

An Assessment of the Maldivian Electoral System

June 2008

Transparency Maldives



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Published by Transparency Maldives

Male', Republic of Maldives

Tel: (960) 330 4017

E-mail: office@transparencymaldives.org

www.transparencymaldives.org

Workshops conducted by Parvinder Singh, Aiman Rasheed, Salma Fikry,

Shelly Ann Barcinas, and Nalina Sombuntham

Report prepared by Parvinder Singh and Aiman Rasheed

Edited by Nalina Sombuntham

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TRANSPARENCY MALDIVES

Transparency Maldives, a National Contact of Transparency International (TI), is a non-political organization that promotes collaboration, awareness, and other initiatives to improve governance and eliminate corruption from the daily lives of people. The organization received formal registration from the Ministry of Home Affairs on 19 July 2007.

Transparency Maldives aims to encourage discussion on transparency, accountability, and the fight against corruption. It seeks to engage with stakeholders from all sectors (government, business, politics, civil society, media, among others) to raise awareness throughout the Maldives on corruption's detrimental effects on development and society.

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EXECUTIVE SUMMARY

The Republic of Maldives intends to hold its first multi-candidate presidential election by October 2008. The presidential election has been widely recognized as a critical milestone in the democratic reform initiated by President Maumoon Abdul Gayoom in 2004 and outlined in the Government's Roadmap for the Reform Agenda, published in 2006.

Ahead of this election, Transparency Maldives, the National Contact of Transparency International (TI), undertook a community-based assessment of the country's election system, which was funded by AusAID/Australian High Commission Colombo and the Royal Netherlands Embassy in Colombo. This electoral assessment is a component of Transparency Maldives' *Aharen Khiyaaru Kuranee* (I Choose) project, which will provide voter education and training on domestic observation before the presidential election.

This assessment was carried out through a series of six participatory workshops conducted across the Maldives over a two-week period between 24 May and 6 June 2008. These workshops provided a platform for the opinions, concerns, and recommendations of the Maldivian public, including civil society, media, and political parties, on the procedures, management, and conduct of the forthcoming election.

The findings of these workshops, in summary, highlighted the widespread concern that the upcoming presidential election cannot be free and fair unless promised reforms are implemented. The Government, particularly the Election Commission, should be more proactive in involving key stakeholders and all actors should increase the transparency of their actions, be more willing to consult and share, and support the creation of a legal and physical environment conducive to election observation.

Transparency Maldives hopes the detailed findings provided in the report can act as a reference point in continuing discussions on the electoral system among the Maldivian public and all concerned national and international actors in the prelude to this historic election.

I. INTRODUCTION & BACKGROUND

This report presents a community assessment of public perceptions of the Maldivian electoral system undertaken within Transparency Maldives' *Aharen Khiyaaru Kuranee* (I Choose) project. The assessment is based upon six one-day participatory workshops held in the capital Malé and three other islands over a two-week period between 24 May and 6 June 2008.

Purpose of Assessment

The purpose of the assessment is twofold. Firstly, it intends to capture public concerns and suggestions in order to facilitate discussion on and strengthen the Maldivian electoral system. Secondly, it seeks to inform the subsequent components of the I Choose project, comprising of a training of trainers program for voter education and domestic observation, establishment of an online election complaints database, and the staging of a media campaign to promote voter awareness and voter turnout.

This assessment, along with the other components of the I Choose project, aims to contribute to the conduct of a free and fair election in the Maldives. A free election requires that human rights and fundamental freedoms are upheld. A fair election guarantees a level playing field for all stakeholders, on which everyone is treated equally under the law and by authorities. Under these conditions, the media should be able to cover campaigns and the election, and civil society should be free to undertake election-related activities, including observation. Political parties and observers should be able to monitor voting and counting. Most importantly, people must be confident that their rights will be upheld not only on paper, but also in practice.

Political Background to the 2008 Presidential Election

President Maumoon Abdul Gayoom is Asia's longest-serving leader, having led the Republic of Maldives for nearly 30 years. President Gayoom's sixth five-year term ends in November 2008 and, in line with the democratic reform initiative announced in 2004 and the legalization of political parties in 2005, the country's next presidential election will for the first time present the public a choice of candidates. Previously, a single presidential candidate was nominated by the People's Majlis (Parliament) and then confirmed by a public yes/no referendum.

Currently, there are eight registered political parties, with another two groups having received Government permission to register. Many political parties have already put forth presidential candidates, and there will be at least one independent candidate.ⁱ There will potentially be two rounds of voting if no single candidate wins a clear majority of votes during the first round.ⁱⁱ

The forthcoming election is significant because of the high proportion of new and inexperienced voters. In 2007, the voting age was lowered from 21 to 18 years old and more than a quarter of the country's eligible voters will be voting for the first or second time.ⁱⁱⁱ

Delays in National Preparedness for 2008 Presidential Election

The legal and institutional framework required to conduct a multi-candidate presidential election is not yet in place due to the delays in constitutional and electoral reform. The Special Majlis (Constitutional Assembly) finished passing the chapters of the new Constitution in May 2008 and approved revisions to pass the new Constitution as a whole in June 2008, a year later than originally scheduled. At the time of writing, President Gayoom is expected to ratify the new Constitution by early July 2008 and the deadline to complete the presidential election is 10 October 2008.

Given the delay in constitutional ratification, an initiative to move the deadline from 10 October to 31 October 2008 was discussed but not approved by members of the Special Majlis. With a reluctance to conduct election activities in the Islamic holy month of Ramazan in September 2008, the first round of the presidential election is likely to be held in either August 2008 or, if the deadline is extended, October 2008. Even if the new Constitution is ratified in July 2008, there will be just two to four months to operationally establish the key independent commissions, and pass and implement significant election-related legislative acts. This timetable may not leave sufficient time to establish the necessary ancillary structures to conduct a free and fair election.^{iv}

II. SCOPE & METHODOLOGY OF ASSESSMENT

The assessment consisted of six participatory one-day workshops held between 24 May and 6 June 2008. The workshops assessed public awareness of the procedures and practices of referendums and elections in the Maldives; identified perceived strengths and weaknesses of the electoral system; and offered recommendations to improve procedures, management, and the conduct of the 2008 presidential election.

Scope

Three workshops were separately held in Malé for civil society, media, and political parties and three workshops were held in the island communities of Gan (Addu Atoll), Nadellaa (Gaaf Dhaal Atoll), and Dharvandhoo (Baa Atoll). The islands were selected according to the level of development, regional location, and strength of non-governmental organizations (NGOs).

For each island workshop, Transparency Maldives partnered with a local organization to assist with logistical arrangements and assemble a diverse participant group, including representatives from island development organizations, political parties, NGOs, and community leaders. Half of all workshop participants were female and about 60 percent were under the age of 25.

Methodology

The workshops were conducted by an international elections expert, Mr. Parvinder Singh, and staff of Transparency Maldives. Mr. Singh is a former officer of the Election Commission in India has over 20 years of experience in election-related activities, primarily with the United Nations. He has worked in a number of emergent democracies and transitional countries, including East Timor, Afghanistan, Cambodia, Kosovo, Serbia, Slovenia, and elsewhere.

After a brief introduction on Transparency Maldives, the I Choose project, and the specific objectives of the assessment, each participant identified at least two issues/concerns/strengths of the Maldivian electoral process based on his or her past experiences. These issues were used to introduce the following themes:

- Legal Framework
- Electoral Administration
- Elections Monitoring and Observation
- Voter Registry

- Voter Education and Voter Awareness
- Political Parties and Election Campaigns
- Counting of Votes and Summarizing Results
- Other Issues (social, etc.)

The participants were then divided into groups of at least two and allocated one to two themes. Groups identified and discussed in detail issues/concerns/strengths under their assigned theme(s), made recommendations for each concern, and suggested which authority and/or stakeholder they considered responsible for implementing each recommendation. Participants were also requested to note any known steps already underway to address these issues.

Each group then presented their findings to the rest of the participants. These presentations were followed by general discussions, during which additional points were recorded. Each group prioritized the identified concerns for their assigned theme based on the impact on a free and fair election. Groups also ranked how achievable their recommendations were based on time-frame, available resources, and the people involved in implementation.

III. KEY FINDINGS & RECOMMENDATIONS

The workshops highlighted a substantial number of specific concerns. Corresponding recommendations for each concern were made based upon participant input, the expertise of the international elections consultant, and additional research. Based on participant rankings and frequency of expression, seven key concerns were raised:

Key Concerns	Key Recommendations
<p>1. Lack of confidence in the electoral process and the country’s ability to hold a free and fair election given the legislative delays and time and resource constraints</p>	<ul style="list-style-type: none"> ▷ 1.1 Government should consult Members of Parliament (MPs) and stakeholders from political parties and civil society to set a viable timetable with deadlines for the passage and implementation of election reform bills, and establishment of key institutions like a multi-member Election Commission ▷ 1.2 All stakeholders including the international community should support domestic and international election observation
<p>2. Undue influence of partisan actors during the election</p>	<ul style="list-style-type: none"> ▷ 2.1 Government and Election Commission should issue a code of conduct for all election officials and stakeholders with specific guidelines and penalties for those who have been perceived to be pressuring voters, including island/atoll chiefs ▷ 2.2 In absence of, or in addition to codes of conduct developed by the Government, political parties, media, and civil society should adopt codes of conduct, collectively or individually
<p>3. Lack of general awareness on political reform and voter rights and responsibilities</p>	<ul style="list-style-type: none"> ▷ 3.1 Election Commission should partner with civil society, media, and political parties in implementing its voter education programs in order to quickly spread information on the electoral process and motivate citizens to go to the polls ▷ 3.2 Civil society, media, and political parties should initiate their own voter education programs

Key Concerns	Key Recommendations
<p>4. Lack of media independence and unbalanced election news coverage</p>	<ul style="list-style-type: none"> ▷ 4.1 Media should, of its own accord, give equal coverage to all the candidates and political parties during the election period ▷ 4.2 Media should adopt a code of conduct that will guide reporting and help balance news coverage ▷ 4.3 Members of Parliament (MPs) should move forward with media freedom bills and pass them with ample time to implement ahead of the election
<p>5. Incorrect voter lists</p>	<ul style="list-style-type: none"> ▷ 5.1 Election Commission should publicize steps already being taken to update voter lists, and undertake special measures to ensure that new and inexperienced voters (ages 18-25) are being included in the updated list ▷ 5.2 Election Commission should immediately publish the voter lists, display them for public review for at least 60 days, and set up a viable mechanism to entertain complaints ▷ 5.3 If required and if time permits, the Election Commission should undertake a special voter registration exercise, i.e. door-to-door enumeration, to update the voter lists
<p>6. Substantial number of new and inexperienced voters and voter apathy among the youth</p>	<ul style="list-style-type: none"> ▷ 6.1 All stakeholders should involve new and inexperienced voters in their activities to encourage electoral participation ▷ 6.2 Workshops, seminars, and voter education programs should disseminate information in a manner suitable for the youth ▷ 6.3 General civic education programs should be established
<p>7. Fear and intimidation during the election period related to drug-trafficking, escalating street violence, and presence of security forces inside polling areas</p>	<ul style="list-style-type: none"> ▷ 7.1 Ministry of Home Affairs and Ministry of National Defence and National Security should keep police and defense personnel outside of the polling and counting site ▷ 7.2 Government in coalition with other stakeholders should emphasize publicly that drug trafficking and gang violence will not be tolerated during the election period ▷ 7.3 Members of Parliament (MPs) should expedite the passage of the Penal Code and Criminal Procedure Code

APPENDIX 1

SUMMARY OF WORKSHOPS

A brief description of each workshop, including the average age and backgrounds of the participants, follows:

Workshop <ul style="list-style-type: none"> • Venue • Local Partner 	Background of Participants <ul style="list-style-type: none"> • Number of Participants • Average age 	Additional Comments
24 May 2008 Gan, Addu <ul style="list-style-type: none"> • Youth Center • Society for the Development of Addu (SDA) 	Community members, including representatives from island development committee, women development committee, youth development committee, housewives, and students <ul style="list-style-type: none"> • 14 total (3 males, 11 females) • 26-27 years 	Additional participants from Hulhudhoo and Meedhoo islands were unable to attend due to inclement weather and transport difficulties. Participants were very vocal, illustrating a keenness to be part of the country's political reform, and expressed a desire to have more workshops on elections.
27 May 2008 Civil Society, Malé <ul style="list-style-type: none"> • Dharubaaruge, Rm. 7 	Civil society representatives, including Care Society, Ensure, Hama Jamiyaa, Journey, Madulu, Maldivian Detainee Network, Maldives NGO Federation, Manadhoo Ekuveri Club, Open Society Association, Rights For All, Strength of Society, and Society for the Development of Addu <ul style="list-style-type: none"> • 19 total (8 males, 11 females) • 28-29 years 	Participants expressed a willingness to be more involved in the democratization process. However, NGOs require more support for their activities as independent civil society is still new to the Maldives. NGOs have contributed significantly to raising democratic awareness in other countries.
28 May 2008 Media, Malé <ul style="list-style-type: none"> • Dharubaaruge, Rm. 7 	Media representatives, including <i>Aafathis</i> , <i>Jazeera Daily</i> , <i>Miadhu Daily</i> , <i>Haama Daily</i> , <i>Raajje Daily</i> , DhiFM, Radio Atoll, and VTV <ul style="list-style-type: none"> • 13 total (6 males, 7 females) • 22-23 years 	Participants were young in comparison with participants of other workshops. Many had only recently become eligible to vote and had limited knowledge of the electoral process.
29 May 2008 Political Parties, Malé <ul style="list-style-type: none"> • Dharubaaruge, Rm. 7 	Political party representatives, including Adhaalath Party, Islamic Democratic Party (IDP), Social Liberal Party (SLP), Maldivian Democratic Party (MDP), Maldivian National Congress (MNC), and People's Party <ul style="list-style-type: none"> • 16 total (14 males, 2 females) • 33-34 years 	Six of eight registered political parties were in attendance. Participants were constructive in their input and more aware of current electoral reforms than the participants of other workshops. MDP requested to send additional participants and a total of seven of their members were in attendance.

Workshop <ul style="list-style-type: none"> Venue Local Partner 	Background of Participants <ul style="list-style-type: none"> Number of Participants Average age 	Additional Comments
2 June 2008 Nadellaa, Gaaf Dhaal <ul style="list-style-type: none"> Nadellaa School Nadella Zuvanunge Roohu 	Community members and representatives from local groups. <ul style="list-style-type: none"> 13 total (6 males, 7 females) 22-23 years 	Participants were not as forthcoming with their opinions as the participants of other workshops. While electoral awareness was low, island residents had learned from the radio about Government plans to send every household a copy of the new Constitution. The participants were willing to be part of such discussions in the future.
6 June 2008 Dharavandhoo, Baa <ul style="list-style-type: none"> Baa Atoll School Dharavandhoo Islanders' Society (DIS) 	Community members, including those from local development groups and current island chief <ul style="list-style-type: none"> 12 (11 males; 1 female) 33-34 years 	Many of the island women were unable to attend due to an environmental awareness campaign being held in the region. Participants were very lively, and all participants actively contributed to the discussion. They were interested in additional workshops that would inform them about reforms and create awareness.

APPENDIX 2

WORKSHOP FINDINGS

The electoral concerns defined by the participants and categorized by theme are:

Legal Framework

- Delay in the ratification of new Constitution, which in turn postpones parliamentary consideration of laws necessary to establish an independent Election Commission and conduct a free and fair election
- Lack of awareness on legal framework and election laws
- Absence of legislation to ensure media independence and equal use of media by political parties and candidates
- Absence of legislation to govern political parties, penalize vote buying, and monitor expenditure and finances of political parties, candidates, and election campaigns
- Absence of legislation and institutions to independently adjudicate election-related complaints

Electoral Administration

- Election Commission is not independent, headed by a political appointee, and lacks accountability
- Lack of confidence in the neutrality of state-appointed election officials and the use of power to influence voters by local government leaders, including island and atoll chiefs
- Limited capacity and inadequate training of local and national election officials
- No voter notification if the location of assigned polling station changes
- State-ownership of popular media and uneven access to radio and television before and during the election
- No effective means to prevent double or multiple voting on Election Day since indelible ink used to mark voters can easily be removed
- Inadequate system to address election-related complaints

Elections Monitoring and Observation

- Lack of institutional framework and environment to support observation of voting, counting, and tabulation of results by media, civil society, and political parties
- Lack of trained and qualified domestic observers from media and civil society, and domestic monitors from political parties

- International observation has generally been coordinated by the Government and limited due to time, geographical, and resource constraints

Voter Registry

- Voter lists are not updated properly, excluding eligible voters and including the names of the deceased
- Voter lists are not displayed in a manner conducive to review and are only open to public inspection for an insufficient period of time
- No mechanism to ensure that Maldivians who are living abroad can vote and/or their votes are not being used by others in country

Political Parties and Election Campaigns

- Political parties and election campaigns are too focused on personal attacks rather than issues
- Political parties and candidates mislead voters with false promises for short-term gains
- Lack of adequate controls to monitor party and campaign expenditures and finances
- Candidates and political parties influence voters with bribes (vote buying)
- Use of state resources for political purposes
- Political parties do not have access to the lists of their official members at the Election Commission

Voter Education and Voter Awareness

- Low public awareness and absence of efforts to increase knowledge on voter rights and responsibilities, constitutional reform, proposed reform legislation, and information on how to interpret new laws
- Lack of transparency in Government decision-making and perceived unwillingness to share information with the general public
- No voter education programs have been implemented by the Election Commission
- Media is not properly utilized to spread election-related information to voters
- Civil society groups are not involved by other actors in the dissemination of information relevant to the elections and have not done so on their own
- Substantial number of new and inexperienced voters and voter apathy among youth
- General voter apathy

Counting Votes and Summarizing of Results

- Results are not declared at the polling site, and susceptible to tampering while ballot boxes are in transit
- Counting is done by election officials who are not considered neutral
- Counting process is not transparent as votes are counted face down
- Excess number of ballot papers printed with no proper accounting of unused ballots
- Irregular and suspicious power failures during counting
- Exit polls are not allowed

APPENDIX 3

DETAILED FINDINGS & RECOMMENDATIONS

A. President, Government Ministries, and Independent Institutions

Concerns	Recommendations for Government
	<i>Measures Underway</i>
A1. Delays in the ratification of new Constitution and implementation of electoral reforms	<ul style="list-style-type: none"> ▷ A1.1 Government should consult Members of Parliament (MPs) and key stakeholders from the political parties and civil society to set a viable timetable with deadlines for the passage and implementation of election reform bills, and establishment of key institutions like a multi-member Election Commission
A2. Lack of transparency in Government decision-making and perceived unwillingness to share information with the general public	<ul style="list-style-type: none"> ▷ A2.1 Government should be more transparent and inclusive in its work, involving political parties and civil society groups in finalizing new reforms
	<i>Ministry of Legal Reform, Information and Arts publishes a weekly update on the reforms in English called the “Thursday Brief.” Other Government ministries and offices should be encouraged to publicize their activities.</i>
A3. Lack of awareness on legal framework and election laws / Low public awareness and absence of efforts on voter education	<ul style="list-style-type: none"> ▷ A3.1 Government should use state and private media to inform the public on constitutional reform, proposed legislation, and how to interpret new laws ▷ A3.2 Government should create civic education programs
	<i>Human Rights Commission has been holding workshops to educate the public on human rights.</i>
	<i>Government plans to distribute a copy of the new Constitution to each household.</i> <i>Ministry of Legal Reform, Information and Arts has provided access to state radio for a civil society-led awareness campaign on NGOs, elections, and other issues. The Ministry also initiated the “Think Nation” campaign in June 2008 for 17 days to educate the public on constitutional rights and freedoms.</i>
A4. Undue influence of partisan actors during the election, including island and atoll chiefs	<ul style="list-style-type: none"> ▷ A4.1 Government should actively limit the role of atoll and island chiefs in the electoral process as they are perceived to influence voters ▷ A4.2 Civil Service Commission with the Election Commission should issue a code of conduct for civil servants involved in the electoral process, with specific guidelines and penalties for those officials who pressure voters
A5. Use of state resources for political purposes	<ul style="list-style-type: none"> ▷ A5.1 Government should not allow political parties to use state machinery, including funds and resources, for political campaigns ▷ A5.2 Government should refrain from publicizing development projects and announcing new projects until after the presidential election. For the next round of elections, a period of three to six months ahead of the election should be free from such announcements

Concerns	Recommendations for Government
	<i>Measures Underway</i>
A6. State-ownership of popular media and uneven access to radio and television before and during the election	<p>▷ A6.1 Government should provide candidates and political parties equal access to state-owned television and radio during the election period</p> <p><i>Ministry of Legal Reform, Information and Arts drafted an Agreement on State Media Coverage of Political Activities. The agreement was signed by political parties in June 2008.</i></p>
A7. Lack of institutional framework and environment to support domestic and international election observation	<p>▷ A7.1 Government should strengthen provisions for election observation, in particular domestic observation. It should ensure an institutional framework and environment conducive to observation. Key features are:</p> <ul style="list-style-type: none"> • Civil society, media, and political parties should be allowed to observe the election • Observation should be allowed from the beginning until the end of the election period, including during campaigning, the Election Day, and the tabulation of results • Domestic observers/monitors should have access to information essential to carrying out observation, including polling site locations, voter lists, a list of candidates, voter participation statistics, etc. • Domestic observers/monitors, including civil society and political party representatives, should be allowed in the polling and counting site • Domestic observers/monitors should be allowed within a reasonable distance of polls to effectively monitor the counting of votes. Each vote that is counted should be declared aloud, shown to observers (standing a distance from which they can see the voting mark), and placed face up in a pile • Local election officials should be instructed to work with observers/monitors <p><i>The draft General Elections Bill only allows for media reporters to be in the polling site, at least 10 feet away from the poll.</i></p>
A8. Civil society groups are not involved by other actors in the dissemination of information	<p>▷ A8.1 Government should be more proactive in involving and supporting civil society groups, especially in domestic observation and voter education efforts</p>
A9. Fear and intimidation during the election period related to drug-trafficking, escalating street violence, and the presence of security forces inside polling areas	<p>▷ A9.1 Ministry of Home Affairs and Ministry of National Defence and National Security should keep police and defense personnel outside of the polling and counting site</p> <p>▷ A9.2 Government in coalition with other stakeholders should emphasize publicly that drug trafficking and gang violence will not be tolerated during the election period</p> <p>▷ A9.3 Government should facilitate the passage of the Penal Code and Criminal Procedure Code</p>
A10. Substantial number of new and inexperienced voters and voter apathy among youth	<p>▷ A10.1 With other stakeholders, Government should involve youth in the electoral process. Workshops, seminars, and voter education programs should be organized to disseminate information in a manner suitable for the youth</p>

B. Election Commission

Concerns	Recommendations for Election Commission
	Measures Underway
B1. Election Commission is not independent, headed by a political appointee, and lacks accountability / Inadequate system to address election-related complaints	<ul style="list-style-type: none"> ▷ B1.1 Election Commission should not only look neutral, but work neutrally ▷ B1.2 Election Commission should establish a committee to adjudicate complaints before, during, and after the election
B2. Lack of confidence in the neutrality of state-appointed election officials and the use of power to influence voters by local government leaders, including island and atoll chiefs / Counting is done by election officials who are not considered neutral	<ul style="list-style-type: none"> ▷ B2.1 Election Commission should issue codes of conduct for all election officials and stakeholders with specific guidelines and penalties for those who pressure voters, working with the Civil Service Commission for election officials that are civil servants ▷ B2.2 Election Commission should publicize staff trainings, the measures being taken to update voter lists, and other steps already being taken to address concerns raised in previous elections in order to build confidence in the electoral process ▷ B2.3 Election Commission should hold regular meetings with key stakeholders, including civil society, media, and political parties, to provide updates on electoral reforms and solicit input
B3. Limited capacity and inadequate training of local and national election officials	<ul style="list-style-type: none"> ▷ B3.1 Election Commission should seek training for its staff, including election officials in islands, and publicize the trainings received
B4. No voter education programs have been implemented by the Election Commission	<ul style="list-style-type: none"> ▷ B4.1 Election Commission should partner with civil society, media, and political parties in implementing its voter education programs in order to quickly spread information on details like why, where, and how to cast a vote. There should also be efforts to involve new and inexperienced voters
B5. Voter lists are not updated properly, excluding eligible voters and including the names of the deceased / Voter lists are not displayed in a manner conducive to review and are only open to public inspection for an insufficient period of time	<ul style="list-style-type: none"> ▷ B5.1 Election Commission should publicize steps already being taken to update the current voter lists ▷ B5.2 Election Commission should immediately publish the voter lists, display them for public review for at least 60 days, and set up a viable mechanism to entertain complaints ▷ B5.3 The voter lists should be published in a manner accessible to the island communities. They should be physically posted in central locations on each island. (For the referendum, the voter lists was published online and inaccessible to many of these communities) ▷ B5.4 Election Commission should adopt special measures to ensure that new and inexperienced voters (ages 18-24) are being included in the updated lists ▷ B5.5 If required and if time permits, the Election Commission should undertake a door-to-door enumeration to update the voter lists <p><i>According to the Election Commission, voter lists are being updated in consultation with island, atoll, and municipal offices and other Government departments. The Commission has announced that it will publish the voter lists by July for public inspection.</i></p>
B6. No mechanism to ensure that Maldivians living abroad can vote and/or their votes are not being used by others	<ul style="list-style-type: none"> ▷ B6.1 Election Commission should issue specific instructions for voters living abroad, allowing for postal ballots or voting at Maldivian embassies, in order to avoid proxy voting
B7. No voter notification if the location of assigned polling station changes	<ul style="list-style-type: none"> ▷ B7.1 Election Commission should publish a list of all polling stations, inform voters on their locations and if they are expected to vote in a particular station <p><i>Election Commission has reportedly completed a tentative list of island polling sites and is finalizing a list for Malé.</i></p>

Concerns	Recommendations for Election Commission
	<i>Measures Underway</i>
<p>B8. No effective means to prevent double or multiple voting on Election Day since indelible ink used to mark voters can easily be removed</p>	<ul style="list-style-type: none"> ▷ B8.1 Election Commission should prevent double voting by creating a single voter roll on a national electronic network ▷ B8.2 Election Commission should procure better ink and mark fingers by dipping the entire fingertip into ink phial <p><i>Election Commission has said it has procured stronger indelible ink and mentioned negotiations with a mobile service provider to set up an online network on Election Day. The Commission has said it would provide each polling station with a laptop and printer.</i></p>
<p>B9. Lack of institutional framework and environment to support election observation / Counting process is not transparent as votes are counted face down</p>	<ul style="list-style-type: none"> ▷ B9.1 Election Commission should accredit domestic observers to monitor the election within a reasonable time period ahead of the election (at least 30 days) ▷ B9.2 Election Commission should instruct officials that election observers and political party representatives should be allowed to monitor the voting and counting process from a reasonable vantage point in keeping with the objective of observation ▷ B9.3 Election Commission, along with the Government, should ensure an institutional framework and environment conducive to observation. Key features are: <ul style="list-style-type: none"> • Civil society, media, and political parties should be allowed to observe the election • Observation should be allowed from the beginning until the end of the election period, including during campaigning, Election Day, and the tabulation of results • Domestic observers/monitors should have access to information essential to carrying out observation, including polling site locations, voter lists, a list of candidates, voter participation statistics, etc. • Domestic observers/monitors, including civil society and political party representatives, should be allowed in the polling and counting site • Domestic observers/monitors should be allowed within a reasonable distance of polls to effectively monitor the counting of votes. Each vote that is counted should be declared aloud, shown to observers (standing a distance from which they can see the voting mark), and placed face up in a pile • Local election officials should be instructed to work with observers/monitors
<p>B10. Results are not declared at the polling site, and votes are susceptible to tampering while ballot boxes are in transit</p>	<ul style="list-style-type: none"> ▷ B10.1 Election Commission should count votes at the place of voting and immediately declare interim results as per the provisions of the new Constitution (During the referendum, counting occurred at the polling stations, but results were not declared publicly)
<p>B11. Excess number of ballot papers printed with no proper accounting of unused ballots</p>	<ul style="list-style-type: none"> ▷ B11.1 All excess ballots should be accounted for by Election Commission after the tabulation of results
<p>B12. Lack of adequate controls to monitor political party and campaign expenditures and finances</p>	<ul style="list-style-type: none"> ▷ B12.1 Election Commission should issue guidelines to candidates and political parties on campaign and party expenditure and accounts maintenance
<p>B13. Irregular and suspicious power failures during counting</p>	<ul style="list-style-type: none"> ▷ B13.1 Election Commission should ensure that an electrical back-up system is in place at all counting sites
<p>B14. Political parties do not have access to the lists of their official members at the Election Commission</p>	<ul style="list-style-type: none"> ▷ B14.1 Election Commission should provide an opportunity for political parties to access their party membership lists as state funds are tied to membership lists
<p>B15. Exit polls are not allowed</p>	<ul style="list-style-type: none"> ▷ B15.1 Election Commission should allow exit polls

C. People’s Majlis and Special Majlis

Concerns	Recommendations for Majlis
	Measures Underway
C1. Delays in the ratification of new Constitution and implementation of electoral reforms	<ul style="list-style-type: none"> ▷ C1.1 Members of Parliament (MPs) should consult with other stakeholders, including their constituents, civil society, political parties, and Government, to establish a viable timetable with deadlines on the passage of election-related bills ▷ C1.2 MPs should constructively engage in discussion with each other ahead of official parliamentary review in order to expedite the passage of election-related legislation ▷ C1.3 MPs should adopt laws that provide for domestic and international election observation
C2. Election Commission is not independent, headed by a political appointee, and lacks accountability	<ul style="list-style-type: none"> ▷ C2.1 MPs should ensure that the process by which members are chosen to the new Election Commission will result in a leadership that will be politically neutral, both in perception and practice <p><i>The Chapter on Transitional Arrangements of the new Constitution states that the political parties will nominate members to lead a five member interim Election Commission.</i></p> <p><i>The current draft Election Commission Bill proposes that the President initially nominates members to the Election Commission, who then must be approved by the People’s Majlis (Parliament) for appointment.</i></p>
C3. Lack of media independence and unbalanced election news coverage /Absence of legislation to support media independence and ensure equal use of media by political parties and candidates	<ul style="list-style-type: none"> ▷ C3.1 MPs should move forward with media freedom bills, including the tabled Media Freedom Bill and Broadcasting Bill, in order to pass them with ample time to implement ahead of the election
C4. Absence of legislation to govern political parties, penalize vote buying, and monitor expenditure and finances	<ul style="list-style-type: none"> ▷ C4.1 MPs should ensure that proposed legislation on political parties adequately addresses the conduct of political parties during elections and monitors party and campaign expenditure and finances
C5. Absence of legislation and institutions to independently adjudicate election-related complaints	<ul style="list-style-type: none"> ▷ C5.1 MPs should ensure that a mechanism for complaints is included in the legislation for the Election Commission ▷ C5.2 MPs should establish an independent Judicial Services Commission to strengthen the accountability of courts ▷ C5.3 MPs should strengthen the mandate of the Human Rights Commission
C6. Fear and intimidation during the election period related to drug-trafficking, escalating street violence, and the presence of security forces inside polling areas	<ul style="list-style-type: none"> ▷ C6.1 MPs should expedite the passage of the Penal Code and Criminal Procedure Code ▷ C6.2 MPs should employ parliamentary questioning to hold relevant institutions accountable

D. Political Parties

Concerns	Recommendations for Political Parties
	Measures Underway
D1. Lack of confidence in the electoral process and the country's ability to hold a free and fair election	<ul style="list-style-type: none"> ▷ D1.1 Political parties should encourage their parliamentary groups to be more accountable and ease passage of legislation by reaching agreements before a bill is presented for debate ▷ D1.2 Political parties should consult with other stakeholders, including their members, civil society, political parties, and Government, to establish a viable timetable for the passage of election-related bills
D2. Political parties and election campaigns are too focused on personal attacks rather than issues / Political parties and candidates mislead voters with false promises for short-term gains / Candidates and political parties influence voters with bribes (vote buying)	<ul style="list-style-type: none"> ▷ D2.1 Political parties should publicly commit to behaving responsibly during the election ▷ D2.2 In absence of, or in addition to a code of conduct developed by the Government, the political parties should adopt a code of conduct, collectively or individually ▷ D2.3 Political parties should train and educate party members on the electoral process, what constitutes a free and fair election, and basic election ethics
D3. Lack of adequate controls to monitor political party and campaign expenditure and finances	<ul style="list-style-type: none"> ▷ D3.1 In absence of, or in addition to Government guidelines, political parties should develop their own rules for campaign expenditure and finances and be transparent
D4. Voter lists are not displayed in a manner conducive to review and are only open to public inspection for an insufficient period of time	<ul style="list-style-type: none"> ▷ D4.1 Political parties should actively assist citizens in inspecting the voter list, lodging complaints to clean lists, and following up with the electoral authorities
D5. Lack of trained and qualified domestic observers/monitors	<ul style="list-style-type: none"> ▷ D5.1 Political parties should train representatives to effectively monitor voting and counting, and provide guidelines on appropriate conduct
D6. Substantial number of new and inexperienced voters and voter apathy among the youth	<ul style="list-style-type: none"> ▷ D6.1 Political parties should involve new and inexperienced voters in their activities to encourage participation in the electoral process. Workshops, seminars, and voter education programs should be organized to disseminate information in a manner suitable for the youth
D7. Low public awareness and absence of efforts on voter education / General voter apathy	<ul style="list-style-type: none"> ▷ D7.1 Political parties should initiate their own voter education programs and spread information through their networks in islands

E. Media

Concerns	Recommendations for Media
	<i>Measures Underway</i>
E1. Media is not properly utilized to spread election-related information to voters/ Low public awareness and absence of efforts on voter education	<ul style="list-style-type: none"> ▷ E1.1 Media personnel should strive to be balanced in their coverage of candidates and election ▷ E1.2 Media should provide voter education by reporting on the election and candidate platforms to increase awareness and encourage substantial debate ▷ E1.3 Media should also cover the activities of civil society groups involved in the electoral process ▷ E1.4 Media should report on community issues and opinions that pertain to the upcoming election
E2. Lack of media independence and unbalanced election news coverage / Absence of legislation to support media independence and equal use of media by political parties and candidates	<ul style="list-style-type: none"> ▷ E2.1 Media should, of its own accord, give equal coverage to all the candidates and political parties during the election period ▷ E2.2 Media should adopt a code of conduct that will guide reporting and help balance news coverage
E3. Lack of trained and qualified domestic observers from media	<ul style="list-style-type: none"> ▷ E3.1 Media personnel should be trained on elections monitoring and reporting <p><i>Some media training and guidance has already started. The BBC World Service Trust sponsored a training workshop on elections reporting. A consultant team will join TVM in July to guide and monitor its journalists during the election period.</i></p>
E4. Voter lists are not displayed in a manner conducive to review and are only open to public inspection for an insufficient period of time	<ul style="list-style-type: none"> ▷ E4.1 Media should publicize the location of voter lists, the process by which citizens can inspect them, and how to lodge complaints
E5. Exit polls are not allowed	<ul style="list-style-type: none"> ▷ E5.1 Media should advocate for exit polls and seek training on how to conduct them

F. Civil Society/ Non-Governmental Organizations (NGOs)

Concerns	Recommendations for Civil Society
	Measures Underway
F1. Civil society groups are not involved by other actors in the dissemination of information relevant to the elections and have not done so on their own	<ul style="list-style-type: none"> ▷ F1.1 Civil society should seek out other stakeholders and offer assistance in the dissemination of election-related information through their networks ▷ F1.2 Civil society should make use of publicly available materials to inform citizens on the election ▷ F1.3 Civil society should initiate voter education and awareness programs
	<p><i>A group of NGOs is set to launch its 'Go Vote' campaign in July. The campaign features monthly forums, music shows, voter education booklets, advertisements, etc. to promote voter awareness and encourage citizens to vote, particularly the youth.</i></p> <p><i>Open Society Association (OSA) is conducting voter education presentations in six locations.</i></p> <p><i>Transparency Maldives' I Choose campaign also promotes voter education.</i></p>
F2. Lack of confidence in the electoral process and the country's ability to hold a free and fair election / Lack of trained and qualified domestic observers from civil society	<ul style="list-style-type: none"> ▷ F2.1 Civil society should take part in and encourage domestic election observation ▷ F2.2 NGOs should train their members in electoral processes so they can act/work as neutral domestic observers during elections
	<ul style="list-style-type: none"> ▷ Transparency Maldives as part of its I choose project is providing training for domestic election observation to civil society members.
F3. Voter lists are not displayed in a manner conducive to review and are only open to public inspection for an insufficient period of time	<ul style="list-style-type: none"> ▷ F3.1 Civil society should assist citizens in verifying the voter lists once published by the Election Commission
F4. Substantial number of new and inexperienced voters and voter apathy among the youth / General voter apathy	<ul style="list-style-type: none"> ▷ F4.1 Civil society groups should encourage citizens to participate in the election, especially by involving new and inexperienced voters in their activities ▷ F4.2 Workshops, seminars, and voter education programs should be organized to disseminate information
	<p><i>The aforementioned 'Go Vote' campaign will feature slogans, signs, and forums to target youth, as well as female voters.</i></p>

G. International Community

Concerns	Recommendations for International Community
	<i>Measures Underway</i>
G1. Lack of confidence in the electoral process and the country's ability to hold a free and fair election	<ul style="list-style-type: none"> ▷ G1.1 International actors should encourage and assist the Government, People's Majlis, and Special Majlis to adopt election-related reforms without further delay ▷ G1.2 International actors should provide funding and support for the mobilization of domestic and international observers ▷ G1.3 International actors should support domestic and international observers training and ensure observers can monitor a large territory independently <p><i>The Government has invited several international actors to observe the electoral process, however none have endorsed a full observation. The United Nations sent a fact-finding mission in May, and the Commonwealth has also pledged to send a mission ahead of the election. The European Commission has committed a small expert mission to observe the election. The diplomatic missions in Colombo are also considering sending an observer team.</i></p>
G2. Delays in the ratification of the new Constitution and implementation of the electoral reforms	<ul style="list-style-type: none"> ▷ G2.1 International community should monitor the progress of the election-related reforms. In particular, it should focus on: <ul style="list-style-type: none"> • Election date given the current status of reforms • Establishment of a multi-member Election Commission • Media independence • Judicial independence • Human rights protections, including freedom of expression and assembly • Domestic election observation • International election observation
G3. International observation has generally been coordinated by the Government and limited due to time, geographical, and resource constraints	<ul style="list-style-type: none"> ▷ G3.1 International observers should observe the election with the approval of the Government but in coordination with a local independent organization
G4. Limited capacity and inadequate training of local and national election officials	<ul style="list-style-type: none"> ▷ G4.1 International community should assist the Election Commission as soon as possible with the training of its staff, conducting voter education, and setting up a complaints system <p><i>The European Commission has committed four electoral experts to work with the Election Commission. One is already working with the Election Commission, while another three are expected shortly.</i></p>
G5. Low public awareness and absence of efforts on voter education	<ul style="list-style-type: none"> ▷ G5.1 Provide technical and financial support for civil society initiatives to educate voters and in the long term, support general civic education

VI. ENDNOTES

- i The eight registered political parties are: the Maldivian Democratic Party (MDP); Dhivehi Rayyithunge Party (DRP); Adhaalath Party; Islamic Democratic party (IDP); Maldivian Social Democratic Party (MSDP); Maldivian National Congress (MNC); People's Party; and Social Liberal Party (SLP). The two parties that are in the process of registration are the People's Alliance and the Republican (Jumhooree) Party. Citizens can stand for election without political-party backing. For example, New Maldives, which is not a registered political party nor association, will field a presidential candidate.
- ii Following internal and international pressure after the custodial death of Evan Naseem in 2003, President Gayoom proposed democratic reforms and the development of a new Constitution in 2004. He presented reform deadlines in the *Roadmap for the Reform Agenda* in 2006. The reform agenda promised the separation of powers, including an independent judiciary and civil service, as well as the establishment of a human rights commission and accession to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). The *Roadmap* can be accessed at: http://www.presidencymaldives.gov.mv/publications/Roadmap_for_the_Democratic_Reform_Agenda.pdf.
- iii This figure is based on a calculation from the 2006 Census.
- iv There are several election-related bills that have not been passed by the People's Majlis (Parliament). The Minister of Legal Reform, Information and Arts, Mr. Mohamed Nasheed, announced an ambitious legislative agenda consisting of 87 reform bills in February 2008. The bills include legislation related to election administration, the judiciary, media freedoms, anti-corruption board, human rights, and security forces, among others. At the time of writing, only two bills have been passed and ratified since the legislation agenda was introduced, the Armed Forces Act and Employment Act.
- v Malé is the country's capital and a third of the country's population, about 100,000, reside in the city. Addu, which lies in the south, is the Maldives' second most populated atoll with 29,385 people. Historically politically active, Addu Atoll is known as a strong base for the opposition. Gaaf Dhaal Atoll is also located in the south of the Maldives and the island of Nadellaa is considered to be relatively inaccessible and politically inactive. The island has a population of 1,051 persons and its main economic activities are fishing and agricultural farming. Dharvandhoo island in Baa Atoll is a relatively developed and accessible island as three tourist resorts are located nearby. The population of 966 is mainly employed in tourism and related industries. Population figures are from the Ministry of Atolls Development. Please see: <http://www.atolls.gov.mv>.

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