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EUROPEAN UNION

ELECTION OBSERVATION MISSION
Presidential Election Maldives 2023

Final Report

July – October 2023





European Union
Election Observation Mission

MALDIVES, 2023

Final Report

Presidential Election

9 September 2023

and

Presidential Run-Off

30 September 2023

*The Election Observation Missions are independent from the institutions of the European Union.
The views and opinions expressed in this report are those of the authors and do not necessarily
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LIST OF ACRONYMS

ACC	Anti-Corruption Commission
AP	Adhaalath Party
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CRPD	Convention on the Rights of Persons with Disabilities
CSO	civil society organisation
ECM	Elections Commission of Maldives
EGA	Elections (General) Act
EOM	Election Observation Mission
EU	European Union
HRCM	Human Rights Commission of Maldives
ICCPR	International Covenant on Civil and Political Rights
IFES	International Foundation for Electoral Systems
IFJ	International Federation of Journalists
IRI	International Republican Institute
JP	Jumhooree Party
MBC	Maldives Broadcasting Commission
MDA	Maldives Development Alliance
MDP	Maldivian Democratic Party
MJA	Maldives Journalists Association
MMA	Maldives Monetary Authority
MMC	Maldives Media Council
MNP	Maldives National Party
MRM	Maldives Reform Movement
MTD	Maldives Third-Way Democrats
MVR	Maldivian rufiyaa
NAC	National Advisory Committee
NCB	National Complaints Bureau
PCB	Privatisation and Corporatisation Board
PEA	Presidential Election Act
PER	Presidential Election Regulation
PG	Prosecutor General
PPA	Political Parties Act
PPM	Progressive Party of Maldives
PNC	People's National Congress
PSM	Public Service Media
PwD	persons with disabilities
SOEs	state-owned enterprises
SC	Supreme Court
TM	Transparency Maldives
UN	United Nations
UNCAC	United Nations Convention against Corruption
UNDP	United Nations Development Programme
UN HRC	United Nations Human Rights Committee
VR	Voter Registry

I. EXECUTIVE SUMMARY

The presidential election was technically well-administered and professionally delivered by the Elections Commission of Maldives (ECM). There was a plurality of candidates and diversity in their campaigning, but women did not feature among the nominees. While the legal framework provides for genuine elections, equity in campaigning was significantly undermined by extremely high spending limits, poorly enforced rules on campaign finance, and the widely acknowledged practices of vote-buying and instrumentalisation of public office. Political partisanship of media was prevalent, including in public service media, while there were some indications of information manipulation in social media.

This election, the fourth presidential one since the introduction of multi-party democracy in 2008, took place against the background of governments having changed every five years, trends towards Islamic conservatism, wide-ranging infrastructural development, and ongoing concerns about state debt and corruption. The political sphere was dominated by the ruling Maldivian Democratic Party (MDP) and the opposition Progressive Party of Maldives (PPM), with smaller parties and splinter groups participating in unstable coalition arrangements and contributing to political diversity.

Eight candidates contested the election. None was successful in passing the threshold for election in the first round. The competition culminated in a run-off, in which voters chose the Mayor of Malé, Dr. Mohamed Muizzu, who was backed by the opposition coalition of PPM with the People's National Congress (PPM-PNC), over incumbent President Ibrahim Mohamed Solih, who was the MDP candidate. The results gave a clear victory to Dr. Muizzu, with 54 per cent of the vote.

Maldives has ratified the main international treaties related to democratic elections, political participation and fundamental freedoms, instruments which protect the right to participate as well as other political rights including expression, assembly and association. The legal framework for the presidential elections is comprehensive and largely compliant with the applicable international standards. Some of the restrictions imposed on the right to stand are at odds with commitments to political participation rights, including in the Convention on the Rights of Persons with Disabilities (CRPD) and the International Covenant on Civil and Political Rights (ICCPR). Maldives maintains a reservation to the freedom of religion of Article 18 of the ICCPR and to some clauses of Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) related to discrimination against women in marriage and family relations.

The ECM performed its work impartially and professionally, despite institutional and financial constraints. Engagement with electoral stakeholders, particularly with political parties, as well as with the public, was insufficient during the months ahead of the election. The lack of timely consultations resulted in some decisions on voting procedures being made extremely close to polling day. On the positive side, the ECM intensified its public communication in the period between the two rounds, but, overall, the work of the institution needs more transparency. The ECM did not have the human and financial resources to fulfil its mandate in some areas, particularly civic education.

Voter registration was inclusive and transparent. Procedural improvements included significant extension to the period for inspection of, and complaint about, the voter registry and the introduction of an online application for re-registration. For the second round, the ECM made significant efforts to increase the inclusiveness of the voter list, despite the short time available. The EU EOM noted a high number of rejected applications due to the poor quality of the live photograph required for voter ID verification, a recurring problem in both rounds, which needs to be addressed.

Candidate registration was inclusive and was well administered by the ECM. A record number of eight candidates was registered, five supported by political parties and three who competed as independents. The PPM nominated former President Abdulla Yameen Abdul Gayoom as their candidate, despite his conviction by the Criminal Court in December 2022, for accepting a bribe and money laundering, and his subsequent incarceration. His nomination was disqualified by the ECM, a decision unanimously upheld by the Supreme Court.

The governing MDP and the opposition PPM dominated the campaign. Pledges of economic development and financial promises were accompanied by reports of the instrumentalisation of state resources, including through state-owned enterprises (SOEs), and vote buying. While the opponents engaged in negative campaigning against each other, the PPM-PNC reiterated their demands for former President Yameen's release. Both parties welcomed conservative Islamic scholars in their rallies. The Democrats, a new MDP splinter party, proposed a referendum on the system of government, which was not further pursued after the election. The campaign was peaceful, despite a few minor instances of little consequence, with freedoms of movement and assembly respected for candidates and their supporters.

Political and campaign finance lacks transparency and effective oversight. The expenditure limit for candidates is extremely high, and financial penalties for misreporting are not dissuasive and have not yet been enforced. There are gaps in the legal framework, such as the non-regulation of third-party spending. The ECM is responsible for receipt of the financial reports of candidates, but lacks capacity to exercise this role in full. EU EOM interlocutors have widely attested to the need for political will to enhance the accountability of spending.

The Maldives' media landscape is concentrated in the capital and is marked by political polarisation and a transition to digital platforms. State dominance of FM airwaves and a lack of community-based media platforms have a negative impact on the public discourse. Media outlets' financial reliance on SOEs hinders fair media competition and development. This is compounded by a limited professional capacity among journalists and a fear of retribution for reporting on corruption. While media freedoms were generally respected during elections, the Constitution imposes restrictions on the freedom of expression. Furthermore, the Evidence Act, which has the power to compel journalists to reveal their sources, has a chilling effect on investigative reporting.

The Maldives Broadcasting Commission (MBC) monitored broadcast media during the campaign, but limited resources hindered its monitoring efforts. The Public Service Media (PSM) blurred the line between the incumbent's campaign and presidential responsibilities and emphasised government accomplishments during the entire campaign period. On a positive note, PSM adhered to the law by granting all candidates equal access to free and paid airtime, but failed, however, to provide equitable news coverage to contestants. Most private media outlets monitored largely disregarded regulations for fair and balanced coverage, while displaying evident bias linked to their political affiliations.

There was significant engagement on social media platforms during the election period. Both rounds of the elections saw an increase in information dissemination, predominantly on Facebook

and X/Twitter, as the major parties used these platforms to campaign. Misleading narratives emerged on social media platforms, potentially influencing public opinion and shaping the election discourse. Disinformation, amplified by online media, potentially swayed public opinion and, amid heightened political activity, presented the potential to influence the election process.

Women are underrepresented in political and public life, without a woman ever having served as a member of the ECM. Women comprise just 4.6 per cent of members of the People's Majlis. A State Party to CEDAW, affirmative action measures have been introduced at local council level, but not in national politics.

Having ratified the CRPD, the introduction of a tactile ballot guide, provided in both rounds of the election, facilitated independent voting by persons with visual impairments. This represented a significant measure of progress in the realisation of the rights of persons with disabilities (PwD). Otherwise, however, awareness raising on this measure, and access to voter information and voter education for persons with disabilities more broadly, were inadequate to support the political participation rights of this group.

Nearly half of all Maldivians are youth, aged between 18 and 35, but they are only marginally represented in the People's Majlis. Young people reportedly do not feel understood by political parties and have expressed their dissatisfaction with the establishment. Drug related gang criminality and risks of violent extremism are widely acknowledged problems, while continuous civic education targeting youth is absent.

The conduct of both presidential election rounds was assessed positively. In polling stations observed, opening, voting and counting procedures were generally followed and staff performed in a professional manner. Measures introduced to reduce queuing time and improve the secrecy of the vote were effective. A major problem observed during both rounds was the conduct of media monitors and party observers, which was not in line with existing legal regulations. Overly restrictive instructions on the determination of invalid votes increased the number of rejected ballots, disregarding the clearly expressed intention of voters.

National Complaints Bureaus were established by the ECM at the end of July, to address and investigate election-related complaints, in Male and in other cities and atolls. They were active throughout the two rounds. The lead time for their establishment prior to the election was short and they lacked the investigative experience necessary to undertake their tasks. Cases related to electoral bribery were forwarded to the Anti-Corruption Commission (ACC), but none had been prosecuted at the time of writing.

Dr. Mohamed Muizzu, of the PPM-PNC coalition, was elected the next President of Maldives, defeating the incumbent, President Ibrahim Mohamed Solih, of MDP. The challenger was able to extend his lead over the incumbent from the first round to the run-off, with a clear result of 54 to 46 per cent of the vote, in a turnout of 87 per cent for the run-off. The election result was swiftly accepted on all sides, with a transition team formed to organise the handover of governmental affairs, and the inauguration on 17 November. Immediately after election day, an administrative decision was made to transfer former President Yameen to house arrest.

Priority Recommendations

The EU EOM has identified shortcomings in the regulation and conduct of the electoral process in Maldives and offers 20 recommendations for improving future electoral processes. They include the following seven priority recommendations:

1. Develop and implement a comprehensive and continuous civic and voter education programme nationwide, including in educational institutions, with a special focus on political rights, freedom of choice in voting, and the impact of vote-buying on democracy.
2. Introduce measures in law and combat the misuse of state resources, including the instrumentalisation of state-owned enterprises for campaign purposes.
3. To enhance the accountability of political parties and election candidates, revise and close gaps in the legal framework regulating campaign finance.
4. Provide training and professional development courses for journalists and editors to equip them with the knowledge and skills necessary to produce balanced, ethical and responsible journalism during elections, including merit-based coverage of the electoral campaign..
5. Support civil society fact-checking initiatives in the Maldives to verify information and combat disinformation and ensure corrections when false information is spread.
6. Introduce affirmative action measures to ensure nomination of women to leadership positions in public life and political life, including to independent bodies.
7. Introduce and implement instructions on the determination of the validity of votes to ensure that polling staff respect the intention of the voter as clearly expressed on a ballot paper.

II. INTRODUCTION

Following an invitation from the authorities of the Republic of Maldives to observe the 9 September 2023 presidential election, and the conclusion of an Administrative Arrangements with the Ministry of Foreign Affairs and the Elections Commission, the European Union deployed an Election Observation Mission (EU EOM) on 31 July. The EU EOM was present in the Maldives until 15 October 2023. The mission’s mandate was to assess the entire electoral process against international obligations and commitments for democratic elections, as well as against the laws of Maldives.

The EU EOM was led by Chief Observer, Nacho Sánchez Amor, Member of the European Parliament, from Spain. The EU EOM comprised a core team of nine analysts based in Malé, and eight long-term observers deployed across Maldives from 13 August. For the 9 September election day, the EU EOM was reinforced by 20 short-term observers (including four locally recruited) bringing the total to 40 observers from 18 EU Member States, as well as from partner countries Canada, Norway and Switzerland. For the 30 September election day, the EU EOM comprised 36 observers in total.

The EU EOM is independent in its findings and conclusions. The mission followed an established methodology and adhered to the “Declaration of Principles for International Election Observation”, endorsed under United Nations auspices in October 2005 and now espoused by over 50 organisations. Previously, the EU deployed three Election Expert Missions (EEM) in 2009, in 2013 and in 2019, an EU EOM to the 2014 parliamentary elections, and an Election Follow-up Mission (EFM) in 2018.

III. POLITICAL BACKGROUND

Elections held against the background of government changing every five years

The fourth presidential election since the introduction of multi-party democracy took place against the background of alternating governments, wide-ranging infrastructural development, underlying trends towards Islamic conservatism, increasing levels of state debt and accusations of corruption, and geopolitical competition in the Indian Ocean.

The political landscape was marked both by polarisation and factionalism, dominated by the Maldivian Democratic Party (MDP) and the Progressive Party of Maldives (PPM), with smaller parties contributing to political diversity. Coalition agreements are not set in law, and the permitted practice of MPs crossing the floor between parliamentary parties contributes to the lack of a stable political party system. Following the submission of no-confidence motions against the Speaker and Deputy Speaker, the People's Majlis was in a stalemate during most of the electoral period.

The election was contested by a record number of eight candidates, all of whom were men. Incumbent President Ibrahim Mohamed Solih, candidate of the ruling MDP, was challenged by the Mayor of Malé, Dr. Mohamed Muizzu, supported by the opposition coalition of PPM and People's National Congress (PPM-PNC). Three further contestants were backed by political parties – Ilyas Labeeb by The Democrats, Qasim Ibrahim by the Jumhooree Party (JP), and Mohamed Nazim by the Maldives National Party (MNP) – and three competed as independent candidates – Ahmed Faris Maumoon, Umar Naseer, and Hassan Zameel.

Two former presidents had an impact on the electoral process without being on the ballot. The main opposition, PPM, faced this election without their preferred candidate, former President Abdulla Yameen Abdul Gayoom, who is serving a prison term. PPM instead decided, at the last minute, to back Dr. Muizzu, who left PPM, joined PNC, and registered as their candidate. Former President and Speaker of Parliament Mohamed Nasheed lost the MDP primaries to President Solih, created a new party, The Democrats, and backed their candidate, MP Ilyas Labeeb. The Democrats split off from MDP in June and had 13 MPs at the time of the election.

The number of voters who were reportedly disappointed with the government, disengaged from politics, and therefore undecided shortly before the polls was high, exceeding 50 per cent according to a local poll.¹ Nevertheless, the political parties rallied the Maldivian voters to come out to elect their next President in great numbers. The election took place as scheduled on 9 September. The first-round results confirmed that the incumbent and his challenger would head to a run-off on 30 September, which Dr. Muizzu won with a clear margin.

In the midst of the campaign for the second round, The Democrats proposed a referendum in parliament to change from a presidential to a parliamentary system of government. While the proposal was carried, it was not proceeded with after the election. The inauguration of the new president was scheduled for 17 November, while some political parties started to prepare for the 2024 legislative elections.

¹ Baani Election Poll Snapshot, August 2023.

IV. IMPLEMENTATION OF PREVIOUS EU EOM RECOMMENDATIONS

A number of past EU recommendations were fully or partially implemented, while key recommendations regarding political finance and media oversight remain unaddressed

The EU EOM offered 22 recommendations following the 2014 parliamentary election. Not all of those are applicable to this election, as they were related to a parliamentary, rather than a presidential, election.

The First Amendment to the Elections (General) Act (EGA) in 2018 substantially clarified the allocation of jurisdiction for the investigation of offences, as recommended by the EU EOM. The previous provisions of the EGA had not differentiated between the roles of the ECM, the Prosecutor General (PG) and the ACC in relation to election bribery. The First Amendment also included a detailed chapter on electoral offences, repealing those included in the 1968 Penal Code, again as recommended by the EU EOM.

The First Amendment to the Political Parties Act in 2015 included the requirement of a minimum of 3,000 members for political party registration, largely as suggested by EU EOM. The enactment of the Gender Equality Act in 2016 partly addressed the EU EOM recommendations on gender, by promoting equality between men and women. The Act requires legislation for affirmative action which, however, has not been enacted yet, as proposed in the EU EOM recommendations.

In the field of media, the First Amendment of the EGA implemented the recommendation, requiring the updating of legislation, to clarify the mandates of regulatory bodies for the oversight of the broadcast coverage of elections by allocating primary responsibility to the Maldives Broadcasting Commission. Other areas, such as the transparency, accountability and monitoring of campaign finance and regulation of the use of state resources, have not been addressed. The rest of the 2014 recommendations have not been addressed and, whenever applicable to this election, they have been repeated in this report.

V. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

A comprehensive electoral legal framework, largely compliant with international standards

The electoral legal framework is included in the Constitution 2008, Elections (General) Act (EGA) 2008, as amended in 2018, 2019 and 2023,² the Elections Commission Act (ECA) 2008, the Presidential Election Act (PEA) 2008, amended in 2023, and the Political Parties Act (PPA) 2013, as amended in 2015 and 2016, and subsidiary regulations.

The framework remains virtually unchanged from previous elections, with the exception of a recent amendment to the EGA on 22 June 2023, to promote independent voting for persons with disabilities, and to the PEA to extend the candidacy nomination period from 10 to 14 days.³

The legal framework provides a sound basis for conducting democratic elections. Although comprehensive, it is dispersed across different instruments, covering different elections, rendering consultation cumbersome. The ECM issues a new regulation for every election and for this election

² The EGA was substantially amended in 2018 and 2019 with Law 11/2018 and 2/2019. The changes strengthened the position of the ECM by imposing cooperation on relevant institutions of the executive; increasing the ECM responsibility over voter registration and dispute resolutions; extending the franchise to persons convicted and imprisoned for more than five years; enlarging the list of offences and penalties in the EGA to include vote buying. In 2019, additional stringent provisions related to the validity of the vote were included in the EGA, invalidating any ballot carrying any additional mark beside the tick against the candidate selected.

³ Other proposed amendments were not enacted and appear to have been abandoned.

the Presidential Election Regulation (PER) was issued on 10 June 2023. In the view of the ECM,⁴ the existing legal framework requires revision and consolidation and requalification of some provisions from the level of regulation to legislation.⁵

Recommendation: Consideration to be given to consolidation of election legislation into a comprehensive election law applicable to all types of election, following consultations with relevant stakeholders.

International Principles and Commitments

Maldives is a party to the principal international treaties related to political participation and fundamental freedoms having a bearing on elections. These include ratification of the International Covenant on Civil and Political Rights (ICCPR) (2006), the Convention on the Elimination of All Forms of Racial Discrimination (CERD) (1984), the United Nations Convention against Corruption (UNCAC) (2007), the Convention on the Rights of Persons with Disabilities (CRPD) (2010) and the Convention on Elimination of all Forms of Discrimination against Women (CEDAW) (1993). At the regional level, Maldives is a party to the South Asian Association for Regional Co-operation Charter of Democracy (2010) and The Commonwealth Charter (2012). Maldives is also part of the Inter-Parliamentary Union.

The country maintains a reservation to Article 18 of the ICCPR, relating to the freedom of religion and belief, as a constitutional provision requires citizens of Maldives to be Muslim. This reservation, along with one to CEDAW (see Chapter XIII), is still standing and there is no discussion in the country on removal, despite withdrawal being recommended by the UN Human Rights Committee⁶ and by the UN Human Rights Council Universal Periodic Review in May 2015.⁷

Right to Vote and Right to Stand

The right to vote is extended to every citizen of 18 years of age and above on election day. Candidates for president must be 35 years old, citizens, born of citizens, without dual nationality.⁸ The Constitution requires that all citizens be Muslim, while candidates must be adherents of the Sunni school of Islam. Candidates are also required to be of “sound mind”, not to have undischarged decreed debt, nor to have been convicted of a *hadd* offence under Sharia law nor of a criminal offence that led to imprisonment for a period of more than 12 months in the past three years. The disqualification for being of unsound mind is contrary to the CRPD.⁹ Others, like those to be Sunni Muslim, and not to have been convicted of a *hadd* offence under Sharia law, are not

⁴ During a press conference announcing the official results on 4 October, the ECM called for modernising election laws, which were formulated 15 years ago, by holding discussions with political parties and relevant authorities. <https://psmnews.mv/en/126948>.

⁵ This is in particular for the provisions related to the National Complaints Bureaus which in addition need to be revised (see Electoral Disputes). Other areas requiring revisions are polling and counting and campaign finance.

⁶ UN Human Rights Committee Concluding Observations, July 2012, CCPR/C/MDV/CO/1, page 2.

⁷ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/154/64/PDF/G1515464.pdf?OpenElement>

⁸ The 2008 EGA included a provision disenfranchising those convicted of a criminal offence sentenced to imprisonment for more than 5 years and serving the sentence. This provision, at odds with international standards, was removed by the 1st Amendment of 2018. A High Court decision in 2008 had ruled that this disqualification was disproportionate.

⁹ CRPD Committee’s General Comment No.4/2011 to Article 29 paragraph 9.4 “person’s decision-making ability cannot be a justification for any exclusion of persons with disabilities from exercising their political rights, including the right to vote, the right to stand for election.

in line with international principles protecting the right to stand for election, particularly as set out in the International Covenant for Civil and Political Rights,¹⁰ thus creating gaps in the protection of the right of political participation in the Maldives.

VI. ELECTORAL ADMINISTRATION

Structure and composition of the Elections Commission of Maldives (ECM)

Well-organised and professional administration, despite constraints in financial and human resources

The ECM is a constitutionally established independent and impartial body led by a board of five members. The members are appointed by the President, after approval by the People's Majlis, while the Chairman and the Vice Chairman are elected among and by the members. The commissioners may serve a maximum of two five-year terms. The security of tenure is not well protected, as a simple parliamentary majority can remove a commissioner on the grounds of misconduct, incapacity or incompetence. For two and a half months over the period of the two rounds, the ECM functioned with only four members as one of the commissioners awaited approval of his re-appointment by the People's Majlis.¹¹ The absence of a commissioner could have impeded the decision-making of ECM, which requires a quorum of three, but the Commission was, nonetheless, able to function and to make several decisions related to changes in voting procedures.

As per the Constitution, the ECM has broad responsibilities and powers, including conducting voter registration, boundary delineation, political party and candidate registration, allocating public funding to parties, preparing and carrying out election day operations, and providing civic and voter education. Currently, the Commission lacks the human and financial resources to fully fulfil all its constitutional duties, with civic and voter education activities being one of the areas most impacted.¹²

The ECM is dependent for its budget upon the executive. The Ministry of Finance determines the ceiling and allocation of funds and the ECM is required to request, in separate invoices, costs exceeding 5,000 Maldivian rufiyaa (MVR) (306 Euro).¹³ This practice of budget allocation by instalment, sometimes delivered with delays, constrained the preparatory work of the ECM, resulting in the cancellation of planned activities, such as travel and training. There is no budget foreseen for continuous activities, such as civic education, throughout the election cycle.

The ECM Secretariat is composed of two departments, overseeing 13 administrative sections, several of which are understaffed.¹⁴ The limited institutional, office and human resource capacity required a great amount of flexibility by the election management in the distribution and coordination of operational tasks. The staff carried out their duties with a high level of organisation

¹⁰ Article 2 of the ICCPR, Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

¹¹ The tenure of the fifth commissioner expired on 25 July 2023. The People's Majlis approved his reappointment on 11 October.

¹² Due to insufficient human and office resources, there has been no full separation of work between the different operational divisions.

¹³ For the 9 September presidential election, the ECM has received 90 of the MVR 122 million requested. For the 30 September run-off, the MoF has released 18 of MVR 25 million requested.

¹⁴ Over the election period, the ECM had 58 permanent staff.

and efficiency, despite various challenges, including the lack of operational manuals with clear description of procedures and responsibilities.¹⁵

Public trust and transparency

More continuous efforts needed to enhance transparency

Prior to the election campaign period, several opposition parties expressed a lack of confidence in the ECM members, alleging political influence. The Commission did not command a high level of trust from the public either. The impartiality of the members was questioned, particularly with regard to an initial reservation by some of the commissioners related to the registration of The Democrats.¹⁶ A subsequent motion of no-confidence against the Chairman, just a month and a half before the election, added to public perceptions of political pressure. The apparent discord between the commissioners negatively impacted the public outreach of the ECM and its engagement with stakeholders, with public appearances of the commissioners reduced to a minimum. More regular meetings with electoral stakeholders during this period, particularly with political parties, would have enhanced transparency and fostered public trust.¹⁷

The National Advisory Committee (NAC), a temporary body established prior to each election to serve as a platform for consultations, was formed in March 2023. Monthly meetings commenced only in July. The law is silent on how often NAC should meet, as well as the composition of its members.¹⁸ Electoral stakeholders emphasised the need for more regular consultations, with more inclusive and better structured agendas, communicated before the meetings, and a more open and inclusive approach by the ECM in communication with the NAC members.¹⁹ Most of the NAC meetings were not publicised and not covered by the media. There was no public information available on key issues discussed during the meetings, thus, missing an opportunity to enhance public information and increase transparency.

Recommendation: To strengthen public engagement, communication and transparency of the election administration through the institutionalisation of regular meetings with political parties and broader NAC consultations, accompanied by better publicity.

The successful conduct of the first round of the presidential election, and intensified public communication by the Commission in the period between the two rounds, contributed to increasing public trust in the process. In the three-week period between the two rounds, NAC was convened

¹⁵ The ECM Strategic Plan 2021-2025 highlights the lack of a standard operating procedures as a major impediment in the work of the election administration. It targets to develop “properly categorised system of operational handbooks” to serve as “an institutional reference tool and ensure institutional memory.”

¹⁶ Following an initial tied vote by the members on the registration of The Democrats, several parties, including The Democrats, PPM, JP, MNP and Maldives Reform Movement (MRM) jointly expressed mistrust in the ECM at a press conference held on 25 June in Malé.

¹⁷ Public trust in the ECM has been reportedly decreasing for years. Restoring the confidence of electoral stakeholders in the electoral process and election administration was identified in the ECM Strategic Plan 2021-2025 as a priority task and key challenge to the ECM.

¹⁸ For this presidential election, NAC had 34 members, including all registered political parties and independent candidates, statutory commissions, Attorney General, Prosecutor General, the police and civil society.

¹⁹ Some NAC members expressed dissatisfaction with the meetings’ agenda for being too narrow and reflecting only political party concerns. People with disabilities were not properly represented, despite of the introduction of new voting procedures for visually impaired persons. Political parties also criticised ECM for having failed to organise regular NAC meetings. “NAC is now in the form of a notice board. The Commission is only posting announcements to the WhatsApp group set up for the committee,” the Vice President of PPM Ahmed Shiyam to the press. <https://mfr.mv/pre/political-parties-express-concerns-over-the-lack-of-trust-in-the-elections-commission>.

on a weekly basis and the ECM conducted meetings with some opposition parties, as they requested. The ECM approach to political parties was overall responsive, serving to address criticism or counter allegations. A more proactive engagement would have prevented last-minute decisions shortly before the election.

Overall, the ECM lacked a coherent information strategy to make their work transparent and to increase voter knowledge of the election process. There was no public information available on various aspects of the election process, for example the collation and verification of results. The information delivered by the ECM, in most cases statistics, was primarily shared on X/Twitter, while their website lacked important information and updates.²⁰

Election preparations

Efficient preparatory work, but more comprehensive training needed

Preparations by the ECM for the two election rounds went largely according to schedule, with major tasks including voter and candidate registration, the printing and dispatch of ballot papers, and the accreditation process, concluded with efficiency. At the local level, the ECM was represented by 21 atoll and 207 island focal points, who administered their duties well.²¹ Overall, the ECM permanent staff appeared to perform their duties in an impartial and efficient way, despite some financial constraints.

For the first round, there were 574 polling stations, including eight ballot boxes in five foreign countries.²² For the second round, following renewed re-registration and an increase in the number of voters, 12 new polling stations were added, raising the number of polling stations to 586.²³ A serious challenge throughout the whole period was the recruitment of temporary staff, mainly due to the low number of applications.²⁴ Selected polling staff were retained for the run-off, yet some 350 additional officials were needed due to measures introduced to improve polling. The ECM received numerous informal complaints alleging political affiliation of election officials. Some of these complaints led to replacements of staff due, for example, to having been involved in the campaign.

The ECM employed a cascade training system. Heads of polling stations and their assistants were trained, while recruitment of polling staff was still ongoing. The single-day training conducted in the different islands was assessed by some participants as insufficient and inefficient.²⁵ An electronic version of the Handbook for Election Officials was shared with the participants only on the eve of the training, via WhatsApp and Viber groups, which served as a platform for continuous exchange. The EU EOM observers noted the lack of printed training materials. The handbook did not contain essential information on the election process,²⁶ and some sections, obviously prepared under time pressure, were not fully consistent with the information delivered by the trainers. After

²⁰ In addition, figures released in interviews, press statements and on the X/Twitter were at times inconsistent.

²¹ The atoll and island focal points are usually established for the period of six to seven months over the election.

²² In descending voter numbers: India, Sri Lanka, Malaysia, United Kingdom and United Arab Emirates.

²³ Eleven of the 12 new polling stations were in greater Malé region and one in India. To open a polling station abroad, 150 applications for re-registration are required, which appears disproportionately high compared to the requirement of 30 re-registration applications for placing a ballot box in the country.

²⁴ Recruitment has been a recurring problem in past elections, which is explained by the ECM by the relatively low salaries of election officials. Polling staff are paid MVR 1,200 to 1,800 (73 to 110 Euro) on election day. Reportedly, political parties pay MVR 3,000 to 4,000 (183 to 245 Euro) for door-to-door campaigning.

²⁵ Including because of the scheduling of the sessions, which commenced in the afternoon and, in many cases, continued until midnight.

²⁶ Including on the newly introduced electronic voter identification and results transmission process.

the first round, citizen observers and political parties criticised inconsistently applied standards in the procedures. The ECM acknowledged shortcomings in the training programme and conducted refresher training, online and in person, focused on problems encountered on election day.

Recommendation: Formalise written procedures for all electoral stages and create a comprehensive election manual, well ahead of the election, to improve training and increase knowledge of the election process among officials.

The ECM made a decision to address vote-buying practices by introducing changes to voting procedures just four days before the first round. New instructions were issued on the determination of valid and invalid votes, the orientation of the polling booth, and the use of coloured pens.²⁷ While there was awareness of vote-buying practices from previous elections, the ECM decision was a reaction to pressure exercised by political parties and other NAC members. A more proactive and timely engagement by the ECM with stakeholders could have prevented such last-minute decisions shortly before the election. Due to the lack of time, polling staff was not trained and the public was not properly informed. As a result, the changes in the procedures caused confusion among voters and election officials.²⁸

For the second round, in response to renewed concerns by political parties, several decisions were taken on the conduct of polling, including to increase the voting time by one hour. It was also decided to modify the design of the polling booth to better protect the secrecy of the vote, while the orientation of the booth, a key issue of concern during the first round, remained the same. In addition, the location of 43 polling stations was changed to ensure a more spacious layout. To reduce queues, the set-up of 99 polling stations, with more than 500 registered voters, was split into two. The ECM renewed their instructions on the determination of bold ticks (for example through repetition by voters) on the ballots to be invalid. Replacement ballot papers are not provided for by law, regardless of the mistake of a voter.

Voter Education

Voter education activities have been largely insufficient. The ECM is constitutionally mandated to “*educate and create awareness among the general public on the electoral process and its purpose.*”²⁹ The key obstacle to the development of continuous civic and voter education has been the lack of a stand-alone budget for educational activities throughout the election cycle. Instead, the ECM has largely relied on political parties, civil society and technical assistance partners in this domain. So far, the ECM has conducted voter education events on islands primarily during by-elections.³⁰ Transparency Maldives (TM) was the only organisation identified by the EU EOM to have conducted continuous civic and voter educational programmes in the past.

For this presidential election, the ECM worked closely with the International Foundation for Electoral Systems (IFES) and the United Nations Development Program (UNDP) to produce voter education and information materials, which have been principally disseminated on social media,

²⁷ According to the new instructions, multiple marks on the ballot paper, including bold ticks, were to be declared invalid; the polling booth was to be placed in view of the room to ensure that voters would not be able to photograph the ballot paper, and marking the ballot with colours other than blue and black was prohibited.

²⁸ For example, the changed orientation of the polling booth led to widespread perceptions that secrecy was compromised, while bold ticks were assessed in two ways, as valid and invalid, in different polling stations.

²⁹ Article 170 of the Constitution and the Election General Act, Section 21(g).

³⁰ Although focused on voter information, rather than civic education, these events were seen to be successful in engaging local councils and local youth associations in the organisation of educational camps and door-to-door activities.

billboards and street screens. EU EOM observers noted that the distribution of videos and posters became visible only two weeks before the election. The ECM used paid TV spots for voter education, but on a very limited basis, and not during prime time, due to budgetary constraints. In the 21-day period between the two rounds, voter information intensified significantly, principally focused on re-registration and voting procedures, but contained some other topics too, for example a short video on vote-buying and the secrecy of the vote. There were also more frequent Facebook live sessions addressing voters. The EU EOM social media monitoring registered a significant rise in the ECM posts on Facebook, from 66 posts in the initial 30-day first round campaign period to 130 in the 21-day period between the two rounds.

Youth and persons with disabilities have been identified by stakeholders as groups requiring particular targeted engagement to better vindicate their political participation rights (see relevant sections). There were widespread reports of vote buying taking place throughout the country during both campaign periods. Interlocutors attribute some responsibility to voters who are enticed by the availability of rewards. The ACC attested to the normalisation of bribery. Enhanced voter and civic education is required, through all levels of formal and informal education, to reframe the relationship between the electorate and their elected representatives, and to combat vote-buying and bribery from the roots.

Recommendation: Develop and implement a comprehensive and continuous civic and voter education programme nationwide, including in educational institutions, with a special focus on political rights freedom of choice in voting, and the impact of vote-buying on democracy.

VII. VOTER REGISTRATION

Transparent and inclusive process, with introduction of online re-registration

The Right to Vote

Every citizen aged 18 years old has the right to vote. The Maldives has a two-step voter registration system, comprising passive registration, based on the permanent address, and active re-registration, for voters who wish to cast their vote at a different location. The ECM is responsible for all stages of voter registration. The passive registration is conducted in coordination with the Department for National Registration, as required by law.³¹

The PER 2023 provides for a renewed registration process for the second round of a presidential election, principally to include people turning 18 years of age between the two polls, as well as voters wishing to vote in a location other than that of the first round. Voters could re-register using four official documents with a valid ID number.³²

Voter Registration for the 9 September presidential election

The voter registration process for the first round was transparent, and there were no major complaints by political parties concerning its inclusivity. The initial VR was published on 2 May, with copies sent to political parties, and displayed in the islands for inspection. The ECM took the positive decision to extend significantly the 10-day complaint period prescribed by law, permitting

³¹ The 2018 First Amendment of the EGA strengthened the ECM powers in ensuring the accuracy of the voter registry (VR) by obliging national institutions to provide all data for the compilation of the VR.

³² Re-registration required a proof of a valid national identity card, passport, passport card, and national driving licence.

a total of 44 days for submission of complaints. However, the extension was not sufficiently publicised during the opening of the process and most complaints were received shortly before the deadline on 24 July. Around a total of 720 complaints were submitted to the ECM, relating principally to the inclusion of deceased persons, while the rest concerned changes in the residence, omitted or mistaken names, as well as few cases of changes in constituencies and ID numbers. In line with an EU EOM 2014 recommendation, all changes in the VR resulting from complaints were published.

The ECM made important improvements to the re-registration process by setting up an online portal for re-registration and extending deadlines by ten days. In a response to a request from political parties, and as recommended by NAC, the ECM amended the procedure to provide for the automatic inclusion of voters who had re-registered in Malé City for local council elections in 2021, given as an explanation for a lower number of re-registrations than for the 2018 presidential election.

A total of 42,867 applications for re-registration were received, of which 22,882 (53.7 per cent) were submitted online. The ECM assessed the number of online applications as relatively high, taking into consideration the novelty of the online facility. Notably, a high number of 4,794 (21 per cent) online applications were rejected as invalid, double as many as rejected paper forms (2,224). Most of the rejections were related to incomplete information submitted, including expired ID cards and the poor quality of the live photographs taken as part of the application.

The final VR was published on 20 August, with a total of 282,395 voters. Of these, 138,196 were women and 144,199 men. This represented an increase of 20,500 eligible voters since the 2018 presidential elections. The law requires candidates to sign the final voter list. All presidential candidates, except the independent Umar Nasser, formally agreed to the accuracy of the VR by signing it.

Voter registration for the run-off on 30 September

The VR for the second round contained 409 first time voters. The names of deceased persons were not deleted due to the short period. The voter list was published on 14 September, with copies provided to political parties and displayed at atoll/island focal point offices on the same day. A 49-hour period, from 15 September (3pm) to 17 September (4pm), for submission of applications for re-registration, online and through physical forms, was announced.

The ECM received 50,047 applications, over 7,000 more than for the first round. Of these, 26,011 were submitted online and 24,036 through a paper form. The ECM made laudable efforts to increase inclusiveness of the VR by phoning applicants and providing additional time for the submission of the required information. Nevertheless, a total of 11,284 applications, 5,109 submitted online and 6,175 physically, were rejected on the grounds of incomplete information, the ECM not being able to verify the identity of the voter due to the bad quality of the uploaded photos, expired ID documents, repeated submissions (online and physical forms), and missing fingerprints or not matching witness information. On 21 September, the ECM published the preliminary figures of re-registrations, indicating a total of 38,763 successful re-registrations, and then opened a two-day period for inspection and complaints. Some 361 complaints were received from applicants. The EU EOM noted that more than 80 per cent of these complaints arose from rejections due to deficient information, such as invalid ID numbers or poor quality photographs. Aware of the problem with the poor quality photographs taken through the portal, the ECM intends to take measures to improve the process to ensure that only applications with verifiable quality photographs can be submitted successfully.

The high number of re-registrations compared to the first round triggered some scepticism on the part of the two major opposition parties. The PPM-PNC questioned the credibility of the process, while The Democrats issued a statement calling for closer examination of the process. None of the parties, however, submitted a formal complaint related to re-registration. The ECM made press statements explaining the re-registration process in order to counter the suspicions articulated by critics. Their public information also addressed registration, encouraging voters to check their registration status by SMS. A record number of over 90,000 views of status in a day was registered.

VIII. POLITICAL PARTY AND CANDIDATE REGISTRATION

Candidate registration process well-administered, with a prominent rejection upheld by the Supreme Court

The ECM is responsible for the registration of political parties and listed nine such entities at the time of this election.³³ Party registration is generally considered to be a straightforward process, in which a minimum of 3,000 registered members is required. According to the ECM, over 50 per cent of all Maldivian voters are registered members of a political party. One party was deregistered in July due to falling below the number of required members.³⁴

The ECM approved a record number of eight presidential candidates. All candidates were men. Candidate nomination took place between 23 July and 7 August, in a simple and well-administered process. Candidacies were submitted to the ECM, which announced the list of qualified candidates on 9 August. Submissions included the names of the candidates and their running mates, though the latter do not appear on the ballot as the vice presidency is not an elected office.

Candidates can be either independent or representatives of a political party. Nominations require the payment of a non-reimbursable administrative fee of 100,000 MVR (5,947 EUR), and additionally, for independent candidates, 1,500 supporting signatures are required. Candidates must be 35 years old, citizens, born of citizens, without dual nationality. The Constitution requires that all citizens be Muslim, while candidates must be adherents of the Sunni school of Islam.

Disqualification of Former President Yameen

On 1 August, the ECM, on the same day of the application, rejected the candidature of Abdulla Yameen Abdul Gayoom, former President of Maldives, on two grounds of disqualification, that of a criminal conviction, for which he is serving an 11-year jail sentence; and his failure to discharge a court-imposed fine. The Supreme Court (SC) upheld this decision on 6 August, one day before the close of nominations, following an expedited procedure.

On 25 December 2022, the Criminal Court had convicted Abdulla Yameen of accepting a bribe of 1 million USD and the laundering of the same amount and sentenced him to 11 years in jail and imposed a fine of 5 million USD. The sentence was appealed to the High Court on 23 February 2023. While a final decision regarding the conviction had not been rendered at the time of writing, The former President was granted house arrest immediately after the run-off election, on 1 October.

³³ MDP (2005), Adhaalath Party (AP, 2005), JP (2008), PPM (2011), Maldives Development Alliance (MDA, 2012), Maldives Third-Way Democrats (MTD, 2018), PNC (2019), MNP (2021), and The Democrats (2023).

³⁴ MRM

The PPM supported the candidature of former President Abdul Yameen despite his criminal conviction. Protests against the SC ruling and the continued incarceration of Abdulla Yameen became part of the campaign environment. According to the PPM protesters, his right to appeal was curtailed by a deliberately protracted procedure of the High Court which failed to conclude the case expeditiously, interfering with his right to run for public office.

IX. CAMPAIGN ENVIRONMENT

Election Campaign

Calm campaign dominated by two parties, with frequent reports of instrumentalisation of state resources and vote buying

The presidential campaign is primarily regulated by the ethical guidelines contained in the PPA and the code of conduct for candidates and their supporters contained in the PER 2023. The legislation prohibits interference with other contestants' campaigns and encourages candidates to call upon the police to resolve potential disruptions. Voter coercion, vote buying and bribery, as well as incitement to hatred and violence, are forbidden.

In addition to the applicable legislation, the ACC "Guidelines on the Reduction of Corruption in Elections" (2023) seek to address gaps and areas that are not clearly spelled out in the law, providing advice on "campaign incomes and expenditures, civil servants' participation in campaign activities, use of state resources, ensuring transparency in elections, and prevention of bribery and vote buying".

Electoral campaign – first round presidential election 9 September

The official 30-day canvassing period lasted from 10 August to 8 September, but the campaigns of the main contestants started much earlier. The atmosphere was largely quiet, with few disturbances. President Solih and the MDP were most visible, followed by Dr. Muizzu with PPM-PNC, and The Democrats. Common techniques of voter engagement included opening campaign offices, erecting posters and flags, door-to-door canvassing, rallies and motorcades, and use of social media. Those candidates and running mates able to afford the costs travelled from atoll to atoll to meet their supporters.

The candidates' manifestos and policy proposals did not differ greatly. Most contestants focused on domestic issues and made grand pledges of economic development and targeted financial promises, such as increased wages for civil servants or waivers of student loans. Campaign manifesto themes included housing, educational opportunities, improved health services, empowerment of women and youth, national security, and upholding Islamic values.

Both MDP and PPM-PNC sometimes included religious authorities in their larger events, such as the State Minister for Islamic Affairs on the side of the government in Addu, and scholars of the religious conservative organisation Jamiyyath al-Salaf in support of Dr. Muizzu in Hulumalé. The Salaf group, registered as a non-governmental organisation, promotes more conservative Islamic values than the Adhaalath Party which was represented in government. The public perception, based on the Salaf group's support, was that a vote for Dr. Muizzu could result in a more strict application of Islamic rules and education in the future.

EU EOM observers noted instances of derogatory language, directed towards the president, on the side of PPM-PNC. Their campaign included anti-Indian sentiments, based on fears of Indian

influences and anxiety regarding a presence of Indian military personnel inside the country. This theme was subject to multiple online disinformation attempts.³⁵ The PPM also campaigned strongly on the image of former President Yameen, demanding his release from prison.

The instrumentalisation of state resources on the side of the ruling MDP, and to a lesser extent of the Malé municipal administration under Mayor Dr. Muizzu, was frequently alleged by stakeholders, and complaints were made to the ACC. The ACC regards the misuse of state resources as a grey area, not always specified as a crime, and recommended that it be addressed in the EGA, in addition to the Penal Code.

The government pursued significant infrastructural development and opened new transport routes, with intensified activity leading up to the election, before and after the beginning of the official campaign period, purportedly to convince voters of their capacity to improve lives.³⁶ This included cabinet ministers and other officials accompanying the President to inaugurate projects, without a clear distinction between governmental or civil service functions and campaigning.³⁷ Moreover, in response to a prevailing housing crisis, the government issued tickets for the allocation of land and apartments in parts of territory not yet reclaimed from the sea, and for buildings not yet erected. Responding to government plans and pledges, the opposition expressed concern at the level of state debt and the danger of state bankruptcy, echoing a World Bank report.³⁸

Most criticised was the instrumentalisation of state-owned enterprises (SOEs) for campaign purposes.³⁹ According to interlocutors, this is a recurring issue in Maldivian elections. In this campaign, the government used SOEs, most prominently FENAKA (utilities) and MTCC (transport and contracting), to demonstrate their efforts on local development and decentralisation, in particular during presidential visits, and reportedly hundreds of people were given new jobs during the pre-electoral period.⁴⁰ Whereas the government argued that increased numbers of

³⁵ An opposition-led “India Out” campaign started in 2020 but was banned by a presidential decree that criminalised these demonstrations in April 2022. This was seen as a controversial decision, in part for restricting the freedom of expression. Over the last decade, the previous PPM administration has been seen as closer to China and the MDP administration as closer to India.

³⁶ The EU EOM to Maldives 2014 recommended considering imposition of a moratorium on the opening of public works during the campaign period.

³⁷ The ACC guidelines include recommendations for the conduct of official trips during the campaign period.

³⁸ World Bank: Navigating a Tight Line. Maldives Development Report. April 2023.

³⁹ According to the 2013 Privatization, Corporatization, Monitoring and Evaluation of Government Business Act, “‘State-Owned Enterprises’ are companies, boards, commissions, (corporate) societies or any other organisation where government has a direct or indirect ownership or shares and/or controlling (or ownership of) interests”. SOE Boards are nominated by the President who can also establish new SOEs by decree. During President Solih’s term, four new SOEs were founded. There were 32 SOEs registered at the time of the election (cf. <https://soegateway.finance.gov.mv/soes>).

SOEs are subject to regulation by the Privatisation and Corporatisation Board (PCB), but their legal status is opaque – several EU EOM interlocutors criticised the absence of an Act on SOEs. Their personnel are not civil servants; however, the SC characterised them as public officials (PG vs Mohamed Shifau 2023/SC-A/15), implying that SOEs fall under the Right to Information Act, and therefore are obliged to disclose information regarding their employees (2022/HC-A/109 Bank of Maldives vs ICOM). Transparency Maldives recommended that: “*Relevant actors, including the Parliament, should review and urgently strengthen SOE governance in all necessary areas of governance risks to prevent a possible entrenchment of a patronage and clientelist system in the Maldives (that could unduly electorally benefit the incumbent).*” Cf. Transparency Maldives Pre-Elections Assessment (15 August 2023, p. 14).

⁴⁰ Based on media reports since the beginning of July, MTCC announced 15 new projects and FENAKA inaugurated 17 new offices or powerhouses prior to the official campaign period; furthermore, MTCC inaugurated 22 projects and announced 32 new projects, and FENAKA inaugurated 24 new offices or powerhouses during the official campaign period. Other SOEs cited in the campaign environment were STELCO (electricity), MWSC (water & sanitation), RDC (road development corporation), STO (state trading organisation), and Urbanco (Hulumalé city development).

personnel were needed to conduct new works, opposition and civil society provided numerous examples of fresh employment, with the purported goal of enticing voter support and use of their labour to participate in campaigns. To a lesser extent, the EU EOM received reports of alleged staff intimidation in case of non-compliance. SOEs reportedly also used their corporate social responsibility budget to provide campaign funds to parties, for example through sports clubs and associations. Many stakeholders characterised these practices as vote buying and bribery.⁴¹

Recommendation: Introduce measures in law and combat the misuse of state resources, including the instrumentalisation of state-owned enterprises for campaign purposes

Candidates enjoyed freedom of movement and their supporters assembled at rallies across the country. There were a few reports of arrests of opposition supporters in a number of locations where President Solih campaigned, the lawfulness of which was contested by the opposition.⁴² Otherwise, the campaign was peaceful, with minor security incidents.

Electoral campaign – second round presidential election 30 September

The run-off campaign appeared competitive. Both teams adjusted their strategies for the second round. Few big rallies were held, with a focus on reaching every voter directly. The incumbent focused on specific interest groups and door-to-door visits. The opposition candidate aimed to visit the around 100 islands not reached before, in addition to intensified door-to-door and youth contact. The emphasis on former President Yameen became less prominent.

Both camps made efforts to assist in re-registration of voters who had not participated in the first round and also invested in more telephone campaigning. The urban centres of Addu and, in particular, the capital Malé, where turnout for the first round was below the national average, were the most contested parts of the country. Only the parties' closing events in Malé were large-scale rallies. In both rounds, the parties also campaigned overseas.

The candidates' key messages remained unaltered, with the MDP emphasising stability and development, and the PPM expressing nationalistic notions of sovereignty and independence. Both camps also engaged in negative campaigning, suggesting “discontinued development and the return of a repressive PPM government” on the one side, and alleging “unfulfilled government promises, corruption and foreign intervention” on the other, with accusations of allowing the presence of Indian military emphasised repeatedly. Both parties continued to make financial pledges to the electorate, such as raising salaries and social welfare allowances, reducing rents for social housing, and increasing the price for fish. MDP extended their offer of housing and land in the Greater Malé Region to people who have been residing here for more than twenty years.

Reports of systematic vote buying continued and concerned both sides. While the EU EOM did not observe this directly, numerous reports of this malpractice were encountered. Interlocutors shared examples of vote buying proposals, facilitated by brokers and networks, and politicians

⁴¹ The ACC proposed amendments to the prohibition of bribery in EGA Article 74a (11, 12), to clarify the timeframe regarding bribery in elections, as well as to penalise both buying and selling of votes.

⁴² The EU EOM was informed of a case in Fuvahmulah on 29 July where Special Operations Police arrested members of PPM and The Democrats. Other arrests occurred in Dh. Kudahuvadhoon on 8 August and GA. Viligili on 10 August. The last such case was reported in the media on 21 August in B. Thulhaadhoo where four PPM protestors were detained prior to a visit by the President.

confided how they were approached by voters, negotiating the price for their support.⁴³ There were also credible allegations of voter suppression, to prevent voting for each other's opponent. Voter groups, including the youth, shared with the EU EOM their frustration with political parties and dissatisfaction with their policy proposals.

Recommendation: Coordinate efforts among responsible authorities to monitor, investigate, and prosecute vote buying, through effective implementation of existing laws and capacity building⁴⁴

Unlike in previous presidential elections, contestants from the first round did not offer significant endorsements to either of the run-off candidates. Only Mohamed Nazim of MNP, who had 0.86 per cent of the vote in the first round, offered his support to Dr. Muizzu. The MDP's coalition partners, AP and MDA, continued to stand with the incumbent, but the latter changed sides to Dr. Muizzu before election day. JP leader Qasim Ibrahim left the decision on endorsement to the individual choice of party members. The Democrats stayed officially neutral, despite negotiating a referendum with the MDP.

On 13 September, The Democrats' candidate, Ilyas Labeeb, tabled a motion in the People's Majlis calling for a referendum on the national governance system, whether it be presidential or parliamentary. The party made their support for either of the run-off candidates contingent upon their agreement to the public consultation. Their initial proposal was to hold the referendum prior to the second election day. Although objecting to this timing, neither MDP nor PPM-PNC opposed a referendum after the election. On 20 September, the MDP supported The Democrats' resolution for a referendum at the end of October.

Despite this parliamentary decision, to hold a referendum within a month of the election, its substance did not feature prominently in the campaign discourse. The idea was abandoned subsequent to the presidential election.

X. CAMPAIGN FINANCE

Campaign finance lacks transparency and oversight, contributing to the absence of financial accountability of political actors

Campaign finance provisions are dispersed across a multiplicity of legal instruments – namely EGA, PPA, PEA, and the respective regulations – with some gaps and imprecision, creating an absence of clarity for stakeholders. The ECM is the body responsible to receive political parties' and candidates' finance and audit reports, without an overall political and campaign finance oversight role clearly spelled out in the law (see below).

Political parties may obtain funds from members, through business transactions, fundraising activities, loans, and from the government. Parties with over 10,000 members receive public funding of between 0.1 and 0.2 per cent of the national budget, creating an incentive for membership recruitment that can result in competition between the parties.⁴⁵ In addition, political parties may obtain permission from ECM to receive funds from foreign entities and anonymous

⁴³ The EU EOM was informed of three incidents reported to the police that were related to vote buying on election day. Two concerned cases of MPs from Addu city who, in separate incidents, were assaulted and subsequently hospitalised, allegedly because they did not pay voters the sums agreed for their support. In a third case, the police arrested a person with a bag of cash in the vicinity of a polling station. While the assault cases were investigated by the police, the latter case was transferred to the ACC.

⁴⁴ This recommendation is similar to one suggested by Transparency Maldives (2023, p. 14).

⁴⁵ In 2023, six political parties were eligible for state funds, namely MDP, PPM, MDA, MNP, JP, and AP.

donors; no such request has ever been made. Audited reports of party accounts are to be submitted to the ECM annually.

Candidates may receive donations and loans from individuals and legal entities (including political parties), but not from the state or from companies in which the state is a shareholder, nor from foreign organisations and governments, nor from anonymous sources. EU EOM interlocutors indicated that the spending of political parties on presidential campaigns is not sufficiently regulated and accounted for. Independent campaign spending by third parties is not regulated, which is particularly problematic as this reportedly often occurs in cash, contributing to a lack of transparency and accountability in the system. The calculation of in-kind contributions is also not specified in the legal framework.

Overall campaign expenditure is limited to 2,000 MVR per eligible voter (approx. €120), resulting in a maximum expenditure of 564,790 million rufiyaa (approx. €33.5 million).⁴⁶ Some parties and candidates may be able to spend such sums, with the support of wealthy donors, but most contestants and civil society actors consider the ceiling to be unreasonably high and a potential distortion of the democratic process, in violation of the guarantee of genuine elections protected in the International Covenant on Civil and Political Rights.⁴⁷

Campaign finances are typically managed and reported by the candidates' election agents. A dedicated bank account must be used for all campaign transactions. The law stipulates that it is an offence to spend or receive in excess of the limits. The financial penalties for overspending and for failures in reporting are insignificant, however, with minor monetary sanctions provided for in the law for non-compliance.⁴⁸ The payment of fines, first imposed following a by-election in April 2023, has not been enforced.⁴⁹ Imprisonment upon conviction, for between one and four years, is also provided for by law.

Recommendation: To enhance the accountability of political parties and election candidates, revise and close gaps in the legal framework regulating campaign finance

Within 60 days after the election, candidates must submit financial statements to the ECM. The ECM has the responsibility to make the candidates' audit reports publicly available and began doing so in 2018. While the ECM is responsible for receiving financial reports, they do not have the power and capacity to investigate candidates' income and expenditure in detail. The ECM secretariat has undertaken commendable efforts to improve the quality of candidates' reporting, by, inter alia, revising the respective templates, and briefing candidates accordingly, and has engaged with the Auditor General's Office and the Institute of Chartered Accountants to generate guidelines for auditors.⁵⁰ Currently, however, no single institution is mandated to investigate

⁴⁶ The expenditure ceiling is calculated on the basis of the number of voters per electoral constituency, a provision that seems directed to legislative elections (EGA Art. 69, EGR Art. 54 (d,4)). Contributions from an individual may not exceed 0.5 per cent and contributions from a legal entity may not exceed two per cent of the overall expenditure limit, amounting to 2,823,950 MVR (approx. 167,600 EUR) and 11,295,800 MVR (approx. 670,426 EUR) respectively.

⁴⁷ General Comment 25 to Art. 25, paragraph 19: limitations on campaign finance are permitted to ensure genuine elections are not distorted by disproportionate expenditure on behalf of any candidate.

⁴⁸ Fines are set between 12,000 and 48,000 MVR (approx. 715 and 2,860 EUR).

⁴⁹ For the first time, the ECM fined three candidates who participated in the Guraidhoo constituency by-election for non-compliance with financial statement submission requirements.

⁵⁰ The ECM provided the "Guideline on books of account keeping of political parties and financial reporting to the Elections Commission". Other institutions have provided guidelines related to campaign finance, such as the ACC "Guidelines on reduction of corruption during elections" (2023) and Maldives Monetary Authority (MMA) "Financial Intelligence Unit's Guidelines for special bank accounts for elections" (2023).

candidates' financial declarations in detail. EU EOM interlocutors shared the opinion that, in the absence of political will for public accountability, the current system is inefficient, lacks enforcement, and is not respected by the stakeholders.

Recommendation: Clarify the institutional responsibility for campaign finance oversight and enforcement and strengthen the respective bodies, including the ECM, by providing capacity building and resources in this field.

XI. MEDIA

While media freedoms were generally upheld during the campaign, public service media gave preferential treatment to the President, and most private media outlets exhibited clear political bias

Media Environment

The Maldives' media landscape is concentrated in the capital and marked by political polarisation and shifting digital trends. There are a total of 37 registered broadcast media, of which 11 are Public Service Media (PSM), seven TV channels and four radio stations. While no audience data is available in the Maldives, the number of TV channels stands at 31.⁵¹ The most popular broadcast media include some private TV stations and the public service television, PSM News. The Public Service Media also functions as the state news agency.

There are a total of 229 online media registered in the Maldives. However, according to the Maldives Media Council (MMC), only about 45 are considered to be active. In recent years, online media outlets and social media have become the primary sources of news,⁵² with Raajje TV leading with 269,000 Facebook followers, followed by PSM News at 117,000. Only one newspaper remains in print, Mihaaru, catering to older generations. FM airwaves are dominated by the state, as no community or private radio stations operate in the atolls. Several stakeholders noted the need to establish community-based media platforms to generate local news and to inform the national public discourse on complex issues island populations face.

Due to the small size of the population and a limited advertising market, most media depend on SOEs for financial support and advertising. Most EU EOM interlocutors raised concerns that financial dependence by media on SOEs entails self-censorship, as this limits criticism and independent scrutiny of government spending, and nurtures an environment in which market-based competition between outlets is difficult to achieve. Furthermore, advertising in the media is not regulated in the Maldives.

Recommendation: Enact a regulatory framework for advertising in the media during elections, to clearly distinguish between editorial, free and paid content, as well as to prevent the use of public broadcaster for partisan coverage of political news and publicity regarding achievements of government, with a view to furthering the prospects of the party in power.

Additionally, the development of the media environment has been impeded by the partisanship of media ownership clearly indicating opposing political camps exerting political pressure; the

⁵¹ According to the Maldives Broadcasting Commission database of licensed media.

⁵² According to research conducted in 2022 by IRI's Center for Insights in Survey Research, 53 per cent of the population use social media, such as Facebook and Twitter, to access political news, 24 per cent use TV, 10 per cent use internet, and only four per cent use radio.

limited professional capacity of journalists; the lack of investigative journalism to hold individuals and institutions to account; and the absence of robust fact-checking mechanisms. Self-censorship is further attributed to threats against journalists⁵³ who refrain from writing about corruption and criminal gangs, fearing retribution. While one case involving journalists was reported during the observed period regarding a police assault,⁵⁴ a culture of impunity for crimes against journalists seems to linger,⁵⁵ further diminishing the opportunity for diverse voices in the country.

To the detriment of the development of the media sphere in the country, young people generally lack interest in journalism. Academic qualifications are not required for journalists. While most media houses offer basic training, more development of professional training is needed for diverse and independent media to be able to support an informed public discourse.

Recommendation: Provide training and professional development courses for journalists and editors to equip them with the knowledge and skills necessary to produce balanced, ethical and responsible journalism during elections, including merit-based coverage of the electoral campaign..

Legal Framework for the Media

The media legal framework includes the Constitution, the Elections (General) Act 2008, as amended, the Presidential Election Act 2008, the Presidential Election Regulation 2023, the Public Service Act regulating the Public Service Media, the Media Council Act 2008, the Broadcasting Act 2010, and the Evidence Act of 2022.

The Maldives Broadcasting Commission (MBC) also issued the 2022 Broadcasting Regulations and enacted a series of guidelines, including the Broadcasting Code of Practice, and the Guidelines for Political Coverage during Elections. The MMC also recirculated its Code of Ethics before the election and conducted training for media outlets on how to cover the election. As mandated by law, the PSM issued its PSM Election Airtime Policy for Candidates and Parties, specifying the allocation of free and paid airtime during the election campaign.

Freedom of expression and media freedoms were generally respected through both rounds of the election, and most media were able to cover the political campaign without substantial limitations. The Constitution of the Maldives, Article 27, recognises the fundamental right to freedom of expression. According to this article, every individual possesses the inherent right to think freely

⁵³ According to the Maldives Journalist Association's (MJA) survey on threats against journalists conducted in 2021, 64 per cent of journalists thought that gangs and criminal groups are involved in acts that restrict press freedom and affect the safety of journalists. Maldives_LR_A4_2021-final.pdf (ifj.org).

⁵⁴ International Federation of Journalists (IFJ) reported on a police assault on Sangu TV and Channel 13 TV media workers on July 20. <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/maldives-media-workers-assaulted-by-police>.

⁵⁵ MJA Press release – Expressing concern over the death threats to Hussain Fiyaz, chief editor of AdhadhuMV and its journalists. <https://twitter.com/mjamaldives/status/1638172640002347010>.

CPJ - Committee to Protect Journalists calls on Maldives authorities to swiftly investigate threats against 2 Dhauru journalists, <https://cpj.org/2023/04/cpj-calls-on-maldives-authorities-to-swiftly-investigate-threats-against-2-dhauru-journalists/>.

IFJ - Maldives: Journalists issued threats for story on politician and tourism mogul, <https://www.ifj.org/media-centre/news/detail/category/press-freedom/article/maldives-journalists-issued-threats-for-story-on-politician-and-tourism-mogul?share=&cHash=a447b79fda254378fdf8cd2b9b5ca30a>.

Online media Dhiyares journalists are regularly threatened by SMS and phone calls for criticising the government and have been under police protection since 2021.

and express their opinions, provided that their expression does not contradict any tenet of Islam.⁵⁶ However, the vague wording of this condition has contributed to a climate of self-censorship in the media. Adding to these concerns, the Evidence Act 2022 grants to the courts the authority to compel journalists to disclose their sources when dealing with matters pertaining to "terrorism" and "national security." These terms are poorly defined and overly broad, further contributing to a chilling effect on journalists and reinforcing patterns of self-censorship in investigative reporting.

In line with international commitments, the 2016 Defamation and Freedom of Speech Act, which had introduced substantial fines and periods of imprisonment for journalists and private citizens found guilty of slander, was repealed in 2018, decriminalising slander. This enhanced the freedom of expression. Now a civil wrong, no defamation cases were initiated during the election period.

Media and Elections

The EGA Section 30 (a) stipulates that, all the broadcasters in the Maldives should provide broadcasting time to political parties and candidates, through advertising or other programmes, in an equal manner during the election campaign period. The MBC must be informed of the allocation of time, which must also be publicly announced. According to the MBC, only five media outlets complied with this rule, making it difficult to evaluate compliance with regulations. MBC's Guideline for Political Coverage during elections further specifies that all broadcasters must allocate Direct Access Airtime (free and paid airtime) for candidates and political parties in an equitable manner. However, only the public service media allocated free and paid time to all candidates. During the first round of elections, a total of about 16 hours of free airtime was allocated to the eight candidates and parties,⁵⁷ and in the second round, while the same amount of airtime was allotted, it was not taken up by the candidates at all. During the first round five candidates opted for paid advertising while only one paid advertisement by MDP was detected by the EU EOM monitoring during the second round.

The EGA mandates the MBC⁵⁸, the main regulatory and licensing body for broadcasters and internet-based TV, to oversee compliance with laws and regulations by broadcasters.⁵⁹ While no formal complaints were received by the MBC during the two rounds of elections, a total of three cases was taken on MBC's own initiative. Three media outlets were cautioned for breaches of the strictly interpreted campaign silence rules.⁶⁰ The MBC is tasked with monitoring broadcast media on a full-time basis, 24 hours a day, during the campaign period.

During the campaign period, the MBC monitored only nine TV channels, due to a lack of financial resources, media monitoring methodology, and personnel. The MBC does not monitor political advertisements.

⁵⁶ Article 16 of the Constitution allows for the restriction of rights and freedoms to safeguard and uphold the principles of Islam.

⁵⁷ According to EU EOM monitoring data, mostly independent candidates used free airtime, but it was allocated mostly outside of prime time on less popular public service media channels. No usage of free airtime was detected by media monitoring during the second round.

⁵⁸ The Broadcasting Commission consists of seven members selected by the People's Majlis and appointed by the President.

⁵⁹ The MBC has established a mechanism to efficiently review complaints. Within a fast-track system of 48 hours it determines if the case is in breach of its Broadcasting Code of Practice. The MBC can adjudicate the matter, or forward to complaint to the ECM, which in turn can forward it to the Prosecution General to file charges in the relevant court.

⁶⁰ A short campaign silence period was observed, from 6 pm. the day before election day until 6 am. after election day, as mandated by law.

Recommendation: Strengthen the MBC’s capacity to effectively enforce adherence to campaign coverage regulations by bolstering their resources, including through the provision of finance, training, and monitoring methodology. Grant the MBC additional sanctioning power to enforce compliance with laws and regulations of campaign coverage in the media.

The MMC⁶¹ is responsible for licensing and overseeing the one newspaper and the 229 online media. It is mandated to improve the freedom of the press and the media sector, but with a small budget and lack of resources, it has difficulty fulfilling its mandate effectively. The MMC drafted a Media Code of Ethics in 2022 (signed by 27 media outlets), but does not oversee adherence to it. The MMC has no specific legal role in overseeing election-related content. The MMC has a Complaints Committee which can take administrative measures, such as bringing parties to mediation, requesting corrections, and issuing statements. It may receive complaints at any time, and while complaints of fake reports during elections were received, it decided to take no action to avoid perceptions of political bias.

The PSM⁶² has a particular legal obligation to provide voter education, and truthful, fair, and unbiased news. It must also organise debates during the campaign period. Since the PSM is self-regulating, in terms of allocating direct airtime to candidates, an extension of the mandate of the MBC in this area could be considered.

Regarding private media, MBC’s Guidelines for Political Coverage during Elections encourage broadcasters to follow their own voluntary ethical guidelines for fair and balanced news coverage. The guidelines stipulate that “news programmes that contain opinion, commentary, or analysis should be labelled as such, and private broadcasters should identify prominently intentional bias in their political coverage.” This guideline was largely ignored by private broadcasters.

Media Monitoring Findings

The EU EOM conducted a quantitative and qualitative media monitoring exercise of four TV stations and two radio stations⁶³ to assess whether candidates and political parties had equitable access to the media, whether free and paid airtime was equally allocated to all presidential candidates⁶⁴, and whether the information provided to the voters was presented in a balanced way.

Most media outlets monitored showed a clear imbalance and political bias, with the government and President Solih receiving most of the prime-time news coverage across monitored channels, (see Chart 3) of the opposition-aligned Channel 13 TV was an exception, focusing on the PPM-PNC coalition and Dr. Muizzu in its news and entire broadcast.⁶⁵ The public broadcaster, PSM News, focused on the president in his institutional capacity, inaugurating development and infrastructure projects, and blurred the line between election campaigning and presidential duties during both rounds of elections.

⁶¹ The MMC is a self-regulatory body made up of eight media organisations, journalists, and seven members of the general public.

⁶² The PSM operates under the Public Service Act; its chief executive officer is appointed by the board, after being nominated by the President.

⁶³ The EU EOM Media Monitoring Unit monitored four TV channels: PSM TV (state-owned), Raajje TV (private), Channel 13 (private), and Sangu TV (private) from 10 August to 8 September, and from 10-28 September, during evening primetime: 20:00-24:00 hours. Radio stations Voice of the Maldives, 89.0 FM (state-owned), and Dhivehi 91.0 FM, (state-owned), were monitored during morning prime time from 7:30-11:30 hrs from 12 August to 8 September, and from 10-29 September. (For radio data in the run-off, four days of monitoring were not included due to technical errors in broadcast and recording.).

⁶⁴ A total of 16 hours of free airtime was allocated by PSM to contestants during each round of the election.

⁶⁵ See Annex 2 for the full results of the EU EOM media monitoring.

EU EOM Media Monitoring Findings - First Round, 9 September

In line with MBC's 2022 Broadcasting Regulations, the Public Service Media allocated free and paid airtime equally among the eight presidential candidates, while private media failed to adhere to the EGA on the provision of equitable airtime. PSM News, while continuously blending governmental functions with the campaign roles of the President, covered the government overwhelmingly (see Chart 2), in addition to covering the President on the campaign trail.

The public service media hosted various programmes for candidates on the state radio and its less popular channel TVM, utilised mostly by independent candidates and MNP's Mohamed Nazim. These provided meaningful exposure to independent candidates outside newscasts. PSM News also featured a one-hour special called "One on One with the Candidate" benefitting the three independent candidates and MNP's Nazim, and its "Running Mates' Talk Show" on 30 August provided a platform to discuss candidates' policies.

A presidential debate, with the participation of all eight candidates, was organised by private Sangu TV, co-organised with PSM, on 2 September, providing voters with an opportunity to directly compare candidates and their stands on issues of national importance.

Overall, during the first round, news, editorial, and live coverage of the candidates dominated the campaign coverage (see Chart 1). Messages focused on lavish development promises and political animosity resulting from past political misdeeds. For Channel 13 TV, the campaign was dominated by the call to free the jailed former President Yameen. During the first round, a negligible amount of paid advertisement⁶⁶, mostly on Sangu TV, was detected in broadcast media monitored. While prominent political figures dominated the news, independent candidates were covered according to their political weight, mostly in a neutral or positive tone (see Chart 4).

EU EOM Media Monitoring Findings – Second Round, 30 September

The dominance of the President and the Government in PSM news continued during the second round (see Chart 2) with PSM emphasising the incumbent government's achievements in its current affairs programming. The programme entitled "Maldives Today" (Raajje Miadhu), for example, mostly featured government and state officials praising the government's accomplishments in different sectors.

Private broadcasters Sangu TV and Channel 13 collaborated to host a special programme entitled '#AskMuizzu', allowing the opposition candidate to engage directly with the electorate in a live setting. According to Sangu TV, a similar opportunity was offered to President Solih but was not taken up. While Sangu TV provided the most equitable news coverage to both candidates (see Chart 3), the channel devoted a greater portion of their coverage to Dr. Muizzu, especially when broadcasting his campaign live (see chart 6), likely because Dr. Muizzu participated in more large-scale campaign events during the second round of the election compared to the President.

The private media portrayal of the candidates progressively adopted a more negative tone compared to during the first round, especially regarding the President (see Chart 4). Rajjee TV's editorial and news coverage continued to favour the President (see Charts 3 and 4) while the opposition PPM-PNC, and Dr. Muizzu was often portrayed in a negative light.⁶⁷ Additionally,

⁶⁶ A total of 26 minutes of paid advertising by Mohamed Nazim and two minutes of Qasim Ibrahim was recorded in the four monitored TV stations.

⁶⁷ On 26 September Raajje TV also broadcast a documentary featuring Dr. Muizzu's stepmother accusing him of mistreating her and not fulfilling his promises to take care of her. The accusation was originally published on Adhadhu.com (online media) against Dr. Muizzu - who was not provided the opportunity to reply on Raajjee TV.

Rajjee TV overwhelmingly covered the President, the Government and the MDP in all its programmes and failed to cover Dr. Muizzu’s campaign live.

Channel 13 continued to cover Dr. Muizzu’s campaign activities exclusively (see Chart 6). President Solih received the least news coverage on the opposition-leaning channel (see Chart 3) and was mostly portrayed in a negative light.

Voter information video spots prepared by ECM were broadcast more frequently during the second round, but only on the private Sangu TV, among the TV channels monitored. The short, animated spots pertained to the basics of voting processes, but no information was broadcast on the crucial issues of re-registration procedures or the invalidation of votes. Even though PSM invited ECM officials to participate in a voter awareness programme “Votah Thayyaaru” to talk about election preparations, its voter information efforts fell short of its responsibilities as a public broadcaster.

XII. SOCIAL MEDIA AND DIGITAL RIGHTS

General overview of the social media environment

In early 2023, the Maldives had a substantial online presence, with 448,400 internet users, accounting for an 85.8 per cent internet penetration rate⁶⁸. Moreover, more than 70 per cent of the Maldivian population actively engaged with various social media platforms, totalling 372,400 users. Over 80 per cent of the country’s internet users were connected to at least one social media platform.

Mobile devices were the preferred means for accessing the internet, a trend reflected in the over 800,000 mobile connections within the nation.⁶⁹

Among the social media platforms, Facebook was predominant, with a user base exceeding 270,000, closely followed by Instagram, which had 190,000 users. Twitter was third with 120,000 users, while Tiktok displayed growth with an increasing number of users.

All major political parties maintained standard official websites; however, their primary online activity centred around Twitter and Facebook. These two platforms were extensively utilised by political parties, the ECM, and civil society groups for information dissemination. Viber and WhatsApp have become the messaging platforms of choice for political parties in their communications. The mission’s assessment revealed a limited presence of civil society organisations, such as fact-checking and media analysis groups, posing obstacles to transparency and the dissemination of accurate information in Maldives.

Apart from broadcast media, and one printed daily newspaper, all media outlets in the country have transitioned to digital platforms and use social media platforms to disseminate news.⁷⁰

A September 2022 poll conducted by the International Republican Institute (IRI)⁷¹ established that 53 per cent of respondents obtained their political news and information via their mobile phones, emphasising the pivotal role of online channels. Television accounted for 24 per cent of the population’s information source, while the internet, excluding social media, represented 10 per cent. Radio and messaging networks, such as Viber and WhatsApp, constituted 3 per cent each. A mere 1 per cent of respondents expressed reliance on print media for their political information.

⁶⁸ The state of digital in the Maldives, 2023, DataReportal.

⁶⁹ The state of digital in the Maldives, 2023, DataReportal.

⁷⁰ Overview of the environment for Media, August 2021, Center for Law and Democracy.

⁷¹ National Survey of Residents of The Republic of Maldives, August-September 2022, International Republican Institute.

Legal landscape for social media

In the Maldives, there are no laws regulating the use of digital and social media, including streaming services. A draft privacy and data protection bill was published for public comment by the Ministry of Environment, Climate Change and Technology in May 2023. Digital communications and internet services are, however, regulated by the Communications Authority of Maldives (CAM), which has the power to enforce content restrictions and block websites. CAM maintains an unpublished list of websites that have been blocked in the Maldives, mostly due to anti-Islamic content.⁷²

The lack of national legislation on regulation of social and digital media is exacerbated by the fact that mainstream online media platforms do not have algorithms capable of picking up the Maldivian language, Dhivehi.⁷³ Due to this, violations of the terms of use of these platforms — particularly provisions around harmful or threatening language and abusive behaviour— have become widespread in Maldivian digital spaces and in social media⁷⁴. The electoral legal framework does not give power to MMC to sanction online hate speech, defamation or disinformation. The MMC requires additional capacity to monitor social media.

Recommendation: Consider inclusion in the electoral legal framework of detailed provisions for campaigning on social media and granting power to the MMC to implement this law and to sanction violations.

Social media monitoring findings for both rounds of the election

During both rounds of the election, there was a significant increase in information sharing across various social media platforms compared to the period preceding the elections, with political parties and their supporters mainly using Meta/Facebook and X/Twitter for campaigning. All presidential candidates, except the running mates of Ahmad Faris Maumoon and Hassan Zameel, used social media extensively. It was observed that as the campaign evolved, major parties also targeted the Generation-Z (Gen-Z) audience using TikTok and Instagram.

All presidential candidates were active online. In their posts, they disseminated their manifestos and pledges, principally employing photos and videos to capture their audience. Many candidates also utilised Meta Live to broadcast live rallies and campaign events to both their supporters and the general public (see Chart 2). The two main contenders, President Ibrahim Mohamed Solih and Dr. Mohamed Muizzu emphasised infrastructure and housing as their primary topics (see Charts 6 and 7).

Maldives does not have dedicated fact-checking platforms. The overall capacity for verification of malicious content, particularly in Dhivehi, is inadequate because social media platforms may struggle with data extraction. Although X/Twitter does not allow political advertising, the social media monitoring team noted more than 20 paid advertisements on X/Twitter. Due to the X/Twitter privacy policy, the team was unable to ascertain precise expenditure by presidential candidates and affiliated parties on X/Twitter advertising.

⁷² Mendel, T. (2021) Maldives: Launch of Report on Media Environment, Centre for Law and Democracy. Available at: <https://www.law-democracy.org/live/maldives-launch-of-report-on-media-environment/> (Accessed: 24 August 2023).

⁷³ https://blog.twitter.com/en_us/a/2011/translating-twitter-into-more-languages#:~:text=If%20you%20go%20to%20the,to%20help%20us%20with%20updates.

⁷⁴ Chasing Justice, August 2022, Maldives Journalists Association and IFJ.

Recommendation: Develop mechanisms to establish a dedicated fact-checking platform in the Maldives to verify information and combat disinformation and ensure corrections when false information is spread.

The use of paid advertising by contestants and third parties on Meta's platforms was monitored, revealing that candidate Mohamed Nazim and the Maldives National Party, and affiliated pages, and candidate Umar Naseer, devoted the most resources (albeit not significant resources) to Meta ads.

The analysis of online media outlets' during the election period revealed a predominant focus on campaign news. These outlets served as a primary platform for candidates to disseminate their campaign messages and engage with the electorate.

It was also observed that both major parties employed narratives about religion in their online posts to undermine their opponents and position themselves as the better option. During the second round of elections, in stark contrast to the first round, the landscape of social media became increasingly marred by information manipulation. This development reached a point where it seemed that both contesting parties were more engaged in anti-campaigning rather than promoting their policies and pledges to the electorate.

During the second round of elections, widespread information manipulation on social media questioned the integrity and sincerity of both candidates and diminished public trust in political dialogue. This content used various deceptive methods and was not exclusive to any single party; both main parties exchanged unfounded claims and accusations.

A notable 58 per cent of the misleading election-related content monitored during the campaign period originated from the online media outlet, Dhiyares. Meanwhile, 17 per cent of the misleading content was sourced from the social media page of the traditional media outlet, Rajje TV. A further 8 per cent of such content was attributed to Adhadhu, another online news media. Seven per cent of manipulated content was identified to have been disseminated via the social media page of another traditional media, Channel 13 (see Chart 8). This contentious style of campaigning overshadowed meaningful policy debates and intensified the climate of mistrust.

The opposition accused the ruling party of being involved in the surge in re-registration applications, including tampering with ID cards and the personal data of individuals. The opposition also raised concerns at the MDP allegedly using publicly held private data. This data is suggested to have been sourced from institutions responsible for safeguarding private details, including the Department of National Registration and the ECM. The purportedly leaked data included national ID information, addresses, family connections, and political affiliations. Notably, it was observed by the mission that almost all political parties had access to the personal data of people, to some extent, during campaigns without their consent. The safeguarding of the personal data of Maldivian citizens is largely unregulated allowing certain information to be accessed from various sources without individual consent.

Recommendation: Enact data protection legislation and ensure its effective implementation.

XIII. PARTICIPATION OF WOMEN

Women remain underrepresented in public and political life

The number of women elected to the People’s Majlis has decreased, from 6.5 per cent in 2009, to 5.9 per cent in 2014, and 4.6 per cent in 2019. Of 169 serving judges, 24 are women, including two among the seven-member SC bench appointed in 2019. All presidential candidates were men.⁷⁵

An amendment to the Decentralisation Act in 2019 introduced a 33 per cent quota of reserved seats for women in local councils, which resulted in 388 women being elected to local councils in 2021 elections (39.5 per cent of total membership). There are no affirmative action provisions elsewhere in the legal framework to promote the participation of women at the national level in political life. The third UN Universal Periodic Review of the Maldives in 2020 recommended that the country promote and increase the participation of women in public and political life and achieve full implementation of its obligations under CEDAW.

While women made a significant contribution to the conduct of the election, they were underrepresented in the management of the process. Of 15 atolls visited by the EU EOM, 13 of the focal points were men, comprising 87 per cent of the office holders, compared to two women, at 13 per cent. Of the 139 island focal points within these atolls, 100 of the focal points were men, comprising 72 per cent, compared to 39 women, at 28 per cent. No woman has been appointed to the ECM since it was established in 2008.⁷⁶

Recommendation: Introduce affirmative action measures to ensure nomination of women to leadership positions in public life and political life, including to independent bodies.

The Gender Equality Act 2016 permits the adoption of temporary special measures to promote equality without compelling any specific mechanism to promote women’s political participation and inclusion in political parties structures, party lists and selection as candidates where women are still underrepresented.

The extension of affirmative action to parliamentary elections is widely advocated within the country. It was included in the CEDAW shadow report 2020⁷⁷ which suggests to “introduce robust measures to increase women’s inclusion in the parliament.” The report also proposed that political parties should adopt temporary special measures to ensure the fair and equal representation of men and women members in the national councils of political parties. The National Gender Equality Action Plan for 2022 and 2026, issued by the Minister of Gender and endorsed by the President, recommends “33% quota of national parliamentary seats reserved for women.”⁷⁸

At the time of ratification of CEDAW, Maldives entered a reservation to Article 16 which obliges state parties to eliminate discrimination against women in all matters related to marriage and family relations. On 24 February 2020, the government submitted a partial withdrawal of the reservations to specific sections of Article 16, as some issues, related to right to choose a spouse, equal rights regarding children, personal rights as husband and wife, properties and ownership,

⁷⁵ One woman participated as the running mate of her husband, independent candidate Hassan Zameel.

⁷⁶ Women comprised 77 per cent of polling staff in stations observed by the EU EOM on election day in the second round and approximately 75 percent in the first round.

⁷⁷ NGO Shadow Report to the 6th Universal Periodic Review State Report of the Maldives, April 2019, Uthema, Maldives. <https://uthema.org/wp-content/uploads/Uthema-Comp-CEDAW-Shadow-Report-20Apr2020.pdf>.

⁷⁸ gender.gov.mv/en/wp-content/uploads/sites/1/2022/03/GEAPFinal.pdf.

and the minimum age of marriage, had become obsolete through enactment of new legislation.⁷⁹ CEDAW Concluding observation on sixth periodic report of Maldives reiterating previous recommendations: ‘is urging the country as a state party to expedite its effort towards withdrawing its remaining reservations to Article 16 of the Convention as incompatible with the object and purpose of the Convention as a whole.’⁸⁰

XIV. PARTICIPATION OF PERSONS WITH DISABILITIES

Intensified outreach and more pro-active efforts needed to increase inclusion of PwD

In 2010, the Maldives ratified the Convention on the Right of Persons with Disabilities and enacted the Disability Act.⁸¹ The Disability Act provides for the full and effective participation of persons with disabilities (PwD) in political life and elections and inclusion in society. The law stipulates that “*polling stations and centers, polling materials, information and regulations, and modes of polling are easily accessible, and can be used independently and free of influence, and these modes can be utilized by persons with disabilities.*” The legal framework provides for the right of PwD to vote independently, without influence, and by secret ballot or with the assistance of a person of their own independent choosing. However, the PER 2023, Section 38 (b), only allows for three instances where voters can request assistance, with the only category of disability addressed being to “*physically challenged*” persons. Persons with cognitive and psychological disabilities are, in principle, therefore denied assistance.

A significant advance towards the implementation of independent voting for persons with visual impairments was introduced by the third amendment to the EGA in June 2023. This stipulates that visually impaired persons can choose to use tactile ballot guides to cast their votes independently, without assistance. While civil society organisations welcomed the law, they criticised the lack of nationwide awareness-raising on the measure. The EU EOM observed that training for visually impaired persons, including on how to use the tactile ballot template, was conducted in many places, but not countrywide.

After the 9 September election, the ECM announced that 45 voters had used tactile ballot guides, which is indicative of a rather low level of participation, very likely due to insufficient awareness among visually impaired persons about the new law. No measures to increase the inclusion of PwD in the run-off were conducted. More specific training of polling staff is needed to increase awareness on the rights of persons with disabilities to ensure inclusion and dignified treatment when exercising the right to vote.⁸²

There is insufficient access of PwD to voter information and voter education. Section 27 of the Disability Act prohibits any form of discrimination in the accessibility of information via news, radio, television, and other modes of media. Sign language was not used in the broadcast of all ECM press conferences. but, positively, was included in several voter education videos. There was, however, a general lack of voter education activities specifically tailored to the needs of PwD. There were also no special measures, such as hotlines, put in place to enhance access to re-

⁷⁹ Maldives maintains reservations to CEDAW Article 16.1. (a), (c), (d) and (f); in February 2020 reservations to Article 16.1.(b), (e), (g) and (h) and Article 16 (2) were removed.

⁸⁰ N2135159.pdf (un.org).

⁸¹ Protection of the Rights of Persons with Disabilities and Provision of Financial Assistance (Disability Act). The Disability Act established the Disability Council to oversee the implementation of legislation and undertake consultations with civil society organisations.

⁸² The EU EOM received reports from civil society representatives of cases of PwD having been denied their right to independent or assisted vote.

registration and to the complaint process for PwD. Disabled persons' organisations expressed their dissatisfaction at not having been properly represented in the NAC. They also criticised the absence of a comprehensive national disability register.

Recommendation: Enable independent access to the various stages of the electoral process, including through voter information and voter education and increased awareness raising for ECM officials.

XV. PARTICIPATION OF YOUTH

Nearly half of all Maldivians, 47 per cent, are youth aged between 18 and 35, and approximately 7.4 per cent of citizens registered to vote were estimated to be first-time voters.⁸³ The ECM did not publicise voter registration data by age before election day but after the election revealed that 41 per cent of voters were youth. Only 2 out of 87 members of the People's Majlis (2.2 per cent) are part of this age group. Political parties and candidates are conscious of youth as a considerable part of the electorate; many have dedicated youth wings or included sections in their manifestos aimed at youth. Nevertheless, the EU EOM witnessed few campaign activities or messages dedicated specifically to the younger generation, nor did youth dominate any of the observed campaign events. The ECM did not provide youth-specific civic or voter education for these elections. Disappointed by corruption and unfulfilled campaign promises of the past, and not feeling represented and understood by political parties and candidates at present, many young people were reportedly frustrated with politics and dissatisfied with the options on the ballot.⁸⁴ The Maldives face a known problem of drug-related youth gang criminality and risks of violent extremism⁸⁵ while a civic education curriculum is missing from public schools.

Recommendation: Provide voter registration data disaggregated by age to support civic and voter education to target the younger generation

XVI. CITIZEN AND INTERNATIONAL ELECTION OBSERVATION

Increase in number of accredited political party observers and media monitors, but only one organisation with citizen observers

For the first round, the ECM received a record number of more than 8,000 applications for the accreditation of observers and monitors. In total, there were over 3,000 accredited observers from political parties, and 4,545 media monitors. The incumbent MDP had 954 accredited observers, almost double the number of PPM, with 474. There was some scepticism expressed at the high number of applications for accreditation from media monitors, many of whom were observed on polling day to be politically aligned.

In the second round, due to the creation of additional polling stations and the increased time pressure, the accreditation process for party observers, candidate representatives and media

⁸³ Calculated on the basis of new registrants for the election.

⁸⁴ The EU EOM organised a focus group discussion (FGD) with youth voters (here age 18 to 25) before election day. The FGD took place against the backdrop, on the one hand, of widespread reports without substantiated sources of a disengaged younger generation, and, on the other hand, the lack of formal youth interlocutors. The activity enhanced the mission's understanding of youth engagement in politics and elections and provided additional information on the subject of vote buying.

⁸⁵ Maldives National University: Disengagement of Maldivian Youth: A Public Perception Study. October 2022.

monitors was finalised after the legal deadline of not less than 10 days prior to the election. Some political parties, including the incumbent MDP, were not granted additional accreditations as they had reached the legal ceiling of 10 per cent plus the number of ballot boxes in the first round. However, more than 2,000 additional media monitors were accredited for the second round, with the applications reportedly initiated by political parties.

Transparency Maldives (TM), the only civil society organisation conducting long-term observation, deployed 32 long-term observers across the country and had 441 short-term observers in the first round election. For the second round, the organisation deployed 490 observers. Through its independent observation, public engagement, and continued commitment to enhancing the transparency of the electoral process, the organisation played a critical role in increasing public trust in the election process. Beside Transparency Maldives, only the Human Rights Commission of Maldives deployed observers, its entire staff of 96 members.

Some 143 international observers and 22 international media monitors were present in the country for the first round, and around 90 observers and 20 media for the second round. The EU EOM was the only long-term international election observation mission present in the country. The Commonwealth deployed a mission of 21 observers for the first round and 14 for the second. In addition, the ECM invited a group of 31 representatives of national election administration bodies and deployed them across the country.

The legal rules permit only one observer from an organisation to be present in a polling station at a time. The methodology of the EU EOM and of the Commonwealth is that observers are mobile and perform their duties in teams of two, to promote objectivity in assessment. While the ECM attempted, on a discretionary basis, to accommodate the methodology of international observers present in the country, access for the EU EOM observers was not optimal and was not always permitted in pairs.

XVII. ELECTORAL DISPUTES

An election dispute resolution system providing a comprehensive system to address complaints

The dispute resolution system is comprehensive and addresses election related complaints at all stages of the electoral cycle. According to the 2018 First Amendment of the EGA, the ECM has primary jurisdiction to determine and investigate all election related complaints. Electoral offences can be transmitted to the ACC for investigation and to the PG for prosecution. The ECM has the authority to request assistance from different governmental bodies involved in elections.

At the end of July 2023, the ECM established the National Complaints Bureaus (NCB) composed of five members, and ten days before the elections, Atoll Complaints Bureaus were established in 18 atolls and three cities (Addu, Kulhudhuffushi and Fuvahmulah) with three members each. The NCB served as the focal point for all Bureaus and compiled daily reports of complaints nationwide. The NCB members did not possess any experience of investigation to fulfil the requirement of their position⁸⁶ as the only requisite was a law degree⁸⁷ for three out of five members. Moreover, they were only established little more than one month before the election and in the short lead in timeframe were not able to design a user-friendly system for submission of complaints. These

⁸⁶ Section 62 (c), Election Commission shall have the authority to commence investigation and penalise as per the law.

⁸⁷ Provisions for the NCB are only included in the Regulation whereas they would have to be addressed at the level of law with specific qualifications and competences.

factors interfered with their performance, but the Bureaus was nevertheless able to promptly adjudicate all cases submitted.

Recommendation: Enhance the EC complaints and appeals mechanism through requirements for legal qualification and investigative experience and a longer-term mandate.

The NCB reported a total of 250 complaints throughout the election period, of which 88 and 31 related, respectively, to the first and second round of the election. Eighty-four complaints were submitted at the atoll level.⁸⁸ In the pre-election phase of both rounds, the majority of complaints were related to voter registration (and re-registration) and impartiality of election officials. During both polling days, complaints mainly concerned secrecy (showing ballots), interference by observers and party representatives and invalid votes. The reasons for the relatively low number were likely to have been an increase in the transparency of ECM operations but also the fact that there was not a portal for the submission of complaints which could be submitted in person or online in a pre-set form. The atoll levels appeared to be quite weak as they often lacked the legal expertise required for the examination of cases which often ended up being addressed by the NCB.⁸⁹

Petitions against election results and appeals of all ECM decisions are under the jurisdiction of the High Court.⁹⁰ They must be submitted within 14 days from the announcement of the results and the High Court must render the decision within 30 days. This deadline is long and could potentially interfere with the conduct of a run-off presidential election, which is held within three weeks. High Court decisions can be appealed to the SC and must be filed within 60 days.⁹¹ No petitions were presented to the High Court or to the SC challenging the results of this election.

The ACC reported receipt of 97 complaints of election bribery, of which 52 were registered and under investigation at the time of writing.⁹² The Prosecutor General reported no cases submitted to his office for prosecution.

XVIII. POLLING, COUNTING AND TABULATION OF RESULTS

Orderly and efficient conduct of the two presidential rounds by the ECM

For the presidential election on 9 September, the EU EOM observed in 124 different polling stations in 12 atolls in 52 islands, including five resorts, two prisons and the industrial area in Hulhumalé. For the run-off on 30 September, the EU EOM observed in 119 polling stations in 15 atolls and 56 islands, including five resorts. The prescribed hours of voting were from 8:00 to

⁸⁸ In the single round only of the 2018 presidential elections the number of complaints submitted to the NCB was 458.

⁸⁹ The Regulation for Presidential Elections, did not require any legal expertise for membership of the Atoll Complaints Bureaus.

⁹⁰ The Court has also competence in relation to the legality of the elections. This provision might require interpretation as it could conflict with the broad mandate of the NCB. In case a complaint has been submitted to both the ECM and the High Court, the ECM will stop investigating it and inform the complainant accordingly. However, this measure, which could prevent conflicting jurisdiction, has only been included in ECM Complaints Manual and not in the legislation.

⁹¹ Section 27 of the 2020 SC Regulation: appeals to the SC must be filed within 60 days from the date of judgment of the High Court.

⁹² Most complaints made came from anonymous sources (61), 27 from individuals, three from political parties, 5 from the NCB, 1 from public institutions. According to Article 74 (12), the ACC has jurisdiction to receive cases until 30 days after the announcement of results.

16:00 in in the first round and from 8:00 to 17:00 in the second round. Overall, the EU EOM assessed the conduct of both rounds very positively.

Despite continued recruitment problems and related concerns prior to the elections, polling staff was present in sufficient numbers in both rounds. Opening was well-organised, with all necessary materials present, and, in most observed polling stations, on time. In a few polling stations, first-round polling started with a slight delay of under 30 minutes due to the unpreparedness of the staff or the lack of two voters to witness the check and sealing of the ballot box. In both rounds EU EOM observers evaluated the opening process as very good.

The atmosphere was observed to be calm and peaceful throughout both election days. During the first round, there were long queues observed in some islands, especially in Malé, due principally to high numbers of registered voters. The ECM reported tension at some polling stations during closure of the first-round poll at 16:00 due to agitated voters not being able to vote after having waited in the wrong queue or expecting prolongation. The measures introduced prior to the run-off to better manage queues, including the deployment of additional staff to assist voters and the extension of voting time by one hour, were observed by the mission to be effective. Generally, the EU EOM observers noted less crowded polling stations and an improved environment in the second round.

EU EOM observers reported that voting procedures were largely adhered to and polling staff performed in a competent and transparent manner in both rounds. Voters could vote only at the place of their registration, using valid official identity documents. The electronic verification of ID numbers via tablets functioned well, according to observer reports. The internally developed Voters' List Checker software, used for the first time in a national election, appeared to accelerate the process, with voters noting a shortened queuing time and more efficient verification procedures compared to during previous elections. As per regulations, voters' identity was double checked through a physical verification of the voter list. The EU EOM observers reported only a few instances of voters being turned away for being registered at another polling station or presenting an invalid identity document. The ECM released turnout updates every hour, which enhanced the transparency of the polling.

After the first round, political parties complained that guidelines on voting procedures were not consistently followed by polling staff. These guidelines principally concerned the last-minute changes in procedures targeting vote buying practices. For example, there was a widespread perception that secrecy of the vote was not sufficiently protected due to the changed orientation of the polling booth. In some 10 per cent of polling stations visited in the first round, the EU EOM observers assessed the layout as compromising the secrecy of the vote, mostly due to small and overcrowded polling stations. The measures undertaken by the ECM to improve secrecy were observed to be largely effective. In 94 per cent of the polling stations observed in the second round, secrecy of the vote was assessed to be well protected.

Instruction posters for voters, including information on forbidden practices, were placed in almost all polling stations observed. However, there were some reported cases of voting procedures being interrupted due to voters not adhering to the rules, for example by violating the secrecy of the vote. During the run-off, the police reported eleven arrests of voters for displaying, or taking a picture of, the marked ballot, practices reportedly related to vote-buying. A ballot box was vandalised in Vaadhoo, Gaafu Dhaalu atoll, but the staff was able to retrieve all the ballots and perform the count without further incident.

In both rounds, PPM, PNC and MDP had the highest number of observers. Despite the reduced number of candidates in the second round, the total number of observers present at polling stations

visited increased. Political parties without candidates, for example the Jumhooree Party and the The Democrats, deployed observers again. Media monitors, who are meant to represent media, outnumbered observers and were present at 75 of the observed polling stations in the first round, and at 87 in the second round. Often, the number of observers per political party present at polling stations was more than one, which is the number permitted by law.

During the two polling days, the EU EOM observers reported that in many cases media monitors were principally acting as party representatives rather than media personnel. In several observed cases, for example, monitors were tracking and taking pictures of voters inside and outside the polling stations and collaborating with the party observers. Party observers were mainly involved in tracking voters before and after voting for the purpose of mobilisation and transportation of voters. They were also observed to interfere with the management of the queues and to give instructions to voters. In many cases, the transportation of voters was organised and paid for by political parties. All these practices, including the partisan role of monitors, raised questions over the free choice of the voters and the effectiveness of legal regulations.

EU EOM observers also noted party stands, for the purpose of tracking voters, placed close to the polling stations. During the run-off, the party stands indicated the party affiliation via party symbols, which was assessed by the EU EOM observers as resembling campaigning. The law defines the specific role of observers and monitors on election day and prohibits any campaign activities within 100 feet (30 metres) of the polling stations. The Code of Conduct for observers and monitors forbids any material to be worn or held that declares support or non-support for a candidate. No complaints against party observers and media monitors were filed in either round, and no action was taken by the ECM to address the issue.

Recommendation: Enforce the law regulating the presence and conduct of media monitors and party observers at polling stations through prompt and effective sanctions for non-compliance, including expulsion from polling stations.

Visually impaired persons exercised their right to vote independently using the newly introduced tactile ballot guide, a practice observed by the EU EOM in several polling stations. The EU EOM received reports by PwD organisations that, in some instances, visually impaired persons were denied the right to vote independently, reportedly for the lack of tactile ballot guides. The EU EOM observers reported that the tactile templates were not available in nearly 10 per cent of the polling stations visited in the first round. During the second round, all observed polling stations were provided with tactile guides, however with only one instead of the two required by ECM instructions.

Nearly 35 per cent of the polling stations visited were not accessible to persons with reduced mobility, if not assisted, during the first round. Following criticism of accessibility expressed by some institutions, the ECM announced measures to improve the layout of polling stations in the second round to facilitate the movement of persons using wheelchairs. No such improvements were noted by the EU EOM observers, who indicated that nearly 40 per cent of the polling stations visited in the second round were not accessible to persons with impeded mobility without assistance. Positively, for the second round, the desks of polling booths were lowered to be fully accessible to wheelchair users.

Counting

Counting of votes started 30 minutes after the close of polls, and in most cases observed, was conducted properly and evaluated as very good. In all cases, voters queueing could cast their vote. In the second round, likely due to the extended voting time, there were almost no queues of voters at the time of closure. In two of the 15 observed polling stations in the second round, the process was assessed negatively due to procedural mistakes, such as unsealing security envelopes, disorganised and prolonged process, reconciliation errors and corrections added to already displayed or sealed provisional result sheets.

A major problem indicated by the EU EOM observers in both rounds was the determination of invalid votes, following the introduction of new restrictive instructions by the ECM on valid and invalid ballots, for the purpose of curbing vote-buying, as advised by NAC. Principally, the new guidelines determined that any repetition of the tick mark as well as bold marks are invalid. This resulted in a significant increase in the number of invalid ballots. For the first round, the ECM recorded 4,835 invalid votes (2.14 per cent), significantly more than in the 2018 presidential election 1.34 per cent. In the second round there were 7888 (3.19 per cent) invalid votes, a record high number in a presidential election.⁹³ The EU EOM observers reported that in many observed cases, ballots were determined to be invalid despite the clear intention of the voter.

Recommendation: Introduce and implement instructions on the determination of the validity of votes to ensure that polling staff respect the intention of the voter as clearly expressed on a ballot paper.

The reconciliation and transmission of results were transparent, with procedures largely followed. In all polling stations observed, the provisional result sheet was displayed immediately after completion of the process. Despite some initial mistrust expressed by political parties, EU EOM observers assessed the transmission of results through the electronic Election Result Processor software very positively.⁹⁴

The verification of collated results was conducted at the Election Centre in Malé. In both rounds, all ballot boxes from the islands were received within two days. Provisional result sheets submitted through ERP were repeatedly double checked and verified, ensuring their accuracy. Physical result sheets were unsealed and compared with those submitted electronically. The final results of the first round were announced on 12 September, three days after the election day. The final results of the 30 September run-off were announced on 4 October. Voter turnout in the first round was 79.85 per cent of registered voters, less than the 89.22 percentage turnout in 2018. In the second round voter turnout increased to 87.31 per cent.

XIX. RESULTS AND POST-ELECTION ENVIRONMENT

Clear results accepted on all sides

Dr. Muizzu, of the PPM-PNC coalition, was elected the next President of Maldives, defeating the incumbent, President Ibrahim Mohamed Solih of MDP, in the run-off election.

⁹³ The EU EOM observers noted that a number of the invalid ballots indicated patterns associated with protest voting, the so-called 'baathil' (vote invalid) movement, especially popular among social media users.

⁹⁴ Only one case of a procedural delay due to a lack of password provided to access the secure internet line was reported.

In the first round, Dr. Muizzu was leading with 101,635 votes (46.6 per cent) over President Solih with 86,161 votes (39.05 per cent). The third place was achieved by Ilyas Labeeb, the candidate of The Democrats; his vote share of 15,839 (7.18 per cent) slightly exceeded the difference between the two frontrunners. The remaining five candidates trailed behind, amassing another 7.7 per cent of the overall vote: Umar Naseer 6,343 (Independent Candidate, 2.87 per cent), Qasim Ibrahim 5,460 (JP, 2.47 per cent), Ahmed Faris Maumoon 2,979 (Independent Candidate, 1.35 per cent), Mohamed Nazim 1,907 (MNP, 0.86 per cent), and Hassan Zameel 327 (Independent Candidate, 0.15 per cent).

In the second round, Dr. Muizzu extended his lead on the incumbent with 129,159 votes (54.04 per cent) whereas President Solih received 109,868 votes (45.96 per cent). While the incumbent kept the majority in three administrative atolls during the first round, he only came ahead in Addu city (Seenu atoll) and Alifu Alifu atoll in the second round, losing also in his home of Lhaviyani atoll, where he had been an elected MP for MDP since 2009

The political stakeholders lamented a low turnout in the first round, with 79.85 per cent the lowest in a Maldivian presidential election since 2008. However, they succeeded in mobilising 21,429 additional voters to cast their ballot in the second round, resulting in 87.31 per cent turnout, exceeding averages.

Shortly after the polls, the incumbent conceded defeat and Dr. Muizzu accepted the election result, and they began to organise the handover of office. It had been a regular promise on the PPM-PNC campaign trail that former President Yameen will be released from prison, building expectations among their voters. In the evening of election day, the winner's team communicated that President Yameen's eminent release was a matter of avoiding national tensions. On the next day, 1 October, President Yameen was transferred to house arrest.

Following the election, there was no longer a majority in the People's Majlis to hold a referendum on the system of government, as proposed by The Democrats after the first round. The MDP national council voted against a change of the system, and The Democrats halted the initiative. Meanwhile political parties started to prepare for the legislative elections foreseen to take place in March/April 2024.

XX. RECOMMENDATIONS

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
LEGAL FRAMEWORK						
1		<p>The electoral legal framework is dispersed across a few instruments which regulate different elections, rendering consultation cumbersome. As mentioned by the ECM, it is time for a thorough review and consolidation of existing legal instruments.</p>	<p>Consideration to be given to consolidation of election legislation into a comprehensive election law applicable to all types of election, following consultations with relevant stakeholders.</p>	<p>Consolidation of electoral legislation</p>	<p>ECM People’s Majlis</p>	<p>Rule of Law UN Human Rights Council Resolution 19/36 (A/HRC/RES/19/36, 2012) 16 (c) [The Human Rights Council] “calls upon State to make continuous efforts to strengthen the rule of law and promote democracy by: (c) Ensuring that a sufficient degree of legal certainty and predictability is provided...”</p>
ELECTORAL ADMINISTRATION						
2		<p>Electoral stakeholders stressed the need for more regular meetings of the NAC, with comprehensive agendas, and an open and inclusive approach by the ECM to communication with NAC members. There was no public information available on NAC meetings, thus missing an opportunity to enhance public knowledge of the electoral process and increase transparency.</p>	<p>Strengthen public engagement, communication and transparency of the election administration through the institutionalisation of regular meetings with political parties and broader NAC consultations, accompanied by better publicity.</p>	<p>No change required</p>	<p>ECM</p>	<p>Transparency and Access to Information International Covenant on Civil and Political Rights (ICCPR), Article 19, GC 34, para 19 “To give effect to the right of access to information, States parties should proactively put in the public domain Government information of public interest.” ICCPR, Article 19, GC 34, para 18 “Article 19, para 2 embraces a right of access to information held by public bodies. Such information includes records held by a public body, regardless of the form in which the information is stored, its source and the date of production.” United Nations Conventions Against Corruption (UNCAC), Article 7.4 “Each State Party shall...endeavour to adopt, maintain, and strengthen systems than promote transparency.”</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
3		<p>After the first round, citizen observers and political parties criticised inconsistently applied standards in the polling procedures. An electronic version of the Handbook for Election Officials was shared with the participants only on the eve of their training. The handbook did not contain essential information on the election process and some sections were not fully consistent with the information delivered by the trainers.</p>	<p>Formalise written procedures for all electoral stages and create a comprehensive election manual, well ahead of the election, to improve training and increase knowledge of the election process among officials.</p>	<p>No changes required</p>	<p>ECM</p>	<p>Transparency and access to information ICCPR, Art 25, General Comment 25: paragraph 20 An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant.</p>
4		<p>There were no civic education activities ahead of the election and voter education was primarily focused on election day procedures. There were widespread reports of vote buying taking place throughout the country. Interlocutors attribute some responsibility to voters who are enticed by the availability of rewards. The ACC attests to the normalisation of bribery.</p>	<p>Develop and implement a comprehensive and continuous civic and voter education programme nationwide, including in educational institutions, with a special focus on political rights, freedom of choice in voting, and the impact of vote-buying on democracy.</p>	<p>No change required</p>	<p>ECM Civil Society Government</p>	<p>Right and opportunity to vote ICCPR Art 25 Right to Information (cited) ICCPR, General Comment 25, para 11, 12 (cited) UN CAC Article 13 (b, c): “Each State Party shall take appropriate measures... to promote the active participation of individuals and groups outside in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. ... b) Ensuring that the public has effective access to information; c) Undertaking public information activities that contribute to non- tolerance of corruption, as well as public education programmes, including school and university curricula.”</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
CAMPAIGN ENVIRONMENT						
5		<p>The misuse of state resources and state-owned enterprises (SOE) for electoral campaign purposes is widely acknowledged. During this election, allegations included the creation of jobs and projects close to the election, the instrumentalisation of SOE personnel for campaigns, the coercion of SOE personnel to vote for the incumbent, and the appropriation of SOE corporate social responsibility funds for political purposes, amply documented and commented on by civil society.</p>	<p>Introduce measures in law and combat the misuse of state resources, including the instrumentalisation of state-owned enterprises for campaign purposes</p>	<p>Amend the Elections (General) Act and other relevant legislation</p>	<p>Government People’s Majlis ACC SOE</p>	<p>Prevention of corruption / Fairness in the election campaign UN CAC Art. 7 (1, 3): “(1) Each state party shall ... endeavour to adopt, maintain and strengthen systems for the recruitment, hiring, retention, promotion and retirement of civil servants and, where appropriate, other non-elected public officials (and) (3) ... shall also consider taking appropriate legislative and administrative measures ... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.”</p>
6		<p>There were widespread reports of vote-buying, which is prohibited by law, taking place throughout the country. The Anti-Corruption Commission received complaints regarding bribery. Previous efforts to curb vote buying were mostly related to the secrecy of the ballot.</p>	<p>Coordinate efforts among responsible authorities to monitor, investigate, and prosecute vote buying, through effective implementation of existing laws and capacity building</p>	<p>None</p>	<p>ECM ACC MPS PGO</p>	<p>Rule of Law ICCPR General Comment 25(11): “Any abusive interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws those laws should be strictly enforced.”</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
CAMPAIGN FINANCE						
7		<p>The regulatory framework for campaign finance is dispersed across various instruments. The role of third parties as donors is unregulated. The campaign expenditure ceiling for presidential elections is set unreasonably high, while financial penalties for overspending and for failures in reporting are not dissuasive. The use of non-monetary contributions in campaigns remains unaccounted. The reporting of political party donations to candidates' campaigns leaves room for interpretation as to when and how it has to occur. The current system lacks transparency and enforcement.</p>	<p>To enhance the accountability of political parties and election candidates, revise and close gaps in the legal framework regulating campaign finance</p>	<p>PPA Art. 33-48 EGA Art. 66-75 PEA Art. 16-17, 20</p>	<p>People's Majlis, in consultation with ECM AGM ACC PGO</p>	<p>Prevention of corruption / Fairness in the election campaign UN CAC Art. 7 (3): (cited) UN HRC General Comment 25: "Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party."</p>
8		<p>No state body is clearly mandated to exercise campaign finance oversight and scrutiny. The ECM has the responsibility to receive campaign finance reports but does not have the resources and capacity to exercise this task in full, nor to investigate sources of income and modalities of expenditure. The ECM has expressed an interest in learning more about models of campaign finance regulation and oversight.</p>	<p>Clarify the institutional responsibility for campaign finance oversight and enforcement and strengthen the respective bodies, including the ECM, by providing capacity building and resources in this field</p>	<p>Amend relevant legislation</p>	<p>People's Majlis Government</p>	<p>Prevention of corruption / Fairness in the election campaign UNCAC Art. 7(3) <i>(cited)</i></p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
MEDIA						
9		<p>The Elections (General) Act 2008 specifies that all broadcasters should provide broadcasting time to parties and individual candidates to campaign through advertising and other programmes. They should also give or sell broadcasting time to candidates on an equitable basis. The EGA also stipulates that the Maldives Broadcasting Commission (MBC) has the power to take only limited administrative actions against broadcasters in case of non-compliance. While the law has not been effectively respected by media outlets, the MBC took no action.</p>	<p>Strengthen the MBC’s capacity to effectively enforce adherence to campaign coverage regulations by bolstering their resources, including through the provision of finance, training, and monitoring methodology.</p>	<p>Amend the Maldives Broadcasting Commission Act and the Elections (General) Act</p>	<p>People’s Majlis</p>	<p>ICCPR General Comment 25, paragraph 25 “...the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential... It requires... freedom to publish political material, to campaign for election and to advertise political ideas.”</p> <p>ICCPR General Comment 34, paragraph 16 “State parties should ensure that public broadcasting services operate in an independent manner. In this regard, States parties should guarantee their independence and editorial freedom.”</p>
10		<p>During the election campaign, public and private media did not differentiate between editorial and political advertising content. Most programmes broadcast without being labelled as free or paid airtime, in breach of the MBC’s Guidelines for Political Coverage during Elections, paragraph 3c, which specifies that “Direct Access political messages will be clearly marked with audio and video content to indicate the sponsor.” Regulation of political advertising, as well as the responsibilities of the public media during the campaign period, are not clearly specified in the legal framework of the Maldives.</p>	<p>Enact a regulatory framework for advertising in the media during elections, to clearly distinguish between editorial, free and paid content, as well as to prevent the use of public broadcaster for partisan coverage of political news and publicity regarding achievements of government, with a view to furthering the prospects of the party in power.</p>	<p>Amend the Maldives Broadcasting Commission Act, Elections (General) Act 2008, Presidential Election Regulation 2023</p>	<p>People’s Majlis Maldives Broadcasting Commission Maldives Media Council</p>	<p>Transparency and Access to Information ICCPR General Comment 25, paragraph 25 <i>(cited)</i></p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
11		<p>Most media outlets often lacked objective, analytical and balanced reporting, which was evidenced in news and editorial programmes during the campaign. Capacity building for journalists, particularly young students, is crucial in upholding the integrity of journalism, preserving its credibility and fostering trust in the mainstream media.</p>	<p>Provide training and professional development courses for journalists and editors to equip them with the knowledge and skills necessary to produce balanced, ethical and responsible journalism during elections, including merit-based coverage of the electoral campaign.</p>	<p>No legal change required</p>	<p>Maldives Broadcasting Commission Maldives Media Council Maldives Journalists Association Maldives National University Media CSOs</p>	<p>Right and opportunity to participate in public affairs and hold office. ICCPR General Comment 25, Paragraph para. 19 The right to participate in public affairs, voting: “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”</p>
SOCIAL MEDIA						
12		<p>The current election law has not evolved to address the growing influence of social media during election time. It would be fitting for the Maldivian Media Council (MMC) to oversee this expanded mandate.</p>	<p>Consider inclusion in the electoral legal framework of detailed provisions for campaigning on social media and granting power to the MMC to enforce this law.</p>	<p>Introduce appropriate legislation</p>	<p>People’s Majlis</p>	<p>Transparency and access to information ICCPR, art. 2.2 “Each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present 59 of 122 Covenant.”</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
13		<p>A significant increase in the use of online platforms to propagate political disinformation, as identified during the presidential elections, continues unchecked, as Maldives does not have experienced fact-checking groups. This is further affected by the erosion of trust on mainstream media outlets.</p>	<p>Support civil society fact-checking initiatives in the Maldives to verify information and combat disinformation and ensure corrections when false information is spread.</p>	<p>No legal change</p>	<p>NGOs, Journalists Association</p>	<p>Freedom of Opinion and Expression Article 19 of the Universal Declaration of Human Rights Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. Article 19 of the ICCPR: “2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”</p>
14		<p>The protection of Maldivian citizens' personal data is deficient. Some information is accessible without the individual's consent. It was observed that during the campaigns, political parties had access to personal data of people without their consent. A draft Privacy and Data Protection Bill has been opened for consultation.</p>	<p>Enact data protection legislation and ensure its effective implementation.</p>	<p>Enactment of new legislation on data protection.</p>	<p>Government Peoples' Majlis.</p>	<p>Right to privacy ICCPR, GC 34, para. 18 (cited) ICCPR, article 17: “No one shall be subjected to arbitrary or unlawful interference with his privacy... Everyone has the right to the protection of the law against such interference or attacks.” ICCPR, GC 16, para. 10: “The gathering and holding of personal information on computers, data banks and other devices, whether by public authorities or private individuals or bodies, must be regulated by law.”</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
PARTICIPATION OF WOMEN						
15		Women are underrepresented in public life and in independent bodies, including in the ECM, to which no woman has been appointed since it was established in 2008. Women are under-represented in political party leadership and in parliament.	Introduce affirmative action measures to ensure nomination of women to leadership positions in public life and political life, including to independent bodies.	Amend relevant legislation	People’s Majlis	Women’s participation in public affairs Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) Article 4.1 “Adoption by State Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discriminatory.”
PERSONS WITH DISABILITIES						
16		There is a lack of access to voter information and voter education for PwD. There were also no special measures introduced to facilitate access to the re-registration and to complaint processes for PwD. Only 45 voters used tactile ballot guides on 9 September, a rather modest number, mostly due to lack of awareness activities and inclusion strategies. Specific training for polling staff is needed to increase disability sensitivity and awareness.	Enable independent access to the various stages of the electoral process, such as re-registration and complaints, by means including revised procedures and through voter information and voter education tailored to the needs of PwD, encompassing all forms of disability. Provide increased awareness raising for ECM officials.	No change required	ECM	Right and opportunity to vote UN CPRD Article 29 “States Parties shall [...] undertake to: a) Ensure that persons with disabilities can effectively and fully participate in political and public life [...] by: i. Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use.”
YOUTH						
17		Reports indicate youth dissatisfaction with formal politics and with political parties, but data on their participation is unavailable. Civic and voter education to address youth participation is missing.	Provide voter registration data disaggregated by age to support civic and voter education to target the younger generation	None	ECM	Genuine elections that reflect the free expression of the will of voters UN SCR 2250 (2015) on Youth, Peace and Security: “... to consider ways to increase inclusive representation of youth in decision-making at all levels in local, national, regional and international institutions and mechanisms ...”

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
ELECTORAL DISPUTE RESOLUTION						
18		<p>The NCB are short-term bodies established in the run-up to elections. Their terms of reference do not clearly require legal and investigative expertise, especially for the atoll levels, despite these being required to perform their duties. The short-term mandate also did not enable the bureaus to introduce a portal for the submission of complaints, which could be submitted in person or online in a pre-set form.</p>	<p>Enhance the ECM complaints and appeals mechanism through requirements for legal qualifications and investigative experience and a longer-term mandate of NCBs.</p>	<p>Addition of provisions to the EGA and the Presidential Election Regulation</p>	<p>People’s Majlis</p>	<p>Right of Effective Remedy ICCPR, Art. 2 (3) ‘Each State Party to the present Covenant undertakes: a) To ensure that any person whose rights of freedoms are herein recognised are violated shall have an effective remedy.... b) to ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority.</p>
POLLING, COUNTING AND TABULATION						
19		<p>EU EOM observers noted abuse of regulations on the roles of party observers and media monitors for the purpose of tracking and mobilisation of voters. Many media monitors served as proxy political party representatives with the polling station perimeters.</p>	<p>Enforce the law regulating the presence and conduct of media monitors and party observers at polling stations through prompt and effective sanctions for non-compliance, including expulsion from polling stations.</p>	<p>No change required</p>	<p>ECM</p>	<p>Genuine elections that reflect the free expression of the will of the people ICCPR, Art. 2 ‘Every citizen shall have the right and the opportunity, without any distinctions.....to vote ... at genuine periodic elections which shall be by universal and equal suffrage.’ ICCPR Art. 25: General Comment 20: States should take measures to guarantee the requirement of the secrecy of the vote during elections, including absentee voting, where such a system exists. This implies that voters should be protected from any form of coercion or compulsion to disclose how they intend to vote or how they voted, and from any unlawful or arbitrary interference with the voting process.</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
20		<p>An issue indicated by the EU EOM observers was the determination of invalid votes, following the introduction of new, restrictive, instructions by the ECM on valid and invalid ballots. While these instructions were brought in to serve the important purpose of curbing vote-buying, they had a negative impact. Principally, the new guidelines determined that any repetition of the tick mark, as well as bold marks, are invalid. This resulted in a significant increase in the number of invalid ballots, depriving people of their votes.</p>	<p>Introduce and implement instructions on the determination of the validity of votes to ensure that polling staff respect the intention of the voter as clearly expressed on a ballot paper.</p>	<p>No change required</p>	<p>ECM</p>	<p>Right and opportunity to vote ICCPR, Art. 2 (<i>cited</i>)</p>

ANNEX 1 – ELECTION RESULTS

Election Results – First Round, 9 September 2023

	Name	Political Party	Votes	Percentage
4	Dr. Mohamed Muizzu	PNC	101,635	46.06%
3	Ibrahim Mohamed Solih	MDP	86,161	39.05%
7	Ilyas Labeeb	The Democrats	15,839	7.18%
1	Umar Naseer	-	6,343	2.87%
5	Qasim Ibrahim	JP	5,460	2.47%
6	Ahmed Faris Maumoon	-	2,979	1.35%
8	Mohamed Nazim	MNP	1,907	0.86%
2	Hassan Zameel	-	327	0.15%

	Voters registered – Total	282,395	100%
	Voter Turnout	225,486	79.85%
	Voters – Men	112,556	49.92%
	Voters – Women	112,930	50.08%

	Total Votes Cast	225,486	100.00%
	Valid	220,651	97.86%
	Invalid	4,835	2.14%

Election Results – Run-Off, 30 September 2023

	Name	Votes	Percentage
4	Dr. Mohamed Muizzu	129,159	54.04%
3	Ibrahim Mohamed Solih "Ibu"	109,868	45.96%

	Voters registered – Total	282,804	100.00%
	Voter Turnout	246,915	79.85%
	Voters – Men	123,864	50.16%
	Voters – Women	123,051	49.48%

	Total Votes Cast	246,915	100.00%
	Valid	239,027	96.81%
	Invalid	7,888	3.19%

ANNEX 2 – MEDIA MONITORING FINDINGS

The EU EOM conducted quantitative and qualitative media monitoring of broadcast media outlets from **10 August to 8 September**, and from **10 September to 29 September 2023**, for a total of 48 days. Campaign silence days of 9 September and 30 September were monitored qualitatively. The mission measured the time (in seconds) allocated to candidates and political parties during the presidential race in both rounds of the election, including news and editorial coverage of candidates, as well as the tone of the coverage. The mission also monitored the use of paid political advertisements, free and paid airtime allocated to candidates as mandated by law, and the broadcasting of voter information spots. In total, the EU EOM monitored six broadcast media outlets, including four TV and two radio stations.

1. TELEVISION

TV channels are the most popular source of information, after online media and social media platforms. The EU EOM monitored the most popular TV stations with nationwide coverage.

Four TV stations were monitored from 20:00 hours to 24:00 hours daily, during evening primetime:

- **PSM News TV:** *The Public Service Media* is the most important TV channel of the public broadcaster, with a nationwide reach. It broadcasts in Dhivehi and offers short newscasts in English.
- **Raajje TV:** Is one of the popular private TV channels, broadcasts in Dhivehi with a nationwide reach.
- **Sangu TV:** Is one of the popular private TV channels, broadcasts in Dhivehi with a nationwide reach.
- **Channel 13:** Is one of the popular private TV channels, broadcasts in Dhivehi with a nationwide reach.

2. RADIO

Two radio stations were monitored from 07:30 hours to 11:30 hours daily during the morning primetime⁹⁵:

- **Dhivehiraajjeyge Adu:** Is the most popular public radio station with nationwide reach, broadcasts in Dhivehi.
- **Dhivehi FM:** Is the second public radio station.

HOW TO READ THE CHARTS

- The bar charts show the total time allocated to candidates in different programmes, the live coverage of candidates, as well as the tone of the coverage (negative, neutral, positive);
- The pie charts show the gender balance across the monitored media landscape.

⁹⁵ Four days of radio recordings were unavailable for monitoring due to technical errors.

A. Total time allocated to political communication in TV stations’ primetime programming during both rounds of elections:

Total monitored time on four TV channels: 48 days x 4 hrs = 192 hrs x 4 channels = 768 hours

	Average percentage of total time coded	Time allocated to political communication
PSM News TV	22 per cent	42 hrs 18 min
Raajje TV	48 per cent	92 hrs 8 min
Channel 13 TV	84 per cent	160 hrs 21 min
Sangu TV	76 per cent	145 hrs 28 min

B. Total time allocated to political communication in radio stations primetime programming during both rounds of elections:

Total monitored time on Radio: 44 days x 4 hrs = 176 hrs x 2 channels = 352 hours

	Average percentage of total time coded	Time allocated to political and election-related communication
Dhivehiraajjeyge Adu	4 per cent	12 hrs 31 min
Dhivehi FM	1 per cent	1 hr 55 min

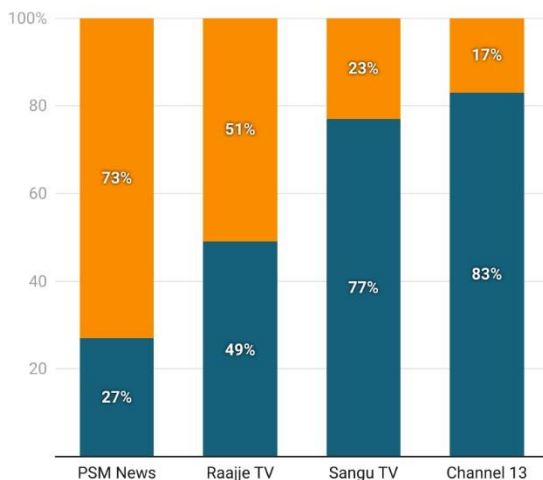
C. Political communication coverage. Total time monitored = 1120 hours (100 per cent per channel)

TV monitoring coverage

First round

Monitored period: 10 August - 7 September from 20:00 to 0:00
 Total monitored time for each TV channel: 116 hours

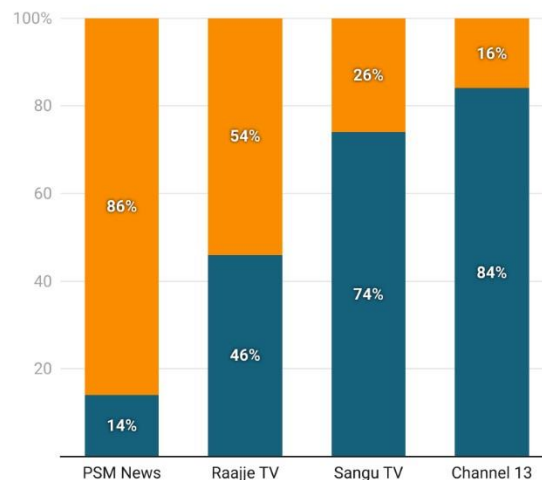
■ Political/ Electoral coverage ■ Other coverage



Second round

Monitored period: 10 - 28 September from 20:00 to 0:00
 Total monitored time for each TV channel: 76 hours

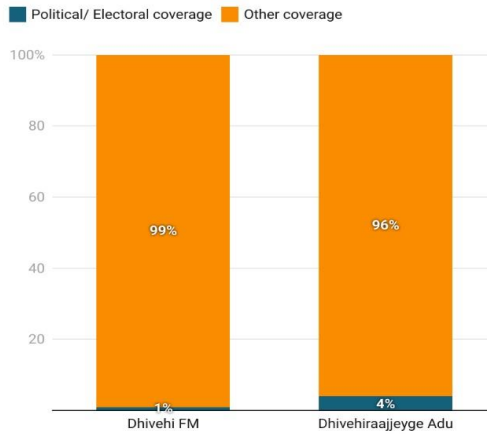
■ Political/ Electoral coverage ■ Other coverage



Radio monitoring coverage

First round

Monitored period: 12 August - 8 September from 07:30 to 11:30
 Total monitored time for each radio station: 112 hours



Second round

Monitored period: 10 - 29 September from 07:30 to 11:30
 Total monitored time for each radio station: 64 hours

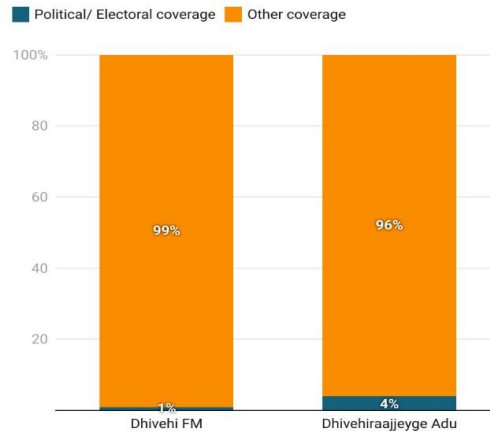


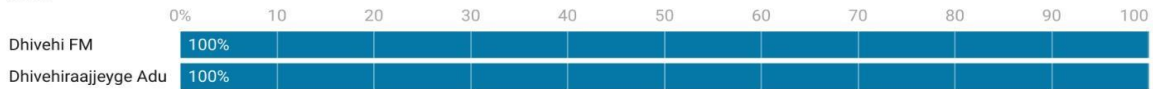
Chart 1. Breakdown of types of political communication across monitored media

First round

Monitored period: TV: 10 August - 7 September from 20:00 to 0:00 | Radio: 12 August - 8 September from 07:30 to 11:30

Debate Editorial Live News Paid Advertisement Voter Education Other

Radio



TV



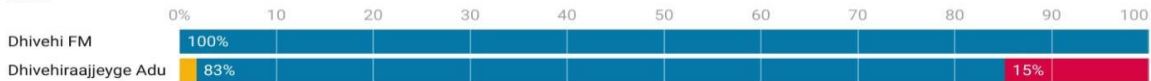
Percentage of the total coded time measured in seconds. Base (hh:mm:ss):
 Dhivehi FM: 01:05:05 | Dhivehiraajjeyge Adu: 04:46:41
 PSM News: 31:52:22 | Raajje TV: 57:06:03 | Sangu TV: 89:35:09 | Channel 13: 96:27:17

Second round

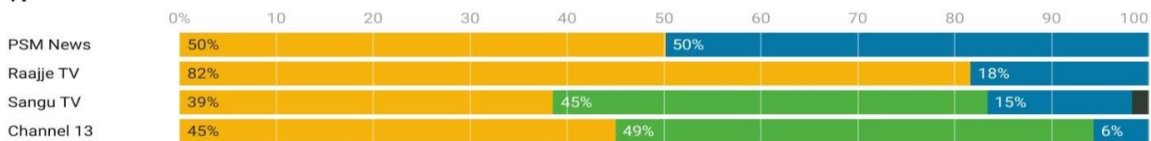
Monitored period: TV: 10 - 28 September from 20:00 to 0:00 | Radio: 10 - 29 September from 07:30 to 11:30

Editorial Live News Paid Advertisement Voter Education

Radio



TV



Percentage of the total time measured in seconds. Base (hh:mm:ss):
 Dhivehi FM: 00:45:41 | Dhivehiraajjeyge Adu: 02:46:09
 PSM News: 10:25:45 | Raajje TV: 35:02:03 | Sangu TV: 55:53:06 | Channel 13: 63:52:55

Chart 2. Share of time devoted to political actors within prime time news

First round

Monitored period: TV: 10 August - 7 September from 20:00 to 0:00 | Radio: 12 August - 8 September from 07:30 to 11:30

■ The Government ■ The President ■ PPM-PNC ■ JP ■ MNP ■ MDP ■ TD ■ MDA ■ AP ■ Other

Radio



TV



Percentage of the total coded time measured in seconds. Base (hh:mm:ss):
 Dhivehi FM: 01:05:05 | Dhivehiraajjeyge Adu: 04:46:41
 PSM News: 31:52:22 | Raajje TV: 57:06:03 | Sangu TV: 89:35:09 | Channel 13: 96:27:17

Second round

Monitored period: TV: 10 - 28 September from 20:00 to 0:00 | Radio: 10 - 29 September from 07:30 to 11:30

■ The Government ■ The President ■ PPM-PNC ■ JP ■ MNP ■ MDP ■ TD ■ MDA ■ AP ■ Other

Radio



TV



Percentage of the total time measured in seconds. Base (hh:mm:ss)
 Dhivehi FM: 00:45:41 | Dhivehiraajjeyge Adu: 02:46:09
 PSM News: 10:25:45 | Raajje TV: 35:02:03 | Sangu TV: 55:53:06 | Channel 13: 63:52:55

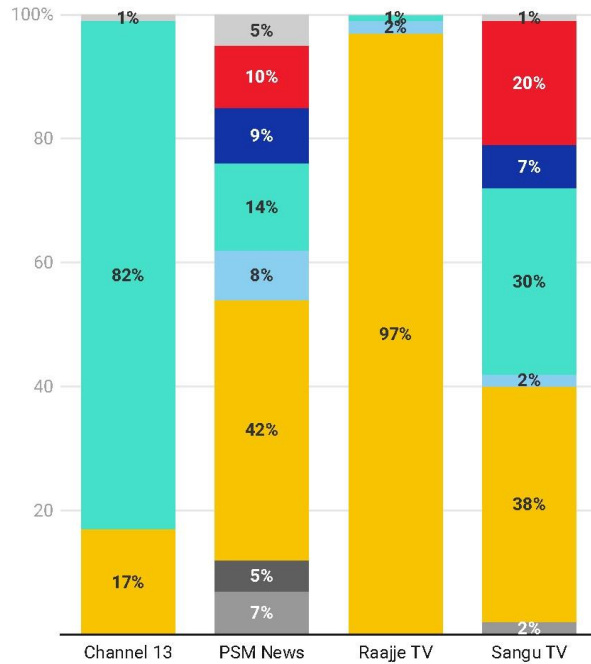
PRESIDENTIAL ELECTION - TV COVERAGE

Chart 3. Share of coverage dedicated to candidates in news programmes

First round

Monitored period: 10 August - 7 September from 20:00 to 0:00

- Ahmed Faris Maumoon Uz. Hassan Zameel
- Ibrahim Mohamed Solih Ilyas Labeeb Dr. Mohamed Muizzu
- Mohamed Nazim Qasim Ibrahim Umar Naseer

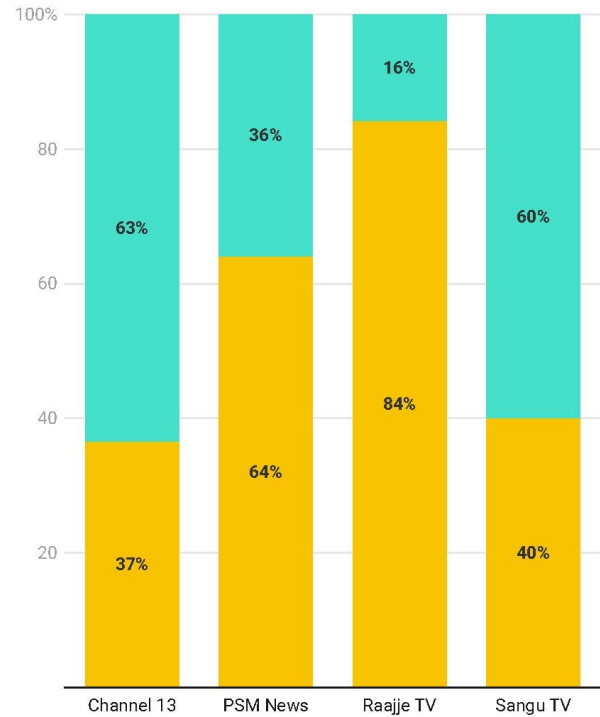


Share of news programmes dedicated to each candidate, based on total time of news dedicated to candidates, measured in seconds. Base (hh:mm:ss):
 Channel 13: 02:05:54 | PSM News: 04:50:22
 Raajje TV: 05:19:45 | Sangu TV: 08:17:24

Second round

Monitored period: 10 - 28 September from 20:00 to 0:00

- Ibrahim Mohamed Solih Dr. Mohamed Muizzu



Share of news programmes dedicated to each candidate, based on total time of news dedicated to candidates, measured in seconds. Base (hh:mm:ss):
 Channel 13: 01:27:26 | PSM News: 01:45:32
 Raajje TV: 01:06:47 | Sangu TV: 03:08:11

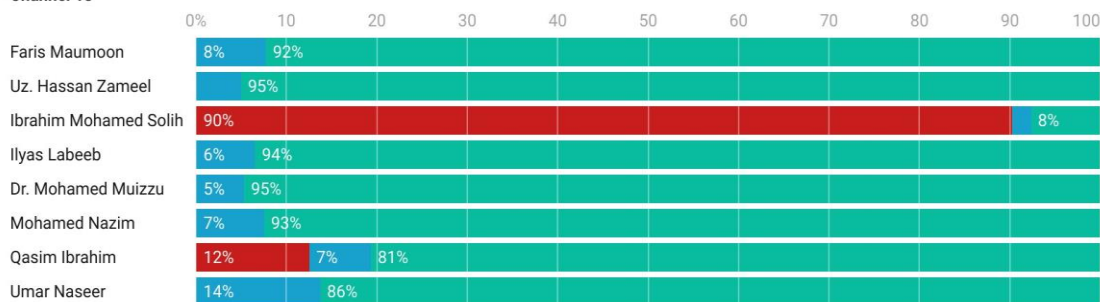
Chart 4. Tone of coverage of candidates in TV stations

First round

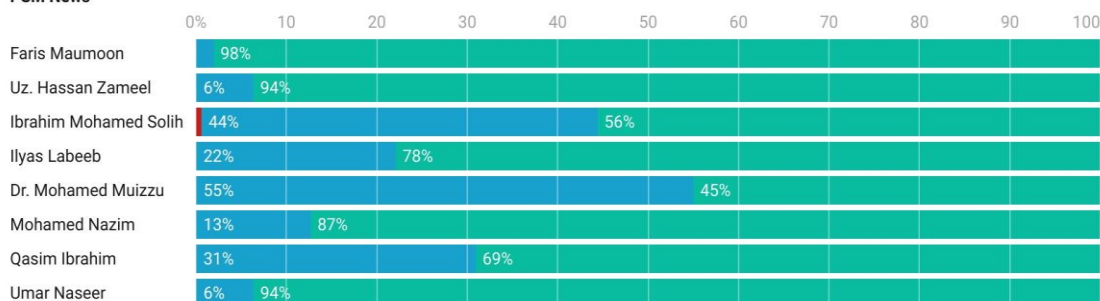
Monitored period: 10 August - 7 September from 20:00 to 0:00

■ Negative ■ Neutral ■ Positive

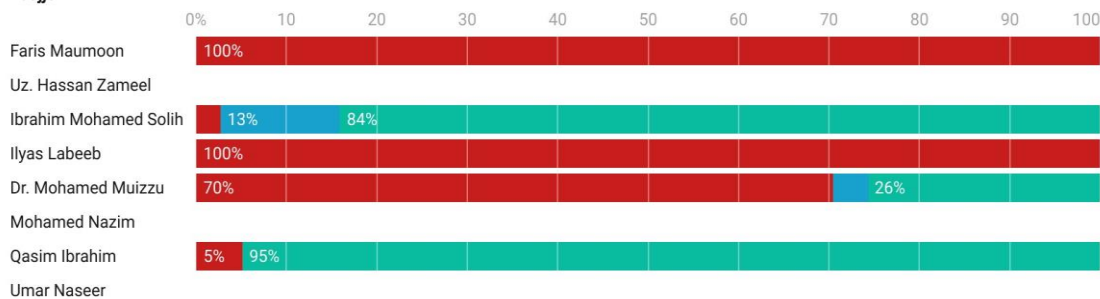
Channel 13



PSM News



Raajje TV



Sangu TV



Percentages based on total number of minutes of coverage for each candidate on each monitored TV station. Base values are given in the table below.
 Created with Datawrapper

Second round

Monitored period: 10 -29 September from 20:00 to 0:00

■ Negative ■ Neutral ■ Positive

Channel 13



PSM News



Raajje TV



Sangu TV



Percentages based on total number of minutes of coverage for each candidate on each monitored TV station. Base values are given in the table below.

Created with Datawrapper

Base time for Chart 4.

These tables show the coverage (in minutes) for each candidate on each monitored TV station

Round 1

Channel	Candidate	Minutes of coverage
Channel 13	Faris Maumoon	17,85
PSM News	Faris Maumoon	133,97
Raajje TV	Faris Maumoon	0,77
Sangu TV	Faris Maumoon	67,51
Channel 13	Uz. Hassan Zameel	17,93
PSM News	Uz. Hassan Zameel	132,65
Raajje TV	Uz. Hassan Zameel	0
Sangu TV	Uz. Hassan Zameel	26,3
Channel 13	Ibrahim Mohamed Solih	298,59
PSM News	Ibrahim Mohamed Solih	209,4
Raajje TV	Ibrahim Mohamed Solih	1035,94
Sangu TV	Ibrahim Mohamed Solih	713,65
Channel 13	Ilyas Labeeb	20,12
PSM News	Ilyas Labeeb	93,01
Raajje TV	Ilyas Labeeb	4,93
Sangu TV	Ilyas Labeeb	58,55

Channel	Candidate	Minutes of coverage
Channel 13	Dr. Mohamed Muizzu	1639,63
PSM News	Dr. Mohamed Muizzu	57,25
Raajje TV	Dr. Mohamed Muizzu	25,81
Sangu TV	Dr. Mohamed Muizzu	651,16
Channel 13	Mohamed Nazim	16,73
PSM News	Mohamed Nazim	138,12
Raajje TV	Mohamed Nazim	0
Sangu TV	Mohamed Nazim	178,75
Channel 13	Qasim Ibrahim	26,98
PSM News	Qasim Ibrahim	48,21
Raajje TV	Qasim Ibrahim	33,6
Sangu TV	Qasim Ibrahim	606,62
Channel 13	Umar Naseer	21,23
PSM News	Umar Naseer	125,78
Raajje TV	Umar Naseer	0
Sangu TV	Umar Naseer	27,5

Round 2

Channel	Candidate	Minutes of coverage
Channel 13	Ibrahim Mohamed Solih	172,65
PSM News	Ibrahim Mohamed Solih	77,02
Raajje TV	Ibrahim Mohamed Solih	254,04
Sangu TV	Ibrahim Mohamed Solih	480,48

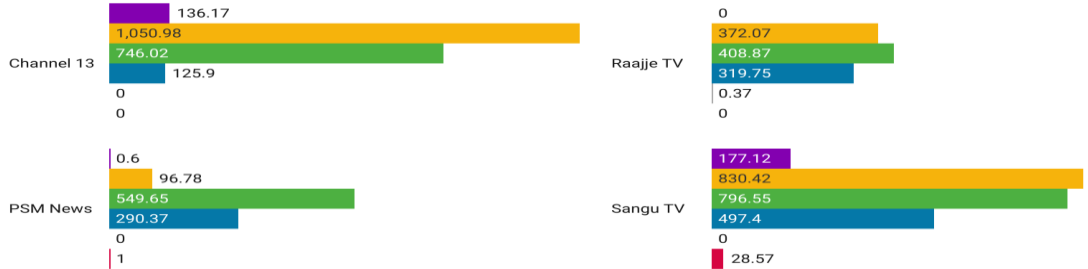
Channel	Candidate	Minutes of coverage
Channel 13	Dr. Mohamed Muizzu	1589,65
PSM News	Dr. Mohamed Muizzu	37,88
Raajje TV	Dr. Mohamed Muizzu	50,87
Sangu TV	Dr. Mohamed Muizzu	1127,48

Chart 5. Total coverage of candidates by programme type in TV channels

First round

Monitored period: 10 August - 7 September | 20:00 to 0:00

Debate Editorial Live News Other Paid Advertisement

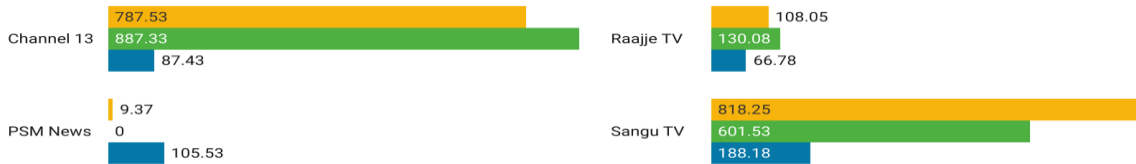


Values represent minutes of coverage

Second round

Monitored period: 10 - 28 September | 20:00 to 0:00

Editorial Live News



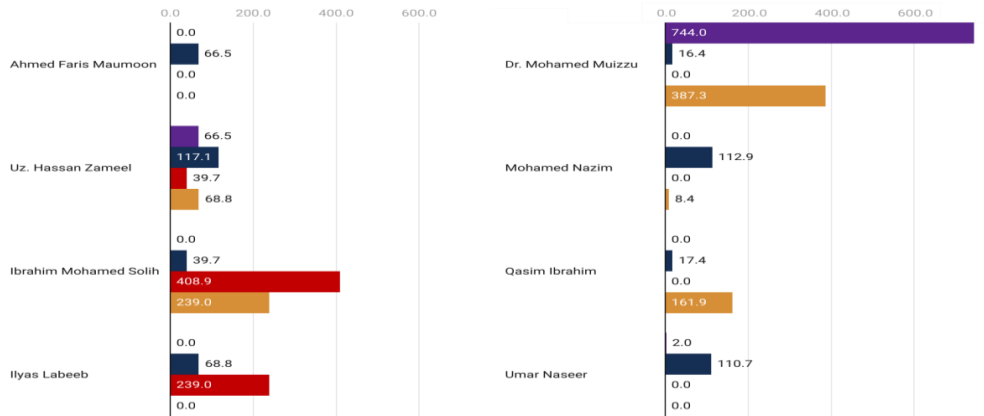
Values represent minutes of coverage

Chart 6. Live coverage of candidates in the monitored TV channels

First round

Monitoring period: 12 August - 8 September | 20:00 to 0:00

Channel 13 PSM News Raajje TV Sangu TV

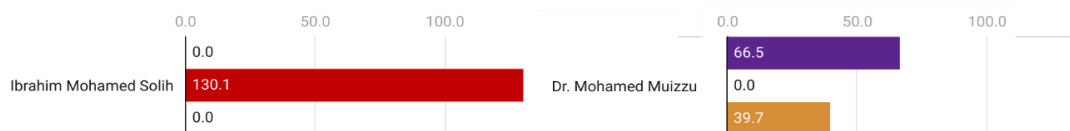


Values represent minutes of live coverage

Second round

Monitoring period: 10 -29 September | 20:00 to 0:00

Channel 13 Raajje TV Sangu TV



Values represent minutes of live coverage

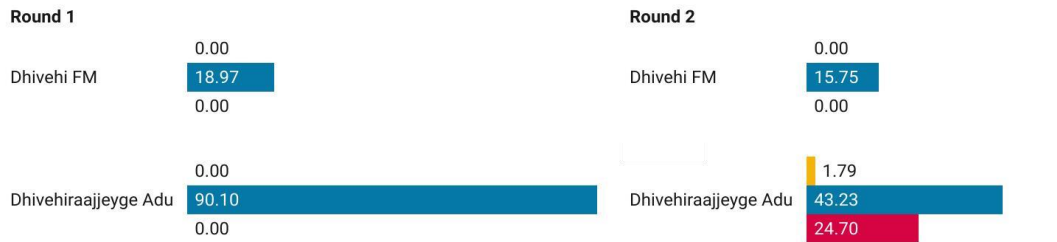
Chart 7. Total coverage of candidates by programme type in Radio channels

Monitored period:

First round: 10 August - 7 September | 07:30 to 11:30

Second round: 10 - 28 September | 07:30 to 11:30

Editorial News Paid Advertisement



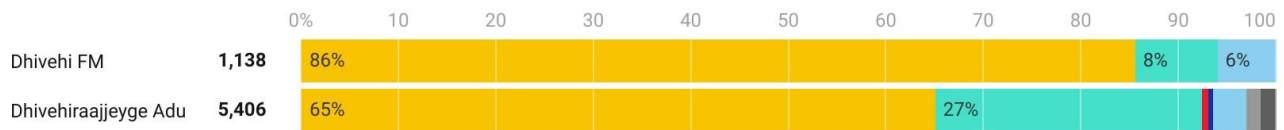
Values represent minutes of coverage

Chart 8. Time allocated to candidates in Radio news

First round

Monitoring period: 12 August - 8 September from 07:30 to 11:30

Ibrahim Mohamed Solih Dr. Mohamed Muizzu Qasim Ibrahim Mohamed Nazim Ilyas Labeeb Ahmed Faris Maumoon Uz. Hassan Zameel Umar Naseer



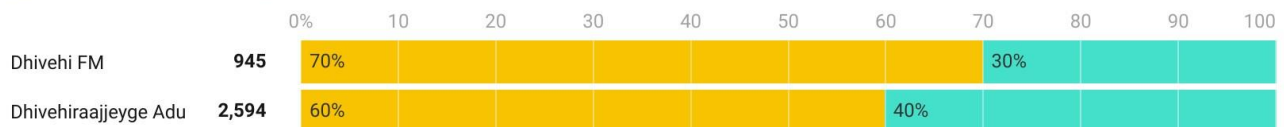
Percentages based on total time of coverage of candidates (base value given to the left of the bars in minutes).

Created with Datawrapper

Second round

Monitoring period: 10 - 29 September from 07:30 to 11:30

Ibrahim Mohamed Solih Dr. Mohamed Muizzu



Percentages based on total time of coverage of candidates (base value given to the left of the bars in minutes).

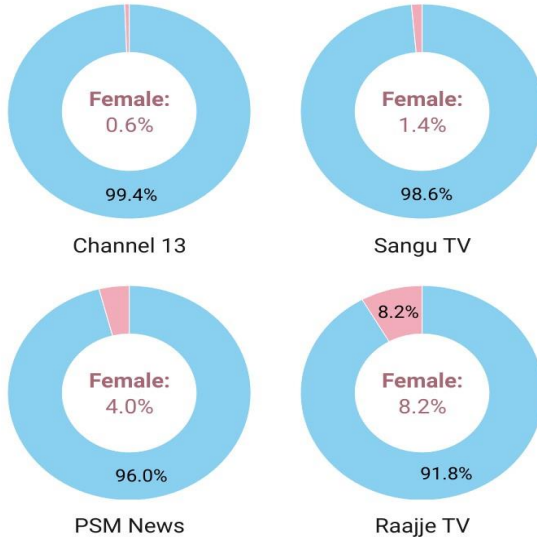
Created with Datawrapper

Chart 9. Gender balance in monitored TV and Radio channels

TV | First round

Monitored period: 10 August - 7 September
 from 20:00 to 0:00

Male Female

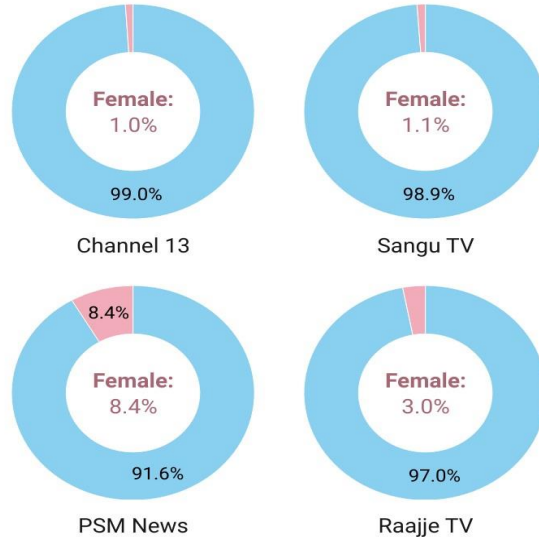


Percentage of the total coded time measured in seconds. Base (hh:mm:ss):
 PSM News: 31:52:22 | Raajje TV: 57:06:03 | Sangu TV: 89:35:09 | Channel 13: 96:27:17

TV | Second round

Monitored period: 10 - 28 September
 from 20:00 to 0:00

Male Female

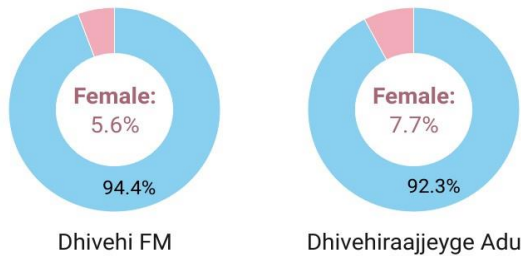


Percentage of the total time measured in seconds. Base (hh:mm:ss):
 PSM News: 10:25:45 | Raajje TV: 35:02:03 | Sangu TV: 55:53:06 | Channel 13: 63:52:55

Radio | First round

Monitored period: 12 August - 8 September
 from 07:30 to 11:30

Male Female



Percentage of the total coded time measured in seconds. Base (hh:mm:ss):
 Dhivehi FM: 01:05:05 | Dhivehiraajjeyge Adu: 04:46:41

Radio | Second round

Monitored period: 10 - 29 September
 from 07:30 to 11:30

Male Female



Percentage of the total time measured in seconds. Base (hh:mm:ss):
 Dhivehi FM: 00:45:41 | Dhivehiraajjeyge Adu: 02:46:09

ANNEX 3 – SOCIAL MEDIA MONITORING FINDINGS

The EU EOM Maldives applied different and complementary approaches and techniques to analyse online platforms and to gather information on online election-related content.⁹⁶ These methods include quantitative and qualitative data analysis, legal analysis, meetings with relevant stakeholders, cooperation with different CT members and LTOs.

The EU EOM/EEM analysed an indicative set of accounts, profiles, groups, pages and topics with a nationwide relevance, to capture key campaign trends on the monitored platforms such as Facebook and X/Twitter.

The sample was selected considering:

- The relevance (metrics of interactions on Facebook, reach on Twitter; number of followers, interaction rate per post,) and the potential influence of the page/group on the political agenda and discourse (based on qualitative assessment)
- The content of the page (are topics covering social, political, and electoral issues).
- Political affiliation of the account, page, or group.

Figure 1: Statistics of internet users in the Maldives

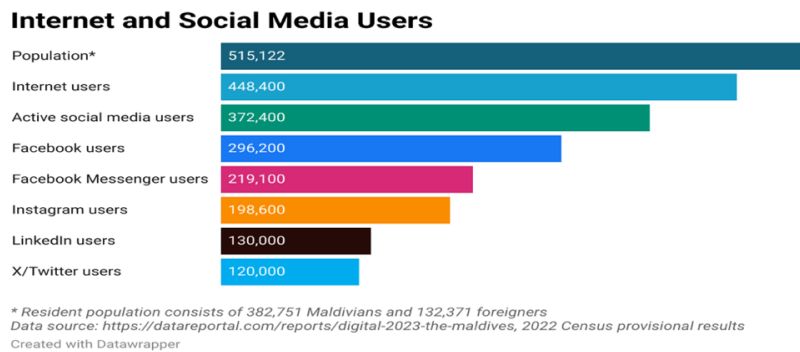
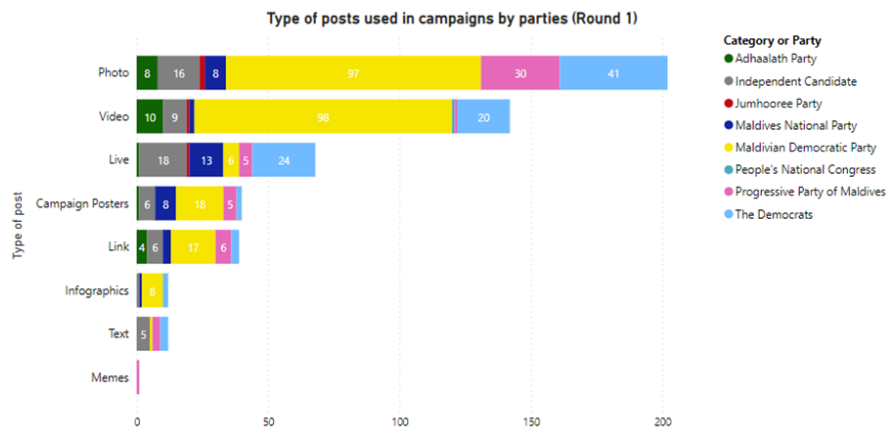


Figure 2: Types of posts used in campaign by parties



⁹⁶ Messaging networks, such as WhatsApp, Telegram, Viber or Messenger are not included in the scope of the EU EOMs/EEM methodology due to data protection and privacy matters. However, EOMs may include relevant information coming from national and international credible organisations that specialise in monitoring online platforms and networks.

Figure 3: Number of Social media accounts monitored accounts during the campaign

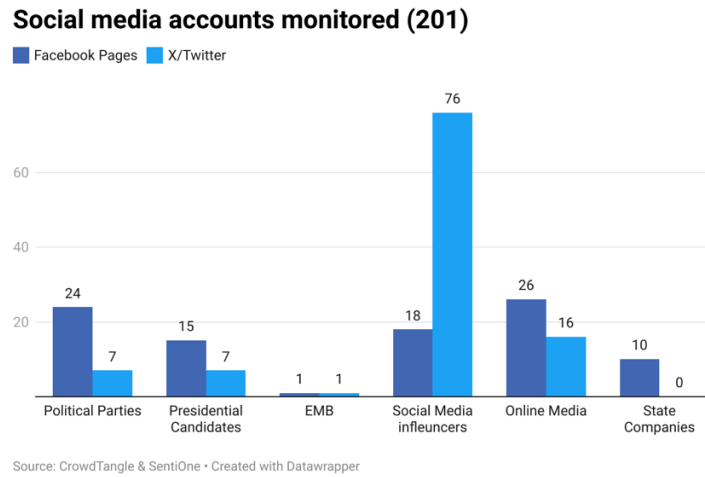


Chart 4 Analysis of the type of Facebook posts used by parties and candidates (Round 1)

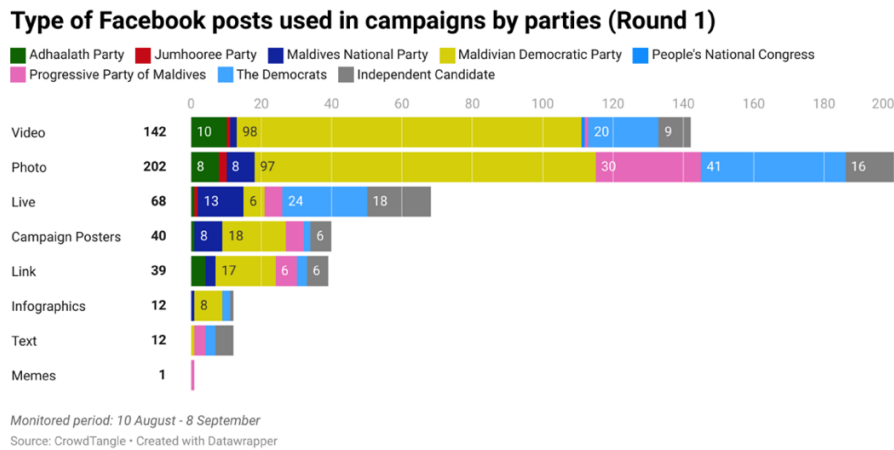


Chart 5 Analysis of the type of Facebook posts used by parties and candidates (Round 2)

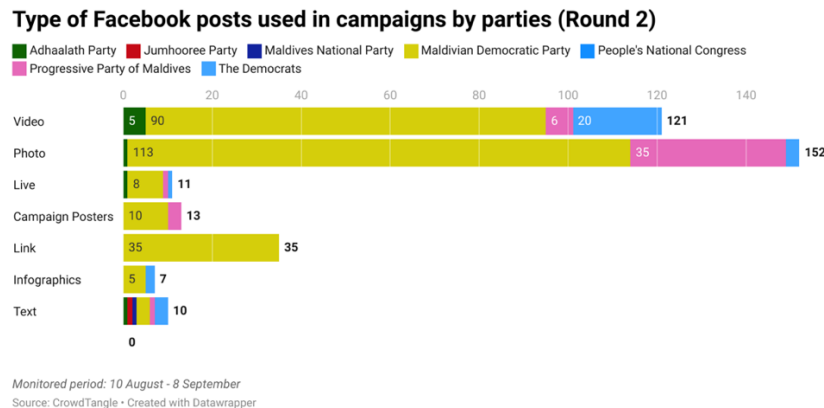


Chart 6: Top issues addressed by candidates (Round 1)

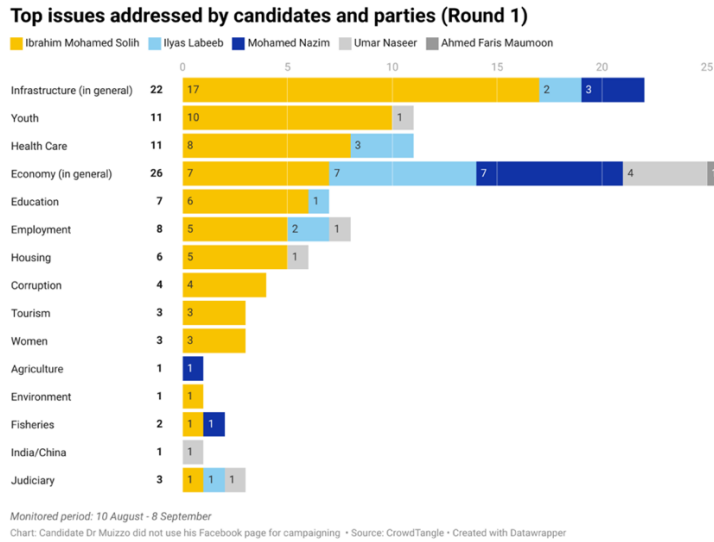


Chart 7: Top issues addressed by candidates (Round 2)

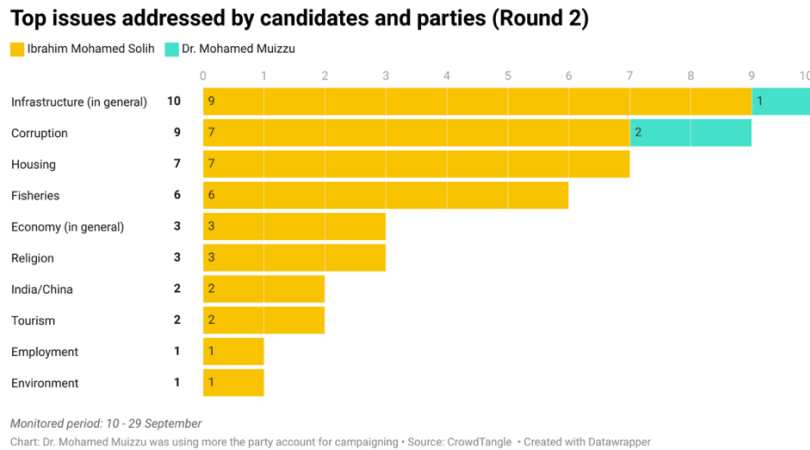


Chart 8: Manipulation on Facebook accounts of News -websites (Round 1)

News Websites FB accounts - Information Manipulation - Round 1

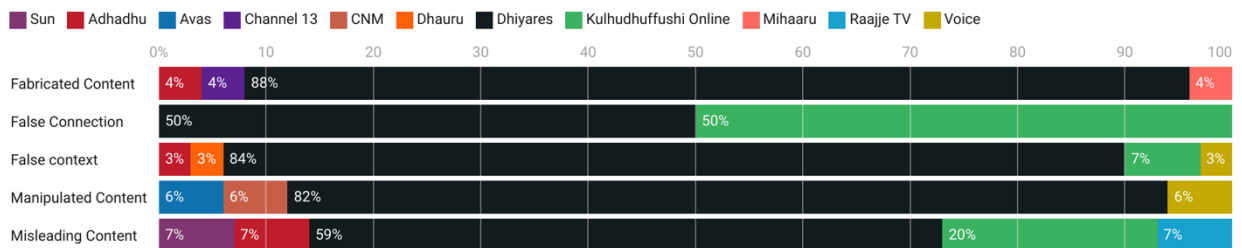
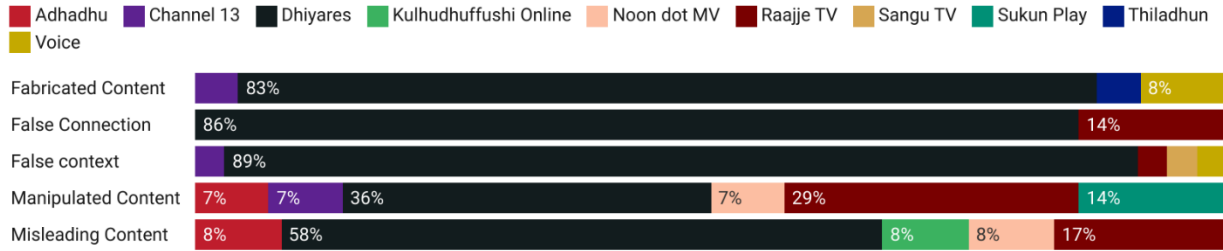


Chart 8: Manipulation on Facebook accounts of News -websites (Round 2)

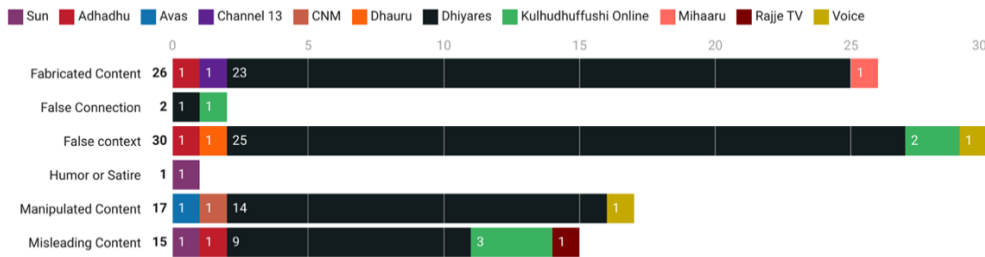
News Websites FB accounts- Information Manipulation - Round 2



Monitored period: 9 September- 30 September
 Source: CrowdTangle • Created with Datawrapper

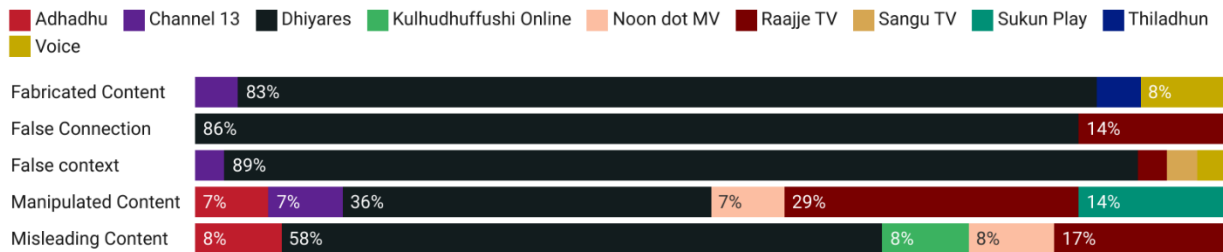
Chart 9: Information manipulation on Facebook accounts of News-websites (Round 2)

News Websites FB accounts- Information Manipulation - Round 2



Monitored period: 30 Augustus - 8 September
 Source: CrowdTangle • Created with Datawrapper

News Websites FB accounts- Information Manipulation - Round 2



Monitored period: 9 September- 30 September
 Source: CrowdTangle • Created with Datawrapper

Categories from the First Draft Organisation

Misleading Content: Twisting or exaggerating facts to deceive.

False Context: Genuine content shared with inaccurate context.

Imposter Content: Fake sources mimicking legitimate ones.

Manipulated Content: Altered genuine media to mislead.

Fabricated Content: Entirely made-up information or media.

Humor or Satire: Using irony to exaggerate truths with the intent to mislead