

# Policy Note 14

## Addressing the Issue of Corruption



Maldives  
Partnership  
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Investing in a Resilient & Sustainable Maldives

For years, acts of corruption and abuse of power have hindered economic growth as well as institutional development in the Maldives. An Anti-Corruption Commission was established pursuant to Law Number 13/2008 (Anti-Corruption Commission Act) and along with the Auditor General, both institutions are mandated to flag illicit activities and prevent corruption within the public sector. However, in recent years, as a result of politicisation and lack of accountability, both these institutions have failed to perform their oversight functions properly. As a result, the Maldives witnessed gross failures in the development and implementation of a robust anti-corruption mechanism within the public sector.

Despite the enactment of new laws and procedures, the execution capacities of the anti-corruption machinery continue to be challenged. An absence of a comprehensive legal framework necessary safeguards, an effective preventive system are major challenges posed to the Maldives in this area.

The Presidential elections of September 2018 opened a window of opportunity to accelerate efforts to curb corruption at the highest levels. The Government's plan prioritizes prevention of corruption, asset recovery and providing justice to victims of acts of corruption. To this effect, the Government has adopted a zero-tolerance policy towards corruption and plans to implement strategic measures to strengthen principles of integrity, increase accountability and transparency in public sector institutions.

Key policy directives to that effect are:

### I. Establishing Presidential Commission on Corruption and Asset Recovery

On 3rd December 2018, the President established the commission to investigate matters of corruption, theft and misuse of public property that took place from 1st January 2012 to 17th November 2018. The Commission, expected to operate independent of external influences, will be responsible to conduct a thorough, reliable and impartial investigation into allegations of said matters, and is expected to publicize their findings. The Commission has been afforded powers similar to that allowed for investigative bodies in the country. It is envisaged that the powers and responsibilities of the Commission will be further elaborated and solidified through the enactment of respective legislation.

### II. Eliminate all avenues for corruption within the state

It is a key priority of the Government to eliminate avenues for corruption at all fronts of the state. As such, the Government aims to devise and implement a National Anti-Corruption Policy within all state institutions. The Government further aims to conduct corruption risk assessments to identify avenues for illicit activities within state organizations including State Owned Enterprises. The Government also aims to review and strengthen the legal framework pertaining to corruption in line with international best practice and establish relevant mechanisms to provide incentives or legal protection to whistleblowers. As such, a Whistleblowers Protection

Bill was submitted to the Parliament within the first 100 days of the Government. Ensuring integrity and transparency in public finances and implement transparent procurement procedures are also essential to achieve this outcome.

### III. Foster greater accountability, transparency and integrity of state institutions

In order to implement this policy directive, the Government plans to establish internal mechanisms such as ethics committees to promote and monitor integrity within state institutions and introduce internal mechanisms for the public to lodge inquiries/complaints regarding state actors. The Government believes that an unambiguous preventive mechanism is necessary to tackle corruption. Therefore, developing and incorporating anti-corruption standards into institutional policies, practices and strategies is given priority. The Government also aims to devise a proper corporate governance code, necessary regulatory framework and right to information tools as a measure to increase transparency.

### IV. Increase integrity of all public officials

Reforms to this end will encompass enacting comprehensive legislation to facilitate a robust asset declaration regime for judges, political appointees and parliamentarians. Similarly, the Government plans to undertake awareness activities to promote a culture of integrity, honesty and good governance. A special focus is being given to enact comprehensive legislation in relation to illicit enrichment to ensure accountability of public officials.

### V. Reform all key institutions mandated with the investigation and prosecution of cases of corruption and bribery

Activities towards implementing this policy directive entails strengthening laws relating to investigation and prosecution of corruption, establishing an effective asset recovery regime, and ensuring the independence of watchdog institutions as well as observing timely implementation of any recommendations made by these oversight bodies.