Final-29.12.20-1-1.pdf](https://transparency.mv/v17/wp-content/uploads/2021/01/Review-of-Electoral-Legal-Framework_Final-29.12.20-1-1.pdf), pp. 19-21.

<sup>19</sup> See ACC 2023 Annual Report.

<sup>20</sup> <https://adhadhu.com/article/52129>

## MEDIA

### *Environment*

There are about 20 registered daily newspapers, and as of August 2023, 37 registered broadcasters. Internet penetration is very high in the Maldives. Social media is widely popular: a December 2022 survey shows 53% of Maldivians rely on social media as a source of political news and information.<sup>21</sup>

However, the Maldives ranking in the World Press Freedom Index saw a sharp decline from 87 to 100 in 2023. Major concerns include attacks and threats towards media workers as well as legislative restrictions. Under the Evidence Act, journalists and media outlets could be compelled to reveal their sources under certain circumstances. A failure to comply could result in prison sentences of up to three months. This creates a chilling effect in investigative journalism to speak truth to the power.

Shortly after coming to power, the current government blocked three online media outlets. Two of these outlets are very critical of the government. Maldives Journalist Association (MJA) and the Maldives Media Council (MMC), opposition parties and civil society actors raised deep concerns. Following this pressure, the government unblocked these outlets.

While there is no systematic outright suppression of media, such arbitrary actions could create a chilling effect. Similarly, because media outlets generally depend on funds from government sources such as SOEs, government of the day have undue influence on the media. There is no transparent and consistent policy for SOE sponsorships. Up to 70% of the revenue base of some mainstream media outlets depend on sponsorship from SOEs. A survey conducted by MMC in 2020 suggested there was a clientelist culture, as connections through 'friends' was the avenue to get sponsorships. It also revealed 90% of the media outlets interviewed believed there was no 'fairness' in the sponsorship process by SOEs.<sup>22</sup> Hence, as TM's Presidential Elections report suggested, the government of the day could have a subtle yet significant influence on the media landscape. During presidential election campaign, the current President had pledged establishing a proper mechanism for funding the media.

### *Access*

Under Article 30 of the General Elections Act all broadcasters are required to allocate airtime to candidates from the announcement of elections until 6 pm on the election day eve. The law also requires broadcasters to have an equitable policy in allocating or selling airtime to candidates/parties and require disclosing this information publicly.

<sup>21</sup> International Republican Institute. 2022. National Survey of Residents of The Republic of Maldives | August-September 2022: <https://www.iri.org/resources/national-survey-of-residents-of-the-republic-of-maldives-august-september-2022/>

<sup>22</sup> Maldives Media Council. 2020. [Media survey]: [http://www.mmc.org.mv/storage/app/media/MMC2020/REPORTS/Survey%20Report\\_FINAL\\_AAM\\_16062020.pdf](http://www.mmc.org.mv/storage/app/media/MMC2020/REPORTS/Survey%20Report_FINAL_AAM_16062020.pdf) [Dhivehi]

The Broadcasting Commission is also required to monitor broadcasters, and establish a complaints mechanism to receive and adjudicate complaints related to broadcasters (Article 30 (d), General Elections Act). The Broadcasting Commission has the powers to take administrative measures against a broadcaster. It is also required to submit a report with complaints and decisions taken to the EC. The EC may investigate any criminal matter and decide to submit to the Prosecutor General (30 (f), General Elections Act).

- While the law provides for equitable media access, there are concerns around practice and enforcement. Broadcasting Commission has limited resources to conduct media monitoring. Hence, their limited media monitoring does not find potential media bias outside the officially allocated times for candidates.
- However, some stakeholders interviewed suggested while the stated policy of media outlets may be equitable, in practice media outlets are aligned with one or another political party and hence favour their aligned parties. Some also suggested the high fees also meant those candidates with more campaign funding was advantaged.
- Previous election observer reports such as EU Election Observation Mission's report for the last presidential election show that the Public Service Media (PSM) was biased in favour of the incumbent party. Some stakeholders interviewed for this assessment raised concern that PSM is effectively being used as a media outlet for the incumbent parties to campaign for the upcoming elections. The main opposition has complained that PSM was disproportionately promoting the candidates of PPM-PNC coalition.

Another area of concern relates to disinformation, misinformation and hate speech. Social media has become a particularly toxic environment of hate speech, disinformation and misinformation. The EU Election Observation Mission's media monitoring for the presidential election highlighted the prevalence of disinformation.<sup>23</sup>

- All key stakeholders interviewed for this report who commented on the issue raised concerns that disinformation, misinformation, smear anti-campaigning were major issues in the current campaign environment.

<sup>23</sup> EU Elections Observation Mission Report, p. 8.

## RECOMMENDATIONS

### **Campaign**

- Authorities should take swift action on cases of vandalism and damage to campaign materials
- The EC should ensure all candidates, including female candidates, are able to freely campaign without harassment and obstructions.
- Male City Council should publicize clear guidelines on the use and installation of campaign materials in public places.

### **Misuse of State Resources and Vote Buying**

- A coordinated effort among stakeholders including the EC, ACC, Maldives Police Service (MPS), Prosecutor General's Office to monitor, investigate, and prosecute vote buying and misuse of state resources through effective implementation of existing laws as well as amending the laws where necessary.
- The Parliament should review and incorporate into law provisions in the ACC guidelines on the use of state resources by the incumbent government during the election period.
- Relevant actors, including the Parliament, should review and urgently strengthen SOE governance in all necessary areas of governance risks that pave way for misuse for electoral gain by the incumbent government.

### **Media**

- Strengthen the legal framework to ensure media freedom, including amending the Evidence Act.
- Establish a clear, fair and transparent funding/sponsorship system to support media whereby the government cannot apply undue influence on the media.
- Regulatory bodies and civil society organizations should monitor media and establish fact checking mechanisms.
- Relevant institutions should address the issue of disinformation and hate speech.
- MBC should receive sufficient resources for widening the scope of its media monitoring.

## 6. CAMPAIGN FINANCING

### CAMPAIGN

Ensuring that disproportionate campaign expenditure does not distort the democratic process or undermine free choice of voters is vital.<sup>24</sup>

A key improvement to campaign finance regulations has been stricter and clearer requirements for candidates to submit audited campaign finance reports based on the templates set by the EC. Candidates are required to submit these audited reports signed off by a registered auditor to the EC within 21 days and the EC is required to publicize these reports on its website.<sup>25</sup> The General Elections Regulations also outline specific requirements for the auditor and accountability actions that the EC could take, including potential prosecution in case of violation of the campaign financing rules.<sup>26</sup>

However, proactive disclosure of asset declarations by candidates could also go a long way in increasing transparency and accountability. There are concerns related to high spending limits, transparency and disclosure requirements for campaign financing. Some of the key issues include:

- The high spending limit for candidates. The General Elections Act permits a candidate to spend up to MVR 2,000 per eligible elector. With constituency sizes of about 4500-5000 people, a candidate could spend theoretically spend MVR 9 to 10 million. **Theoretically, the 368 candidates could spend over MVR 2 trillion for the upcoming elections.**
- Although candidates are prohibited from accepting donations from anonymous sources, political parties are permitted to receive such contributions rendering the ban on party affiliated candidates irrelevant.
- Political parties are not required to report campaign financing after the elections, leaving party spending (including broadly other 'third party' spending) for a candidate unaccounted for in reporting. The ACC Guidelines on Reducing Electoral Corruption has a provision on considering third party spending.
- The campaign spending outside the official campaign period is not accounted for in bookkeeping.
- While foreign donations to candidates are prohibited, the Political Parties Act 2013 allows foreign donations (Article 37), which could technically be used for campaigning. This has increasingly become a concern in the context of the Maldives' geopolitical entanglements.

<sup>24</sup> UN Human Rights Committee. CCPR General Comment 25.

<sup>24</sup> Article 46 of the Parliamentary Elections Regulations 2024

<sup>26</sup> See subsection 53 (e), General Elections Regulations. See also General Elections Act: sections 66-73

## RECCOMENDATIONS

### **Campaign Financing**

- Relevant actors, including the Parliament, to review and propose amendments:
  - To mandate parties to report on campaign expenses.
  - To review include a spending limit by political parties during election period.
  - To ensure all spending are accounted for in reporting including third-party spending on behalf of the candidate.
- Candidates should proactively publicize asset declarations so that the public know beforehand about their interests.

## 7. PARTICIPATION AND INCLUSION

### WOMEN AND PARLIAMENTARY ELECTIONS

Although the electoral legal framework does not formally discriminate against women, the parliamentary elections continued to be dominated by men. There are only 42 women out of 368 candidates (11.4%) contesting the 93 parliamentary seats. As a percentage of candidates, this shows a slight improvement as has been the case in successive elections since 2009 (see Table 7).

Table 7: Women candidates and representation in the parliament

Year	Total	Women	Women (by %)	Elected	Total Seats	Majlis representation (%)
2009	455	21	4.6	5	77	6.5
2014	302	23	7.6	5	85	5.9
2019	386	35	9.1	4	87	4.6
2024	368	42	11.4	-	93	-

Source: data compiled by the author based on TM, EU, The Commonwealth election reports 2009, 2014 and 2019. The 2024 figures are based on EC data available on their website.

However, overall representation of women in the Parliament is another matter. Over the years since multiparty elections were introduced, women's representation in the Parliament has declined from an already dismal level. Currently, with just four women MPs, the Maldives is ranked amongst the worst performers globally: it is ranked at 180, the worst being Yemen ranked at 187.<sup>27</sup> It is also the worst performer in South Asia.

There are several barriers for women's political participation and electability as noted in previous elections observer reports and studied.<sup>28</sup> These include structural and political barriers. Socio-cultural and religious perceptions shaped by gendered norms and patriarchy. These issues in turn are linked to role differentiation with women disproportionately burdened with household and child-rearing work. Structural economic barriers and access to finance are important factors too.

<sup>27</sup> <https://www.unwomen.org/sites/default/files/2023-03/Women-in-politics-2023-en.pdf>

<sup>28</sup> [https://www.ifes.org/sites/default/files/migrate/maldives\\_qualitativeassessment\\_final\\_0.pdf](https://www.ifes.org/sites/default/files/migrate/maldives_qualitativeassessment_final_0.pdf); See also Ritchie, M. Rogers, T.A. and Sauer, L. 2014. Women's empowerment in political processes in the Maldives and United Nations Development Programme. 2017. Women's political participation in the Maldives. Issue brief.

However, a key barrier for electability that deserves greater attention is nomination at the party level. From the profile of women who get successful at the party level, it is also clear, most of them have more privileged socio-economic backgrounds and/or greater political capital, suggesting the intersectional barriers that exist. In this regard, specific barriers for nomination of women candidates (either through primaries or selection) that exist within major parties deserve greater focus for two reasons: major parties tend to dominate the elections and women’s electability compared to men from major parties at the national level is not worse.

In 2024, the ruling PPM-PNC coalition are fielding only two women for the elections. Out of the 32 women that contested their primaries, only one won the primaries (another candidate, Fathimath Saudha, the sister of current President Muizzu, was automatically nominated as she was the only candidate for the constituency). In 2019, PPM fielded 3 women in the Parliamentary Elections , but none was elected as an MP.

In 2024, only eight candidates ran MDP primaries, and only three won those primaries. Another three women were automatically nominated as sole candidates for the respective constituencies. In 2019, four of the 21 women at the MDP primaries won those elections and four subsequently won the parliamentary seats. However, the newly formed The Democrats party should be commended for fielding the greatest number of women candidates (12 candidates of a total of 38) this year.

Overall, there has been no real improvement for women’s political participation in the elections since 2009. Only eight women (or 4.5%) from the major parties are contesting the upcoming elections (compared to 7.5% women in 2009 from two major parties of MDP and DRP). It is striking that the winning rate of women candidates from major parties in the parliamentary elections range from 40% to 57%, comparable to the winning rates of male candidates of these parties (ranging from 39.5% to 56%) (see Table 8).

Table 8: Gender disaggregation of candidates of major parties: winning rates by number of candidates

Party	2009		2014		2019		2024	
	Women	Men	Women	Men	Women	Men	Women	Men
<b>MDP</b>	4 (3 won)	71 (23 won)	7 (3 won)	78 (23 won)	4 (4 won)	81 (61 won)	6	84
<b>DRP</b>	6 (2 won)	53(26 won)	-	-	-	-	-	-
<b>PPM/PNC</b>	-	-	3 (1 won)	47 (32 won)	3 (0 won)	43 (8 won)	2	87
<b>Total</b>	10(5; 50%)	124 (49; 39.5%)	10 (4; 40%)	125 (55; 44%)	7 (4; 57%)	124 (69; 55.6%)	8	171

Sources: TM’s 2019 Parliamentary Elections Report; Commonwealth Observer Reports 2009, 2014; EU Election Observation Mission Report 2014

Looking at the winning rate of allwomen (including independents and from minor parties,) it is difficult to say women are always significantly less likely to be elected. While the rate is significantly lower for 2019 (11% for women compared to 23% for men), the same can be said about male candidates in 2009 elections (24% for women, compared to 17% for men) (see Table 9).

Together, these findings suggest the perception that ordinary voters prefer men over women, especially from major parties, needs to be called into question. In fact, a survey by the HRCM shows that 75% those surveyed did not prefer a candidate based on their gender.<sup>29</sup> Hence, there should be more efforts to understand and address barriers for women at the party-level nomination/selection.

Table 9: Gender disaggregated winning rates for candidates (2009-2019)

Year	Women% elected	Men% elected
2009	23.8	16.6
2014	21.7	28.7
2019	11.4	23.6

Source: author's own compilation based on different sources

Interviews conducted for this assessment to probe specific challenges at the party level suggest several factors at play:

- The dominance of men and patriarchal dynamics at the leadership partly contributed to disadvantaging potential women from competing. . These disadvantages include lack of leadership support for potential women candidates.
- Access to funds is another factor. Perceptions that women are less likely to be successful in the elections apparently influenced potential donors and endorsement from the leadership level.
- Harassment and negative media portrayal disproportionately faced by women as candidates and as MPs once elected also discouraged women coming forward. While social media no doubt has decreased barriers to reach out to voters, it has also allowed an easy platform for harassing and intimidating women.

<sup>29</sup> <https://hrcm.org.mv/dv/publications/parliament-election-public-perception-survey-report>

## VOTER EDUCATION AND INFORMATION

The Constitution and the Elections Commission Act mandate the EC to educate and create awareness among the public on the electoral process and its purpose. Political parties, civil society organizations, the EC, ACC, and the Human Rights Commission of the Maldives (HRCM) also conduct voter education, especially voter information, programs through different mediums.

- However, most stakeholders highlighted a lack of systematic, targeted voter education and information campaigns. This was a concern raised with respect to the re-registration process. Stakeholders also noted there was only limited voter education and information especially for PWDs.
- There is also a gap in educating the public on crucial topics such as the complaints mechanism, for example, to report instances of vote buying, the misuse of state resources, and the disclosure of campaign finance expenditure reports by candidates.

## YOUTH PARTICIPATION

People aged from 18 to 35 are identified as youth in the Maldives. About 31% of the population fall into this age group, and approximately 41% of the electorate constitutes youth, making them the most significant electoral segment. However, youth participation at the political party leadership levels and representation in the Parliament are low. Only two MPs out of 87 in the People's Majlis fall into the youth age group.

Voter turnout in the first round of the presidential election was lower than the average but reached traditional levels in the second round (87.31%). While there is no public data to confirm the reasons for the lower turnout in the first round, anecdotal evidence suggested that youth disaffection could be one of the reasons. A FGD conducted in Male for TM's Presidential Election Pre-Assessment also suggested there were deep grievances among young people towards the political order and the way politics is conducted.

During the presidential elections, there was also a social media-based campaign – *#votebaathil* and *#teambaathil* – urging voters to cast invalid votes. The ballots do not provide for a 'None of the above' (NOTA) option. However, a recent survey showed 56% of those surveyed supported to have this option on the ballots, of which 61% were youths.<sup>30</sup>

<sup>30</sup> Human Rights Commission of the Maldives, Parliamentary Elections: Public Perceptions: <https://hrcm.org.mv/storage/uploads/9kobMDq8/vew3svd0.pdf>

## RIGHTS OF PERSONS WITH DISABILITIES (PWDs)

The elderly and disadvantaged persons are entitled to protection and special assistance from the state under the Constitution. The Disability Act 2010 also provides for equal opportunities for PWDs. The General Elections Act provides for assisted voting for physically challenged voters (section 45).

An amendment to the General Elections Act in 2023 allowed for the first time, the visually impaired to vote using a special plastic template (Article 45 (c) and 45-1). This amendment ensured ballot secrecy for the visually impaired persons for the first time, as exercised in the presidential election in 2023. However, the EC data shows only about 46 visually impaired persons used these templates in the presidential elections.<sup>31</sup> While challenging, the EC is making similar arrangements for the upcoming parliamentary elections.

A key stakeholder acknowledged other improvements, including greater recognition by political actors and civil society of PWDs and their special concerns. In this regard, the EC's efforts at recruiting PWDs as polling officials was also noted.

However, there are gaps and weaknesses in electoral laws and challenges in practice in protecting the rights of PWDs. Gaps in the legal framework include:

- Narrow scope of disabilities in the law. Consequently, those who may be intellectually impaired are not covered.
- No provisions in law for targeted and accessible civic/voter education for PWDs.
- No provisions for an official register of PWDs. Lack of such a register could hamper smooth and efficient running of voting on Election Day.

Challenges in practice include:

- Lack of opportunities for political participation at party levels. While one PWD contested a primary of a major party, parties in general do not attempt to make affirmative actions to reduce barriers for PWDs.
- PWDs faced undue influence, including from activists and family members, to vote one way or another.
- Limited voter information and, especially voter education programs, catering for different PWDs.
- A lack of a national disability register was also highlighted as a barrier for catering for the needs of the disabled people. Assisted voters are identified at the polling station after administering a test by a polling station official at the polling station.

<sup>31</sup> Presidential Elections Report, p. 12: <https://www.elections.gov.mv/uploads/Election%20report%20FINAL%2029.02-efaa8b1d85e38fbf54bb.pdf>

## RECOMMENDATIONS

### **Women and Parliamentary Elections**

- Political parties should review and change internal policies to encourage women's political participation, and field more women candidates in the elections and primaries. Parties should consider introducing a voluntary quota system.
- The People's Majlis should bring reforms to necessary legislation to stem dismal level of women's representation in the People's Majlis, including introducing a quota system.
- The government, media, and civil society organizations should promote alternative and counter narratives to those that limit women's agency, autonomy and women's public and political participation, including as candidates for the presidential elections.

### **Rights of Persons with Disabilities (PWDs)**

- Ensure voter information and education programs and materials are targeted for and accessible to disabled people.
- Political parties and other institutions, including the EC, should ensure that PWDs are represented in policy- and decision-making platforms. This also includes their inclusion in electoral advisory platforms.
- Political parties should address barriers for PWDs to fully participate in political activities, including in elections as candidates.
- Introduce facilitative tools or technologies to ensure disabled voters can vote independently.

### **Voter Education and Information**

- Initiate voter education and information programs urgently and in an inclusive manner to ensure vulnerable and disadvantaged constituencies, including PWDs, have access to such programs.
- Voter education programs should go beyond voter information and the importance of voting to cover key electoral issues and mechanisms such as vote buying, misuse of state resources, and the complaints mechanism.
- The EC, civil society, and media to conduct long-term extensive voter education programs in a timely manner.

### **Youth participation**

- Civil society actors, political parties and the State in general should work to increase youth confidence in key democratic institutions and politics. Giving and creating space and opportunities for youth to organize at local levels, have an effective voice in decision-making, and be equal participants at the 'table' is urgently needed.
- A public discourse on the merit of NOTA should be initiated by civil society actors, political parties, and other relevant stakeholders

## ANNEX 1: LIST OF INTERVIEWS

1. Elections Commission of the Maldives
2. Human Rights Commission of the Maldives
3. Anti-Corruption Commission
4. Maldives Broadcasting Commission
5. Auditor General's Office
6. Information Commissioner's Office of Maldives
7. Maldives Police Service
8. Maldivian Democratic Party
9. Progressive Party of Maldives and People's National Congress coalition officials
10. Maldivian National Party
11. Adhaalath Party
12. Maldivian Association of Persons with Disabilities
13. International Republican Institute
14. National Democratic Institute
15. International Foundation for Electoral Systems
16. Independent candidate 1
17. Independent candidate 2
18. Candidate from PPM/PNC coalition

## ANNEX 2: QUESTIONNAIRE

1. Are electoral laws fair to all parties?
2. What are the key concerns around election management?
3. Any concerns around voter registration?
4. What are the concerns around fielding a candidate? Candidate registration?
5. What are the obstacles for a woman candidate?
6. What are the concerns for campaigning? Are candidate/parties facing restrictions?
7. Are media outlets covering elections fairly? What restrictions, if any, do media outlets face? How about social media – what are the restrictions? is it fair to all candidates?
8. Do all candidates have equal access to public media outlets?
9. Do all candidates/parties have equitable access to campaign finance/donations?
10. Are state recourses being improperly used for campaigning?
11. What are the concerns around vote buying?
12. Are there any security related threats, intimidation?
13. What are the concerns for Election Day? And election management, including post-election dispute resolutions?
14. Are there any concerns for voter fraud?
15. Do you have concerns that courts might interfere?
16. Are there any concerns around external interference (cyber, money, or another) in elections?

## SELECTED BIBLIOGRAPHY

Anti-Corruption Commission. 2023 Guidelines on the Reduction of Corruption: [https://elections.acc.gov.mv/files/elections\\_guideline.pdf](https://elections.acc.gov.mv/files/elections_guideline.pdf)

Anti-Corruption Commission. 2024. Annual Report 2023: <https://acc.gov.mv/dv/publications/247>

Bar Council of the Maldives. 2020. Press Release [on freedom of assembly]: [https://maldivesbarcouncil.org/wp-content/uploads/2020/07/20200715-Press-Release-restrictions-on-freedom-of-assembly\\_ENGLISH.pdf](https://maldivesbarcouncil.org/wp-content/uploads/2020/07/20200715-Press-Release-restrictions-on-freedom-of-assembly_ENGLISH.pdf)

European Union Election Observation Mission. 2024. Presidential Election 2023 Maldives: Final Report: [https://www.eeas.europa.eu/eom-maldives-2023/final-report-presidential-election-maldives-2023\\_en?s=410327](https://www.eeas.europa.eu/eom-maldives-2023/final-report-presidential-election-maldives-2023_en?s=410327)

Human Rights Commission of the Maldives. 2024. Parliamentary Election: Public Perceptions Survey: <https://hrcm.org.mv/storage/uploads/9kobMDq8/vew3svd0.pdf>

Human Rights Watch. 2022. Maldives: Events of 2022: <https://www.hrw.org/world-report/2023/country-chapters/maldives>

International Republican Institute. 2022. National Survey of Residents of The Republic of Maldives | August-September 2022: <https://www.iri.org/resources/national-survey-of-residents-of-the-republic-of-maldives-august-september-2022/>

Library of Congress. 2022. Maldives: President Ratifies New Evidence Act with Controversial Provision on Revealing Journalist Sources: [https://www.loc.gov/item/global-legal-monitor/2022-08-09/maldives-president-ratifies-new-evidence-act-with-controversial-provision-on-revealing-journalist-sources/#:~:text=Article%20136\(a\)%20is%20in,\(a\)%20%E2%80%9Cprohibits%20any%20compulsion](https://www.loc.gov/item/global-legal-monitor/2022-08-09/maldives-president-ratifies-new-evidence-act-with-controversial-provision-on-revealing-journalist-sources/#:~:text=Article%20136(a)%20is%20in,(a)%20%E2%80%9Cprohibits%20any%20compulsion)

Maldives Media Council. 2020. kovid aa gulhigen meedia thakah dhimaavi gonjehunthah vazankurumah hedhi saavey [media survey] [http://www.mmc.org.mv/storage/app/media/MMC2020/REPORTS/Survey%20Report\\_FINAL\\_AAM\\_16062020.pdf](http://www.mmc.org.mv/storage/app/media/MMC2020/REPORTS/Survey%20Report_FINAL_AAM_16062020.pdf) [Dhivehi]

Ministry of Finance and Treasury. SOE Gateway. <https://soegateway.finance.gov.mv/>

Transparency Maldives. 2013. Democracy Survey 2013: <https://transparency.mv/publications/democracy-at-the-crossroads/>

Transparency Maldives. 2015. Democracy Survey 2015:  
<http://transparency.mv/files/media/6dca8a9f7beda482335bb654b88020f7.pdf>

Transparency Maldives. 2013. Pre-Election Assessment:  
<https://transparency.mv/publications/pre-election-assessment-2013-presidential-election/>

Transparency Maldives. 2018. Pre-Election Assessment:  
<https://transparency.mv/publications/pre-election-assessment-2018-2/>

Transparency Maldives. 2018. Parliamentary Election Observation Report;  
[https://transparency.mv/v17/wp-content/uploads/2019/09/Election-Observation-Report\\_-3.pdf](https://transparency.mv/v17/wp-content/uploads/2019/09/Election-Observation-Report_-3.pdf)

Transparency Maldives. 2019. Electoral Legal Framework Review 2019:  
<https://transparency.mv/publications/>

Transparency Maldives. 2023. Corporate Governance Transparency Index: For Maldivian State-Owned Enterprises: <https://transparency.mv/v17/wp-content/uploads/2023/05/INDEX-REPORT-new-revised-24-May-for-WEB.pdf>

Transparency Maldives. 2022. Anti-Corruption Self-Assessment Toolkit for SOEs:  
[https://transparency.mv/v17/wp-content/uploads/2023/05/SOE-Self-Assessment-Toolkit-FINAL-LATEST-155-4-1\\_compressed.pdf](https://transparency.mv/v17/wp-content/uploads/2023/05/SOE-Self-Assessment-Toolkit-FINAL-LATEST-155-4-1_compressed.pdf)

Ritchie, M, Rogers, T.A. and Sauer, L. 2014. Women's empowerment in political processes in the Maldives:  
[https://www.ifes.org/sites/default/files/migrate/ifes\\_womens\\_empowerment\\_in\\_political\\_processes\\_final\\_0.pdf](https://www.ifes.org/sites/default/files/migrate/ifes_womens_empowerment_in_political_processes_final_0.pdf)

United Nations Development Programme. 2017. Women's political participation in the Maldives. Issue brief: <https://www.undp.org/maldives/publications/womens-political-participation-maldives>

UN Human Rights Committee. 1996. CCPR General Comment No. 25

World Bank. 2022. Maldives Public Expenditure Review:  
<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099205108062235369/p174394036aa910c309ecf0fbecff0d7654>

## LAWS AND REGULATIONS

- Constitution 2008
- Elections Commissions A
- General Elections Act
- Parliamentary Elections Act
- Parliamentary Elections Regulations
- Parliamentary Elections Regulations
- Electoral Constituencies Act
- Regulations on Complaints Mechanisms Procedures 2020
- Freedom of Assembly Act 2013 (No.: 1/2013)
- Evidence Act 2022 (Act No. 11/2022)
- Prevention of Corruption Act



@TransparencyMV

[www.transparency.mv](http://www.transparency.mv)



@Transparency.MV

---