



# **ELECTORAL VIOLENCE MONITORING**

## **Local Council Elections 2011**

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## Abbreviations

<b>AA</b>	Alif Alif
<b>AP</b>	Adhaalath Party
<b>CSC</b>	Civil Service Commission
<b>DQP</b>	Dhivehi Qaume Party
<b>DRP</b>	Dhivehi Rayyithunge Party
<b>EC</b>	Elections Commission
<b>F</b>	Faafu
<b>FIR</b>	First Incident Report
<b>GA</b>	Gaaf Alif
<b>GDh</b>	Gaaf Dhaal
<b>GEA</b>	General Elections Act
<b>GIP</b>	Gaume Ihthihaadh Party
<b>HA</b>	Haa Alif
<b>HDh</b>	Haa Dhaal
<b>HRCM</b>	Human Rights Commission of the Maldives
<b>HRD</b>	Human Rights Defenders
<b>ICT</b>	Information and Communication Technology
<b>Ind</b>	Independent Candidates
<b>JP</b>	Jumhoore Party
<b>L</b>	Laam
<b>LCE</b>	Local Council Election
<b>LGA</b>	Local Government Authority
<b>MDN</b>	Maldivian Democracy Network
<b>MDP</b>	Maldivian Democratic Party
<b>MBC</b>	Maldives Broadcasting Corporation
<b>MNBC</b>	Maldives National Broadcasting Corporation
<b>MP</b>	Member of Parliament
<b>NAC</b>	National Advisory Committee
<b>NECB</b>	National Elections Complaints Bureau
<b>NGO</b>	Non- Governmental Organisation
<b>NHRD</b>	Network of Human Rights Defenders

<b>PA</b>	People's Alliance
<b>PP</b>	People's Party
<b>R</b>	Raa
<b>SMS</b>	Short Messaging Service
<b>Th</b>	Thaa

# **1 Executive Summary**

## **1.1 Background**

This is a report produced by the Maldivian Democracy Network (MDN) based on its monitoring of electoral violence during the Local Council Election (LCE) of 2011. The purpose of this initiative was to establish a baseline level of electoral violence in the Maldives and to generate conversation and recommendations regarding how electoral violence could be mitigated in the future. The initiative does not aim to comment on whether the levels of electoral violence monitored should be considered either 'high' or 'low' or whether the LCE 2011 was held in a free and fair manner. This is a pilot initiative in nature and was fully funded by the United Nations Development Programme.

The monitoring activities covered a 5 week period spanning from the 15<sup>th</sup> of January 2011 to the 20<sup>th</sup> of February 2011. Electoral violence monitoring was carried out through an especially trained section of MDN's Network of Human Rights Defenders (NHRD) operating on 7 islands. These islands were : HA. Hoarafushi, HDh. Kulhudhufushi, R.Dhuvaafaru, F.Nilandhoo, L.Gan, GA. Villingili and GDh. Thinadhoo. Election observers were also activated on these islands (except for R.Dhuvaafaru) and ballot boxes were also observed by mobile teams in Male'.

For the purposes of this initiative, MDN defined electoral violence as: "the use, threat to use and/or the encouragement to use force by any party, individual or group, outside the boundaries of the laws, rules and regulations, for electoral purposes." While the main source of information for the report was the NHRD, nationwide data was also collected from the Human Rights Commission of the Maldives (HRCM), The National Elections Complaints Bureau (NECB), the Police, and from online news sources.

In order to gain inputs on the design of the project, analysis of the data gathered, and generate recommendations for future steps in electoral violence mitigation, MDN met with various stakeholders including political parties and independent institutions.

## **1.2 Findings from NHRD data**

This was the first time that local councils were to be elected in the Maldives and the much anticipated elections saw 2766 candidates competing for just over 1000 seats. Eight political parties fielded candidates during this election.

The NHRD reported a total of 57 acts of electoral violence over the monitoring period. Of these, 51 were recorded during the pre-election period and 6 acts of violence on Election Day. No incidents of violence were recorded during the post-election period. It is important to keep in mind that while these numbers may seem low, the incidents were reported during the pre-election period came from the 7 islands with HRDs, which represent about 9.42% of the population (or just over 30,000 people). During the electoral period, 20 ballot boxes on 6 of these islands were monitored, and 45 boxes in Male'. While no field monitoring project can capture every incident in an area, the data is intended to be an accurate reflection of the pattern of electoral violence in the islands where the monitoring was carried out. Discussions with stakeholders indicated that the levels of violence were lower than what was initially feared.

The majority of the 51 reported acts of electoral violence during the pre-election period belong to the groups of *threats to people* and *obstacles to campaigning* categories, with 24 (47%) and 18 (35%) cases respectively. In the group *threats to people*, the main type of violence was defamation with 14 cases, followed by use of derogatory language (5 cases) and encouragement to violence (3 cases). The majority of the acts reported by HRDs in the category *obstacles to campaigning* were relatively harmless in nature, and included damaging campaign material (8) and damage to posters (5).

It is not possible to determine whether the incidents reported were the result of considered leadership and political party organisation, or whether they were rather unstructured in their nature. However, it is likely that the tearing of campaign material, for example, was random and opportunistic rather than the direct result or direction by a candidate.

No incidents of political violence were reported on 2 of the 7 islands monitored, namely F. Nilandhoo and R. Dhuvaafaru. In HDh. Kulhudhufushi and L. Gan, the incidence of violence was very low, with 3 and 1 acts reported respectively. The majority of the incidents reported were located in GA. Villingili (20 or 35% of the total), HA. Hoarafushi (16 or 28%) and GDh. Thinadhoo (11 or 19%). It is interesting to note that on the 3 islands with 1 or fewer incidents, independent candidates polled more than 15% of the vote. Conversely, on the islands on which higher numbers of incidents were recorded, independents received less than 10% of the vote. The relative dominance of the two parties and the relationship to violence should be examined more closely.

No trend can be identified from the available data as to whether acts of electoral violence are more or less likely on islands with relatively large populations. There is also not enough data to draw any conclusions as to whether there is a correlation between the level of electoral violence and the number of registered voters on an island.

On Election Day, 6 incidents of violence were reported, all stemming from administrative incidents, on which data was also collected. Fifty-four administrative issues were reported to have occurred by the MDN monitors on the actual day of the election, 5<sup>th</sup> February 2011, and include the following:

- 8 reports (15%) related to queuing;
- 7 reports (13%) regarding the registration lists;
- 8 reports (15%) about campaigning on Election Day
- 8 reports (15%) regarding obstacles to observers
- 3 reports (6%) related to assisted voting

- 20 (37%) incidents of a diverse nature, such as complaints against non-authorised election observers being in the polling areas and misuse of accreditation passes.

Of the 57 acts of electoral violence reported during the monitoring period, only 26 (46%) identified an alleged perpetrator. Of these, 17 were reported as being committed by a person allegedly affiliated to the MDP, 8 by someone allegedly affiliated to the DRP and 1 by a person allegedly affiliated to the GIP. In the absence of further data on the political affiliation of the perpetrators, it is not possible to assess whether MDP members were more prone to act violently than DRP, or whether the remaining parties were also responsible for acts of violence.

In 49 of the 57 acts reported (86%), the political affiliation of the victim was known. Of these, 13 belonged to the MDP, 32 to the DRP, 3 were Independent and 1 was from the JP. It is not known whether there were other victims from the remaining political parties, as these incidents were not reported. In addition to the two parties having fielded the largest number of candidates, and in the absence of any additional data, MDN presumes that the stakes were higher for the two main political parties, MDP and DRP, and that this resulted in these two parties being the targets of political violence over any other party.

The only recorded case of violence against women fell in the category of *threats against people*, and does not seem to be particularly geared towards women but rather coincidental. However, this assumption needs to be read in the context of the total number of women standing for office. Of the 2,766 candidates standing for election, only 213 (7.7%) were women. Furthermore, it is likely that the methodology used by MDN for this exercise would not have identified many cases of violence against women given that such incidents are unlikely to be easily visible to external actors.

### **1.3 Findings from external data**

Given that the data from external sources (media, Police, HRCM, and EC) represents data from a completely different population set and was collected in a different method, no direct comparisons are possible with the data from the NHRD. What could be indicative however is that nationwide data reported from the Police, HRCM, and EC (from the NECB) totals only 34 acts of electoral violence when combined. This contrasts with NHRD reports of 57 acts from just 7 islands and nationwide media reports of 32 incidents over the monitoring period. This might suggest that victims or observers of acts of electoral violence might not be reporting these acts to the EC, the Police or the HRCM. It is not possible to definitively make this claim since the data gathered from the EC for this report is incomplete. Nevertheless, meetings with stakeholders suggested that there is likely to be under-reporting of acts of electoral violence as the public may perceive the existing complaints and redress mechanisms to be either ineffective, slow or difficult to access.

### **1.4 Recommendations**

#### 1.4.1 Recommendations to the EC:

- Constitute a permanent body along the model of the National Advisory Committee (NAC)
- Learn lessons from the administrative issues which arose during the LCE 2011 and institute meaningful procedural and systemic changes to aspects such as queuing procedures, allocation of ballot boxes and training provided to officials
- Further clarify the role of election observers and monitors and work towards amending legislation such that there is a legal distinction between observers representing neutral organizations and those representing candidates or political parties

- Implement a system whereby all persons provided with an access pass to polling stations must undergo some basic level of training on the rules and regulations governing their conduct
- Take concrete steps to increase public confidence in the EC's complaints mechanism
- Take steps in order to raise awareness regarding the importance of reporting cases of electoral violence as well as about the importance of utilizing legal redress mechanisms.
- Begin a serious dialogue with stakeholders regarding the granting of investigative and punitive powers given to the EC
- Generate a discussion on the possible models for party accountability of actions by its supporters and activists, including possible methods of achieving this through the bill on political parties.

#### 1.4.2 Recommendations to the Police:

- Take measures to discourage the perception of police inaction, and thus mitigate a sense of impunity, surrounding acts of electoral violence
- Take steps to build confidence among the public and political parties regarding the integrity and capacity of the police force.

#### 1.4.3 Recommendations to political parties:

- Consider the idea of a voluntary code of ethics in which parties and party members would disavow all acts of electoral violence
- Take immediate steps to define and communicate to their supporters what they believe to be are acts of electoral violence.
- Explicitly communicate and reinforce a strong message of non-violence, especially at times of heightened political tensions
- Incorporate measures to avoid and mitigate electoral violence into party strategies and plans.
- Initiate a meaningful dialogue on ways of increasing female participation in all aspects of elections by eliminating any barriers to their participation

#### 1.4.4 Recommendations for any future studies on electoral violence:

- Study the link between increased levels of criminal activity in general and acts of electoral violence
- Study any possible links between criminal gangs and political parties or personalities
- Study the nature and impact of proactive steps by stakeholders to mitigate electoral violence
- Study the level of control which parties do exercise in practice over their activists and supporters. Any such study should focus particularly on communication and control mechanisms between party leadership and people who might be referred to as 'power brokers' on islands.
- Include the specter of economic threats and violence to achieve political ends
- Study the exact nature of any barriers to female participation in electoral processes
- Study the impact and viability of methods such as gender quotas to overcome the problem of barriers to female participation
- Devise a methodology more adept at identifying instances of gender based electoral violence
- Focus on the role of both traditional and new media, especially social networking, in electoral violence
- Further investigate any possible geographical or historical causalities for electoral violence
- The relative dominance of the two parties and the relationship to violence should be examined more closely.
- Capture complaints received through all avenues of the EC's complaints mechanism rather than just the NECB

#### 1.4.5 General recommendations:

- NGOs, the EC and political parties must work together to raise greater awareness among the public regarding electoral procedures
- NGOs, the EC and political parties must work together to discourage the public from engaging in any acts of electoral violence and instead utilize the established complaints and redress mechanisms
- The dialogue regarding electoral and political violence should be maintained and made more prominent in the national psyche
- Strengthen the criminal justice system and support the rule of law
- Current electoral legislation should be amended to explicitly ban any form of discriminatory campaigning, particularly gender based discrimination.
- An array of tools, including legislation, need to be explored in order to meet concerns regarding the use of Information and Communication Technology (ICT) in perpetrating acts of electoral violence.

## **2 Introduction**

### **2.1 Maldivian Democracy Network**

#### 2.1.1 Overview

The Maldivian Democracy Network (MDN) is a non-partisan NGO, which aims to promote human rights and the principles of democracy in the Maldives. We undertake a wide range of awareness raising, monitoring, reporting, lobbying and advocacy work to this end. Although based in the capital Male', MDN is active across the country with workshops, trainings, monitoring and advocacy efforts conducted in various atolls. In order to strengthen our presence in the atolls, MDN established its Network of Human Rights Defenders (NHRD) in 2010. This network of trained volunteers is active in 10 atolls and is expected to be present in all atolls of the Maldives by early 2012.

Most of MDN's work is funded by international partners including the Australian, British, Canadian, Dutch and United States governments as well as international NGOs such as the United Nations Development Programme and Amnesty International.

#### 2.1.2 History

MDN was originally formed as the Maldivian Detainee Network in 2004 following mass arrests and allegations of abuse in prisons in August of that year. Although not officially registered in the Maldives until June 2006, MDN is one of the first human rights NGOs established in the country. Working out of Colombo and Male', MDN created a network of families and friends of people in detention in response to popular concerns over police impunity and lack of judicial independence in the Maldives.

MDN played an important role in campaigning for human rights and democracy in those turbulent times and is recognised both nationally and internationally as

one of the main organisational influences that contributed to the democratic reform process in the country.

In order to better reflect the much wider range of human rights and democracy related work being carried out by the organization, MDN changed its name to the Maldivian Democracy Network in 2010. However, MDN remains true to its roots with an enduring commitment to detainee rights and prepares periodic prison situation updates as part of our core activities.

### 2.1.3 Values

*Commitment to Democracy and Human Rights for all:* We believe in the rule of law, and that laws should be made only with the consent of the people through their democratically elected representatives. We are committed to keeping the government, all political parties and other institutions accountable with regards to their responsibility to protect the human rights of all residents. We believe in the equality of all humans and that this must translate into the equal application of the law and human rights for all.

*Non-partisan:* MDN is a completely non-partisan organization with no affiliations or loyalties to any political parties or political personalities. All our work is done in a manner that is extremely mindful of the fact that our credibility, and thus effectiveness as an organisation, depends on the trust that we earn from the Maldivian people. The basis of this trust is our non-partisan and even-handed stance.

*Truthfulness:* We believe in operating in a truthful manner in all our dealings with all our stakeholders and make this a core principle in all our work.

## **2.2 Electoral Violence Monitoring for the Local Council Elections 2011**

### 2.2.1 Aim of the Project

Maldives represents a clear case of an otherwise cohesive society facing new fissures and conflicts as a result of rapid development and modernization. The Maldives needs to build its national and local capacities for the constructive management of change and in this context, requires assistance in developing and implementing a longer-term strategy for building national capacities for addressing emerging tensions, and for addressing new challenges on the basis of dialogue and inclusion. While the country does not face an imminent threat of large-scale instability, inaction could lead in the medium-term to a significant loss of recent development gains, and a rising spiral of social dissatisfaction, crime, and violence.

In light of the political instability in the country, the need for the monitoring of elections related violence was felt to be significantly important. Given that previous elections such as the 2008 Presidential elections and 2009 Parliamentary elections had witnessed election related violence and that political divisions in communities remained high, there was felt to be a real possibility of violence during the Local Council Elections (LCE) of 2011.

The repetition of election related violence would continue a disturbing trend, which although visible, has not been documented or studied in any systematic manner. A lack of such documentation and study by any stakeholder, including the Elections Commission (EC), has meant that neither the pattern nor causes of such violence are clear. As such, it is difficult to take mitigating actions, which would deter future violence and ensure a smooth democratic process in the country. Thus, the project aimed to monitor and record incidents of violence during the LCE of 2011 and based on the data collected, generate recommendations to mitigate violence in future elections. Data for the project was primarily collected by utilizing the NHRD (see below for details). External

sources, such as the media, Human Rights Commission of the Maldives (HRCM), EC and the Police were also used to gather data.

The overall aim of the Electoral Violence Monitoring project was to mitigate the risk of future electoral violence and instability the country. The project hoped to move towards this by establishing a baseline level of electoral violence during the 2011 LCE so that this could then be used to track the incidence of violence in future elections. The project also sought to stimulate debate and generate recommendations from stakeholders as to ways in which electoral violence could be mitigated.

### 2.2.2 Brief description of the 'Network of Human Rights Defenders'

The NHRD is a volunteer network of local community based individuals in atolls across Maldives who were given basic human rights training by MDN. All Defenders are over 18 years of age and, in line with MDN's commitment to non-partisanship, no member of the Network holds membership in any political party.

This Network has two main roles. The first is to act as advocates for human rights within their community by speaking to people and authorities in the community on a sustained basis. The second role is to report on the general human rights situation and specific issues occurring in the community to MDN. This information allows MDN to collate data and gain an overall view of the human rights situation across the country. These reports also assist MDN in its lobbying efforts on human rights issues and help the community make its grievances heard to the country at large.

To further strengthen the NHRD, MDN is currently working on incorporating a Conflict Management and Dispute Resolution component into the training given to the Human Rights Defenders (HRD). As of January 2011, MDN has successfully completed training workshops in 10 atolls and accredited a total of 67 HRDs. HRDs are expected to be trained and accredited in all atolls of the Maldives by early 2012.

### 2.2.3 Monitoring Electoral Violence Through the NHRD

The project consisted of three phases; pre-election monitoring, Election Day monitoring and post-election monitoring. HRDs monitored and documented the level and pattern of electoral violence for each phase and then prepared a final report based on their observations. A basic guideline with a checklist was provided to the HRDs for the purpose of recording the incidents. A three day training workshop was held in Male' from the 9<sup>th</sup> to the 11<sup>th</sup> of January for selected HRDs to familiarize themselves with the methodology and checklist to be used for the project (Details in Section 4.1).

### 2.2.4 Funding Source

The project was fully funded by the United Nations Development Programme (UNDP). This funding was complemented by core resources brought to the project by MDN.

## **2.3 Definition of 'Electoral Violence' for the purposes of the project**

MDN's definition of electoral violence for the 2011 LCE was wider than simply causing physical harm. MDN defined electoral violence as "the use, threat to use and/or the encouragement to use force by any party, individual or group, outside the boundaries of the laws, rules and regulations, for electoral purposes." The definition included the following:

- **Physical Fights:** Causing physical harm during confrontations between 2 or more people in relation to the elections was considered electoral violence. Forceful contact with hatred between two or more people was also considered electoral violence. The progression of a discussion between supporters of two or more candidates into fights, giving support and encouraging such violence also fell into the definition of electoral violence.
- **Damaging campaign material, campaign offices or campaign stations, warning or threatening or acting with intent to damage campaign material:** this included damaging campaign banners and posters, splashing of black oil, cutting power to campaign stations and offices, damaging sound systems, etc.
- **Damaging the property of a candidate, a candidate's family or a candidate's supporters; acting with intent to damage, encouraging to damage, warning or threatening to damage such property:** this included damaging vessels or vehicles (car, motor cycle, boat), homes, offices, shops or farms.
- **Causing physical harm to a candidate, the family of a candidate, a candidate's supporter; acting with intent to cause physical harm, encouraging the cause of physical harm, threatening or warning to cause**

physical harm: this included contact with any person without his/her consent.

- Threatening or warning: this included verbal threats, threats in written form, threatening with actions depicting violence, threats delivered through a second or third person. If the other person felt threatened, the action that caused it was considered electoral violence. It also included any form of threats, violence or condoning of violence against EC employees or representatives.
- Security force actions: stopping campaign rallies for reasons other than those prescribed by the law; unlawfully detaining/arresting candidates, supporters, relatives and friends of candidates; making threats against candidates, supporters, relatives and friends of candidates; using more force than necessary when breaking up gatherings or detaining people.
- Obstructing campaign: this included one party playing loud music around another party's campaign rally, disrupting electricity, preventing people from getting on or off an island. It also included calling for, condoning or threatening to do any of these things.
- Obstructing elections: this included obstructing EC officials from conducting their legal duties, obstructing voters, stealing elections materials such as ballot papers or ballot box. It also included calling for, condoning or threatening to do any of these things.

The points noted above were based on MDNs experiences and what the organization believed at the time were the likely acts of electoral violence that may occur. To determine whether a certain action or occurrence was electoral violence, the following things were considered:

- Was it related to the LCE or was there an electoral motive behind it?
- Was anyone or any object harmed or did the action make it possible/more likely for anyone or any object to be harmed?
- Did the action threaten anyone or cause fear?
- Did the action obstruct any part of the elections process?

## 3 The Context to the LCE 2011

### 3.1 The Maldives

The Maldives is a chain of 1190 islands in 26 geographical groupings, which are administered as 20 atolls. Of these, only 200 islands are inhabited and 97 have been developed as resort islands<sup>1</sup>. While some large islands host populations of around 10,000 some smaller and more remote islands have populations of just a few hundred. The geographical spread of the population and the complexities of sea transport to the islands make service delivery in the country a considerable challenge.

According to the Department of Planning and National Development<sup>2</sup> the Maldives had a population of 324,992 in 2009, with about one third of this concentrated in the capital island of Male'. The Maldives has a Sunni Muslim population which speaks the local language of Dhivehi. Religious uniformity is enshrined in the Constitution which states that every citizen must be a Sunni Muslim<sup>3</sup>. Although there are different dialects of the Dhivehi language spoken in different parts of the Maldives, the Maldives does not currently have any major conflicts which are overtly based on language, religion or ethnicity. However, there does appear to be growing polarization between an increasingly conservative element and the more liberal elements within society.

The Maldives had a GDP of 926 million USD in 2010<sup>4</sup>, an unemployment rate of 14.5% and a growth rate of 4%<sup>5</sup>. Tourism, Maldives' largest economic activity, accounts for 28% of GDP and more than 60% of foreign exchange receipts<sup>6</sup>. Fishing is the second leading sector, but the fish catch has dropped sharply in recent years. Agriculture and manufacturing continue to play a lesser role in the

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<sup>1</sup> <http://www.visitmaldives.com/en/the-maldives/country-at-a-glance>

<sup>2</sup> [http://planning.gov.mv/yearbook2010/yearbook/3\\_population/3.3.htm](http://planning.gov.mv/yearbook2010/yearbook/3_population/3.3.htm)

<sup>3</sup> Article 9 of the Maldivian Constitution

<sup>4</sup> [http://planning.gov.mv/en/images/stories/publications/mag/2011/MAG\\_February2011.pdf](http://planning.gov.mv/en/images/stories/publications/mag/2011/MAG_February2011.pdf)

<sup>5</sup> <https://www.cia.gov/library/publications/the-world-factbook/geos/mv.html>

<sup>6</sup> <https://www.cia.gov/library/publications/the-world-factbook/geos/mv.html>

economy, constrained by the limited availability of cultivable land and the shortage of domestic labour. Over 90% of government tax revenue comes from import duties and tourism-related taxes. A General Sales Tax on sales to tourists was introduced for the first time in 2010, but the country does not have a direct income tax.

### **3.2 The broader political context**

Sparked off by prison riots and street protests in the capital Male' in 2003, the Maldives embarked on an ambitious journey of democratic reform. A 'reform roadmap' was announced by then President Maumoon Abdul Qayoom in 2004 and elections were held to elect a People's Special Majlis to amend the Constitution. This process of reform introduced multi-party politics for the first time in the country's history in 2005 and created a civil police force distinct from the military in 2004. The reform process culminated in the ratification of a new Constitution on 7<sup>th</sup> August 2008. The new Constitution had most of the trappings of a modern democratic system of governance, including the separation of powers and a comprehensive new bill of rights.

The country held its first ever multi-party, multi-candidate Presidential Elections on 8<sup>th</sup> October 2008. However, since no candidate was able to win a plurality of votes, a run-off election was held between the incumbent Maumoon Abdual Qayoom from the Dhivehi Rayyjtunge Party (DRP) and Mohamed Nasheed from the Maldivian Democratic Party (MDP) on the 28<sup>th</sup> of October 2008. Nasheed, having secured the support of other political parties and leading political figures, ultimately emerged victorious, bringing to an end 30 years of uninterrupted rule by President Qayoom.

The Presidential elections were shortly followed by multi-party parliamentary elections in May of 2009. The DRP made a comeback during these elections denying the MDP a majority and becoming the largest single party in parliament. The DRP and People's Alliance (PA) coalition formed a majority in parliament

and was soon joined by other smaller parties such as the Jumhooree Party (JP) which had supported President Nasheed in the 2008 elections. However, following changes in allegiances among members of parliament since the elections, the MDP now claims a total of 31 MPs to DRP's 27 in the 77 seat Majlis.

Contentious issues emerged early between the MDP run executive and the opposition majority parliament. These issues were manifest in the inability to enact key legislation; controversies over appointments to public offices; opposition to economic policies; and the threat of no confidence motions against government ministers. These issues came to a head in June of 2010 when the cabinet resigned en-masse, claiming that they were being blocked from performing their legal duties by the parliament. The instability which this preceded saw arrests of opposition parliamentarians on charges of corruption and sedition; street protests and clashes with security forces; and the forced closure of the Supreme Court by the military. The situation eventually calmed with the end of what was termed as the 'transitional period' of the new Constitution on 7<sup>th</sup> August 2010. After a series of last-minute marathon parliamentary sessions, a new permanent 7 member Supreme Court was appointed, a Judges Act was passed and new members were appointed to the HRCM and the Civil Services Commission (CSC). Most members of the cabinet eventually rejoined the cabinet although some failed to gain parliamentary approval and were replaced by new ministers.

There are 14 political parties registered in the Maldives and according to data from the Elections Commission<sup>7</sup> as of 24<sup>th</sup> March 2011, there were 118,132 people – around a third of the country's population – registered as members of political parties.

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<sup>7</sup> <http://123.176.28.5:8080/partyregistry/>

<b>Party</b>	<b>Membership at of 24<sup>th</sup> March 2011</b>
Adhaalath Party (AP)	5681
Dhivehi Rayyithunge Party (DRP)	38314
Dhivehi Qaumees Party (DQP)	2524
Gaumees Ittihad Party (GIP)	2891
Islamic Democratic Party (IDP)	4008
Jumhoorees Party (JP)	5413
Maldivian Democratic Party (MDP)	45773
Maldives Labour Party (MLP)	1021
Maldivian National Congress (MNC)	1690
Maldives Reform Movement (MRM)	3067
Maldives Social Democratic Party (MSDP)	2199
People's Alliance (PA)	2731
People's Party (PP)	2068
Social Liberal Party (SLP)	752

It is noteworthy that the figures provided by the EC are often contested by the political parties themselves who claim that the EC's register of party membership is inaccurate. There are also complaints by members of public who claim that they have been registered in political parties without their knowledge. However the EC figures provide a guide to the general size of the parties.

When the MDP initially took power in November of 2008, it took power as a coalition government which included the majority of political parties in the country. However, frictions soon arose within the coalition and the JP, DQP and GIP had all left the coalition by the time of the local council elections. The only three parties remaining in the coalition were the AP, SLP and the MNC.

### 3.3 Decentralisation

The Maldives has always been administered in a very centralized manner with atoll chiefs traditionally sent by the central government in Male' to administer the individual atolls. Island chiefs were also appointed by the central government rather than elected by the community. The concept of decentralisation was seen as a way to strengthen democracy and empower the local communities to make decisions regarding their own development.

Chapter 8 of the Maldivian Constitution deals with the Decentralised system of administration. Article 230 (a) of the Constitution states that "The administrative divisions of the Maldives shall be administered decentrally [*sic*]"<sup>8</sup> while Article 231 of the Constitution stipulates that the councils be elected democratically by the respective communities and that the term of each council should not exceed three years. Article 232 of the Constitution<sup>9</sup> states the responsibilities of the Councils:

- a) To provide democratic and accountable governance
- b) To foster the social and economic well-being and development of the community
- c) To establish a safe, healthy and ecologically diverse environment
- d) To achieve other such objectives as prescribed by law

In keeping with the unitary form of the Maldivian State, Article 233 of the Constitution stipulates that any bylaws passed or decisions taken by the councils would be subject to the Acts passed by the People's Majlis and the regulations made under those Acts. Furthermore, Article 234 of the Constitution states that the council shall be provided with an annual budget by the Treasury and that the councils also have the power to raise funds. These Constitutional provisions are clarified and enhanced in the Decentralisation Act of 2010.

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<sup>8</sup> Functional Translation of the Maldivian Constitution by Ms. Dheena Hussain

<sup>9</sup> Functional Translation of the Maldivian Constitution by Ms. Dheena Hussain

According to the Decentralisation Act: councils have the authority to lease and own movable and immovable property; invest; own investments on reefs and uninhabited islands for economic and social benefits; mortgage properties and withdraw loans from local banks and international donors to raise funds for developmental activities; allocate fees for the services rendered by the council; assign municipal bond and municipal securities and sell them on the stock exchange; and make agreements and conduct business with individuals in order to deliver the services for which the council is responsible. Councils also have the power to acquire private property under their jurisdiction for the public good, by providing fair and adequate compensation. The decentralisation act also grants them the power to watch over public finances and facilities; and speak and make decisions in the name of the community.

The councils are made responsible by the Decentralisation Act for, among other things, providing municipal services including rubbish disposal, primary health care services, and continuing and pre-school education facilities.

### 3.3.1 Composition of the Councils

#### *Island Councils*

Article 7 of the LCE Act states that for each island that has a population of less than 3000, the council will consist of 5 members. Islands with a population of between 3000 and 10000 will have a council consisting of 7 members and for islands exceeding a population of 10000, 9 members will be elected to the council.

However, for the island of Fuvahmulah, which is the only island in the atoll (Gnyaviyani), each ward on the island will have a council and each council will consist of 3 members.

### Atoll Councils

Quoting from the Decentralisation Act (Act No. 7/2010), Article 5 of the LCE Act states that for each atoll that has two constituencies, 3 members from each constituency will be elected to the Atoll Council. For atolls consisting of more than 2 constituencies, 2 members will be elected to the council from each constituency. As such, the number of council members in each atoll council is as follows:

<i>Haa Alif: 10</i>	<i>Vaavu: 6</i>
<i>Haa Dhaal: 10</i>	<i>Meemu: 6</i>
<i>Shaviyani: 8</i>	<i>Faafu: 6</i>
<i>Noonu: 6</i>	<i>Dhaalu: 6</i>
<i>Raa: 10</i>	<i>Thaa: 6</i>
<i>Baa: 6</i>	<i>Laamu: 8</i>
<i>Lhaviyani: 6</i>	<i>Gaaf Alif: 6</i>
<i>Kaafu: 6</i>	<i>Gaaf Dhaal: 8</i>
<i>Alif Alif: 6</i>	<i>Gnyaviyani: 6</i>
<i>Alif Dhaal: 6</i>	<i>Seenu*: -</i>

\*As Seenu (Addu) Atoll was declared a city, it does not have an atoll council.

### City Councils

Quoting from the Decentralisation Act (Act No. 7/2010), Article 6 of the LCE Act states that for each constituency within a city, one member will be selected to the council. Accordingly, Male' City Council has 11 council members and Addu City Council consists of 6 members.

### 3.3.2 Passing the Decentralisation Act

Article 298 of the Constitution stipulated that the LCE must be held before the 1st of July 2009. Maldives' road to establish a legal frame work to ensure a decentralized system of administration was a long one and ultimately did not meet the Constitutional deadline.

On 26th November 2008, just a few weeks after becoming president, Mohamed Nasheed announced that he would be referring the issue of decentralisation to the parliament since no specific law existed on this. He noted that the right way to implement this undertaking would be to seek the approval of the parliament. The bill on decentralisation was presented to the parliament on three separate occasions and the bill was withdrawn on the first two occasions by the government itself.

On the first occasion, some of the parliamentarians objected to: the role of state ministers; the division of 21 administrative areas into seven provinces; and the composition of atoll councils in the bill. Dhiyana Saeed, the attorney general at the time, also appealed to the Supreme Court to rule whether the creation of seven provinces and seven parallel regional councils were unconstitutional<sup>10</sup>. Nevertheless the bill was accepted to the parliament by a narrow margin<sup>11</sup>. The bill however had to be reintroduced to the parliament since the term of the 16th parliament (which was the last parliament under the previous Constitution) came to an end while the bill was still at committee stage.

The bill proved even more controversial upon its second introduction. The newly elected parliament was led by an opposition majority and opposition members continued to question the constitutionality of articles relating to provinces in the original draft. They further accused the government of trying to create provinces to exert political control over the atolls. The members belonging to the MDP argued that decentralisation along a model of 7 provinces rather than 20 atolls

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<sup>10</sup> [http://www.minivannews.org/news\\_detail.php?id=6385](http://www.minivannews.org/news_detail.php?id=6385)

<sup>11</sup> <http://www.miadhu.com/2009/04/local-news/decentralisation-bill-sent-to-committee-9899/>

would be more economic and efficient<sup>12</sup>. Although the bill was once again accepted by parliament, the committee reviewing the bill, which consisted of an opposition majority, voted to remove the concept of provinces from the bill, arguing that the concept was unconstitutional<sup>13</sup>. Fierce debates followed the introduction of the committee report to the parliament floor, and parliament concluded in deadlock, unable to resolve the issue. The parliamentary debates also spilled onto the streets of the capital Male', with protests by both sides sometimes turning violent<sup>14</sup>. The government finally decided to withdraw the bill saying that it would be resubmitted after consultations with political parties and other stakeholders<sup>15</sup>.

The bill was resubmitted for a third time in 2010. Although the bill was significantly redrafted, the concept of provinces still remained in the bill. Members of the MDP argued that they were not planning to 'amalgamate' the atolls but simply group them for administrative purposes<sup>16</sup>. However, this concept was once again omitted from the bill at committee stage<sup>17</sup>. Members of the MDP tried, unsuccessfully, to pass a resolution to refer the concept of provinces to the Supreme Court for a ruling on its constitutionality.

Over one hundred amendments were proposed to the bill by members of the MDP seeking to reverse the changes brought during the committee stage. However once it became clear that none of the amendments would be passed, all the amendments were withdrawn and the MDP members, save for one, boycotted the sitting.

The Decentralisation bill was finally passed by parliament on 28<sup>th</sup> April 2010 with 42 votes in favour and 1 against. President Mohamed Nasheed ratified the

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<sup>12</sup> [http://minivannews.org/news\\_detail.php?id=6864](http://minivannews.org/news_detail.php?id=6864)

<sup>13</sup> [http://minivannews.org/news\\_detail.php?id=7178](http://minivannews.org/news_detail.php?id=7178)

<sup>14</sup> <http://www.miadhu.com/2009/12/local-news/parliamentary-session-suspended-because-of-disagreement-over-provinces/>

<sup>15</sup> <http://www.miadhu.com/2009/12/local-news/government-decides-to-withdraw-bill-on-decentralisation/>

<sup>16</sup> Minutes of the Parliamentary debate on the Decentralisation bill (closing statement by MDP MP Hamid Abdul Gafoor), 22<sup>nd</sup> March 2010.

<sup>17</sup> <http://www.miadhu.com/2010/04/local-news/committee-eliminates-%E2%80%9Cprovince-section%E2%80%9D-of-the-province-bill/>

Decentralisation Act on 18th May 2010. Explaining why he was ratifying the bill, the President stated that the bill would not hamper the implementation of government policies though some provisions were legally questionable and that since the Constitutional deadline for the LCE had passed, further delays were not advisable<sup>18</sup>.

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<sup>18</sup> <http://www.miadhu.com/2010/05/local-news/president-briefs-media-on-ratification-of-decentralisation-bill/>

### **3.4 A brief description of the political parties which contested the LCE**

Of the 7 parties fielding candidates for the local council elections, the DRP, PA and JP formed a coalition, while the MDP, PP, AP and GIP ran as stand-alone parties. However, the AP did give its individual branches discretion to go into coalition with other parties on their specific island. This discretion was taken up by some AP branches, but not in a uniform manner.

**Adhaalath Party:** The AP is a religious party and fielded 53 candidates during the LCE. It is led by its President Sheikh Hassan Rasheed. The AP does not hold a seat in parliament but controls the Ministry of Islamic Affairs under the coalition agreement it made with the MDP during the 2008 Presidential elections.

**Dhivehi Rayyithunge Party:** The DRP was founded by former President Maumoon Abdul Qayoom who remains its symbolic leader with the title of 'Zaeem'. It is currently led by Thasmeen Ali and is commonly referred to as the largest opposition party. The current speaker of the Parliament, Mr. Abdullah Shahid, belongs to the DRP. The DRP fielded 885 candidates during the LCE and currently holds 27 seats in parliament

**Dhivehi Qaumeer Party:** The DQP is led by Dr. Hassan Saeed, who was Attorney General during the Qayoom government and was briefly an advisor to President Nasheed during the current government. It holds one seat in parliament and fielded 8 candidates during the LCE.

**Gaumeer Ittihad Party:** The vice-President Dr. Mohamed Waheed Hassan Manik belongs to the GIP. The GIP does not have parliamentary representation, but fielded 10 candidates during the LCE.

**Jumhooreer Party:** The JP is led by prominent business figure Mr. Gasim Ibrahim, who was also briefly Home Minister during the early stages of the new

government and was Finance Minister during the previous government. The JP holds 3 seats in parliament and fielded 46 candidates during the LCE.

**Maldivian Democratic Party:** This is the party of current President Mohamed Nasheed and was the first political party to be registered in the Maldives. It holds 31 seats in parliament and fielded 930 candidates during the LCE

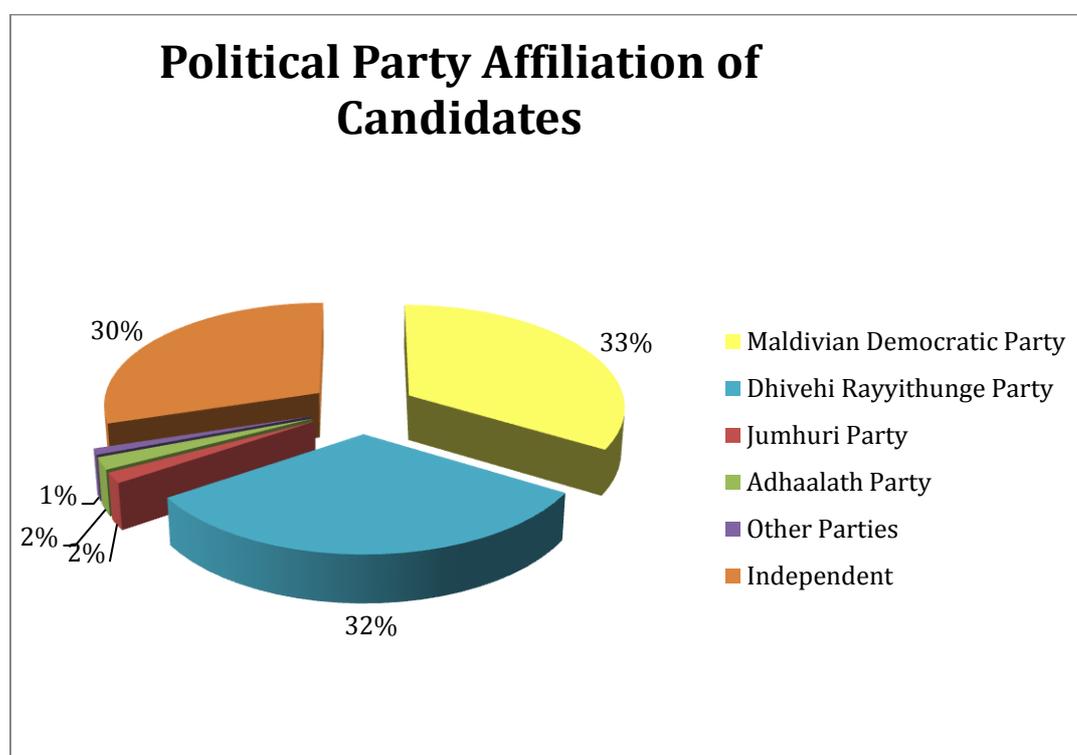
**Peoples' Alliance:** The PA is led by Yaameen Abdul Qayoom who is the half-brother of former President Qayoom. Mr. Yaameen Qayoom was Trade Minister and Minister for Higher Education during the previous government. The PA has a parliamentary group of 7 MPs which includes the deputy speaker of Parliament, Mr. Ahmed Nazim.

**Peoples' Party:** This is a relatively young party with no parliamentary representation. The PP fielded one candidate for the LCE.

## 3.5 Candidates Summary<sup>19</sup>

### 3.5.1 By Party

Parties	Island	Atoll	City	Total
Maldivian Democratic Party	784	129	17	<b>930</b>
Dhivehi Raiyyithunge Party	753	117	15	<b>885</b>
Jumhooree Party	33	10	3	<b>46</b>
Gaumy Iththihaadh Party	6	0	4	<b>10</b>
Dhivehi Qaumeer Party	7	1	0	<b>8</b>
Adalaath Party	46	4	3	<b>53</b>
People's Party	1	0	0	<b>1</b>
Peoples Alliance	6	2	0	<b>8</b>
Independent	765	46	14	<b>825</b>
<b>Total</b>	<b>2401</b>	<b>309</b>	<b>56</b>	<b>2766</b>



<sup>19</sup> <http://minivannews.com/files/2011/02/LocalCouncilElectionsUpdated2011.xls>

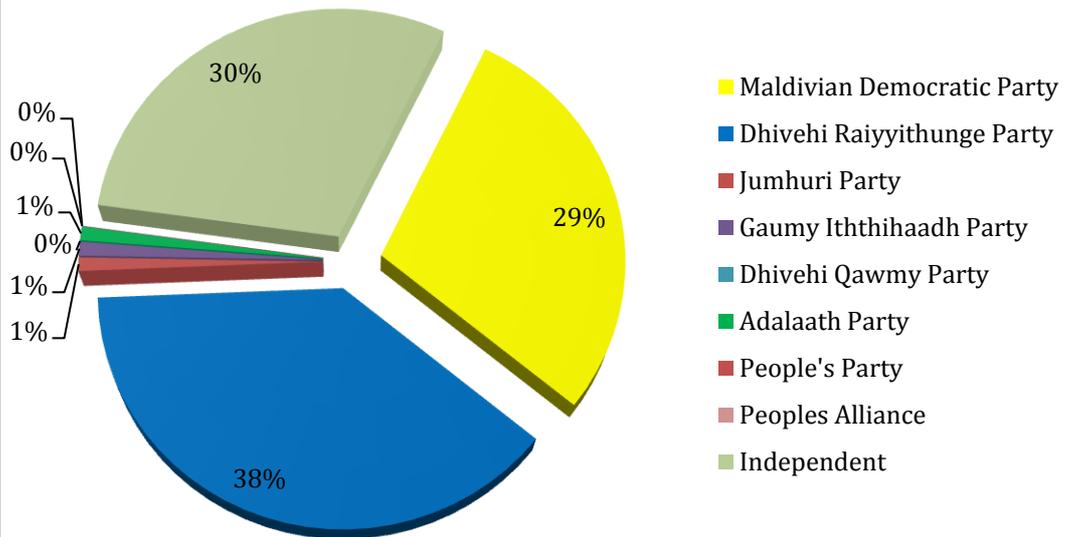
### 3.5.2 Women Candidates

<b>Party</b>	<b>Island</b>	<b>Women</b>	<b>Atoll</b>	<b>Women</b>	<b>City</b>	<b>Women</b>	<b>Total</b>
Maldivian Democratic Party	784	59	129	2	17	0	<b>930</b>
Dhivehi Raiyyithunge Party	753	80	117	1	15	1	<b>885</b>
Jumhuri Party	33	2	10	0	3	0	<b>46</b>
Gaumy Iththihaadh Party	6	1	0	0	4	1	<b>10</b>
Dhivehi Qawmy Party	7	0	1	0	0	0	<b>8</b>
Adalaath Party	46	1	4	0	3	1	<b>53</b>
People's Party	1	0	0	0	0	0	<b>1</b>
Peoples Alliance	6	0	2	0	0	0	<b>8</b>
Independent	765	63	46	0	14	1	<b>825</b>
<b>Total</b>	<b>2401</b>	<b>206</b>	<b>309</b>	<b>3</b>	<b>56</b>	<b>4</b>	<b>2766</b>

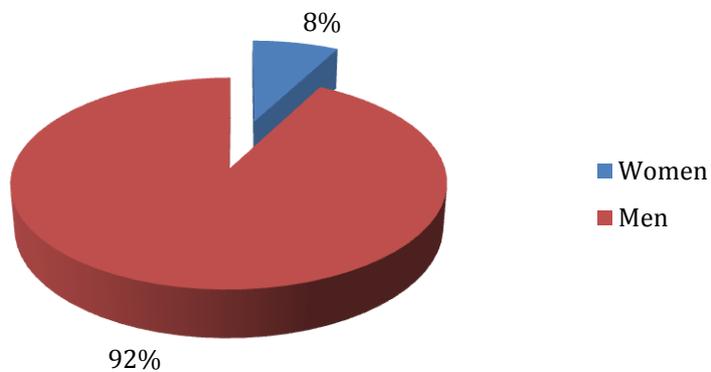
*Total Men: 2553*

*Total Women: 213*

## Political Affiliation of Female Candidates



## Gender Distribution of Candidates



### 3.6 Issues during the run-up to the election

Apart from the controversy regarding Decentralisation Act and the exact model of decentralisation which the country would follow, the lead-up to the elections were marked by several issues of contention between the MDP and opposition parties.

#### **Addu: To City or Not to City**

The issue of whether Addu should be considered a city with just one city council or an atoll with an atoll council and several island councils proved to be one of the most contentious issues during the LCE. A non-binding referendum was held on 9<sup>th</sup> October 2010 to canvass public opinion on the issue. Among the six islands in Addu, 4 islands (Hithadhoo, Maradhoo, Maradhoofeydhoo and Hulhudhoo) voted in favour of developing Addu as a city while 2 islands (Feydhoo and Meedhoo) voted against it<sup>20</sup>.

Following this outcome, President Mohamed Nasheed declared Addu Atoll a city but was heavily criticized by the opposition which claimed that the declaration was in contradiction to the Decentralisation Act<sup>21</sup>. The legality of the President's initial declaration was challenged in the Civil Court by the Vice-President of the DQP and another individual. The Civil Court ruled on the 9<sup>th</sup> of January 2011 that the declaration was indeed invalid as the Local Government Authority (LGA) had not announced the criteria for the declaration of a unit as a city<sup>22</sup>.

The LGA, which at this time consisted solely of the Home Minister, published the conditions and criteria a city council must meet under appendix 2 of the Decentralisation Act the very next day. President Nasheed re-declared Addu as a city citing the LGA criteria and informed the EC<sup>23</sup>. The President was again heavily criticized by opposition parties who claimed that the LGA could not make valid decisions with only one member in place. A case was filed at the Civil Court by Seenu Hulhudhoo Annaaruvilla Hassan Nasir to declare the LGA declaration invalid. The Civil Court ruled

<sup>20</sup><http://www.haveeru.com.mv/?page=details&id=101843&tbl=archiv&cat=search>

<sup>21</sup><http://www.haveeru.com.mv/?page=details&id=101993&tbl=archiv&cat=search>

<sup>22</sup><http://www.haveeru.com.mv/?page=details&cat=search&tbl=online&id=105602>

<sup>23</sup> <http://www.haveeru.com.mv/?page=details&cat=search&tbl=online&id=105653>

in favour of Hassan Nasir on 1<sup>st</sup> February 2011 and following this ruling, the EC announced that it was cancelling city council elections in Addu. The government and the MDP condemned the Civil Court ruling and filed a case at the Supreme Court asking that the EC be ordered to hold elections on Addu<sup>24</sup>. The Supreme Court ruled on the 4<sup>th</sup> of February that the EC was wrong to cancel the elections and that the LCE should be held on Addu the next day<sup>25</sup>. The EC, in response to the Supreme Court order, announced that it would indeed be holding elections for a city council in Addu on the 5<sup>th</sup> of February 2011, arguing that it was the criteria that had been declared invalid by the Civil Court and not Addu City Council itself<sup>26</sup>.

This complicated legal issue was being played out in the backdrop of angry protests in both Addu and Male' against what the protesters perceived to be attempts to stop Addu from being declared as a city. Significant instances of electoral violence were also reported in the media. The first rally regarding the issue was held in Addu on the 8<sup>th</sup> of January 2011 to show support for a city council. Although this rally passed off peacefully, protests in Hithadhoo following the Civil Court order on the 9<sup>th</sup> of January saw the burning of effigies of DQP Vice-President Imad Solih and media reports indicated that protesters threatened 'action' if DQP leaders came to Addu<sup>27</sup>. On the same night, protesters in Male', including some MDP MPs, gathered near the residence of DQP President Dr. Hassan Saeed and had to be dispersed by the police<sup>28</sup>. The next night, 10<sup>th</sup> January 2011, saw protests outside Villa TV where DQP Vice-President Dr. Jameel was giving an interview. Dr. Jameel had to be escorted from the studio under police protection<sup>29</sup>.

Following the EC's announcement that it was cancelling the city council elections in Addu, protesters gathered near Hithadhoo magistrate court on 1<sup>st</sup> February 2011. MDP MP Alhan Fahmy who was at the protest was reported in the media to have threatened that 'no court in Addu would be allowed to open' unless the Addu council issue was resolved in a just manner<sup>30</sup>. However, protesters later dispersed after Alhan was reported to have told protesters that the government had decided to appeal the Civil

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<sup>24</sup> <http://www.haveeru.com.mv/?page=details&id=106730&cat=search>

<sup>25</sup> <http://www.supremecourt.gov.mv/media/documents/371.PDF>

<sup>26</sup> <http://www.haveeru.com.mv/?page=details&id=106789&cat=search>

<sup>27</sup> <http://www.haveeru.com.mv/?page=details&id=105643&cat=search>

<sup>28</sup> <http://sun.mv/4361>

<sup>29</sup> <http://www.haveeru.com.mv/?page=details&id=105690&cat=search>

<sup>30</sup> <http://sun.mv/4937>

Court verdict and that MDP Chairperson Maria Ahmed Didi had requested that protests be halted in the meantime<sup>31</sup>. That same night, unidentified people placed locks on the main entrances to the Hithadhoo magistrate court and the Justice Building in Male'. A pickup truck was also parked in front of Hulhudhoo magistrate court blocking its entrance and had to be removed by the police<sup>32</sup>.

While this case is illustrative of the potential for electoral violence in the Maldives, the Addu City Council issue is also cited by some as a case where both voters and candidates were deprived of their democratic right to participate fully in elections. Several candidates have filed court cases arguing that the uncertainty and changes in the week leading up to the election seriously hampered their ability to effectively campaign. Some parties also noted that voters who had been registered to vote in Addu lost the opportunity as they were led to believe that the elections had been cancelled until very late.

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<sup>31</sup> <http://www.haveeru.com.mv/?page=details&id=106679&cat=search>

<sup>32</sup> <http://www.haveeru.com.mv/?page=details&cat=search&tbl=online&id=106670>

One of the more serious issues which emerged during the pre-election period was that of perceived media bias. There appeared to be concerns among all political parties and the general public as to the lack of what could be perceived to be an independent and unbiased media source. There was a particular focus on the alleged partiality of the State media company, Maldives National Broadcasting Corporation (MNBC). MNBC had been formed by Presidential decree by President Nasheed as a corporation in which the State was the sole shareowner and which had a board of directors appointed directly by the President. However, the Maldives Broadcasting Corporation (MBC) was later established by statute as the State broadcaster and was designed to have a board of directors appointed by parliament. Once the board of directors had been appointed to the MBC, the MNBC refused to hand over its assets, claiming that as a corporation, it was due compensation for any assets of which it might be deprived. This controversy raged on between the ruling MDP and the opposition during the run up to the elections with protests held by the opposition against what they termed as the 'hijacking of the State media' by the government. The matter of ownership of assets is pending at the Civil Court at the time of this report.

A broader issue of abuse of state resources was also repeatedly raised by the opposition during the campaign. There were allegations of government officials and senior political appointees using official trips for campaign purposes and of the government announcing development projects and land allocations to coincide with the elections. These allegations were repeatedly and vigorously denied by the government and the ruling MDP which claimed that they were not indulging in any illegal or inappropriate practices and that the normal functioning of government could not be halted for elections.

A second issue which arose during the lead-up to the LCE was that of the impartiality of Election Officials. While the EC repeatedly said that their first preference would be to hire officials with no political party affiliations, there were complains that a significant number of officials held membership in political parties.

A related issue was that of politically appointed councillors. As part of what the government described as its effort to speed up the process of regionalization, President Mohamed Nasheed appointed councillors to each atoll and island in December of 2008, just a month after taking office<sup>33</sup>. The opposition heavily criticised this move as an effort by the government to undermine the current democratic changes being brought to the country<sup>34</sup>. Article 28 of the LCE Act stipulates that if any elections are to be held under the Act, from the date on which the elections are announced till the end of the election, the head of the constituency will be a civil servant assigned by the Civil Service Commission (CSC). After the date of the LCE was announced, the Home Ministry informed that councillors (who were political appointees) would continue to head island and atoll offices during the LCE. The decision also came after the CSC had assigned 'responsible officers' to island offices to head the respective constituencies during the election<sup>35</sup>. Following the announcement by the Home Ministry, the EC announced that it would deal with the responsible officers during the upcoming LCE rather than the politically appointed councillors<sup>36</sup>. While the opposition alleged that the councillors may interfere with the election, members of the government accused the responsible officers of being biased towards opposition candidates and alleged that the majority of them were from opposition parties. On 25<sup>th</sup> December 2010, the government finally announced its decision to dissolve the post of Councillors. However politically appointed "Coordinators" who would oversee government projects and provide services to the people on behalf of the government were to remain on a limited number of islands<sup>37</sup>.

The LCE campaign was conducted in an extremely politicized environment with the vast majority of candidates running on party tickets. Both the main parties held primaries to select their candidates for the elections. The 2<sup>nd</sup> Amendment to

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<sup>33</sup> <http://www.miadhu.com/2008/12/local-news/president-appoints-island-atoll-councillors-8763/>

<sup>34</sup> [http://minivannews.org/news\\_detail.php?id=6864](http://minivannews.org/news_detail.php?id=6864)

<sup>35</sup> <http://www.haveeru.com.mv/english/details/33296>

<sup>36</sup>

[http://www.haveeru.com.mv/english/details/33726/Elections\\_to\\_deal\\_with\\_responsible\\_officers\\_during\\_local\\_council\\_election](http://www.haveeru.com.mv/english/details/33726/Elections_to_deal_with_responsible_officers_during_local_council_election)

<sup>37</sup> <http://www.haveeru.com.mv/english/details/33997>

the Decentralisation Act states that if an individual who wins a seat on a local council election by running on a party ticket subsequently leaves the party, then the person also concedes his seat on the council. This is indicative of the importance attached to a party-politics based approach to the councils by the political parties themselves. Although the councils would have only municipal and local powers, the campaign was fought largely on national issues such as religion, the national economy, accountability of the central government and delivering pledges made during the presidential elections of 2008. Unfortunately, this seemed to produce a campaign which did not contribute significantly to the effort to raise awareness among the Maldivian public regarding the new system of governance that was being introduced and the precise role and powers of the local councils as stated in the Decentralisation Act. During its outreach work, MDN observed low levels of awareness regarding this aspect of the elections among both the general public and candidates.

## **3.7 The EC and the LCE 2011**

### 3.7.1 Legal Framework

Under Article 4 of the General Elections Act (Act No. 11/2008), the EC is mandated with holding and organizing all aspects of any general election held in the Maldives. As such, the EC is required to maintain an updated register of all eligible voters; setup complaints mechanisms; recruit and train elections officials; produce and provide all materials required for elections such as ballot papers; conduct elections; and announce temporary and official results of the elections, as prescribed by the General Elections Act.

The current group of Elections Commissioners took office after the parliamentary elections of 2009. The LCE was thus the first general election held by the new EC. Both the presidential and parliamentary elections were conducted by an Interim Elections Commission, as stipulated by Chapter 14 of the 2008 Constitution (Articles 275-280). The interim commission consisted of 5 members, each representing a different political party.

For the LCE, the General Elections Act is supplemented by the LCE Act (Act No. 10/2010) and the LCE Regulations.

### 3.7.2 Preparations for the LCE

Article 4 of the LCE regulations states that in order to run the day-to-day operations of conducting the LCE, as instructed by the EC, local Elections Committees should be established. For each atoll, and island, the committees should generally consist of 3 members and 5 members for each city. For voting stations outside of the country, a 3-member committee should be established.

A two-day training of trainers for elections officials was conducted in Male'. These trainers were then posted to different islands, and provided a one-day training for officials who would work at the polling station on Election Day.

Article 37 of the LCE regulation stipulates that a 5-member National Elections Complaints Bureau (NECB) should be established. The article also states that for each atoll and city, an atoll-level and city-level complaints bureau should be established. The regulations encourage the island committees, through the complaints officer on each committee, to deal with complaints directly. Issues which could not be resolved at the island level were to be referred to the atoll complaints bureau. The NECB was the apex of the complaints mechanism and made decisions independently of the EC.

A National Advisory Committee (NAC) was put together 3 days prior to the LCE. This committee consisted of representatives from interested political parties, the Human Rights Commission of the Maldives, Maldives Police Service and two NGOs, namely MDN and Transparency Maldives. This committee was formed under Article 3 of the LCE regulation, which states that such a committee can be established at the discretion of the EC, to advise the commission of matters regarding the elections.

## **4 Methodology**

### **4.1 Information Sources**

#### 4.1.1 Network of Human Rights Defenders

The report is largely based on data collected from the NHRD. Of the 8 atolls which had defenders active at the start of the project, 7 atolls were monitored during the election period. While the network was sufficiently trained in monitoring and reporting, MDN felt that further training needed to be given in order to familiarize the HRDs with the methodology for electoral violence monitoring. Hence, selected HRDs from 7 atolls, totalling 23 people, were brought to Male' for the training.

The training was held from the 9<sup>th</sup> to the 11<sup>th</sup> of January 2011 and was conducted by MDN staff. The training also included sessions by the EC and the Maldives Police Service (see Annex 01 for the agenda of the training workshop)

Participants received training on: the concept of decentralisation; the meaning and substance of electoral violence; the methodology being used by MDN for monitoring electoral violence during the LCE; reporting and interviewing skills; election day observation; how the elections had been organized by the EC; types of electoral violence common in the Maldives; and the monitor's code of conduct.

#### 4.1.2 Stakeholder meetings

A key aspect of the project was meeting with relevant stakeholders in order to: i) gain input for the design and implementation of the project ii) gain insights into data obtained through the monitoring effort iii) generate recommendations pertaining to steps that could be taken in order to mitigate electoral violence in the future.

The Stakeholders that were consulted were:

- The EC
- The Police
- The HRCM
- Political Parties<sup>38</sup>
  - DRP
  - MDP
  - JP
  - AP
  - DQP

A draft analysis of the data obtained within the monitoring period was shared with all stakeholders prior to the post-election meetings so that the findings could form part of the discussion.

Where the content of the report indicates comments, opinions, concerns or recommendations from stakeholders, it refers to outputs of meetings with these stakeholders.

A full list of individuals met with for this report is included in Annex 02 of this report.

#### 4.1.3 Media Sources

MDN, as part of its core activities, carries out daily media monitoring of 4 online news sources. The sources are Haveeru Online, Minivan News, Miadhu and Sun.mv. All news which was connected to electoral violence was filtered out from this and collected in a separate database.

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<sup>38</sup> Meetings were requested with all political parties fielding candidates for the 2011 LCE both before monitoring commenced and after monitoring had ended. Meetings were obtained only with the MDP and DQP prior to monitoring. MDN met with the AP, DRP, MDP and JP after monitoring had concluded.

#### 4.1.4 Other External Sources

In addition to the NHRD and media, MDN also collaborated with the Maldives Police Service, the HRCM and the EC (NECB) to gather data on electoral violence. Data was gathered from the HRCM, EC and Police Headquarters in Male' directly by MDN head office. In order to obtain data from the police stations in the islands, MDN reached an understanding with the police whereby HRDs were able to meet and obtain data directly from police officials on the island.

In order to obtain the data MDN shared its definition of electoral violence with the partner and asked that it be provided nationwide data on reports which had been received by the particular institution. This data was received post-election.

MDN would like to thank all three institutions for their support in providing the data.

## 4.2 Scope of the study

Electoral violence monitoring for the LCE held on 5<sup>th</sup> February 2011 was conducted in 3 phases:

1. *Pre-election monitoring* - for a period of 3 weeks (15<sup>th</sup> January – 4<sup>th</sup> February) prior to Election Day, MDN conducted pre-election monitoring in Haa Alif (HA) Hoarafushi, Haa Dhaal (HDh) Kulhudhufushi, Raa (R) Dhuvaafaru, Faafu (F) Nilandhoo, Laamu (L) Gan, Gaaf Alif (GA) Villingili, and Gaaf Dhaal (GDh) Thinadhoo. These islands represented just 9.42% of the Maldivian population. Thus, any statistics provided by this study are constrained by this limited scope.
2. *Monitoring Election Day* – MDN conducted election observation at chosen voting stations on Election Day, as well as general elections related violence monitoring (5<sup>th</sup> February). Election Day monitoring was conducted in HA. Hoarafushi, HDh. Kulhudhufushi, Male', F. Nilandhoo, L. Gan, Ga. Villingili, and GDh. Thinadhoo. MDN was unable to get EC accreditation for an observer from R. Dhuvaafaru and thus Election Day observation was not carried out on the island. Election Observation was done on a very limited scale which does not allow MDN to draw conclusions as to whether the election process on the day was generally free and fair.
3. *Post-election monitoring* – for a period of 2 weeks from Election Day, post-election monitoring was conducted on the same islands as on which the pre-election monitoring was conducted (6<sup>th</sup> February – 20<sup>th</sup> February).

### **4.3 Verification standards**

First hand information from HRDs were not verified further. However, any incidents which were not witnessed by the HRDs themselves required two independent sources for verification.

Reports from external sources were not verified. However, these reports do not form part of the official report data, but were only used to illustrate reporting trends.

Double counting from all sources was eliminated by cross-checking incident reports by date, location and type of incident.

### **4.4 Data Presentation**

The data presented counts 'acts of electoral violence' rather than individual 'events' or 'incidents'. As such, a single 'event' or 'incident' may contain within it more than one act of electoral violence. For example: An incident which involved an obstacle to campaigning might also have involved an act whereby a person was threatened. Thus the data for this incident would show 2 separate acts rather than one single incident.

## **4.5 Monitoring and reporting during the pre-election and post-election period**

For the purposes of this project, MDN carried out pre-election monitoring on 7 islands. These islands account for roughly 9.3%<sup>39</sup> of the total eligible voting population. The methodology for monitoring and reporting during the pre and post-election period was as follows:

### 1) First Incident Report (FIR)

When any member of the monitoring team found out about an incident of violence as defined by MDN, he or she noted down basic information regarding the incident and informed the team leader immediately (a team leader for each island was chosen during the training). This was termed the 'First Incident Report' or FIR. When a team leader received a FIR, the following information was noted:

- Type of incident
- Location
- Involved persons (including victim and perpetrator)
- Time and date
- Source of the information

After filing the FIR, it was the responsibility of the reporting HRD to obtain additional information about the incident and verify reports.

If the incident was deemed to be serious by the team leader, the team leader was asked to immediately inform MDN. Incidents were normally to be considered as serious incidents if a person suffered major injuries, or if major damage had been done to public or private property, or if the team leader judged that the incident might escalate into further violence.

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<sup>39</sup> <http://www.maldivescouncil.com/>

## 2) Reporting to MDN at the end of each day

The team leader was responsible for calling MDN head office and debriefing MDN on reports daily. The MDN team entered the reports into a database and informed the team leader about any additional information that was required regarding specific incidents.

## 3) Filling out checklists and sending completed checklists to MDN at the end of the week

Checklists for each monitoring week (see Annex 03) were given to all defenders during the training period and all defenders were asked to fill out these checklists. In addition to filling out the checklists, for each incident entered into the checklist, a detailed incident report form was to be completed. The detail form contained the following information:

- Name and accreditation number of reporting defender
- Type of incident
- Details of incident
- Location of incident
- Details of victim and perpetrator
- Date and time
- Source of the information
- Verification steps taken
- If third party information was included, how accurate the defender thought the information was
- If any state authorities took any action regarding the incident

At the end of the week, all defenders were to meet with the team leader and share the checklists. Based on all the checklists, the team leader was instructed to fill out one summary checklist so as to avoid any double counting of incidents and send this checklist to MDN along with detail reports for each incident noted in the checklist.

## **4.6 Election Day monitoring and reporting**

Twenty-five MDN personnel were accredited as Election Observers by the EC. The observers were given observer passes and assigned voting stations. Election Day observation was carried out on 6 islands (Raa Ungoofaaru was excluded as no observer was accredited from the island), accounting for 20 ballot boxes, as well as on Male' where MDN had a team of 7 mobile observers. These mobile observers covered a total of 45 ballot boxes. For Election Day, a separate checklist was given to the defenders (see Annex 04). The checklist covered 3 phases of Election Day monitoring as well as the usual election related violence categories. The 3 phases were:

- Prior to the start of voting
- Commencing of voting and the voting period
- Counting of votes and announcing of results

At the end of each phase, defenders were asked to fill out the relevant section on the checklist. The team leader was responsible for collecting all completed checklists at the end of Election Day and sending completed checklists to MDN.

If any serious incidents occurred, defenders were asked to inform MDN immediately.

## 5 Analysis

The NHRD reported a total of 57 acts of electoral violence over the monitoring period. Of these, 51 were recorded during the pre-election period and 6 acts of violence on Election Day. No incidents of violence were recorded during the post-election period. As additional and/or complementary data gathered over the same period is either insufficient or non-existent, it is not possible to determine the extent to which the recorded incidents reflect the entirety of electoral violence which occurred. However, it is reasonable to assume that the number of reports is an accurate reflection of the pattern of electoral violence in the islands where the monitoring was carried out, as there is no further anecdotal information that indicates to the contrary. The figure of 51 that was recorded during the pre-election phase needs to be read in the context that these incidents were recorded by monitoring islands on which just 9.42%<sup>40</sup> of the Maldivian population live.

Since this is the first time that an LCE has been held in the Maldives, there is no previous data on the prevalence of electoral violence in relation to electing this tier of government. Furthermore, statistics on the scale of electoral violence during the 2008 presidential elections or the 2009 parliamentary elections are not available. The aim of this study is to establish a benchmark level of election violence rather than assess whether the level of violence identified should be considered 'high' or 'low'. However, it should be noted that the vast majority of incidents recorded were of a nature that would not cause significant harm to persons.

Discussions with stakeholders indicated that the levels of violence across the country were lower than what was initially feared. However, some stakeholders were also of the opinion that this might be reflective of the local nature of the elections and that the 2013 Presidential elections would pose a greater challenge in terms of mitigating electoral violence.

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<sup>40</sup> [http://planning.gov.mv/yearbook2010/yearbook/3\\_population/3.3.htm](http://planning.gov.mv/yearbook2010/yearbook/3_population/3.3.htm)

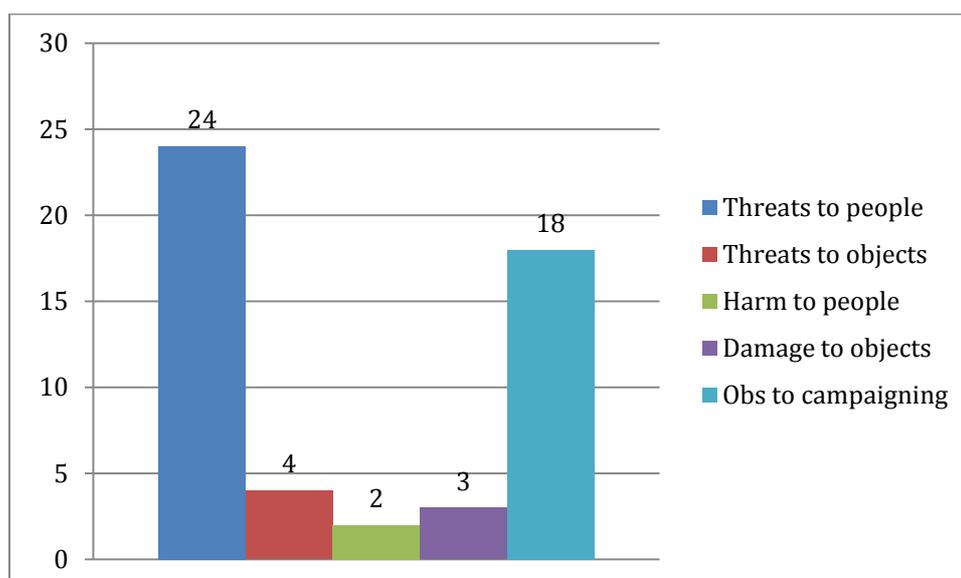
Some stakeholders also cited the proactive steps that they had taken to mitigate violence as a possible reason for what they perceived to be relatively low levels of violence. Steps by the EC and the Police in particular, to proactively engage party leaders and activists on the islands were notable. However, it is not possible to independently verify the impact of such initiatives. A systematic study of specific initiatives and their impact should be included in future reports on this subject.

## 5.1 Pre and post-election phases

### 5.1.1 Types of violence

The majority of the 51 reported acts of electoral violence during the pre-election period belong to the groups of *threats to people* and *obstacles to campaigning* categories, with 24 (47%) and 18 (35%) cases respectively.

Types of violence



In the group *threats to people*, the main type of violence was defamation, 14 cases, followed by use of derogatory language (5 cases) and encouragement to violence (3 cases).

It is of note that all but 2 of the cases of defamation involved use of mobile phones, and particularly the use of short messaging service (SMS) messages over 48 hours (24 and 25 January 2011).

Characteristics of SMS include speed, low cost, and the ability to reach a wide audience. Figures from 2008 reveal that there were 435,627 mobile phones in the Maldives, an equivalent of approximately 140.7 subscriptions per 100 people<sup>41</sup>. In light of the widespread presence of mobile phones in the Maldives, it is not possible to assume that the defamatory SMS reported were perpetrated by a particular demographic or group of people. What seems evident though is that the Maldives has joined other countries in using Information and Communication Technologies (ICTs) as a vehicle of electoral violence. Further studies may also need to explore the extent to which social networking services such as Facebook and Twitter are used to commit acts of electoral violence. The researchers for this project also reported coming across websites and blogs which used defamatory language and also falsely purported to represent candidates. While this phenomenon was not methodically recorded or studied, it should be an issue looked at in any further studies of this nature. The concern regarding the increasing use of ICT and social networking in acts of electoral violence was also strongly echoed by the stakeholders interviewed for this report.

The majority of the acts reported by HRDs in the category *obstacles to campaigning* were relatively harmless in nature, and included damaging campaign material (8) and damage to posters (5). Police data gathered nationally also reflects this trend, with 9 cases of damage to campaign material and 8 cases of damage to campaign centres, out of a total of 25 reported incidents.

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<http://planning.gov.mv/yearbook2009/Transport%20&%20communication/11%20.20%20&fig%2011.4.htm>

### **Vandalism in Male'**

Haveeru reported<sup>42</sup> that the glass window of an MDP candidate for Male' city council, 'Sarangu' Adam Manik's, new campaign station was broken by unknown assailants on the night of the 23<sup>rd</sup> December 2010. An official for Mr. Manik was reported to have said that the glass window had been shattered by a brick.

However, the media reported 2 incidents of alleged physical confrontation against the DRP in Th.Thimarafushi and in GDh. Kaadehdhoo (see pages 58 & 60 for details). MDN notes that except for these two incidents, the rest of the campaign trips to the islands by all political parties passed off peacefully with almost no significant violence.

The literature on political violence suggests that extensive or instrumental use of violence requires leadership, organization and resources<sup>43</sup>. Given the data that is available to MDN it is not possible to determine whether the incidents reported were the result of considered leadership and political party organisation, or whether they were rather unstructured in their nature. However, it is likely that the tearing of campaign material, for example, was random and opportunistic rather than the direct result or direction by a candidate.

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<sup>42</sup> <http://www.haveeru.com.mv/?page=details&id=104909&cat=search>

<sup>43</sup> *Elections and conflict prevention. A guide to analysis, planning and programming.* UNDP.

### **Obstacles to campaigning – lights out on Thimarafushi**

Electricity was cut thrice in Thaa Thimarafushi during a campaign gathering held by the DRP on 28<sup>th</sup> January 2011 evening. According to Haveeru<sup>44</sup>, DRP media Coordinator Ali Solih said that the event in Thimarafushi did not go smoothly. He said that 20 minutes into the event the electricity at the island school hall, where the event was being held, was disrupted. The electricity is reported to have been disrupted 3 times during the meeting. The event was cancelled after delays in regaining electricity after the third time. Mr. Solih reportedly accused MDP supporters of also trying to assault the DRP leader Thasmeen Ali while the event was going on. He said that a group of people tried to enter the school but were prevented by the police. According to Solih after the event was cancelled supporters of DRP and MDP began a verbal confrontation on the island which led to physical confrontations. According to a police media official<sup>45</sup>, the police had been anticipating unrest in the island and had sent reinforcements to support the police on the island prior to the event.

In a press conference<sup>46</sup> held on 29<sup>th</sup> January 2011, at DRP office, MP Rozaina stated that the MDP was obstructing DRP campaign trips and alleged that the MDP was behind the confrontations and conflicts occurring during DRP campaign tours. She said that the true colours of the MDP were coming through and that MDP was renowned for such terror tactics. Rozaina said that the MDP was trying to hinder the campaign tours of the DRP because they knew that the DRP was getting more and more supporters and well wishers each day.

Following the unrest on Thimarafushi, the President released a press statement<sup>47</sup> on the 29<sup>th</sup> of January 2011, stating that he did not support the obstacles to campaigning. Referring specifically to incidents in GDh. Kaadedhoo and Th. Thimarafushi during the weekend of 28<sup>th</sup> January 2011, the statement said that those who had confronted the leaders of the DRP had acted in a manner contrary to democratic principles. The President also called upon all citizens, party leaders and party members to refrain from acts of violence during campaigning and on election.

<sup>44</sup> <http://www.haveeru.com.mv/?page=details&id=106455&cat=search>

<sup>45</sup> <http://www.haveeru.com.mv/?page=details&id=106455&cat=search>

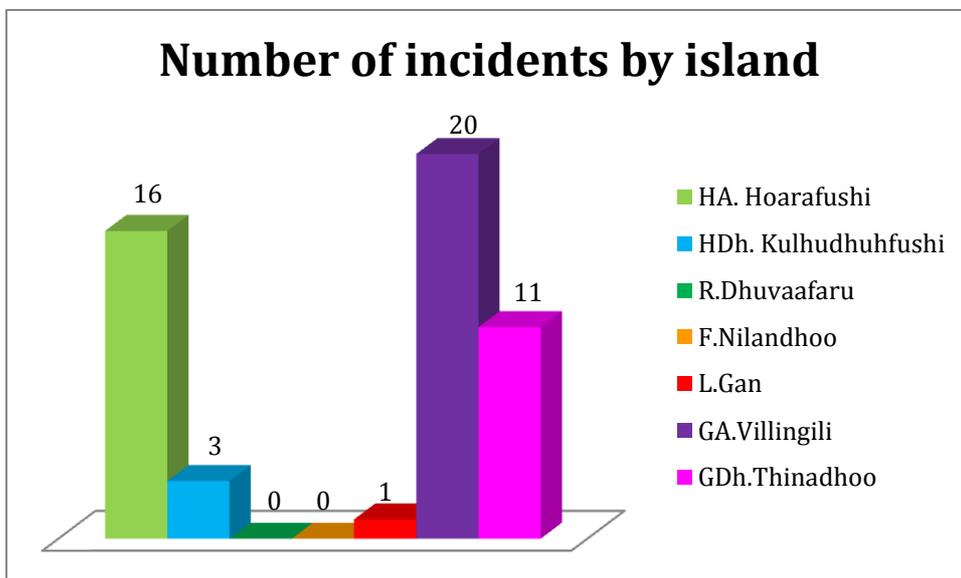
<sup>46</sup> <http://www.haveeru.com.mv/?page=details&id=106476&cat=search>

<sup>47</sup> <http://www.presidencymaldives.gov.mv/Index.aspx?lid=84&dcid=4612>

### 5.1.2 Location

No incidents of political violence were reported on 2 of the 7 islands monitored, namely F. Nilandhoo and R. Dhuvaafaru.

In HDh. Kulhudhufushi and L. Gan, the incidence of violence was very low, with 3 and 1 acts reported respectively. The majority of the incidents reported were located in GA. Villingili (20 or 35% of the total), HA. Hoarafushi (16 or 28%) and GDh. Thinadhoo (11 or 19%).



A point of interest for further studies on this subject could be that the 3 islands on which the highest levels of violence were recorded, were 3 islands which were the furthest away from the capital Male'. Future studies will be able to establish the pattern and possible causes for these levels of violent incidents. Stakeholder meetings to discuss the draft analysis also indicated that it might be of interest to study the particular histories of the islands to determine possible, if any, causes for the higher levels of violence.

### **The Kaadedhoo Clash – A HRD’s account**

Former President Maumoon Abdul Qayoom was confronted by crowds of angry MDP supporters, including MDP candidates for the 2011 LCE, when he arrived at Kaadedhoo Airport in Gaaf Dhaal atoll on Friday the 28<sup>th</sup> of January 2011. The President was on way to a campaign engagement on Gaaf Dhaal Villingili. The situation escalated when former DRP Vice-President Umar Naseer reportedly made derogatory remarks about current President Nasheed to the MDP supporters and was subsequently physically assaulted.

MDP MP for Thinadhoo, Mohamed Gasam and MDP MP for Madaveli, Mohamed Nazim were also present at the demonstration. Fights soon broke out between MDP and DRP supporters who ignored police appeals for everyone to leave the airport island.

Senior DRP members alleged that some MDP MPs had deliberately incited the violence. This was denied by the MDP<sup>48</sup>.

The confrontations were temporarily halted for Friday prayers but resumed at around 1330hrs. Police used tear gas and pepper spray to quell the unrest. Both police and protesters sustained injuries during the confrontations.

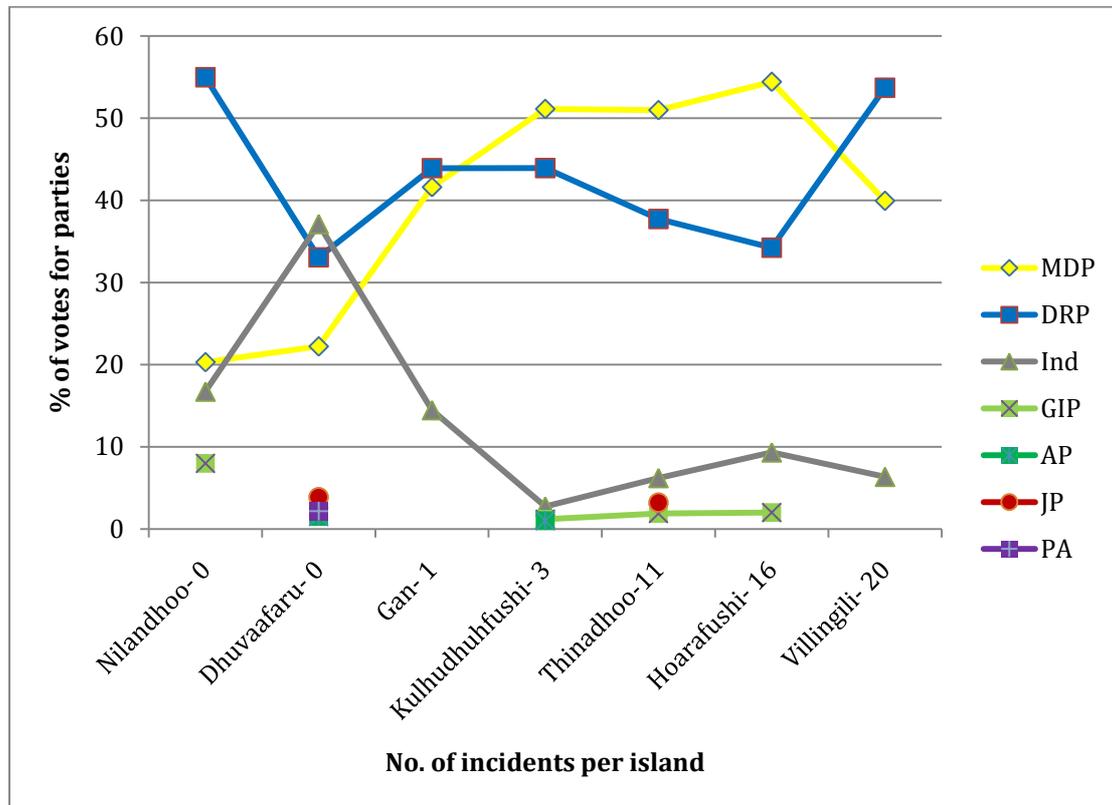
Former President Maumoon was not injured and later left for Villingili in a Coastguard vessel.

Upon contacting the police regarding this incident, MDN was led to believe that no criminal investigations were underway relating to the events on Kaadhedhoo since no formal complaints had been filed with the police. However, it is noteworthy that the Police Act of 2008 does not require the police to receive a formal complaint before conducting a criminal investigation into a matter.

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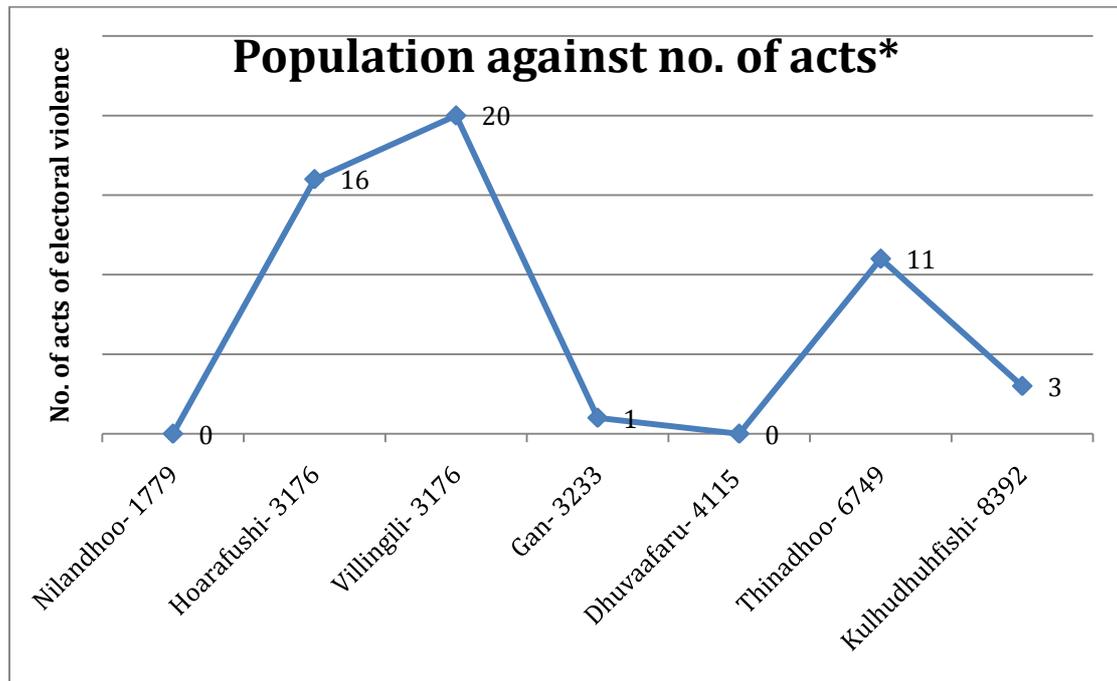
<sup>48</sup> <http://minivannews.com/politics/drp-and-mdp-clashes-leave-10-police-officers-injured-16760>

### 5.1.3 Percentage of votes for parties against number of acts on an island



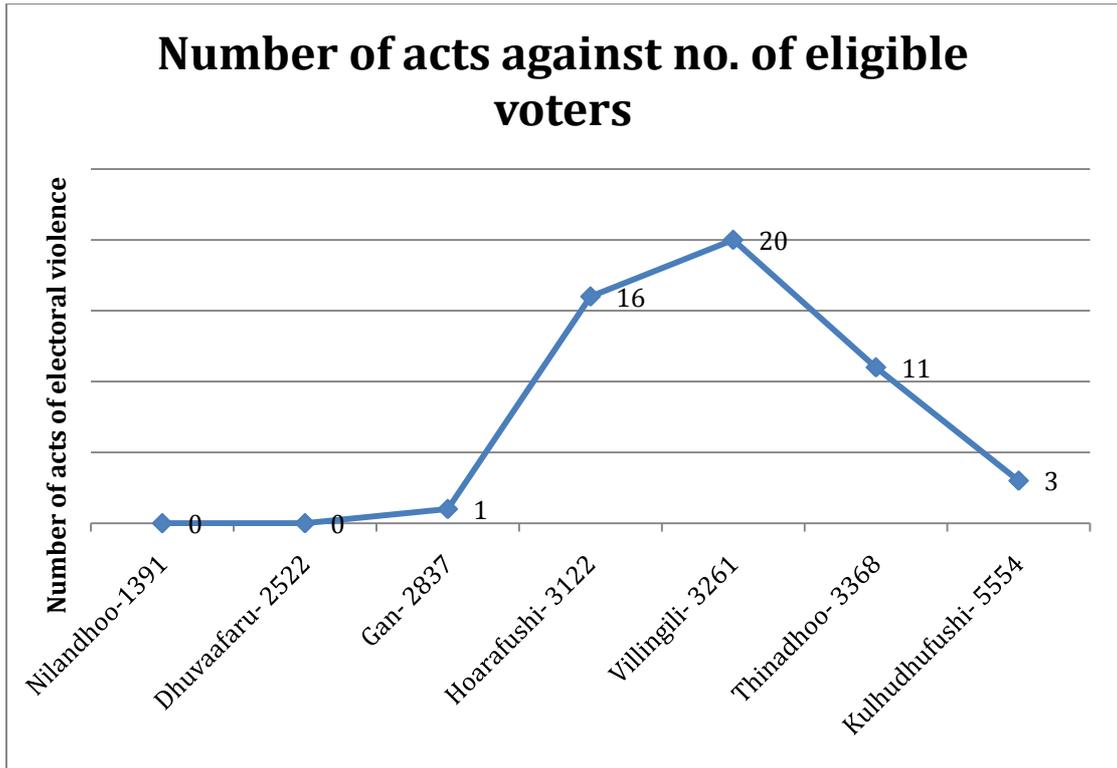
Although there is not enough data to draw strong conclusions, it is interesting to note that on the 3 islands with 1 or fewer incidents, independent candidates polled more than 15% of the vote. Conversely, on the islands on which the highest levels of incidents were recorded, independents received less than 10% of the vote. The relative dominance of the two parties and the relationship to violence should be examined more closely.

#### 5.1.4 Population against number of acts recorded



No trend can be identified from the available data as to whether acts of electoral violence are more or less likely on islands with relatively large populations.

\* 2009 registered population figures from the Department of Planning and National Development



There is not enough data to draw any conclusions as to whether there is a correlation between the level of electoral violence and the number of registered voters on an island.

## 5.2 Election Day

### 5.2.1 Administrative issues

Based on previous elections, MDN decided to do Election Day observation for administrative issues in addition to violence monitoring as these can sometimes be a trigger for violence. Six acts of violence were reported on Election Day. These acts all stemmed from administrative problems.

54 administrative issues were reported to have occurred by the MDN monitors on the actual day of the election, 5<sup>th</sup> February 2011, and include the following:

- 8 reports (15%) related to queuing;
- 8 reports (15%) about campaigning on Election Day
- 8 reports (15%) regarding obstacles to observers
- 7 reports (13%) regarding the registration lists
- 3 reports (6%) related to assisted voting
- 20 (37%) incidents of a diverse nature, such as complaints against non-authorized election observers being in the polling areas and misuse of accreditation passes.

Preventing such administrative challenges is crucial, as MDN observers and stakeholders reported that they were deemed to have caused, or had the potential to cause, instances of electoral violence during the LCE. MDN observers and stakeholders also noted possible areas to address for prevention of such issues. These included:

- Level of training given to EC officials: MDN understands that the training of trainers for the LCE was a two day training. The training given to local EC officials in the atolls and in Male' was a one day training. It is possible that this length of training was insufficient given the extremely complex nature of this election and that this was the first time such an election was held in the country.

- It was noted that in some incidents such as the incident on HA. Kelaa, the number of ballot boxes may have been insufficient when compared to the number of people registered to vote at that particular polling station (see page 67 for details)
- MDN monitors at the polling station in Villa College in Male’ reported that the physical layout and small size of the venue contributed to congestion and confusion at the station, which in turn escalated issues caused originally due to a lack of clarity regarding the rules governing assisted voting.

#### **Assisted Voting: The Holhudhoo case**

Voting was disrupted on Noonu Atoll Holhudhoo after angry voters tried to confiscate the ballot box. The incident was caused by disagreements among the voters and EC officials as to whether certain individuals were handicapped and therefore eligible to be assisted in casting their ballot. Voters alleged that the EC officials were allowing people who were not handicapped to be assisted and tried to forcibly stop voting and confiscate the ballot box. Voting was suspended at around 09:50 hrs and resumed around 11:15hrs after the police were able to restore order, reported<sup>49</sup> Haveeru

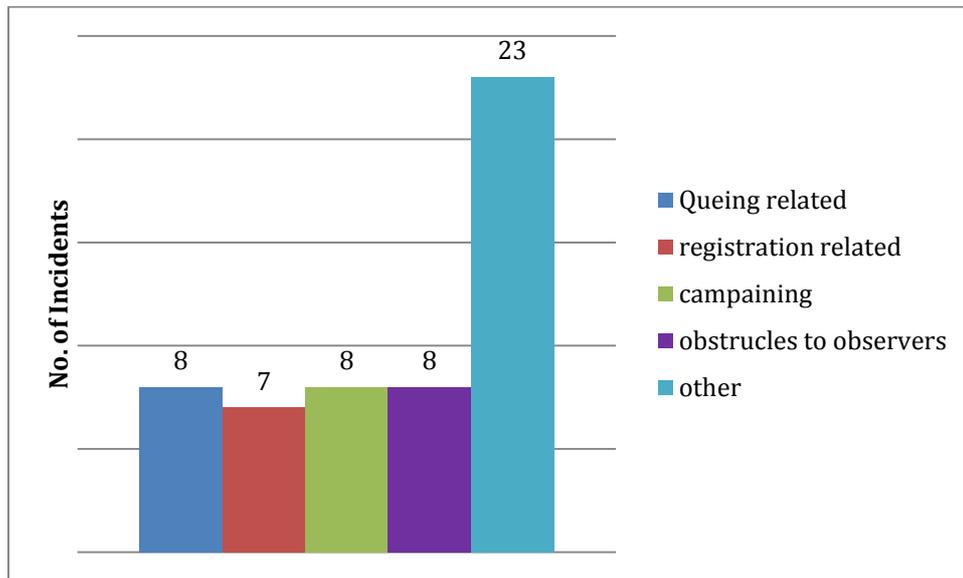
“The problem is that the law says [voters can be assisted] only when a person has an illness or physical disability that leaves them unable to use their hands. The culture and the practice has been for elderly voters to be assisted by friends and family, but this time we said no. It caused complaints because in the past people have been able to vote like this.” EC member Fayaz said according <sup>50</sup> to Minivan news.

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<sup>49</sup> <http://www.haveeru.com.mv/?page=details&id=106799&cat=search>

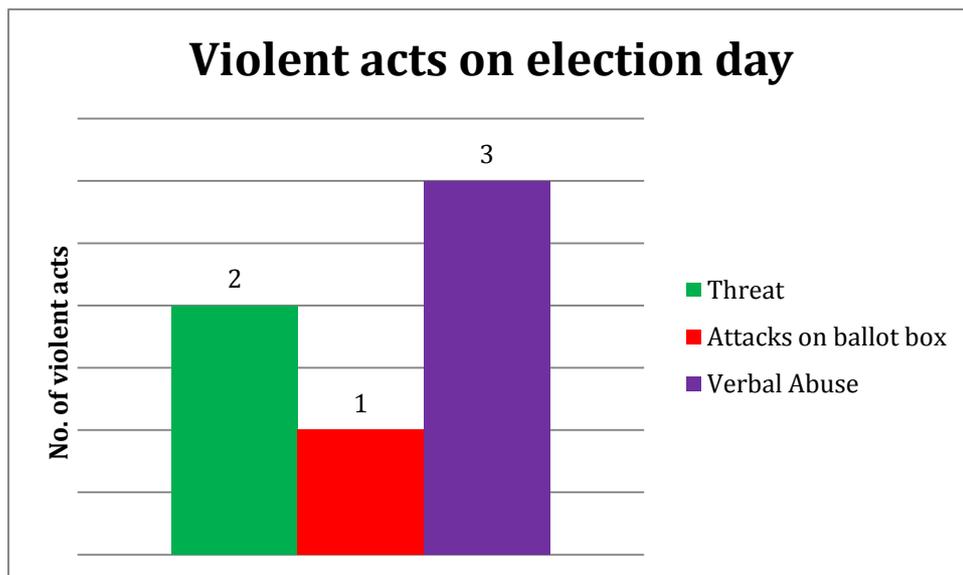
<sup>50</sup> <http://minivannews.com/politics/drp-wins-seat-majority-mdp-cities-in-first-local-council-election-15897>

### Number of administrative issues on Election Day by type



### 5.2.2 Violent acts on Election Day

As noted earlier, 6 of the administrative issues led to acts of violence. The table below illustrates the types of violent acts reported by the NHRD on Election Day.



### **Kelaa: Avoidable Chaos?**

Kelaa in Haa Alif Atoll, an island of approximately 2200 people, saw major disruptions to voting during the LCE 2011. Clashes erupted between islanders and the police forcing election officials to stop voting and eventually move the ballot box to nearby Hanimadhoo island.

The data<sup>51</sup> from the EC shows that the number of eligible voters registered was 1040 and reports<sup>52</sup> from Haveeru suggests that over 600 people may have been unable to vote after the polls closed on the island.

Reports suggest that clashes erupted after people who had been waiting in the queue for a long time were told by EC officials that if they left the queue at any time for any reason, they would not be allowed to rejoin the queue if they returned after the queue had been officially closed at 4pm. The people in the queues countered that this was unreasonable as they had to stay in the queue for a long time and that they would have to leave the queue for water and other necessities<sup>53</sup>.

The people also complained that the officials were slow and inexperienced<sup>54</sup>. In addition to this, only one ballot box was allocated for the whole island<sup>55</sup> of Kelaa, while 4 ballot boxes were kept for a voting population of 2496<sup>56</sup> in Haa Alif Atoll Dhihdhoo.

The EC announced that it wanted to continue voting despite the disruption and allow everyone in the queue to vote regardless of how long it took. This stance by the EC was supported by the Dhivehi Raiyyithunge Party (DRP) supporters on the island. However, the situation escalated when MDP supporters demanded that voting be stopped for the night and resumed the next morning. A confrontation ensued between Police and MDP supporters during the course of which two people were injured and had to be taken to the hospital. The location where the ballot box was stationed also temporarily lost electricity. The poll was closed at 3:30 am, following instructions from the EC.

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<sup>51</sup> <http://www.elections.gov.mv/v2/media/documents/422..pdf>

<sup>52</sup> <http://www.haveeru.com.mv/?page=details&id=106886&cat=search>

<sup>53</sup> <http://www.haveeru.com.mv/?page=details&id=106886&cat=search>

<sup>54</sup> <http://www.haveeru.com.mv/?page=details&id=106886&cat=search>

<sup>55</sup> <http://www.haveeru.com.mv/?page=details&id=106886&cat=search>

<sup>56</sup> <http://voters.elections.gov.mv/fnfv2010/A/A04.pdf>

Meanwhile, police in riot gear protected the ballot box. Elections Commissioner Fuad Thaufeeq acknowledged to newspaper Haveeru<sup>57</sup> that while the commission had searched for impartial elections officials, “we were not able to find the required amount of officials who do not belong to a political party.”

The Vice President of the EC, Ahmed Hassan Fayaz, was quoted in Minivan news<sup>58</sup> as saying that: “Officials were a little slow with the voting and as result of several small hiccups, we heard that there were too many people still waiting to vote. We said we did not mind if they stayed open until 8pm or even 10pm so that everybody could vote, but [the situation escalated]. I think one of the reasons was that the officials were not experienced in dealing with such situations,”

A police team arrived in Kelaa at around 9:30<sup>59</sup> in the morning of the 6<sup>th</sup> of February and took the ballot box to Hanimaadhoo for counting. DRP secured four out of five seats on Kelaa Island Council and also won the two seats on HA. Atoll council.

Haveeru<sup>60</sup> reported a MDP supporter as saying: “The ballot box was taken away while the islanders were begging for it to be not taken away...There weren’t even any observers from the MDP when the votes were counted. So we will not accept this result.”

The MDP subsequently filed a case, petitioning to the High Court to declare the LCE result in Kelaa as invalid and order the EC to hold fresh elections on the island. The MDP succeeded in its appeal, which resulted in the High Court ordering the EC to hold fresh elections on the island within 30 days, stating that the vote count and announcement of preliminary results had been done in violation of the General Elections Act and the Elections Commission Act.

Fresh elections were held in Kelaa on Saturday 9<sup>th</sup> April 2011 and the final results gave the MDP four of the five seats of Kelaa Island Council while the DRP secured Kelaa’s two seats on the Haa Alif Atoll Council. The island council result was a complete reversal of the first poll which gave the DRP 4 seats on the 5 member council.

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<sup>57</sup> <http://minivannews.com/politics/drps-wins-seat-majority-mdp-cities-in-first-local-council-election-15897>

<sup>58</sup> <http://minivannews.com/politics/drps-wins-seat-majority-mdp-cities-in-first-local-council-election-15897>

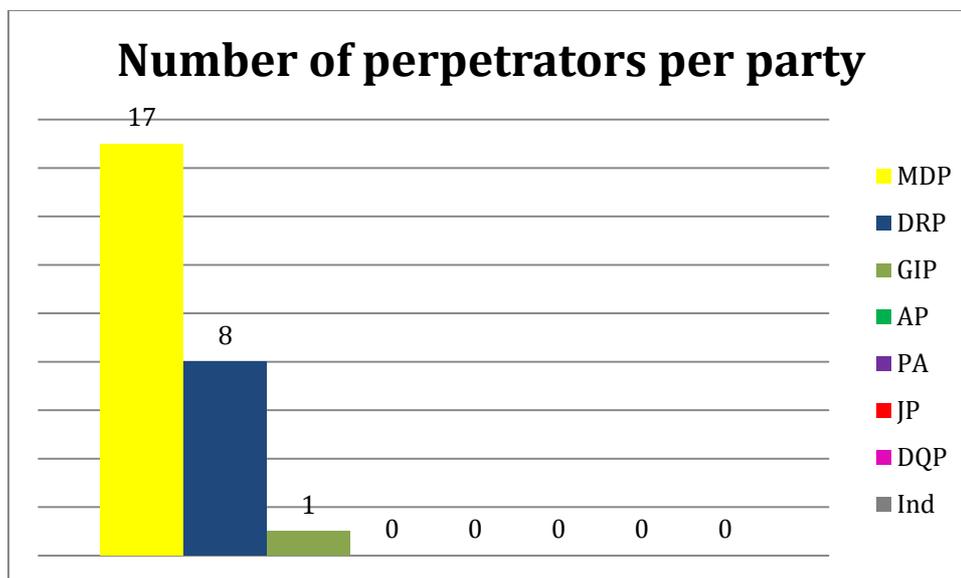
<sup>59</sup> <http://www.haveeru.com.mv/?page=details&id=106799&cat=search>

<sup>60</sup> <http://www.haveeru.com.mv/?page=details&id=106886&cat=search>

## 5.3 Perpetrators and Victims over the monitoring period

### 5.3.1 Perpetrators

Of the 57 acts reported during the monitoring period, only 26 (46%) identified an alleged perpetrator. Of these, 17 were reported as being committed by a person allegedly affiliated to the MDP, 8 by someone allegedly affiliated to the DRP and 1 by a person allegedly affiliated to the GIP.



While the numbers show that more of the perpetrators identified come from MDP, in the absence of further data on the political affiliation of the perpetrators, it is not possible to assess across all 57 acts whether MDP members were more prone to act violently than DRP, or whether the remaining parties were also responsible for acts of violence.

The majority of the acts of violence with an alleged perpetrator were committed by party supporters, in 21 cases of 30, or 70% of the total number of incidents where an alleged perpetrator was identified. Only 3 (10%) incidents were reported as being committed by candidates while 4 (13%) were reported to have been committed by voters on Election Day.

The definition of “supporter” is open to debate and ranges from a formal member of a political party to a person who generally agrees with a party’s policies. Added to the fact that supporters are not necessarily bound by a specific code of behaviour, it is difficult to ascertain whether their acts were orchestrated at a party level or whether they were the random or otherwise acts of an individual. In the absence of any certainty and given that the violence does not appear to be widespread despite the extensive presence of party organizations on almost all islands: MDN believes that it is unlikely that a significant number, if any, of the violent incidents reported were deliberately orchestrated by political parties. This perception was also echoed by stakeholders. However, this brings up the issue of a party’s control over its ‘supporters’ and ‘activists’.

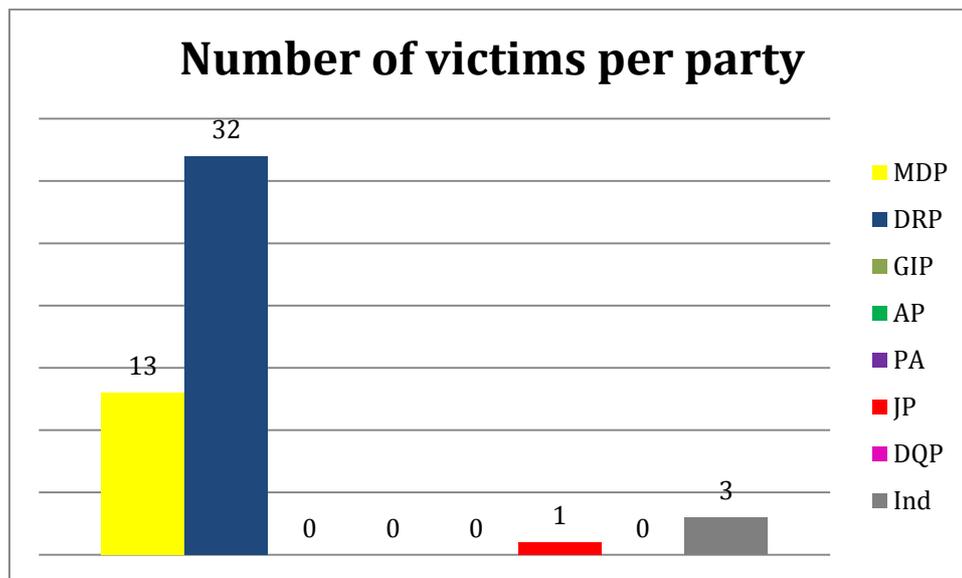
Stakeholder meetings revealed that there were some difficulties for parties in ensuring adherence by party ‘supporters’ and ‘activists’ to official party policy. Furthermore, it also emerged that while the parties officially opposed any practices that could be defined as electoral violence for the purposes of this report, very little if any effort had been made by the parties to strongly communicate a direct message of non-violence to their members.

A significant issue was also the definition of ‘electoral violence’. Several stakeholders suggested that a definition as broad as the definition used for the purposes of this report might not necessarily be perceived as ‘electoral violence’ by party ‘supporters’. This might suggest the need for greater awareness about the existing rules and regulations governing the conducting of parties and party supporters.

### 5.3.2 Victims

In 49 of the 57 acts reported (86%), the political affiliation of the victim was known. Of these, 13 belonged to the MDP, 32 to the DRP, 3 were Independent and 1 was from the JP. It is not known whether there were other victims from the remaining political parties, as these incidents were not reported. In addition to

the two parties having fielded the largest number of candidates, and in the absence of any additional data, MDN presumes that the stakes were higher for the two main political parties, MDP and DRP, and that this resulted in these two parties being the targets of political violence more often than any other party.



### *Gender of victims*

Where possible, HRDs were asked to record the gender of the victims of electoral violence. MDN considers that establishing benchmark data on this particular issue is of paramount importance if a non-discriminatory and participatory electoral system is to be established in the Maldives.

The data shows that only 1 (2%) of the recorded incidents was committed against women, while 45 cases (79%) were against males and the gender of the victim was unidentified in 11 (19%) reports. The only recorded case of violence against women fell in the category of *threats against people*, and does not seem to be particularly geared towards women but rather coincidental. Thus, it could be interpreted that women were not particularly targeted during the LCE 2011.

However, this assumption needs to be read in the context of the total number of women standing for office. Of the 2,766 candidates standing for election, only 213 (7.7%) were women. It is possible that the low incidence of electoral violence against women might also be the direct result of the relatively small number of women who stood in the first place. Furthermore, it is likely that the methodology used by MDN for this exercise would not have identified many cases of violence against women given that such incidents are unlikely to be easily visible to external actors.

The HRCM reported that it received complaints from the island of AA. Mathiveri alleging that women had been threatened with divorce if they did not vote according to the wishes of their partner. This case illustrates that the gendered nature of electoral violence should be further studied, especially since the methodology used for the purposes of this report is unlikely to have picked up such incidents.

Future studies on electoral violence against women will help to ascertain the extent to which violence has a gender-based component, and will contribute to the implementation of appropriate steps, should this be necessary.

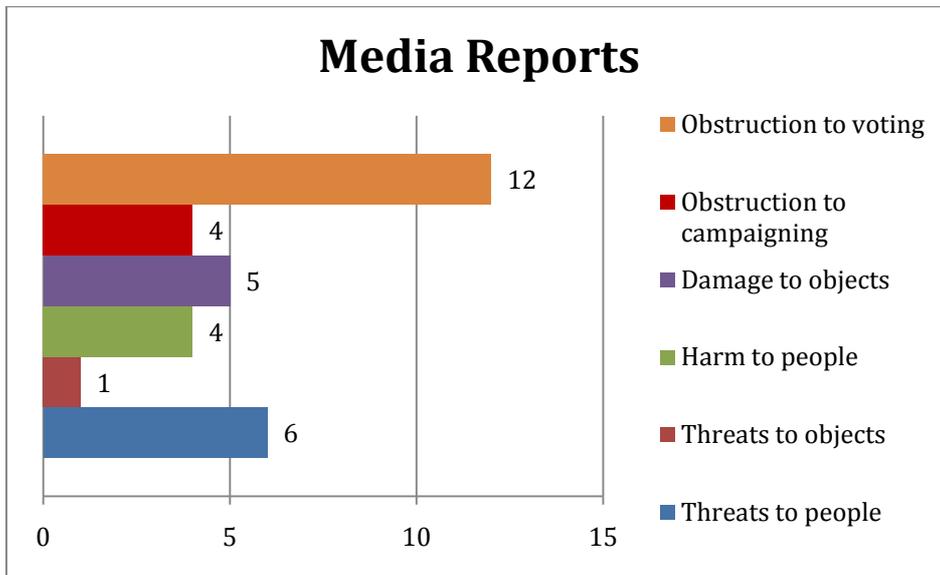
## 5.4 Data from External Sources

In order to make the initiative more comprehensive, MDN also collected data of incidents falling into the definition of electoral violence from external sources. The external sources used were: the HRCM, the Police, the NECB and media reports.

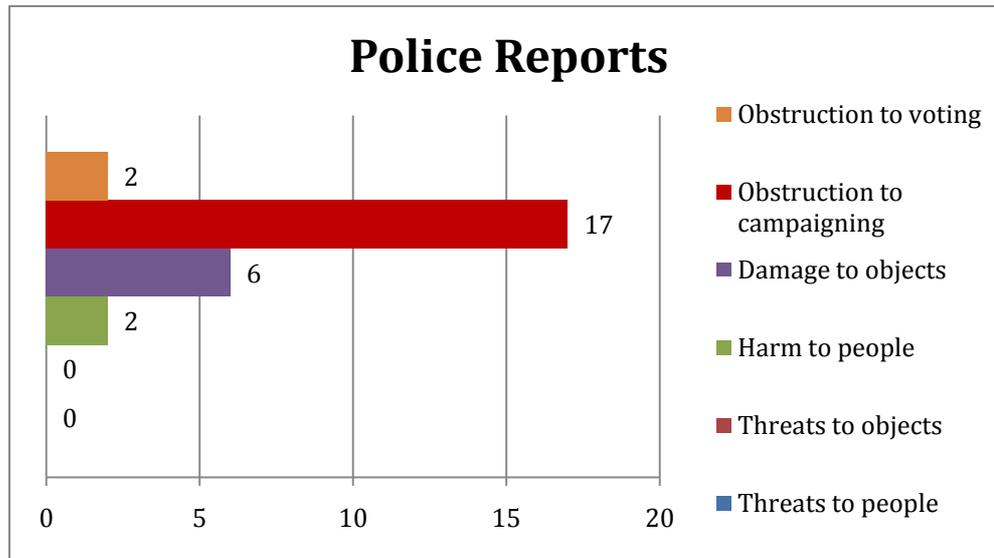
Below are tables illustrating the data received from these external sources. It should be noted that these are nationwide data from these institutions and are thus not directly comparable to the data received from the HRDs operating on the 7 islands.

The data presented below is the aggregate of data collected throughout the entire monitoring period, including pre-election, Election Day and post-election.

### 5.4.1 Number of acts reported in media



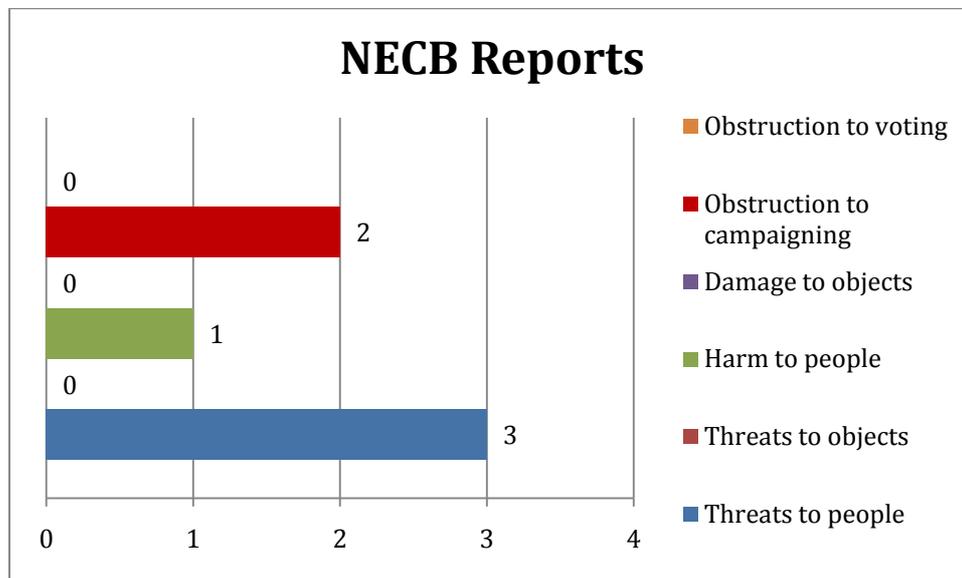
#### 5.4.2 Number of acts reported to police



#### 5.4.3 Acts reported to the HRCM

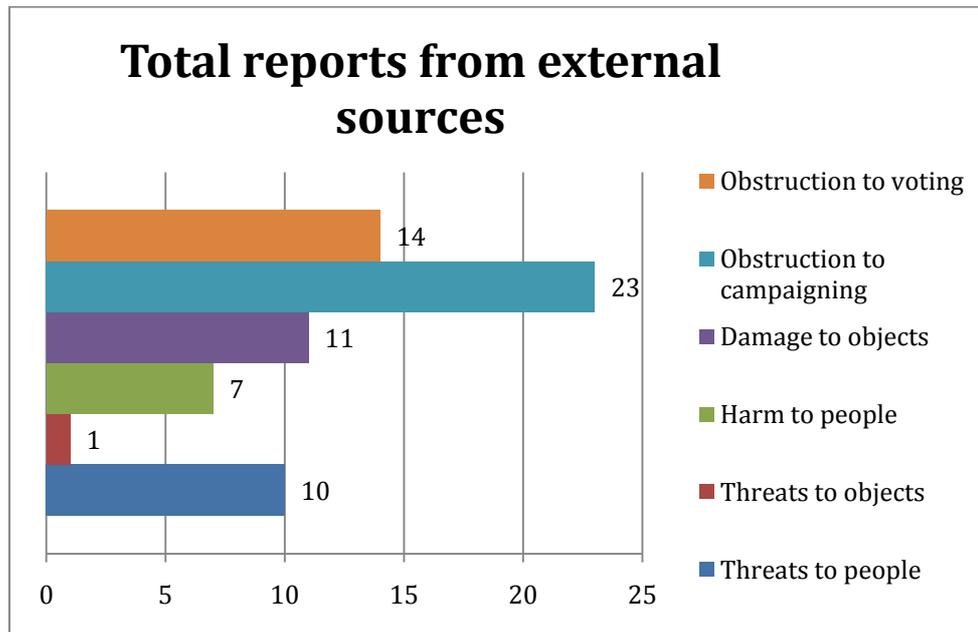
Only one of the reports from the HRCM fell into MDNs definition of electoral violence. This case was related to infringement of women’s electoral rights and would fall under the category of threats to people.

#### 5.4.4 Number of acts reported to the NECB



It should be noted that the reports from the NECB would not capture all complaints submitted to the island committees and atoll and city complaint bureaus. These figures thus do not reflect the total number of complaints that would have been submitted to the EC complaints mechanism setup for the 2011 LCE. Further studies on electoral violence should aim to capture reports complaints submitted through all avenues of the EC's complaints mechanism.

#### 5.4.5 Total reports from external sources



Given that the data from external sources represents data from a completely different population set and was collected in a different method, no direct comparisons are possible with the data from the NHRD.

What could be indicative however is that nationwide data reported from the police, HRCM, and NECB combined totals only 34 acts. This contrasts with NHRD reports of 57 acts from just 7 islands and media reports of 32 incidents over the monitoring period. This might suggest that victims or observers of acts of electoral violence might not be reporting these acts to the EC, the Police or the HRCM. It is not possible to definitively make this claim since the data gathered from the EC for this report is incomplete.

Nevertheless, meetings with stakeholders suggested that there is likely to be under-reporting of acts of electoral violence as the public may perceive the existing complaints and redress mechanisms to be ineffective, slow or difficult to access. Further studies should look into more comprehensive nationwide data from the external sources and also research further the nature of the complaints and redress mechanisms themselves in order to be better placed to judge the veracity of this observation.

## 6 Recommendations

### 6.1 Recommendations to the EC

- Given that several stakeholders highlighted a trust deficit between political parties and the EC, **a permanent forum where relevant stakeholders can communicate and air grievances** would have great value in increasing trust and confidence. Such a forum would also be in a position to provide valuable inputs to the organizational aspects of any future elections. Legal provision for such a forum currently exists in Article 3 of the LCE regulations which allows the EC to constitute a committee comprising of all political parties, the HRCM, Police and NGOs to act as a National Advisory Committee to the EC if it so sees fit. It is noteworthy that for the 2011 LCE, this Committee was comprised only 3 days prior to Election Day. Stakeholders agreed on the advisability of making such a body permanent rather than ad-hoc. The permanency of such a body has become increasingly important given that the formation of local councils have made the possibility of bi-elections more likely than ever before. A permanent body would be necessary to ensure that it is able to provide inputs for such irregular elections.
- Given the complex nature of the local council elections and further given that this was the first time that the nation undertook such an exercise, the overall conduct of the election appears to have been relatively successful. However, several stakeholders commented on the host of administrative problems which occurred on Election Day. MDNs data also indicated a significant number of administrative issues. The EC thus has the opportunity to **learn lessons from the issues which arose in this election and ensure that meaningful changes are made to procedures such as: the allotment of a number of ballot boxes appropriate to the number of persons registered to vote; ensuring that polling stations are of an appropriate design and size given the number of persons expected to vote; clarifications on the rules**

**governing assisted voting to EC officials as well as the general public; ensuring that in circumstances where lengthy waiting times in voting queues become unavoidable, procedures are in place to ensure that voters have options to access necessities such as water and sanitation facilities in a manner which would not preclude their right to vote; ensure that EC officials, especially those manning polling stations, are given more training than they were provided with for the local council elections.**

- Several incidents which were recorded on Election Day were noted to be committed by election observers, indicating a need to **further clarify the role and privileges given to observers. A distinction in the law between observers representing political parties and those representing neutral organizations would help this clarification.** Currently, no training is mandatory for election observers and monitors, although observers and monitors must read and sign a 'pledge' in which they agree to abide by a code of conduct. However, given the instances of violations recorded, **a training module which meets basic standards should be mandatory for all persons given either a monitor or observer pass by the EC.** The exact nature, content and administration of such a training should be the product of a discussion between all concerned stakeholders.
- The data highlights a discrepancy in the levels of electoral violence recorded by MDN and the levels reported by the EC, the Police and the HRCM. The relatively low levels recorded by the external sources might suggest that a large number of incidents of electoral violence may be going unreported. Stakeholders suggested that this might be due **to a lack of confidence in the EC's complaints mechanism** and in police investigations. In particular, stakeholders raised doubts as to the effectiveness of complaints to the EC's complaints mechanism, suggesting that complaints rarely led to timely and visible results. **Measures which would help increase public confidence in this regard need to be explored.** Some stakeholders also suggested apathy and a preference by some victims of electoral violence for retaliation rather than legal redress

as a reason why acts of electoral violence might go unreported. This highlights the need for **raising greater awareness regarding the importance of reporting cases of electoral violence as well as about the importance of utilizing legal redress mechanisms.**

- Following from concerns regarding the lack of effective implementation of electoral laws, the possible role of the EC in ensuring stronger implementation was discussed. The suggestion that **the EC, which does not have investigative or penalizing powers** similar to the HRCM, should be given such powers was met with a mixed reaction from stakeholders. While some stakeholders seemed strongly in favour of the EC being given such powers, particularly the power to penalize parties which break electoral laws, other stakeholders were reluctant. Reluctant stakeholders expressed a lack of confidence in the EC's ability to administer such powers in an effective and fair manner. There were also divergences in opinion among those in favour of additional powers for the EC, as to whether the additional powers should include both investigative and penalizing powers or only one of the two. Nevertheless, given the shared concern among all stakeholders regarding the lack of implementation of electoral laws, **it is strongly advisable that a serious dialogue begin on the issue and possible models for increasing the powers of the EC be discussed.**
- Stakeholder meetings also highlighted **the need for a discussion on party accountability for the actions of their supporters and activists. The Political Parties Bill should be considered as a tool by which appropriate accountability measures could be instituted.**

## 6.2 Recommendations to the Police

- There were differing opinions among stakeholders as to whether police adequately attend to reports of electoral violence and requests to investigate such acts. Some stakeholders raised concerns that police inaction following acts of electoral violence which had a clearly criminal element to them, would lead to further impunity and greater electoral and electoral violence in the future. Independent verification of police procedures in dealing with incidents and reports of incidents of electoral violence will prove to be important going forward. At the very least, the police need to **take measures to discourage the perception of police inaction and thus mitigate a sense of impunity surrounding acts of electoral violence.**
- Stakeholder discussions also revealed the **need to build confidence among the public and political parties regarding the integrity and capacity of the police force.**

## 6.3 Recommendations to Political Parties

- The idea of **a voluntary code of ethics in which parties and party members would disavow all acts of electoral violence** was discussed with stakeholders. However, many stakeholders were of the opinion that the current legal framework already covered acts of electoral violence and that what was needed was the effective implementation of these existing laws and regulations. There did not seem to be much support for the view that a voluntary code of ethic would have a significant impact.
- Parties should **take immediate steps to define and communicate to their supporters what they believe to be are acts of electoral violence. A strong message of non-violence should also be explicitly communicated and reinforced, especially at times of heightened political tensions** such as campaign periods.

- **Measures to avoid and mitigate electoral violence should be incorporated into party strategies and plans.**
- Some stakeholders noted the need for **greater cooperation between political parties and the police in order to preemptively identify potentially violent situations and take steps to ensure that such potentialities are not actualized.** Coordination between political parties and police when planning campaign trips to islands which either side has reason to believe might be a potential flashpoint would be an example of such cooperation.

#### **6.4 Recommendations for further studies**

- Stakeholders made references to a worrying erosion in respect for the rule of law in general and a lack of respect for electoral laws in particular. Failure to successfully prosecute criminals and to ensure that successful prosecutions are followed by effective punishment and rehabilitation were highlighted in particular as indicative of this problem. It was noted that **a lack of respect for the rule of law in general and the impunity which follows weaknesses in the criminal justice system would increase the likelihood of electoral violence in the future. This aspect particularly focused on the perception of increasing gang violence in the Maldives and an associated increase in violent crimes, including murders. Some stakeholders also alluded to possible connections between street gangs engaging in violence and political parties that utilize such gangs for political purposes. This alleged connection is an area which warrants further study in the future.** It is of utmost importance that the rule of law be upheld and the criminal justice system be strengthened.
- **Proactive efforts by stakeholders such as the EC, Police and political parties to mitigate violence** were felt to be successful by the stakeholders themselves. This included steps by the EC and the police to actively engage with party activists and leaders on the ground, hear

grievances and discourage acts of electoral violence. It was also noted that observation efforts on Election Day had both directly and indirectly discouraged acts of electoral violence. Stakeholder input suggests that these efforts were effective and should be scaled up in the future. However, **further studies are required to independently verify the scale and impact of such activities by stakeholders.**

- Concerns were raised by stakeholders regarding the level of control that parties have over their activists and supporters. Opinion seemed divided on how closely activists and supporters followed and obeyed instructions from party leaders based at party Head Quarters. In particular, it was unclear whether parties would be able to control activists and persuade them to choose non-violent methods of operation in tense situations. As such, it is important **to further study the level of control which parties do exercise in practice over their activists and supporters. Any such study should focus particularly on communication and control mechanisms between party leadership and people who might be referred to as 'power brokers' on islands.** A study of this nature should inform a debate on whether stronger internal party mechanisms are required to help parties discourage their supporters from engaging in activities that could be defined as electoral violence.
- Although not reflected in MDNs data, stakeholders raised concerns regarding the levels of economic threats which were used during the local council elections. Allegations were made of threats to employment and development projects in relation to the elections. Given these allegations, **it is important that any further studies into political violence include the spectre of economic threats and violence to achieve political ends.**
- The low levels of female participation as candidates in the LCE leaves room for concern regarding more indirect forms of political violence, such as discrimination and undue pressure from intimate partners, which might be acting as a bar to the equal participation of women in electoral processes. Discussions with stakeholders identified **possible remedies such as gender quotas either on the councils themselves or quotas**

**on party candidate lists.** However, these methods proved controversial among stakeholders with doubts being raised as to the practicability and even the need for such a method in the Maldives. Nevertheless, there was consensus that a lack of female participation was an issue for the country which had to be addressed proactively. Some stakeholders suggested that gender based discrimination had occurred in the form of campaigning against female candidates. Current electoral legislation should be amended to explicitly ban any form of discriminatory campaigning, particularly gender based discrimination. **Further studies are required to clarify the exact bars to female participation. Such a study should be followed by a meaningful dialogue to find practical manners in which female participation can be increased. Furthermore, future studies on electoral violence should seek to devise a methodology more adept at identifying instances of gender based electoral violence. A particularly valuable suggestion was to employ focus groups in order to identify the various types and prevalence of gender based electoral violence.**

- Stakeholders recommended that **future studies on electoral violence focus further on the role of the media.** In terms of more traditional media such as television, radio and newspapers: their role in raising awareness about and discouraging electoral violence as well as any possible role that they might be playing in encouraging electoral violence was suggested as an area of study. **Further studies may also need to explore the extent to which social networking services such as Facebook and Twitter are used to commit acts of electoral violence.** The researchers for this project also reported coming across **websites and blogs which used defamatory language and also falsely purported to represent candidates.** While this phenomenon was not methodically recorded or studied, it **should be an issue looked at in any further studies of this nature.**
- **A point of interest for further studies could be that the 3 islands on which the highest levels of violence were recorded, were the islands which were furthest away from the capital Male'.** Future studies will

be able to establish the pattern and possible causes for these levels of violent incidents. Stakeholder meetings to discuss the draft analysis also indicated that it might be of interest to **study the particular histories of the islands to determine possible, if any, causes for the higher levels of violence.**

- **The relative dominance of the two parties and the relationship to violence should be examined more closely.**
- It should be noted that the reports from the NECB would not capture all complaints submitted to the island committees and atoll and city complaint bureaus. These figures thus do not reflect the total number of complaints that would have been submitted to the EC complaints mechanism setup for the 2011 LCE. **Further studies on electoral violence should aim to capture complaints submitted through all avenues of the EC's complaints mechanism.**

## **6.5 General Recommendations**

- It was noted, both by some stakeholders and by MDN researchers, that tense situations were created by frustrated members of the public who were either ill-informed or misinformed regarding key procedural aspects of the voting system. This included a lack of awareness regarding the deadline for joining the voting queue and confusion as to the allotted ballot box. These instances indicate a need for **greater awareness on the part of the public and thus as a corollary, the need for a greater effort by all stakeholders including the EC, political parties and NGOs to raise such awareness.** Such an awareness campaign **should also encourage members of the public to refrain from all actions which could be classified as acts of electoral violence and instead utilize the complaints procedures and mechanisms available. Equally, the ability of EC officials to deal with frustrated members of the public and provide input that would help calm situations must also be looked at.**

- Stakeholders emphasized the need to **maintain the dialogue regarding electoral and political violence and to make the issue more prominent in the national psyche**. It was noted that very few political parties actively addressed the issue in their planning and implementation of activities. Several stakeholders noted that the continuation of this dialogue would be particularly important in mitigating violence during the upcoming 2013 Presidential elections.
- **It is of utmost importance that the rule of law be upheld and the criminal justice system be strengthened.**
- **Current electoral legislation should be amended to explicitly ban any form of discriminatory campaigning, particularly gender based discrimination.**
- Concerns were also raised regarding **the use of Information Communication Technology (ICT) such as SMS technology and the role of new media such as social networking in perpetrating acts of electoral violence. An array of tools, including legislation, need to be explored in order to meet these concerns**. However, it is vitally important that any such efforts be balanced with the need to maintain fundamental freedoms such as the freedom of expression and right to privacy.

## **7 Acknowledgements**

This report was devised, researched and prepared by the following MDN staff and volunteers: Elena Berrocal Capdevila, Ahmed Irfan, Ali Nash'ath Mohamed, Nasheeth Thoha, Fathimath Ibrahim Didi, Farhan Rasheed, Noora Khaleel and Mizna Waheed.

A very special thanks to the Human Rights Defenders who volunteered their time, effort and resources to this initiative and whose dedication and sincerity made this initiative possible.

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MDN would like to thank the Elections Commission, the Human Rights Commission of the Maldives and the Maldives Police Service for their assistance and cooperation throughout this initiative.

This initiative was funded by the United Nations Development Programme.

## Annex 1 – Electoral Violence Monitoring Training Agenda

<b>ELECTORAL VIOLENCE MONITORING</b>		
<b>AGENDA OF THE WORKSHOP (09.01.11 – 11.01.11)</b>		
<b>Day 01 – 09.01.11 (Sunday)</b>		
8:30 – 09:00	Registration	
09:00 – 09:15	Introduction	Ahmed Irfan -MDN
09:15 – 09:45	Breakfast	
09:45 – 11:15	Decentralisation	Fathimath Ibrahim Didi - MDN
11:15 – 12:45	Defining electoral violence	Ahmed Irfan -MDN
12:45 – 13:45	Lunch	
13:45 – 16:45	Reporting	Ismail Farhan Rasheed - MDN
	~ Interviewing	Ismail Farhan Rasheed - MDN
	~ Pre Election Checklist	Ismail Farhan Rasheed - MDN
	~ Post Election Checklist	Ismail Farhan Rasheed - MDN
	~ Dealing with second hand information	Ismail Farhan Rasheed - MDN
16:45 – 17:00	Tea	
<b>Day 02 – 10.01.11 (Monday)</b>		
08:45 – 09:00	Recap	
09:00 – 09:30	Breakfast	
09:30 – 12:30	MDN Methodology	Ahmed Irfan -MDN
12:30 – 13:30	Lunch	
13:30 – 15:30	EC Presentation	Uz Shuaib Yoosuf - EC
	~ Organisation of the LCE	Uz Shuaib Yoosuf - EC
	~ Campaigning rules	Uz Shuaib Yoosuf - EC
15:30 – 16:45	Election Day observation	Nash'ath Mohamed - MDN

16:45 - 17:00	Tea	
<b>Day 03 - 11.01.11 (Tuesday)</b>		
08:45 - 09:00	Recap	
09:00 - 09:30	Breakfast	
09:30 - 11:00	Election Day Observation	Nash'ath Mohamed - MDN
11:00 - 12:00	Police Presentation	Hassan Haneef - Maldives Police Service
	~ Types of complains received by the police regarding election	Hassan Haneef - Maldives Police Service
	~ How to work with police during electoral violence monitoring	Hassan Haneef - Maldives Police Service
12:00 - 13:00	Monitor Code of Conduct	Ahmed Irfan -MDN
13:00 - 14:00	Lunch	
14:00 - 16:00	Consolidation	Ahmed Irfan -MDN
16:00 - 17:00	Closing	
17:00 - 17:15	Tea	

## Annex 2 – Stakeholder Meetings

DATE	AGENCY	INDIVIDUALS
22nd December 2010	EC	President of the Commission: Fuadh Thaufeeq, Vice-President: Ahmed Fayaz, Commission Member: Mohamed Farooq, Secretary General: Dr. Ahmed Ali Didi
20th December 2010	Police	Deputy Commissioner of Police: Ahmed Areef, Superintendent of Police: Ahmed Saudhee, Chief Superintendent of Police: Hamdhoon Rasheed
20th December 2010	DQP	Council Member: Ali Shareef, Deputy Leader: Abdul Matheen, Council Member: Ali Abdul Raheem
22nd December 2010	MDP	Deputy General Secretary: Mohamed Imthiyaz, Former Secretary General: Hamid Abdul Gafoor, Mohamed Aslam, Party Member & State Minister: Ahmed Shafeeq
6 <sup>th</sup> April 2011	EC	President of the Commission: Fuadh Thaufeeq; Vice-President: Ahmed Fayaz Hassan; Commission Member: Mohamed Farooq, Ali Mohamed Manik, Ibrahim Waheed; Assistant Director General: Mohamed Tholal, Acting SG Habeeb, Executive Director: Shuaib Yoosuf
11 <sup>th</sup> April 2011	MDP	Former MDP Secretary General and current MP: Hamidh Abdul Gafoor
12 <sup>th</sup> April 2011	JP	Secretary General Fuadh Gasim, Council Member Naif Shaukath, Administrator Riyaasa Ali
14 <sup>th</sup> April 2011	DRP	Secretary General Ahmed Nafiz
14 <sup>th</sup> April 2011	HRCM	President Mariyam Azra, member of the commission Dr. Ali Shameem, member of the commission Ahmed Tholal
14th April 2011	Police	Commissioner of Police Ahmed Faseeh, Assistant Commissioner of Police Hussain Waheed, Chief Station Inspector Ahmed Shifan
21st April 2011	AP	President Sheikh Hussain Rasheedh

**Annex 3 – Translation of pre and post-election checklist  
and detail form**











**DETAIL FORM**

Name of the Defender:

Accreditation Number:

Week:

Details:

## Annex 4 – Translation of Election Day Checklist

**Name of HRD:**

**Island:**

**Ballot Box Number:**

<b>Things to lookout for at the beginning of voting</b>		<b>YES</b>	<b>NO</b>
1	Is the voting station clearly marked, with the number of the voting station?		
2	Do the officials have all relevant material for voting?		
3	Do the officials have the necessary amount of ballot papers?		
4	Is the ballot box empty?		
5	Is the voting booth made in such a way that maintains the secrecy of the vote?		
6	Are all the elections officials present at the voting station?		
<b>Things to lookout for during voting</b>		<b>YES</b>	<b>NO</b>
1	Did voting begin at the predetermined time?		
2	Is there a special area for observers?		
3	Are there any campaign material in the vicinity of the voting station?		
4	If there is a queue for voting, is it in an orderly manner?		
5	Are all the necessary arrangements made by the election officials?		
6	Are the voters made to sign the voters list before they are allowed to vote?		
7	Is every voter given only one ballot paper?		
8	Is voter registration carried out by elections officials only?		
9	Is everyone voting in their own names?		
10	Is the ballot box kept in a place where it is visible to observers and officials?		
11	Is the secrecy of the vote maintained at all times?		
12	Does the voting booth have enough space and light?		
13	Do the elections officials attend all questions and complaints by voters/others?		
14	Do you feel that the election officials are biased?		
15	Are there high ranking state officials present at/near the voting station?		
16	Is there anyone threatening the voters?		
17	Are the observers following their code of conduct?		
18	Did anyone have to be sent back because his/her name was not in the voters list?		
19	Are there representatives of candidates present at the station?		
20	Is the media present?		
21	Are there other local and international observers?		
22	Was there anything illegal done to the ballot box?		
23	Was there anyone offering bribes?		
24	Did anyone threaten observers?		
25	Is voting going on smoothly?		

	<b>Things to lookout for at the close of voting, counting and announcing of results</b>	YES	NO
1	Did anyone vote after voting closed?		
2	Was there anyone left in the queue when voting closed?		
3	Did voting close at the predetermined time?		
4	was the ballot box properly closed fore counting started?		
5	After voting was closed and before votes were counted, were unused ballot papers counted and cancelled?		
6	Was counting carried out by elections officials only?		
7	Was the ballot box opened for counting in the presence of observers and elections officials?		
8	Was counting carried out in the presence of observers?		
9	Was counting carried out in an orderly manner?		
10	Did all the officials agree on the votes that were marked as invalid?		
11	Were the results sheets filled?		
12	Were complaint papers and decisions by election officials attached with the results sheet?		
13	Did all officials sign the results sheet?		
14	Was a copy of the results sheet sent to the elections commission?		
15	Was a copy of the results sheet made available to the public as soon as results were finalized?		
16	Were all unused election material sent back to the elections commission after results were announced?		

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