

Policy Note 15

Building an Accountable State



Maldives
Partnership
Forum 2019

Investing in a Resilient & Sustainable Maldives

Building an accountable state hinges on Article 4 of the Constitution, which states that all powers of the State of Maldives are derived from and remain with the citizens. The Government believes in state actors being accountable and answerable to the public.

In that regard, Parliament being afforded a pivotal role in the democratic governance of the country, must be empowered to properly execute its oversight function over independent institutions, the executive and the judiciary. The inauguration of the 19th People's Majlis offers an opportunity for the Parliament to develop its capacities further in line with the 2008 Constitution.

The Parliament faced numerous challenges in the past, regarding its authority, capacity as well as performance, and was perceived as an extension of the executive branch of the State. The capacity of Parliament to fulfil its constitutional mandate needs to be strengthened in order to achieve the vision and objectives of a vibrant democracy.

Some important policy interventions towards Parliamentary reform are:

I. Strengthening the oversight function of the Parliament

This will entail support to establish proper and transparent Parliamentary processes to increase public access to Parliamentary deliberations. Reforms to this end will also include reviewing and strengthening Parliamentary processes to ensure accountability of state institutions and enhance the function of parliamentary committees to serve as a check against the executive and judiciary.

II. Implementing an Open Data Policy to enhance transparency of state institutions

This policy directive is aimed at developing a mechanism to regularly share information on Government services/procedures and enhance implementation of Law Number 1/2014 (Act on Right to Information) in a manner that protects public interest. The Government also aims to disseminate information on public expenditure and state income on a timely basis.

III. Create avenues for public to hold the state accountable

Reforms to ensure public participation encompass establishing mechanisms through which citizens may raise concerns of public interest to the Parliament and relevant authorities. The Government also plans to establish a transparent mechanism to address complaints relating to the code of conduct of public officials, and ethical standards observed by state actors. This includes establishing an avenue to enhance public participation in the parliamentary processes.

Some steps taken towards implementing this policy directive includes convening the President Action Committee on 24th January 2019, to provide counsel to the President on matters within the Government and effectively remedy those terminated from employment for

politically motivated reasons. A Whistleblower Portal was also launched on 12th February 2019, to encourage public involvement in ensuring state accountability.

IV. Promote the right to freedom of expression and media, in line with international best practice.

Repealing Law Number 15/2016 (Protection of Reputation and Freedom of Expression Act), which essentially restricted freedom of expression to unacceptable extents, and imposed unjustifiable punishments, within the first few days of the current administration demonstrates the importance afforded by the Government to protect the right to freedom of expression. This has been reflected in a significant improvement of the Government's standing in this year's Reporter's Without Borders press freedom index. Reform proposals to this end include introducing changes to strengthen the legal and regulatory framework pertaining to media personnel and media organizations as well as oversight bodies. The government aims to strengthen the mechanisms in place to ensure enhanced protection for journalists and media agencies from all types of threats and intimidation, and implement capacity building programs through training and education.