

Assessment on the Implementation of Right to Information Act – Maldives



Transparency Maldives, the National Chapter of Transparency International in Maldives, is a non-partisan organization that promotes collaboration, awareness and undertakes other initiatives to improve governance and eliminate corruption from the daily lives of people. Transparency Maldives views corruption as a systemic issue and advocates for institutional changes that will punish and prevent corruption.

The Information Commissioner's Office is an independent institution constituted under the Right to Information Act of Maldives to promote and uphold the right of access to information in the country. The Information Commissioner is tasked with undertaking specific duties under the RTI Act which include deciding on appeals and complaints submitted to the Commissioner training public officials and monitoring the implementation of the provisions of the Act.



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Disclaimer

Every effort has been made to verify the accuracy of the information contained in this report. All information was believed to be correct at the time of assessment. The information for reactive disclosure was gathered between 28 December 2023 and 8 April 2024. The key information interviews were conducted between 20 February 2024 and 30 August 2024. The proactive disclosure assessment was carried out from 11 September 2024 to 11 October 2024. Transparency Maldives and the Information Commissioner's Office cannot accept responsibility for the consequences of its use for other purposes or in other contexts.

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Abbreviations

| | |
|------|---------------------------------------|
| ADM | Association for Democracy in Maldives |
| CLD | Centre for Law and Democracy |
| CSOs | Civil Society Organizations |
| FoIA | Freedom of Information Act |
| ICO | Information Commissioner's Office |
| KII | Key Informant Interviews |
| RTI | Right to Information |
| SOP | Standard Operating Procedure |
| TM | Transparency Maldives |
| ToR | Terms of Reference |
| WCAG | Web Content Accessibility Guidelines |

Foreword by Information Commissioner's Office

2024 marked the 10th anniversary of the implementation of the Right to Information Act in the Maldives. As we embark on the second decade of this crucial legislation, we reflect on its significance in enforcing the right of access to information, a fundamental human right enshrined in our Constitution.

The Right to Information is pivotal to the country's development. It promotes transparency by ensuring government actions are open and accountable, encourages public participation in decision-making, and fosters good governance by reducing corruption and enhancing efficiency.

The Right to Information Act is highly regarded internationally, currently ranked 20th by the Centre for Law and Democracy in its global Right to Information ratings. However, enacting a robust law is merely the first step. Effective implementation requires sustained political will and continuous efforts from the government and public authorities to instill a culture of transparency.

As we look back on a decade of the Right to Information Act, this assessment provides an opportunity for policymakers to evaluate the state of transparency and accountability in the Maldives. It also identifies necessary steps for public authorities to further strengthen Right to Information measures.

We extend our gratitude to the Centre for Law and Democracy for their comprehensive methodology in assessing access to information laws globally. This assessment offers a clear picture of our standing and establishes a baseline for future progress as we enter the second decade of the implementation of the Right to Information Act.

This assessment was conducted jointly by the Information Commissioner's Office and Transparency Maldives. We commend the teams from both organizations for their outstanding work in planning and executing the research and data collection. We also thank all the public authorities involved for their cooperation.

We hope this report will spark much-needed public debate on the implementation of the Right to Information Act.

Ahid Rasheed,

Information Commissioner

Foreword by Transparency Maldives

Transparency Maldives remains steadfast in its commitment to strengthen the Right to Information landscape in the Maldives. From playing a pivotal role in codifying the right into a law, in building awareness of the law among information seekers and supporting the Information Commissioners Office in establishing institutional mechanisms to make requests for information more accessible and efficient, our actions have shown that we believe that Right to Information and access to information are critical components in a strong democracy and in the fight against corruption.

Today, Right to Information Act is an important tool which ordinary people, journalists and civil society organizations rely on to seek information from public authorities and has led to an increase interest in governance and political affairs. With increasing public demand for information, the onus on making the Right to Information Act work lies on public authorities and true effectiveness of the Right to Information Act depends on the willingness and capacity of these public authorities to comply with the law. This Assessment of the Implementation of the Right to Information Act in Maldives, supported by the Center for Law and Democracy and conducted jointly by Transparency Maldives and the Information Commissioner's Office, comes at a timely juncture as we move on to the second decade of the Right to Information Act implementation.

The assessment highlights systemic and institutional barriers that hinder full implementation of the Right to Information Act. Lack of budget, and institutional processes, including set procedures, weak documentation and lack of a website to proactively publish information timely means the majority of public authorities fail to comply with the Right to Information Act effectively. The assessment also identified authorities who have made conscious efforts to strengthen their Right to Information compliance, indicating that with political will and institutional processes, higher levels of compliance is possible.

We hope this assessment will guide policy makers and administrators to identify areas that need immediate attention and introduce mechanisms and resources to promote a culture of openness and transparency.

Information is key for an informed citizenry and access to information is critical for the public to make decisions that affect their lives and to exercise their fundamental rights. When information is withheld, the public is deliberately kept in the dark, and secrecy is used to shield wrongdoings and weaken attempts to hold those in power to account. Effective implementation of the Right to Information Act is paramount to upholding the spirit of our constitution and our democracy.

Asiath Rilweena,

Executive Director, Transparency Maldives

Executive Summary

This assessment, conducted by Transparency Maldives (TM) in partnership with the Information Commissioner's Office (ICO), evaluates the implementation of the Right to Information (RTI) Act by utilizing the RTI Implementation Assessment methodology developed by the Centre for Law and Democracy (CLD). This assessment examines the effectiveness of RTI implementation across key areas within the legal framework, specifically central measures, institutional frameworks, and public authorities' reactive and proactive disclosure practices.

In each assessment area, the monitored public authorities were evaluated and assigned a score between 0 and 1. These scores were further categorized using a color grading system. Red for scores 0.00 to 0.33, yellow for scores 0.34 to 0.66, and green for scores 0.67 to 1.00. The assessment was conducted on a sample of 30 public authorities selected through a randomized process to ensure a representative evaluation, and employed various assessment tools including desk reviews, interviews, office visits and formal requests for information.

Interviews conducted with information seekers highlighted concerns regarding the independence and resource limitation of ICO, as well as challenges within the appeal processes and RTI mechanisms. The assessment of central measures also highlighted similar concerns, with the timeliness of the Information Commissioner's decisions and efforts to raise public awareness being noted as areas requiring improvement. Recommendations to improve central measures include addressing the resource constraints of ICO, implementation of policies to ensure protection from outside influence, enhancing the onboarding process of newly appointed Information Commissioners and providing training to ICO staff. Overall, ICO received a green grade with an average score of 0.81 across both the objective and qualitative evaluations.

The assessment of institutional measures conducted through key informant interviews (KIIs) was only able to be completed for 23 public authorities and hence, the results for the remaining public authorities were not included in the results of the institutional measures, nor were they represented in the final score grading. All 23 public authorities assessed received a yellow grade. The overall average score across all public authorities was 0.53, indicating a need for significant improvement across all public authorities. Recommendations to improve in this area include formal integration of Information Officers' responsibilities, development and adoption of RTI implementation plans, implementation of measures to address external pressure on Information Officers, as well as enhancing training and capacity building initiatives.

The proactive disclosure of information by public authorities have been assessed by civil society organizations (CSOs) in the Maldives on numerous occasions and they have found compliance to be low. The assessment of proactive disclosure in this study also found similar results, with only five public authorities (16%) achieving a green grade, while 11 public authorities (37%) received a yellow grade and 14 public authorities (47%) were graded red, resulting in an overall average score of 0.38. Additionally, six public authorities (20%) assessed did not have a functional website, signifying a dire need to strengthen online infrastructure. Furthermore, complex, yet

critical information such as matters relating to authorities' budgets and policies must be simplified and made easier for users to understand, and increased efforts are also required to make such information accessible through other means, such as through authorities' social media pages.

The assessment of public authorities' reactive disclosure aimed at evaluating the efficacy and functionality of reactive disclosure mechanisms, was conducted by lodging two formal requests for information from each public authority and then monitoring how the authority responded to those requests. Authorities were scored based on how the request was processed, and the results of the request. The overall average processing score for the public authorities was 0.62 compared to 0.48 for the results score, which indicates that while most authorities provided receipts and responses in a timely manner as required by law, the actual information requested was not provided in many cases. In this assessment seven public authorities (23%) received a red grade, while 14 public authorities (47%) assessed received a yellow grade, and nine authorities (30%) received a green grade.

The overall average grade for the country is a high yellow with a score of 0.56, which signifies that while there were some positive results, there is still a lot of room for improvement across the board. Only the assessment of the Central Measures yielded a score higher than the threshold for a green grade (0.81), while both Institutional Measures (0.53) and Reactive Disclosure (0.53) received similar scores for a yellow grade. The grade for Proactive Disclosure was a very low yellow (0.39), just barely passing the yellow grade mark.

1

Introduction

1

Introduction

The journey toward the implementation of the RTI Act in the Maldives reflects a broader struggle for democratic reform and accountability. Following the political unrest of 2005, the Maldivian government faced international pressure to undertake reforms, leading to advancements in freedoms of expression, assembly, and the press. However, the RTI was deprioritized, with the RTI Act initially rejected in 2006 by a narrow margin in Parliament.

The establishment of TM in 2007 marked a turning point, as the organization spearheaded a nationwide campaign advocating for citizens' RTI. A 2008 amendment of the Constitution guaranteed the RTI to everyone in the Maldives. Article 29 under the Fundamental Rights and Freedoms enshrined in the Constitution states that "Everyone has the freedom to acquire and impart knowledge, information and learning". Finally, these efforts culminated in the unanimous passage of the RTI bill in Parliament in late 2013, which was ratified in January 2014 as the RTI Act (Act no. 1/2014). While the legislation was a significant milestone that created a robust legal framework for the right to access information held by public authorities, implementation of the Act has faced considerable challenges.

The ICO with the mandate of implementing the RTI Act was established in July 2014 and an Information Commissioner was appointed shortly after. However, the first public appeals under the Act were not heard until five years later, underscoring the slow pace of implementation. During this initial period, many public authorities resisted compliance, often refusing to acknowledge or respond to RTI requests, reflecting a broader lack of institutional commitment to transparency.

Since its adoption in 2014, there have been no amendments brought to the RTI Act¹. The previous administration² as well as the incumbent³ have both expressed intent to amend the RTI Act and have included it in their respective legislative agendas. The RTI Regulation on the other hand, has undergone several iterations since the first regulation was published in 2014, having been amended in 2016⁴ and 2024⁵.

Owing to the broad scope of the Act, as well as a strong system of appeals, sanctions

¹ English Functional Translation of the Right to Information Act (2014) <https://icom.mv/uploads/English%20translation%20of%20the%20Right%20to%20Information%20Act.pdf>

² 23 bills for first parliament term; includes JSC reform amendment | Atoll Times (n.d.). <https://atolltimes.mv/post/news/2237>

³ Government to propose amendments to the Right to Information Act. (n.d.). The Edition. https://edition.mv/right_to_information/34011.

⁴ English translation of the right to information regulation [https://icom.mv/uploads/Regulation%20on%20the%20Right%20to%20Information%20\(Second%20Edition\)%20English%20Translation.pdf](https://icom.mv/uploads/Regulation%20on%20the%20Right%20to%20Information%20(Second%20Edition)%20English%20Translation.pdf)

⁵ Right to Information Regulation (2024) <https://icom.mv/uploads/Regulation%20on%20the%20Right%20to%20Information..pdf>

and protections, the RTI Act of the Maldives is currently ranked the 20th strongest RTI law⁶ in the world on the RTI Rating, which has assessed the RTI legislation of the 140 countries with national-level RTI laws. However, the rating only assesses the formal legal framework for the RTI and does not consider implementation⁷. A position paper⁸ published by TM shortly after the adoption of the Act highlighted several areas where implementation was lacking, most of which hold true to this day. Challenges in the implementation of the Act highlighted include the need for more independence and training for Information Officers, a general lack of awareness about the provisions of the Act, and unwillingness by public authorities to disclose information⁹.

In the past decade however, the Maldives has achieved significant progress in strengthening the implementation of the RTI Act. Public awareness regarding the Act has grown substantially, with more citizens exercising their right to access information. ICO has also taken steps to ensure compliance by public authorities, including training Information Officers and senior officials, issuing guidance, and conducting monitoring and awareness activities. Additionally, mechanisms to lodge RTI requests have also become more accessible, with electronic submission options and clear procedures now widely available. Despite these advances, challenges remain. Many public authorities still exhibit reluctance to fully comply with the Act, citing bureaucratic inefficiencies or internal pressures. The lack of proactive disclosure of information, a cornerstone of the RTI Act, persists as a major hurdle, undermining transparency efforts.

This study aims to provide a comprehensive assessment of the implementation of the RTI Act and regulation by assessing the work of ICO, studying the measures in place for implementation of the Act at public authorities, monitoring the proactive disclosure obligations of public authorities and assessing the reaction from public authorities in response to formal RTI requests.

⁶ Global Right to Information Rating By country | RTI rating. (n.d.). <https://www.rti-rating.org/country-data/>

⁷ Methodology | RTI Rating. (n.d.). <https://www.rti-rating.org/methodology/>

⁸ Position Paper: Challenges to interpreting and implementing the RTI Act. (n.d.). Transparency Maldives. <https://transparency.mv/publications/position-paper-challenges-to-interpreting-and-implementing-the-rti-act/>

⁹ Ibid.

2

Methodology

2 Methodology

The comprehensive RTI Implementation Assessment methodology¹⁰ developed by the CLD was used for this assessment. The methodology was designed to assess implementation of RTI provisions by the central authority (ICO in the case of Maldives), as well as a sample of public authorities. The assessment of ICO was conducted solely by TM, while the rest of the methodology was implemented through a collaboration between TM and ICO.

Under this methodology, ICO and public authorities were evaluated at the institutional level, while public authorities were also further assessed based on their performance of proactive and reactive disclosure requirements. According to a three-part scale, both the jurisdiction and the individual authorities were assigned color grades representing an overall score of poor, mediocre or excellent in each of the areas assessed, as summarized in Table 1 below. The methodology and the grading system for each of these areas is discussed briefly in the relevant sections.

| Colour Grade | Red | Yellow | Green |
|--------------|-------------|-------------|-------------|
| Score | 0.00 - 0.33 | 0.34 - 0.66 | 0.67 - 1.00 |

Table 1: Details of the score range for each colour grade

¹⁰ Centre for Law and Democracy. (2023). Right to Information Implementation Assessment: Comprehensive Methodology. <https://www.rti-evaluation.org/wp-content/uploads/2024/06/Complete-Methodology.pdf>

2.1 Assessment Tools

A variety of different assessment tools were used to carry out this assessment:

2.1.1 Desk-based Literature Review

Literature relevant to RTI in the Maldives including publications by local CSOs, international CSOs, ICO and news agencies were reviewed for the assessment.

2.1.2 Desk Review of Proactive Disclosure

The 13 subsections under Section 37 of the RTI Act, as well as the requirements under Section 36 (a) were broken down into 26 individual items required under each subsection, and the website of all the assessed authorities was reviewed for whether each of the individual items were available. While section 36 requires the names, designations and contact details of the Information Officers to be disseminated as widely as possible and made publicly accessible, Section 37 specifically requires annual publication, or publication in a shorter period decided by the public authority.

Additionally, the social media pages and other publications by the public authorities were also reviewed to evaluate the public authorities against a set of internationally accepted standards.

2.1.3 Key Informant Interviews

In order to gauge the central and institutional measures in place to implement RTI provisions, interviews with several key informants at public authorities were conducted. This included the Information Commissioner, staff from ICO, Information Officers, administrative staff as well as senior management of public authorities in the sample authorities selected for this assessment. Additionally, journalists and CSO practitioners who have experience in utilizing RTI to gather information were also interviewed for this assessment.

The questionnaires used for the KIIs are included in Annex 1 and number of KIIs conducted under each group are listed in Table 2 below:

| # | Type of Official | Number of Interviews |
|------------------|------------------------|----------------------|
| 1 | Information Officers | 18 |
| 2 | Senior Officials | 20 |
| 3 | Administrative Staff | 20 |
| 4 | ICO Staff | 3 |
| 5 | CSO/ RTI Practitioners | 4 |
| 6 | Journalists | 3 |
| Total Interviews | | 68 |

Table 2: Details of Key Informant Interviews conducted

The self-assessment section of the CLD methodology was disregarded, and the questions in the self-assessment section were posed to the authorities in the KII instead.

2.1.4 Office Visits

Visits to the office premises of some of the public authorities based in the Capital Male' City were conducted to observe whether proactive disclosure information was available at the office in any physical form through means such as the office notice board, posters, banners, etc.

2.1.5 RTI requests

Two formal RTI requests designed to evaluate public authorities' transparency and compliance with relevant regulations and processes were submitted to each of the assessed authorities. A variety of methods were utilized to submit the requests, intended to assess authorities' responsiveness across different communication platforms and their ability to process requests regardless of the format. The methods employed include submitting requests through the Mahoali portal (online portal developed by ICO to submit RTI requests), using the RTI Application Form (both physically and as an email attachment), and as a general letter (delivered physically or as an email), in a mix of English and Dhivehi language.

2.2 Sample Selection

Given the large number of public authorities in any given jurisdiction, the methodology does not attempt to measure the performance of all public authorities, but rather a sample of public authorities from each jurisdiction, in addition to the oversight body.

This assessment, aimed at evaluating the efficacy of reactive disclosure mechanisms, was conducted across 30 diverse public authorities. All authorities under the jurisdiction of the RTI Act that had received RTI requests were grouped by Ministries, Statutory bodies, constitutional bodies, health sector, education sector, city councils, atoll councils, northern and southern island councils, Judiciary, State Owned Enterprises and a category for others. The public authorities in these categories were divided into high and low RTI requests receiving public authorities by averaging the total number of RTI requests received in the category and using the value as a median. One public authority was selected from the high and low sections separately using a random sample selection for each category. Additionally, the President's Office, Peoples Majlis (The Parliament) and Supreme Court were selected as the heads of the three branches of State. The public authorities selected for this assessment are listed in Table 3.

| # | Name of Public Authority | Type of Public Authority |
|----|---|-----------------------------------|
| 1 | President's Office | Head of Executive |
| 2 | Ministry of Health | Executive Ministry |
| 3 | Ministry of Defence | Executive Ministry |
| 4 | Ministry of Education | Executive Ministry |
| 5 | Ministry of Transport & Civil Aviation | Executive Ministry |
| 6 | Ministry of Higher Education, Labour and Skills Development | Executive Ministry |
| 7 | Maldives Police Service | Executive Institution |
| 8 | Maldives Correctional Service | Executive Institution |
| 9 | Department of National Registration | Executive Institution |
| 10 | Maldives Immigration | Executive Institution |
| 11 | ADh. Dhigurah Health Center | Executive Institution |
| 12 | People's Majlis | Head of Legislative |
| 13 | Supreme Court | Head of Judiciary |
| 14 | Department of Judicial Administration | Judicial Administration |
| 15 | Fuvahmulah Magistrate Court | Judicial Court |
| 16 | Judicial Service Commission | Statutory Body |
| 17 | Maldives Inland Revenue Authority | Statutory Body |
| 18 | Elections Commission | Statutory Body |
| 19 | Maldives International Arbitration Center | Statutory Body |
| 20 | Islamic University of Maldives | Statutory Body |
| 21 | HA. Ihavandhoo Council | Local Government – Island Council |
| 22 | Sh. Maroshi Council | Local Government – Island Council |
| 23 | B. Thulhaadhoo Council | Local Government – Island Council |
| 24 | K. Maafushi Council | Local Government – Island Council |
| 25 | AA. Rasdhoo Council | Local Government – Island Council |
| 26 | L. Maabaidhoo Council | Local Government – Island Council |
| 27 | Lh. Atoll Council | Local Government – Atoll Council |
| 28 | Fuvahmulah City Council | Local Government – City Council |
| 29 | Maldives Hajj Corporation | State-Owned Enterprise |
| 30 | Fenaka Corporation | State-Owned Enterprise |

Table 3: List of public authorities selected for the assessment including details of the type of authority

3

Literature Review

3

Literature Review

CSOs and ICO have attempted to gauge the level of implementation of the RTI Act in the Maldives, mainly by monitoring the implementation of the proactive disclosure requirements of the Act. A study by TM from 2017¹¹ reviewed the websites of 30 public authorities from the Legislature, Executive, Judiciary and Independent Institutions, and found that on average, only 39.7% of the information required to be proactively disclosed under the RTI Act was available. The study also noted a trend of public authorities publishing comprehensive details in some areas whilst completely ignoring others. Independent institutions were found to have the highest level of proactive disclosure with over 50% of the required information being disclosed, while all the rest of the public authorities averaged a publication rate of less than 40%. Assessments conducted by ICO in 2017¹² and 2018¹³ found five institutes scoring over 75% compliance to the proactive disclosure requirements in 2017 and eight institutes the following year. However, not a single public authority was found to have been fully compliant, with the highest being 92.31% scored by the Anti-Corruption Commission in 2018.

The proactive disclosure obligations by public authorities then remained unchecked until a study was conducted in 2022¹⁴ which monitored the websites and publications of a sample of 73 public authorities. The Association for Democracy in the Maldives (ADM) that conducted the study noted an average proactive disclosure rate of 30.9% at the beginning of the assessment which was found to have improved to 47.1% nine months later. Furthermore, the study also noted the first instance of public authorities fully complying with all the proactive disclosure requirements of the Act, with four authorities scoring the full 100% and a further two scoring over 90%. Three RTI requests were also submitted to each of the 73 public authorities monitored under the study, and observations on acknowledgements, responses and fulfillment of redress mechanisms were noted. The average duration required for an initial response from public authorities (27 days) was found to be longer than the 21-day duration allowed in the RTI Act. Similarly, the average duration required for completion of reviews by the review committees (32 days) was also longer than the 30 days allowed in the Act.

¹¹ Rasheed, A. A. & Transparency Maldives. (2017). IMPLEMENTING THE PROACTIVE DISCLOSURE DUTIES [Report]. Transparency Maldives. <https://transparency.mv/wp-content/uploads/2018/12/ALAC-report.pdf>

¹² 2017 Annual Report of Information Commissioner's Office Maldives (ICOM). (2017). In ICOM Website. Retrieved September 5, 2024, from <https://icom.mv/uploads/Aharee%20Report%202017.pdf>

¹³ 2018 Annual Report of Information Commissioner's Office Maldives (ICOM). (2018). In ICOM Website. Retrieved September 5, 2024, from <https://icom.mv/uploads/Aharee%20Report%202018.pdf>

¹⁴ Latheef, A., Ismail, S., Association for Democracy in the Maldives, & Accountability Maldives. (2022). State compliance to the Mandatory Proactive Disclosure requirements of the Right to Information Act [Law Number 1/2014] of the Maldives [Report]. https://democracymaldives.org/wp-content/uploads/2022/11/RTI-report-2022_Final-1.pdf

An overall assessment of the implementation of RTI in the Maldives was conducted in 2023¹⁵ using the FOIANet civil society assessment tool for SDG 16.10.2¹⁶. The study reviewed institutional measures, as well as the proactive and reactive disclosures of 10 public authorities, and provided a three-point grade of weak, medium or strong per area in general, for each public authority assessed. The authorities assessed had an overall rating of medium with a score of 59.81 (out of 100). Proactive disclosure was found to be the weakest area among the monitored bodies (medium, with a score of 46.67) followed by institutional measures (medium, with a score of 52.14), while the processing of RTI requests was the only area which received a strong grading, with a score of 80.63.

In December of 2023, a comprehensive review of the proactive disclosure obligations under the RTI Act was conducted by TM in collaboration with ICO, where the websites of 935 public authorities were assessed. Even though the RTI Regulation requires information to be proactively published in a place that is easily accessible to the general public such as public authorities' websites, it was observed that only 52.7% of monitored authorities had a functional website. Furthermore, the overall rate of disclosure was found to be less than 20%, with only seven public authorities or 0.75% of all monitored bodies having achieved full compliance by disclosing all of the required information. The unavailability of websites, removal of information from existing websites, failure to update information on a regular basis, and a lack of uniformity in the publication of the required information were among some of the challenges to the enforcement of the law that was observed.

¹⁵ Ismail, S., Latheef, A., Association for Democracy in the Maldives, & Accountability Maldives. (2023). Assessment of the right to information in the Maldives [Report]. <https://democracymaldives.org/wp-content/uploads/2023/03/Effectiveness-of-RTI-Regimes-and-Timely-Access-to-Information-in-the-Maldives.pdf>

¹⁶ FOIANet methodology on measuring RTI Implementation <http://www.freedominfo.org/wp-content/uploads/SGD-16.10.2-measuring-implementation.rev.docx>

4

RTI Practitioners' Assessment

4 RTI Practitioners' Assessment

As part of the assessment a conducted a series of structured interviews with six RTI practitioners in the Maldives, including journalists, members of CSOs, and individuals who have experience in requesting for information using the RTI framework. This section presents the key findings from these interviews, highlighting the perceptions and experiences of these practitioners.

4.1 Independence of the Information Commissioner's Office

There is a consensus among practitioners that ICO currently operates with a reasonable degree of independence. Some interviewees expressed that this independence is largely attributed to the current Commissioner's commitment to impartiality and expressed concerns over the independence if successive Commissioners are less committed to these principles.

4.2 Funding Sources

Funding sources of ICO was also a contentious topic. While some practitioners acknowledged an increase in the office's budget and argued that the institution should focus on improving its financial management and better utilizing the available budget, others maintained that the office remains underfunded and understaffed, necessitating further budgetary support.

4.3 Appeals Process and Mechanisms

RTI practitioners interviewed generally agreed that while the process is often lengthy, the remedies and resolutions provided by ICO are deemed satisfactory. However, RTI procedures within public authorities were also identified as an area of concern, with many KIs reporting that Information Officers in various state agencies face pressure, which leads to delays and, at times, to withholding of information. These delays are perceived as deliberate tactics, especially when requests are made by journalists and the requests are for information of public interest. Journalists within the group particularly emphasized that they feel targeted, with public authorities often abusing provisions in the RTI law to extend deadlines for information release without valid reasons.

Despite these challenges, there is broad recognition among practitioners that mechanisms for submitting information requests are straightforward and accessible. However, the difficulty, they noted, lies in obtaining the requested information. This reflects a significant gap between the accessibility of the RTI request process and the actual fulfillment of those requests by state agencies. Furthermore, practitioners were unanimous in their view that public authorities do not adequately comply with the RTI Act's requirements for proactive information disclosure. Some practitioners claimed that certain public authorities were unaware of the legal mandate to proactively disclose specific information, highlighting a critical area for institutional improvement.

The overall assessment indicates an increase in awareness of the RTI framework among the Maldivian public over the past decade. Practitioners agreed that public interest and engagement with RTI have increased, making the law an essential tool for promoting transparency. Nevertheless, they emphasized the need for the state to enhance the protection and enforcement of citizens' RTI, ensuring that institutional practices align more closely with the legal standards set forth in the RTI legislation.

This feedback underscores the importance of continued efforts to strengthen the implementation and enforcement of RTI laws, including ensuring the independence of ICO, providing adequate funding, and addressing systemic delays and external influences affecting Information Officers.

5

Central Measures (ICO)

5

Central Measures (ICO)

The assessment of ICO was conducted solely by TM. Under the RTI Act, the responsibilities for overseeing the implementation and enforcement of the law are vested in ICO. The assessment looked at the institutional measures at ICO to facilitate the implementation of the RTI Act and whether ICO is effective in fulfilling its mandate. The performance of ICO was assessed through KIs and based on a set of objective and qualitative criteria. The KIs included input from the Information Commissioner, ICO staff, RTI practitioners, CSOs and journalists. Each item in the objective evaluation was rated on a scale from 0 to 1, with 1 representing a fully met criterion, and 0 representing an unmet criterion, while the items in the qualitative evaluation could also be awarded a 0.5 for a partially met criterion. Finally, ICO was provided with an overall grade based on the sum average of the objective and qualitative evaluations. The results from the Central Measures assessment are provided in Table 4.

| Objective Evaluation (Yes = 1; No = 0) | | |
|--|--|-------------|
| 1 | Has funding been allocated? | 1 |
| 2 | Does the body recruit its own staff? | 1 |
| 3 | Are the body's appeals decisions available online? | 1 |
| 4 | Has the body produced and published an annual report for the last two years? | 1 |
| 5 | Has the body published a guide for requesters? | 1 |
| Average (Objective Evaluation) | | 1.00 |
| Qualitative Evaluation (Strongly = 1; Partially = 0.5; Weakly = 0) | | |
| 6 | Have the members been appointed? | 1 |
| 7 | Are the members of the body independent and effective? | 0.5 |
| 8 | Is the funding provided to the body reasonably sufficient for it to discharge its functions? | 0 |
| 9 | Does the body decide appeals in a timely fashion? | 0.5 |
| 10 | Are the due process rights of parties respected during appeals? | 1 |
| 11 | Has the body made reasonable efforts to raise public awareness? | 0.5 |
| 12 | Have effective measures been taken to provide training to officials? | 1 |
| 13 | Has the body made a reasonable effort to comment on draft laws which affect the RTI? | 1 |
| Average (Qualitative Evaluation) | | 0.69 |
| Average | | 0.81 |
| Overall Grade | | |

Table 4: Scoring details for the Central Measures assessment

5.1 Objective Evaluation

ICO meets all criteria in the objective evaluation, scoring a full 1.00 for all categories assessed, which reflects strong operational compliance in fundamental administrative aspects.

ICO is provided with an annual budget by the state and is afforded the independence to recruit its own staff. Open hearings are regularly conducted to deliberate on the matters submitted to ICO, and the decisions of the Information Commissioner are announced in an open setting. The hearings are open to members of the general public to attend and are live streamed on ICO's YouTube channel as well¹⁷, after which the case reports are made available from ICO's website. In terms of reporting, ICO is legally required to prepare and submit a comprehensive Annual Report to the President's Office and the People's Majlis before the end of February each year. In addition to details of the work carried out by ICO within the year, the annual report must include a financial statement stating ICO's income, expenditure, assets and liabilities, prepared by the Auditor General's Office or an authorized chartered or public accounting firm. All Annual Reports submitted by ICO are also published on their website. The website also includes guiding documents for requestors and additional information related to RTI, including frequently asked questions, awareness videos, weekly reports, as well as high court and supreme court rulings related to RTI,

Average: 1.00

5.2 Qualitative Evaluation

The results of the Qualitative Evaluation with a score of 0.69 indicate the need for improvement in several areas of ICO's work. The first qualitative requirement for the appointment of the members to ICO has been fulfilled by the appointment of the Information Commissioner.

The Information Commissioner, who leads ICO, is appointed by the President for a five-year term, following an open call for applications and after having undergone a vetting process by the Parliament. Upon completion of the Commissioner's term, or in the event of resignation, the position is re-announced, ensuring continuity and adherence to the established appointment process. The first Information Commissioner was appointed shortly after ICO was established and was in office for the entirety of the five-year term stated in the RTI Act. The appointment of the second Information Commissioner took 102 days – a duration significantly longer than the 60 days specified in Section 47 of the RTI Act. The second Information Commissioner resigned from his position two years from appointment, after which it took another 169 days before a new Information Commissioner was appointed. All three of the Commissioners that have been appointed so far have been men, although they have all had very different backgrounds. The first Information Commissioner was a former Member of Parliament with a background in education, while the second Commissioner was a renowned and experienced journalist. The current Commissioner has a background in law, governance, and human rights and has been an advocate for RTI.

¹⁷ Information Commissioner's Office - Maldives. (n.d.). YouTube. <https://www.youtube.com/@IC0mv/streams>

Newly appointed Information Commissioners are currently not provided with any sort of training or onboarding programs by any of the institutions involved in the appointment of the Commissioner, nor by ICO.

While ICO has demonstrated respect for due process rights, and provides training as mandated by the RTI Act, the central authority falls short in other areas, such as securing adequate funding and timeliness of appeals decisions. The number of RTI requests being submitted every year has been on an upward trend since the office was established, with the last five years seeing a significant increase compared to the first five years. However, despite the increasing number of RTI requests being submitted to public authorities, as well as the increasing number of appeals and complaints being submitted to ICO in recent years, the budget allocated to the oversight body has largely remained the same, making it challenging and unrealistic to meet the growing demand. Even though ICO has made multiple attempts to secure additional funding from the state through means such as multi-authority meetings and formal requests to the relevant authorities, inadequate funding to meet the growing workload due to the significant increase in the number of appeals and complaints submitted every year remains an obstacle. As a result, ICO faces challenges in carrying out its mandate in an independent, efficient and timely manner. Despite these challenges, ICO staff interviewed as part of this assessment indicated that they attempt to ensure that all of the appeals and complaints submitted to the office are processed within the deadlines specified in the Act. However, due to human resource constraints, deciding on appeals in a timely fashion remains one of the biggest challenges for the office.

Resource constraints also limit the work of ICO to its fundamental administrative and legislative functions while ICO's engagement efforts are mostly limited to training staff at public authorities. As a result, ICO relies on assistance from local and international CSOs for much of its public awareness efforts. Lastly, while ICO has commented on some draft bills related to RTI, such as the Data Protection Act and Health Information Bill, the office does not actively put in an effort to comment on draft legislations.

A prevailing concern amongst RTI practitioners is that the work and operational independence of ICO heavily relies on the political will and impartiality of the Information Commissioner. The President's Office and the Independent Institutions' Committee at the People's Majlis in particular, could work to alleviate such concerns by ensuring that newly appointed Information Commissioners are qualified, impartial professionals. The Independent Institutions' Committee at the People's Majlis could also continuously monitor the work of the Information Commissioner and hold the Commissioner to account if any concerns about their independence arise.

Average : 0.69

5.3 Overall Assessment

ICO exhibits a solid foundation in terms of objective administrative compliance, demonstrated by a perfect score in the Objective Evaluation. However, it faces challenges in specific qualitative aspects, notably in securing sufficient funding, ensuring timely decision-making, and enhancing public outreach. Continued improvements in these areas, as well as increased efforts to strengthen standard-operating procedures would enhance the body's effectiveness and operational resilience.

Average Score: 0.81

Overall Grade:



Recommendations

Based on the findings of the evaluation, the following recommendations are proposed to strengthen the central measures in the implementation of RTI measures:

- **Ensure financial independence of the commission:** Ensure the commission is equipped with the necessary financial, human resources and technical capacity to meet the growing workload and carry out its mandate.
- **Onboarding process of newly appointed Information Commissioners:** Develop a formal training module for newly appointed Information Commissioners to ensure that they are aware of the legal requirements of the position, and they are up-to date on any new developments in the RTI regime.
- **Ensure protection from outside influence:** Increase accountability and monitoring of ICO's work by the Independent Institutions Committee at the People's Majlis to ensure proper functioning of the office and impartiality of the Commissioner.
- **Provide training to ICO staff:** Build the capacity of ICO by providing relevant training to the staff in different sections of the office.
- **Increase public awareness:** Increase ICO's efforts to raise public awareness and train officials at public authorities. Formulate and disseminate targeted materials accessible to people with disabilities
- **Ensure appointment of the Information Commissioner within the deadline specified in the Act:** The Government and the Parliament must ensure timely appointment of future information commissioners to guarantee that the work of the commission is not impeded, and they are able to fulfil their mandate effectively.

6

Institutional Measures of Public Authorities

6 Institutional Measures of Public Authorities

The implementation of institutional measures to facilitate the application of RTI provisions by public authorities was assessed through KIs conducted with Information Officers, senior officials and IT staff at 23 public authorities. Interviews for the assessment were conducted face-to-face via office visits, as well as through online meetings.

While multiple attempts were made to conduct interviews with staff at the remaining seven public authorities included in the sample, no response was received from these authorities and the assessment had to be concluded without this data. Hence the results for these public authorities are not included in the assessment of institutional measures and are not represented in the final score grading either. This includes the President's Office, Ministry of Health, Ministry of Defence, Ministry of Transport, Maldives Police Service, Maldives Hajj Corporation, and Fenaka Corporation.

The following revisions were made to the methodology for assessing institutional measures to contextualize the methodology to fit the RTI regime in the Maldives.

- Two aspects – one in the objective evaluation relating to the publication of the RTI annual report, and one in the qualitative evaluation pertaining to the strength of the annual report – were modified and combined to assess whether public authorities submitted the report to ICO as required by the RTI Act. This change was made to reflect the way public authorities submit their RTI Annual Report, which is currently done by filling in an online form sent by ICO. The current practice does not facilitate the publication of the report, nor does it provide any opportunity for authorities to make their annual reports more comprehensive or stronger.
- In the objective evaluation, authorities were questioned on the systems in place or actions taken to improve their records management, and in the qualitative evaluation, they were further questioned on the effectiveness of the measures taken as well. However, as it was not possible to evaluate the effectiveness of the measures taken by the authorities, this question was removed from the qualitative evaluation scoring.

Grading for each public authority for this assessment area was based on ten criteria in the objective evaluation and four criteria in the qualitative evaluation. For each criterion in the objective evaluation, public authorities were awarded 1 if the criterion was met, or 0 if not. Qualitative evaluation criteria also considered how strongly each criterion was met, with 1 awarded for a strongly met criterion, 0.5 if the criterion was partially met or 0 if the criterion was met weakly, or not at all. The results from the Institutional Measures assessment, including the evaluation criteria and grading against each criterion are given in Table 5 below:

| | | Ministry of Education | Ministry of Higher Education, Labour & Skills Development | Maldives Correctional Services | Department of National Registration | Maldives Immigration | ADh. Dhigurah Health Center | Peoples Majlis | Supreme Court | Department of Judicial Administration | Fuvahmulah Magistrate Court | Judicial Service Commission | Maldives Inland Revenue Authority | Elections Commission | Maldives International Arbitration Centre | Islamic University of Maldives | HA.Ihavandhoo Council | Sh. Maroshi Council | B. Thulhaadhoo Council | K.Maafushi Council | AA. Rasdhoo Council | L. Maabaidhoo Council | LH.Atoll Council | Fuvahmulah City Council | Criteria Average | Overall Average |
|---|--|-----------------------|---|--------------------------------|-------------------------------------|----------------------|-----------------------------|----------------|---------------|---------------------------------------|-----------------------------|-----------------------------|-----------------------------------|----------------------|---|--------------------------------|-----------------------|---------------------|------------------------|--------------------|---------------------|-----------------------|------------------|-------------------------|------------------|-----------------|
| Objective Evaluation (Yes = 1; No = 0) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Has an IO been appointed? | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1.00 | |
| 2 | Has the IO formally been given terms of reference or a job description? | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 1 | 0.30 | |
| 3 | Has the IO been provided with training? | 1 | 1 | 1 | 1 | 1 | 0 | 1 | 0 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0.74 | |
| 4 | Has an overall implementation plan or set of standard operating procedures (SOPs) been adopted? | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00 | |
| 5 | Has a set of guidelines for how to process RTI requests been adopted? | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0.13 | |
| 6 | Is it possible to lodge requests electronically? Is it easy to obtain an RTI request form? Is it easy to find the contact details of the IO? | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 1 | 1 | 1 | 1 | 0 | 1 | 0.91 | |
| 7 | Has a person who is different from the IO been appointed to deal with internal complaints? | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 1 | 0 | 1 | 1 | 0.91 | |
| 8 | Did the public authority submit an annual report to ICOM for the last two years? | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1.00 | |
| 9 | Has the public authority conducted any public awareness-raising activities over the last year? | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00 | |
| 10 | Has the public authority put in place any system or taken any action to improve its record management? | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 1 | 0.83 | |
| Average (Objective Evaluation) | | 0.60 | 0.60 | 0.60 | 0.70 | 0.60 | 0.50 | 0.60 | 0.50 | 0.70 | 0.70 | 0.60 | 0.70 | 0.60 | 0.70 | 0.70 | 0.60 | 0.50 | 0.60 | 0.40 | 0.40 | 0.40 | 0.40 | 0.70 | 0.58 | |
| Qualitative Evaluation (Strongly = 1; Partially = .5; Weakly = 0) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11 | Does the IO have appropriate qualifications for the job and has he or she been allocated time to do the job? | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 1 | 1 | 0.5 | 1 | 0 | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 1 | 0.54 | |
| 12 | Has the IO come under political pressures that make it difficult for him or her to do the job properly? | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1.00 | |
| 13 | How strong is the overall implementation plan or SOP? | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00 | |
| 14 | How extensive are the awareness-raising activities? | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.00 | |
| Average (Qualitative Evaluation) | | 0.50 | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 | 0.50 | 0.50 | 0.25 | 0.50 | 0.50 | 0.50 | 0.38 | 0.50 | 0.25 | 0.50 | 0.50 | 0.50 | 0.25 | 0.25 | 0.50 | 0.25 | 0.50 | 0.39 | |
| Average by Authority | | 0.57 | 0.50 | 0.50 | 0.57 | 0.50 | 0.43 | 0.57 | 0.50 | 0.57 | 0.64 | 0.57 | 0.64 | 0.54 | 0.64 | 0.57 | 0.57 | 0.50 | 0.57 | 0.36 | 0.36 | 0.43 | 0.36 | 0.64 | | |
| Colour Grade by Authority | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overall Average | | | | | | | | | | | | | | | | | | | | | | | | | 0.53 | |
| Overall Grade | | | | | | | | | | | | | | | | | | | | | | | | | | |

Table 5: Scoring details for the Institutional Measures assessment

6.1 Objective Evaluation

Public authorities were evaluated on ten areas in the objective evaluation of their institutional measures. The first of these areas pertained to the appointment of Information Officers at public authorities, and as all the authorities assessed had an Information Officer appointed, the category had a full score of 1. However, only seven (30%) of these public authorities had the responsibilities of the Information Officer included in the Terms of Reference (ToR) or job description of the assigned employee. The evaluation also investigated whether a person who is different from the Information Officer had been appointed to deal with internal complaints – which is also a requirement under the RTI Act which requires having a review committee of no less than three members to review complaints regarding decisions of the Information Officer. All evaluated public authorities apart from two fulfilled this requirement, and hence this category was tied for the second highest average score at 0.91. The only legal consideration required in the appointment of the Information Officer and the members of the review committee by public authorities is to ensure that the members of the review committee are of a higher rank than the Information Officer. Furthermore, as neither of these positions are standalone positions but rather an added responsibility placed on existing staff, appropriate equipment is available to carry out their responsibilities under the RTI Act as well.

One of two areas of the objective evaluation in which all assessed public authorities scored 0 pertained to the adoption of RTI implementation plans. In addition to these, authorities were also asked about whether they have adopted any set of guidelines on how to process RTI requests. Of the 23 public authorities that were assessed, only three (13%) were noted as having fulfilled this requirement. The rest of the authorities claimed that they followed the RTI Act rather than developing and adopting a separate standard operating procedure (SOP) or guideline to process requests. Information Officers at 74% of public authorities also reported having received training, although some of them noted requiring more training. One respondent claimed that the training they had attended was held online and did not find it sufficient, while another noted that the training they received was inadequate.

Public authorities were also assessed on the process to lodge RTI requests with the authority in electronic format and whether it was easy to obtain the RTI request form and contact details of the Information Officer. All of the assessed public authorities apart from two, were registered on the Mahoali portal developed by ICO, resulting in a score of 91% for this category. Registering on the portal simultaneously fulfills the requirements for this category as it provides the public with the means to lodge an RTI request with the authority in electronic format and provides a means to contact the Information Officer. Contact details of the registered Information Officers are also separately made available on ICO's website. Registering on the Mahoali portal is by no means the only way to fulfill these requirements however, as authorities could also provide this information through their respective websites. The two authorities that scored 0 in this category did not have their own website either.

All the public authorities assessed had submitted their annual report to ICO as required by the RTI Act. However, not a single authority was noted to have made any effort to raise awareness on RTI for the public. Lastly, public authorities were questioned on their attempts to improve records management, to which 19 authorities (83%) described many different ways in which they were attempting to improve their respective records management systems. Most of these actions related to the digitization of records, although some public authorities also noted improvements to their archiving systems.

In the objective evaluation of institutional measures, seven public authorities (30%) received a green grade, while the remaining 16 public authorities (70%) all received a yellow grade. The colour grades received by public authorities in the objective evaluation of institutional measures are summarized in Figure 1 below.

Average: 0.58

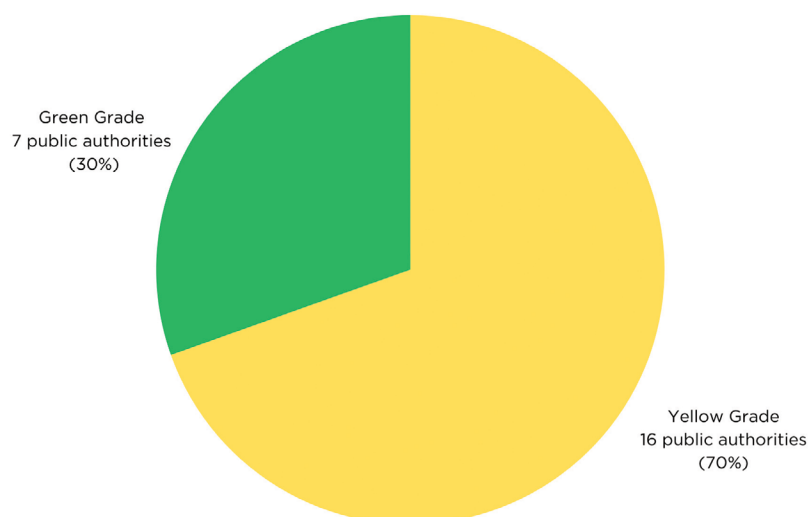


Figure 1: Colour grades received by public authorities in objective evaluation

6.2 Qualitative Evaluation

Four different areas were assessed in the qualitative evaluation of implementation measures. Firstly, Information Officers were questioned about the level of outside pressure (political or any other) and whether there were any such difficulties for them to carry out their duties. None of the Information Officers questioned for the evaluation noted any such challenge. However, this directly contradicts the experience shared by information seekers who reported delays and challenges in the provision of information due to external pressure on Information Officers and may indicate hesitancy to disclose challenges faced for fear of retaliation or confidentiality by their respective authorities. Information Officers were also questioned on whether they were allocated appropriate time to carry out their responsibilities as Information Officers. As Information Officers are not standalone positions, but rather an added responsibility placed on existing staff, Information Officers are essentially required to balance the responsibilities of two positions. Despite this, however, some Information Officers noted not requiring additional time, and only a little more than half of Information Officers interviewed (54%) noted having been allocated time to do their job as Information Officers. The RTI Act does not require Information Officers to have any specific qualifications.

Public authorities were then assessed on the strength of their RTI implementation plan or SOP, and the extent of their awareness raising activities. However, as none of the assessed public authorities had formulated such an implementation plan, nor conducted any activities to raise awareness on RTI, both categories had a score of 0. Many of the issues regarding the processing of RTI requests could stem from this lack of internal planning from public authorities. Additionally, the lack of awareness raising activities also signify a lack of political will from public authorities to promote the fundamental RTI.

In the qualitative evaluation of institutional measures, 10 public authorities (43%) received a red grade, while the remaining 13 public authorities (57%) all received a yellow grade. The colour grades received by public authorities in the qualitative evaluation of institutional measures are summarized in Figure 2 below.

Average: 0.39



Figure 2: Colour grades received by public authorities in qualitative evaluation

6.3 Overall Assessment

Public authorities assessed for their implementation measures had a wide range of scores, with some categories averaging full to very high scores of 1 – 0.9, while other categories averaged scores ranging from 0 – 0.3. All of the public authorities assessed had appointed an Information Officer, and most (74%) among them had been provided with training as well. Although only 30% of Information Officers had been formally given the responsibilities of the Information Officers through a ToR or through inclusion in their job description, all of the Information Officers interviewed reported being free from external pressures in carrying out their duties. However, this directly contravenes the experience of information seekers, many of whom highlighted delays and refusals from the decision makers at public authorities above the Information Officer rank.

Due to the Mahoali portal that was developed by ICO, it is currently possible to lodge RTI requests with a vast majority of the public authorities (91%) and all but two of the authorities had set up the legally mandated review committee to deal with internal complaints. All of the authorities assessed were also recorded as having submitted their annual report to ICO.

Areas that need improvement include adopting guidelines for the processing of RTI requests, setting up strong implementation plans or SOPs for the fulfillment of RTI provisions, as well as carrying out extensive public awareness raising activities.

The overall grade for the assessment of implementation measures at public authorities resulted in a yellow grade, with all 23 public authorities assessed individually receiving yellow grades as well.

Average Score: 0.53

Overall Grade:

Recommendations

Based on the evaluation findings, the following recommendations are proposed to strengthen the implementation and effectiveness of RTI practices across public authorities:

- **Formal Integration of IO Responsibilities:** Public authorities should integrate the roles and responsibilities of Information Officers into their official ToR or job descriptions. This formal recognition will ensure accountability and clarity in the performance of Information Officers duties and strengthen the overall RTI framework.
- **Development and Adoption of RTI Implementation Plans:** Public authorities should prioritize the creation and adoption of implementation plans for processing RTI requests. These documents should detail the steps and standards to be followed, ensuring consistency and efficiency in handling requests. Training staff on these plans and procedures would further reinforce effective information management.
- **Development and Implementation of SOPs to address external pressure on Information Officers:** Information seekers note both delays in the provision of information and the withholding of information due to external pressure on Information Officers. As Information Officers are legally empowered to make decisions on RTI requests in the first stage of the RTI process, the implementation of SOPs to ensure independence in their decision-making could greatly enhance the RTI process.
- **Enhanced Training for Information Officers:** Comprehensive training programs should be provided to Information Officers to equip them with the necessary skills and knowledge to fulfill their responsibilities effectively. Training should cover the nuances of the RTI Act, best practices for managing requests, and strategies for handling challenges, including potential external pressures.
- **Awareness and Capacity-Building Initiatives:** Public authorities should organize regular awareness-raising campaigns to educate the public on their RTI and how to access it. These campaigns could include workshops, media outreach, and public events to increase engagement and awareness. Additionally, ongoing capacity-building programs should be conducted to keep Information Officers and other relevant staff updated on best practices and new developments in information management.

Proactive Disclosure

7

Proactive Disclosure

Proactive disclosure as stated under Section 37 of the RTI Act refers to the information required to be proactively disclosed by public authorities without the need for filing an RTI request. These 13 categories of information under the RTI Act are intended to make information publicly available through the institute's website or other accessible platforms. Public authorities are required to proactively disclose this information on an annual basis, or in a shorter period decided by the public authority.

Furthermore, Section 36(a) requires the following details of the Information Officers at public authorities to be made publicly available and disseminated as widely as possible.

- Names
- Designations
- Contact details

For measuring the proactive disclosure rates of the selected public authorities, the level of information that was proactively disclosed by each selected authority for each of the 13 categories under Section 37 and 3 categories under Section 36(a) were assessed. All these categories were further broken down into 26 sub-categories or specific information so that scores could be assigned based on whether the specific information was available. Details of how each subsection was broken down into individual items are presented in Table 6.

| # | Subsection in Law | # | Individual item required to be disclosed |
|--------|--|----|---|
| 37 (a) | Details of the functions, responsibilities, structure and duties of the Institution | 1 | Institution's duties, functions, responsibilities |
| | | 2 | Institution's structure |
| 37 (b) | Details of direct services provided or being provided to the public | 3 | Direct services provided or being provided to the public |
| 37 (c) | Details of the mechanism of lodging a complaint at the Institution in connection to a matter undertaken by that office, and details of the number of complaints received thus far | 4 | Mechanism of lodging a complaint |
| | | 5 | Details of the complaints received |
| 37 (d) | Easily comprehensible details of how documents are managed | 6 | Details of how documents are managed |
| 37 (e) | Information held or maintained by the Institution, and the nature of its general publications, together with information on the procedure to follow to request for information | 7 | Information held or maintained by the Institution |
| | | 8 | Nature of general publications |
| | | 9 | Procedure to follow to request for information |
| 37 (f) | The responsibilities and duties of high-ranking officials of the Institution, their powers and scope of discretion, and procedure followed in decision making within that scope | 10 | The responsibilities and duties of high-ranking officials, their powers, scope of discretion, and procedure followed in decision making |
| 37 (g) | The rules, regulations, policies, principles and norms used by the Institution for discharging its responsibilities | 11 | Laws, regulations used by the Institution |
| | | 12 | Policies, principles and norms used by the Institution |
| 37 (h) | Details of decisions taken that would affect the public and the reasons for those decisions, their implications and details of their background | 13 | Details of decisions taken that would affect the public |
| | | 14 | Reasons for those decisions, their implications and details of their background |
| 37 (i) | The manner in which suggestions and criticisms on decision-making can be exercised by the public and influenced in relation to the policies of those functions carried out by the Institution; | 15 | The manner in which suggestions and criticisms on decision-making can be exercised by the public |
| 37 (j) | The budget allocated to the Institution, indicating the particulars of all plans, proposed expenditures and details of disbursements made; | 16 | The budget allocated to the Institution |
| | | 17 | Particulars of all plans made by the Institution |
| | | 18 | Proposed expenditures |
| | | 19 | Details of disbursements made |
| 37 (k) | The individual remuneration and benefits received by all the employees of the Institution; | 20 | Individual remuneration and benefits received by all the employees of the Institution |
| 37 (l) | The norms followed by the Institution for the discharge of its functions | 21 | The principles / norms followed by the Institution |
| 37 (m) | The stages and procedure followed in the decision-making process of the Institution, and the mechanisms for supervision and accountability. | 22 | Stages and procedure followed in the decision-making process |
| | | 23 | Mechanisms for supervision and accountability |
| 36 (a) | [...] the names, designations and contact details of the Information Officers, must be disseminated as widely as possible and must be publicly accessible. | 24 | Name of the Information Officer |
| | | 25 | Designation of the Information Officer |
| | | 26 | Contact details of the Information Officer |

Table 6: Details of how each section of the Act mandating proactive disclosure were broken down into individual items for scoring

A 5-point scale was used to score public authorities based on the availability of the information. For each of the subcategories or specific information that was required to be published, each authority was given one of the following evaluations based on how extensive the publication was: Full, Full to Partial, Partial, Partial to None or None. Several factors were considered in assessing how extensive the publications were. This included:

- Whether the available information was complete in the sense of including everything in the relevant category
- How easy the information was to find
- How up to date the information was, taking into account how frequently that type of information changes

Depending on the evaluation for each item, the respective score and color was assigned as according to Table 7 and the final point scores consisting of the average of all substantive and other issues assessed for each public authority was converted to a final colour grade.

| Extent of Information Available | Full | Full to Partial | Partial | Partial to None | None |
|--|-------------|------------------------|----------------|------------------------|-------------|
| Score given | 1 | 0.75 | 0.5 | 0.25 | 0 |

Table 7: Scoring guide for the Proactive Disclosure assessment based on the extent of information available

7.1 Substantive Issues

The average substantive score among all 30 public authorities was a very low yellow, indicating very low levels of proactive disclosure among authorities. Only Fuvamulah City Council and Election Commission of the Maldives received a full 1.00 substantive score, while three other authorities also received green grades. Conversely, six public authorities; ADh. Dhigurah Health Center, K. Maafushi Council, Sh. Maroshi Council, HA. Ihavandhoo Council, B. Thulhaadhoo Council and AA. Rasdhoo Council all received a zero on their substantive scores due to the absence of a functional website containing the information required to be proactively disclosed.

A total of five authorities (17%) received an overall green grade in the disclosure of information pertaining to substantive issues, while nine authorities (30%) received a yellow grade, and 16 authorities (53%) received a red grade. Details of the complaints received by public authorities and details of the authorities' budget, including details of disbursements made, were areas highlighted as needing the most improvement. The colour grades received by public authorities in the substantive issues section of the proactive disclosure assessment are summarized in Figure 3 below.

Average Score: 0.37

Overall Grade:

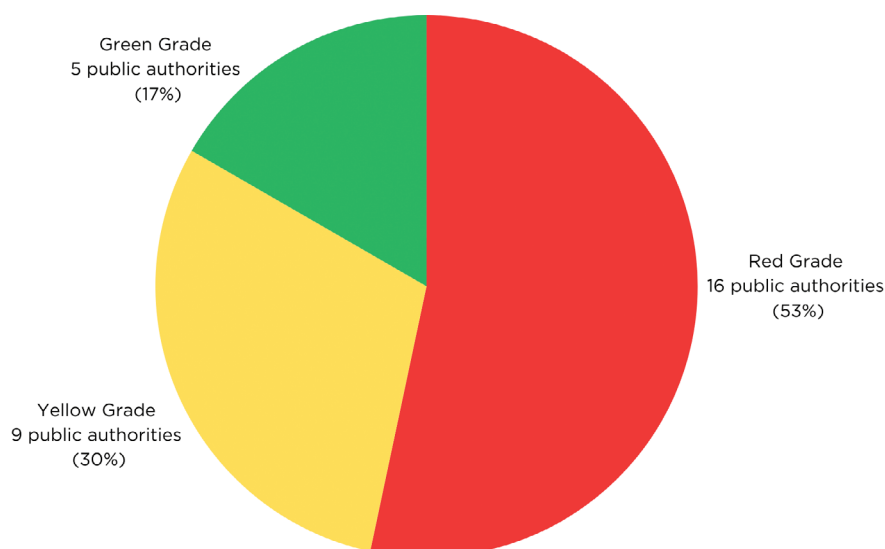


Figure 3: Colour grades received by public authorities in the Substantive Issues of the Proactive Disclosure assessment

7.2 Other Issues

In addition to the substantive issues required to be proactively disclosed under the RTI Act, public authorities were also assessed on other issues pertaining to efforts made in the dissemination of information to the public. This included assessment of

- The efforts made by the public authority in disseminating information other than simply via its website;
- The efforts made by the public authority in its use of social media or other means to draw the attention of the public to its proactive publications (and to provide key information directly to the public)
- The efforts made by the public authority to create understandable versions of at least the most important documents (such as its budget)
- How reasonably easy it was to find specific information from among all of the information that is being published online.

While the methodology also included assessment of whether public authority's websites were Web Content Accessibility Guidelines (WCAG) 2.1 compliant, this category was not considered. There are currently no laws or regulations in the Maldives mandating the websites of public authorities to comply with WCAG, nor has there been any advocacy to make the websites of public authorities WCAG compliant. Therefore, public authorities in Maldives are not aware of the guidelines and all public authorities assessed would have scored 0 in this category.

Maldives Inland Revenue Authority scored the highest in this assessment area with a score of 0.94 out of 1. Ministry of Health and the Election's Commission also scored a green grade with a score of 0.75 out of 1. These three public authorities (10%) were the only ones to receive a green grade, while 17 authorities (57%) received a yellow grade, and 10 authorities (33%) received a red grade. The areas with the weakest scores were in the assessment of efforts made by authorities to create understandable versions of the most important documents, as well as the use of social media to provide key information. A summary of the colour grades received by public authorities in the assessment of other issues pertaining to proactive disclosure are visualized in Figure 4.

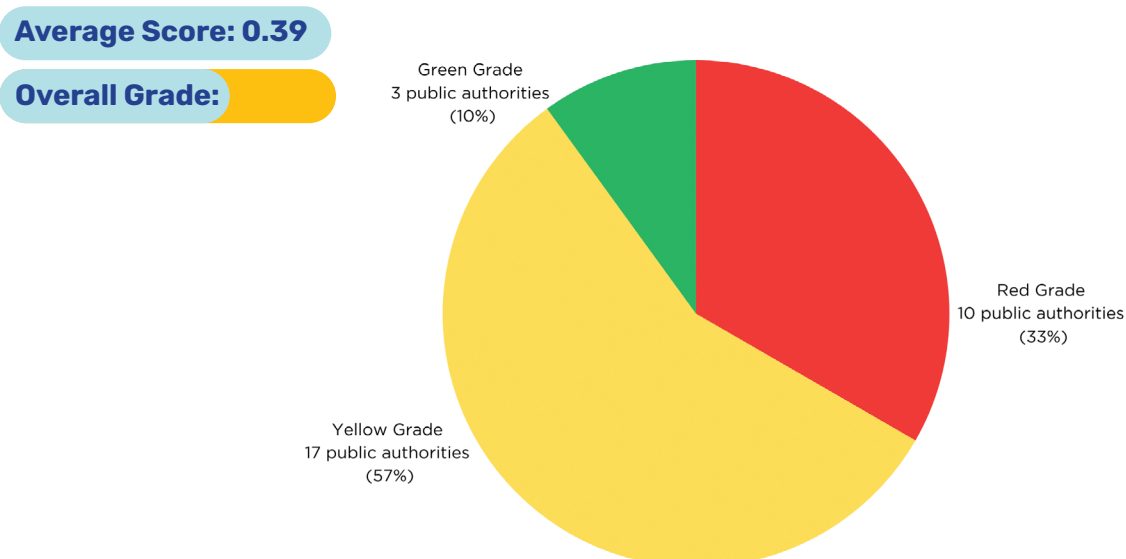


Figure 4: Colour grades received by public authorities in the Other Issues of the Proactive Disclosure assessment

7.3 Overall Assessment

Out of the 30 public authorities assessed, five authorities (16%) received an overall green grade, 11 authorities (37%) received an overall yellow grade, and 14 authorities (47%) received a red grade. The final grade was calculated by taking 75% of the first point score (i.e. the points for proactive disclosure online classified as substantive issues in this assessment) and 25% of the second point score (i.e. the points for the four other issues).

The five public authorities that received a green grade included the People's Majlis, Department of Judicial Administration, Maldives Inland Revenue Authority, Elections Commission and Fuvahmulah City Council. The highest overall score was received by the Elections Commission with 0.92 out of 1, followed by Fuvahmulah City Council at 0.89. The colour grades received by public authorities in the overall assessment of proactive disclosure are summarized in Figure 5 below.

Average Score: 0.38

Overall Grade:

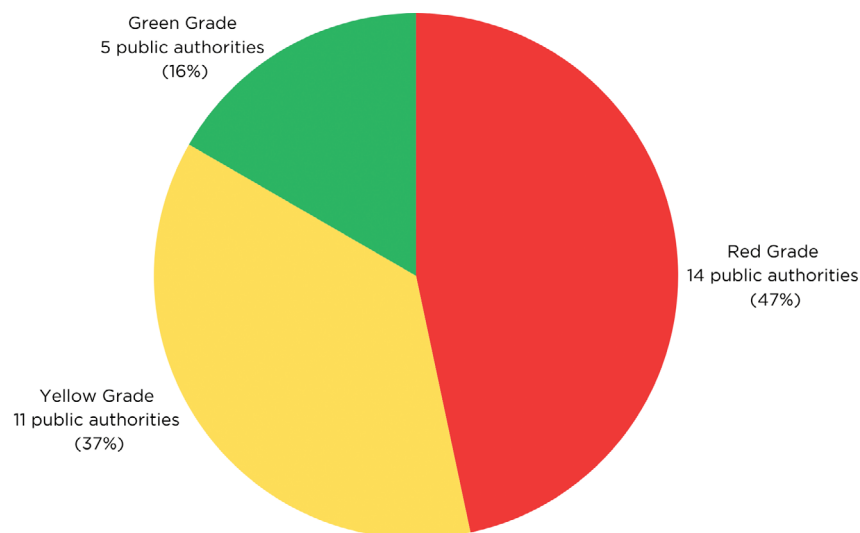


Figure 5: Colour grades received by public authorities in the overall assessment of Proactive Disclosure

The complete scoring sheet for the proactive disclosure assessment is presented below in Table 8.

| | | President's Office | Ministry of Health | Ministry of Defence | Ministry of Education | Ministry of Transport & Civil Aviation | Ministry of Higher Education, Labour & Skills Development | Maldives Police Service | Maldives Correctional Service | Department of National Registration | Maldives Immigration | ADh. Dhigurah Health Center | People's Majlis | Supreme Court | Department of Judicial Administration | Fuvahmulah Magistrate Court | Judicial Service Commission | Maldives Inland Revenue Authority | Elections Commission | Maldives International Arbitration Center | Maldives Islamic University | HA. Ihavandhoo Council | Sh. Maroshi Council | B. Thulhaadhoo Council | K. Maafushi Council | AA. Rasdhoo Council | L. Maabaidhoo Council | Lh. Atoll Council | Fuvahmulah City Council | Maldives Hajj Corporation | Fenaka Corporation | Overall Scores | |
|---|---|--------------------|--------------------|---------------------|-----------------------|--|---|-------------------------|-------------------------------|-------------------------------------|----------------------|-----------------------------|-----------------|---------------|---------------------------------------|-----------------------------|-----------------------------|-----------------------------------|----------------------|---|-----------------------------|------------------------|---------------------|------------------------|---------------------|---------------------|-----------------------|-------------------|-------------------------|---------------------------|--------------------|----------------|------|
| SUBSTANTIVE ISSUES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 37 (a) Details of the functions, responsibilities, structure and duties of the Institution | Institution's duties / functions / responsibilities | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.50 | 1.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.75 | 1.00 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.50 | 0.69 | |
| | Instiution's structure | 1.00 | 1.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.50 | 0.00 | 0.00 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.50 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.50 | |
| 37 (b) Details of direct services provided or being provided to the public | Direct services provided or being provided to the public | 0.00 | 1.00 | 0.75 | 1.00 | 1.00 | 0.00 | 1.00 | 0.25 | 1.00 | 1.00 | 0.00 | 0.75 | 1.00 | 1.00 | 0.25 | 0.50 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.62 | |
| 37 (c) Details of the mechanism of lodging a complaint at the Institution in connection to a matter undertaken by that office, and details of the number of complaints received thus far | Mechanism of lodging a complaint | 0.00 | 0.75 | 0.75 | 1.00 | 0.50 | 0.00 | 1.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.50 | 0.25 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.50 | 1.00 | 0.00 | 0.50 | 0.40 | |
| | Details of the complaints received | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.10 | |
| 37 (d) Easily comprehensible details of how documents are managed | Details of how documents are managed | 0.00 | 0.00 | 0.75 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.75 | 1.00 | 1.00 | 0.00 | 1.00 | 0.50 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.23 |
| 37 (e) Information held or maintained by the Institution, and the nature of its general publications, together with information on the procedure to follow to request for information | Information held or maintained by the Institution | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.50 | 0.00 | 0.00 | 0.50 | 0.00 | 1.00 | 0.25 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.25 |
| | Nature of general publications | 0.50 | 1.00 | 1.00 | 1.00 | 0.50 | 1.00 | 0.00 | 0.50 | 0.50 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.75 | 0.50 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.50 | 0.63 | |
| | Procedure to follow to request for information | 0.00 | 0.25 | 0.25 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.75 | 1.00 | 0.25 | 0.00 | 0.35 | |
| 37 (f) The responsibilities and duties of high ranking officials of the Institution, their powers and scope of discretion, and procedure followed in decision making within that scope | The responsibilities and duties of high ranking officials, their powers, scope of discretion, and procedure followed in decision making | 0.25 | 0.25 | 0.25 | 0.00 | 0.25 | 0.00 | 0.25 | 0.00 | 0.00 | 0.50 | 0.00 | 1.00 | 0.75 | 0.75 | 0.00 | 1.00 | 0.25 | 1.00 | 0.25 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.25 | 1.00 | 0.25 | 0.25 | 0.35 | |
| 37 (g) The rules, regulations, policies, principles and norms used by the Institution for discharging its responsibilities | Laws, regulations used by the Institution | 0.25 | 1.00 | 0.50 | 0.00 | 0.50 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 0.50 | 1.00 | 0.50 | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.50 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.50 | 1.00 | 0.00 | 0.00 | 0.44 | |
| | Policies, principles and norms used by the Instiution | 0.00 | 1.00 | 0.25 | 1.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.25 | 0.00 | 0.00 | 1.00 | 1.00 | 0.50 | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.25 | 1.00 | 0.00 | 0.00 | 0.44 | |
| 37 (h) Details of decisions taken that would affect the public and the reasons for those decisions, their implications and details of their background | Details of decisions taken that would affect the public | 0.75 | 0.75 | 0.00 | 0.75 | 0.50 | 0.75 | 1.00 | 1.00 | 0.50 | 0.50 | 0.00 | 1.00 | 1.00 | 0.75 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.75 | 0.75 | 0.57 | |
| | Reasons for those decisions, their implications and details of their background | 0.25 | 0.50 | 0.00 | 0.50 | 0.25 | 0.50 | 0.00 | 0.50 | 0.25 | 1.00 | 0.00 | 1.00 | 1.00 | 0.75 | 0.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.50 | 0.50 | 1.00 | 0.25 | 0.25 | 0.38 | | |
| 37 (i) The manner in which suggestions and criticisms on decision-making can be exercised by the public and influenced in relation to the policies of those functions carried out by the Institution; | The manner in which suggestions and criticisms on decision-making can be exercised by the public | 0.00 | 0.25 | 0.75 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.23 | |
| 37 (j) The budget allocated to the Institution, indicating the particulars of all plans, proposed expenditures and details of disbursements made; | The budget allocated to the Institution | 0.00 | 0.75 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.23 |
| | Particulars of all plans made by the Institution | 0.00 | 0.25 | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.75 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.24 |
| | Proposed expenditures | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.23 | |
| | Details of disbursements made | 0.00 | 0.00 | 0.25 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.75 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.17 |
| 37 (k) The individual remuneration and benefits received by all the employees of the Institution; | Individual remuneration and benefits received by all the employees of the Institution | 1.00 | 1.00 | 1.00 | 1.00 | 0.00 | 1.00 | 0.00 | 0.00 | 1.00 | 1.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.43 | |
| 37 (l) The norms followed by the Institution for the discharge of its functions | The principles / norms followed by the Institution | 0.00 | 1.00 | 0.25 | 1.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.50 | 0.00 | 0.00 | 1.00 | 1.00 | 0.75 | 0.00 | 1.00 | 0.50 | 1.00 | 0.25 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.38 | |
| 37 (m) The stages and procedure followed in the decision making process of the Institution, and the mechanisms for supervision and accountability. | Stages and procedure followed in the decision making process | 0.00 | 0.00 | 0.75 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.75 | 0.50 | 0.00 | 1.00 | 0.00 | 1.00 | 0.75 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.23 | |
| | Mechanisms for supervision and accountability | 0.00 | 0.00 | 0.50 | 0.00 | 0.00 | 0.00 | 0.25 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 0.00 | 0.33 | |
| 36 (a) [...] the names, designations and contact details of the Information Officers, must be disseminated as widely as possible and must be publicly accessible. | Name of the Information Officer | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.47 |
| | Designation of the Information Officer | 0.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 1.00 | 0.00 | 0.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 0.00 | 0.37 |
| | Contact details of the Information Officer | 0.00 | 1.00 | 1.00 | 1.00 | 0.00 | 1.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |

Table 8: Scoring details for the Proactive Disclosure assessment

Overall, out of 30 categories from both the substantive and other issues assessed under the proactive disclosure assessment, only two categories received a green grade. Out of the 26 initial substantive sub-categories assessed, the score for the category pertaining to institutions' duties / functions / responsibilities was the highest with a total of 20.75 out of 30 for all public authorities and an average disclosure rate of 0.69 out of 1. The score for the first category under other issues, pertaining to institutions' efforts to disseminate information through means other than their website also had a similar score, with a total of 20.5 out of 30 for all public authorities, and an average disclosure rate of 0.68 out of 1.

With a majority, 16 out of 30 categories assessed received a yellow grade, while 12 categories had red grades. Scores for the category 'Details of complaints received' scored the lowest with a total of three authorities in compliance out of 30 total authorities and an average disclosure rate of 0.1 out of 1. The average performance by category of information is included in Table 9 below:

| Green Grade |
|---|
| <ul style="list-style-type: none"> • Institution's duties / functions/ responsibilities • What efforts does the public authority make to disseminate information other than simply via its website? |
| Yellow Grade |
| <ul style="list-style-type: none"> • Institution's structure • Direct services provided or being provided to the public • Mechanism of lodging a complaint • Nature of general publications • Procedure to follow to request for information • The responsibilities and duties of high-ranking officials, their powers, scope of discretion, and procedure followed in decision making • Laws, regulations used by the Institution • Policies, principles and norms used by the Institution • Details of decisions taken that would affect the public • Reasons for those decisions, their implications and details of their background • Individual remuneration and benefits received by all the employees of the Institution • The principles / norms followed by the Institution • Name of the Information Officer • Designation of the Information Officer • Contact details of the Information Officer • Is it reasonably easy to find specific information from among all of the information that is being published online? |
| Red Grade |
| <ul style="list-style-type: none"> • Details of the complaints received • Details of how documents are managed • Information held or maintained by the Institution • The manner in which suggestions and criticisms on decision-making can be exercised by the public • The budget allocated to the Institution • Particulars of all plans made by the Institution • Proposed expenditures • Details of disbursements made. • Stages and procedure followed in the decision-making process • Mechanisms for supervision and accountability • Does the public authority use social media or other means to draw the attention of the public to its proactive publications (and to provide key information directly to the public)? • Does the public authority make an effort to create understandable versions of at least the most important documents (such as its budget) |

Table 9: Average performance by category of information required to be proactively disclosed

Recommendations

- **Strengthening Online Infrastructure:** Efforts must be made for the development and maintenance of websites of local councils and smaller public authorities. The capacity and resources for the maintenance of websites that fulfill the requirements of proactive disclosure must be provided.
- **Improving Accessibility of Information:** Complex, yet critical information such as matters relating to budgets and policies must be simplified and made easier for users to understand. In cases where public authorities are unable to publish information on the authority's website, increased efforts are required to make the information accessible through other means, such as through authorities' social media pages.
- **Capacity Building on RTI for Public Authorities:** More efforts need to be carried out for training and capacity building of public authorities to help the Information Officer, management and other staff understand the need, rationale, importance and advantages of proactively disclosing information. Specialized training should also be given to the Information Officer and other relevant staff responsible for content creation on how to effectively simplify information for the public and disseminate information in various accessible formats.

Reactive Disclosure

8

Reactive Disclosure

Reactive disclosure is defined as a public authority's provision of information in response to a formal request, typically governed by frameworks such as the RTI Act. This assessment, aimed at evaluating the efficacy and functionality of reactive disclosure mechanisms, was conducted by lodging two formal requests for information from each public authority and then monitoring how the authority responded to those requests. The assessment looked at several different factors in the processing of RTI requests, including whether a receipt was provided, whether a timely response was provided and whether a fee was charged, as well as the overall result of the request (i.e. whether the requested information was provided in full).

8.1 Information requests

To evaluate compliance with the RTI Act, each of the 30 public authorities was subjected to two information requests, one easy request and one difficult request. The requests were categorized as outlined below:

- **Exemption:** Requests where the information might be exempt due to legal protections, such as confidentiality or security concerns. This tested the public authority's ability to clearly justify why certain information could not be disclosed.
- **Larger Volume of Information:** These requests involved substantial volumes of data, requiring significant effort to compile. The authorities were evaluated on their ability to handle resource-intensive requests while meeting legal timelines.
- **Public Interest:** Requests related to matters of high public interest. This level assessed how public authorities navigated the balance between transparency and the protection of sensitive information.
- **Transfer Question:** In cases where the public authority did not hold the requested information, the "transfer question" category assessed how efficiently the request was forwarded to the appropriate public authority without causing delays.
- **Easy:** Simple, routine requests for non-sensitive information. This category served as a baseline for evaluating the efficiency of handling straightforward inquiries.

Additionally, the requests were delivered using five different modes: via the Mahoali Portal, using the RTI Application Form (both physically and as an email attachment), and as a general letter (delivered physically or as an email), in a mix of English and Dhivehi language. The variety of submission methods was intended to assess the public authority's' responsiveness across different communication platforms and their ability to process requests regardless of the format. Table 10 outlines the specific information requests sent to each of the 30 public authorities.

| Public Authority | Type of request | Information requested for |
|--|---|--|
| President's Office | Q1: Easy | All policies, regulations or SOPs followed by the Government in the suspension or removal of a political appointee from office. |
| | Q2: Difficult / larger volume of information | The breakdown (including total cost, locations, purpose) of travel expenditure on official trips of President Yameen Abdul Gayyoom from August 1 to September 30, 2018, and the breakdown of travel expenditure by President Ibrahim Mohamed Solih from August 1 to September 30, 2023 |
| People's Majlis | Q1: Easy | The regulation, policy or SOP that is followed by the Parliament in the use of the office spaces for Members of Parliament |
| | Q2: Difficult / larger volume of information | Details of former Speaker of Parliament Mohamed Nasheed's official visits abroad after assuming office* |
| Supreme Court | Q1: Easy | Detail of Salaries and allowances of the organization's employees* |
| | Q2: Difficult / larger volume of information | Appeals filed in the Supreme Court since 2018, the decisions taken in connection with them, and the dates of the hearings* |
| Ministry of Health | Q1: Easy | The names and responsibilities of the organization's management team* |
| | Q2: Difficult / larger volume of information | Detail of vaccines sent to islands of Maldives from 1st January 2020 to 30th June 2021 including the type of vaccine, date of delivery, with specific details of vaccine usage for each island* |
| Ministry of Defence | Q1: Easy | The names and responsibilities of the organization's management team* |
| | Q2: Difficult / Transfer Question (Maldives Police Service) | Details of parking violations in Male' since January 2023* |
| Ministry of Education | Q1: Easy | The names and responsibilities of the organization's management team* |
| | Q2: Difficult / Transfer Question (Higher Education) | Details of free scholarships Maldives Received through foreign aid in 2022* |
| Ministry of Transport and Civil Aviation | Q1: Easy | The names and responsibilities of the organization's management team* |
| | Q2: Difficult / exemption | The number of road vehicles registered in the city from 2020 onwards and the name, address and ID card number of the persons who registered vehicles* |
| Maldives Police Service | Q1: Easy | Organization chart of the institution * |
| | Q2: Difficult / exemption | Details of domestic violence cases submitted to the authority since 2021 and details of the complainants* |
| Maldives Correctional Service | Q1: Easy | Declaration of financial and other interests for the year 2022* |
| | Q2: Difficult / exemption | The names and details of the crimes committed by prisoners currently in custody at Maafushi jail* |
| Maldives International Arbitration Center | Q1: Easy | The names and responsibilities of the organization's current management team* |
| | Q2: Difficult / larger volume of information | Details of all announcements made by the authority and the minutes of bid committee meetings held in 2021* |

| Public Authority | Type of request | Information requested for |
|--|---|--|
| Maldives Inland Revenue Authority | Q1: Easy | The total expenditure for trips taken abroad in 2022 from the authorities budget* |
| | Q2: Difficult / larger volume of information | The following information regarding green tax (for 2021, 2022 and 2023) - The number of entities who have paid green tax and the amount of green tax, separately for each year - Persons fined for not paying green tax and the amount of money received as fines* |
| Elections Commission | Q1: Easy | Total amount of overtime paid to your organisation's employees* |
| | Q2: Difficult / larger volume of information | Information on elections held since 2018 as follows: Details of what has been done and spend on public awareness in the run-up to the elections, the efforts and expenditure incurred to train officials involved in the elections* |
| Judicial Service Commission | Q1: Easy | Details of individual salaries and allowances paid to all employees of your organisation* |
| | Q2: Difficult / exemption | Latest declaration of financial and other interests of all current judges* |
| Dhigurah Health Center | Q1: Easy | Organization chart of the institution* |
| | Q2: Difficult / exemption | Names of patients treated at your center so far this year and type of disease treated* |
| Islamic University of Maldives | Q1: Easy | Annual report of 2022* |
| | Q2: Difficult / Public interest | Qualification and experiences of teachers/professors working in Islamic University of Maldives* |
| Fuvahmulah city Council | Q1: Easy | The total amount of revenue your council has received in 2022* |
| | Q2: Difficult / larger volume of information | Expenditure incurred since 2018 on council expenses and activities funded by various stakeholders separately for each activity* |
| Lh. Atoll Council | Q1: Easy | Budget passed for 2023 for Lh.Council* |
| | Q2: Difficult / larger volume of information | The decisions taken by your Council in its meetings in 2022 and the reasons for taking those decisions* |
| K. Maafushi Council | Q1: Easy | Your organization's organizational chart. Names and responsibilities of your organization's management team* |
| | Q2: Difficult / exemption | complaints regarding the provisional list of new plots in Maafushi and the name, address and ID card number of the complainant* |
| L. Maabaidhoo Council | Q1: Easy | Number of town hall meetings conducted in 2023. Date, number of participants specified. Meeting minutes of all the town hall meetings conducted in 2023* |
| | Q2: Difficult / Transfer Question (L.Atoll Council) | A report on the achievement of the 2021 targets set by the Women's Development Committees of the Islands of L Atoll* |
| Sh. Maroshi Council | Q1: Easy | Names and designation of all employees currently employed at your organization* |
| | Q2: Difficult / Public interest | Details of information shared by Ministry of National Planning, Housing and Infrastructure to your council regarding Sh. Maroshi harbor development project. (letters, emails or any form of formal communication)* |

| Public Authority | Type of request | Information requested for |
|--|---|--|
| HA. Ihavandhoo Council | Q1: Easy | Details of your organization's expenses for foreign travel in 2022 under the budget allocated* |
| | Q2: Difficult / Public interest | List of people registered below poverty line in your council* |
| Department of Judicial Administration | Q1: Easy | Total amount of money paid for your organization's employees for overtime* |
| | Q2: Difficult / larger volume of information | Details of your organization's contracts awarded for work from the year 2019. Contract amount, date of award, details of the work awarded and details of the contract specified* |
| Fuvahmulah Magistrate Court | Q1: Easy | Details of your organization's employees' salaries and allowances* |
| | Q2: Difficult / larger volume of information | Summary of cases concluded in the court during the period of 1 January 2023 to 31 December 2023* |
| Maldives Hajj Corporation | Q1: Easy | Names and responsibilities of your organization's management team* |
| | Q2: Difficult / Transfer Question (Ministry of Islamic Affairs) | Details of points awarded to parties who submitted proposals for hajj pilgrim programs for the year 1443 hijri* |
| Fenaka Corporation | Q1: Easy | Total revenue of your organization in 2022* |
| | Q2: Difficult / larger volume of information | Details of the organization's contracts awarded for work from the year 2019. Contract amount, date of award, details of the work awarded, and details of the contract specified* |
| Department of National Registration | Q1: Easy | Annual report of 2022* |
| | Q2: Difficult / exemption | A document which provides my husband's personal information on his national identity card (name and address included)* |
| Maldives Immigration | Q1: Easy | Approved budget for 2023* |
| | Q2: Difficult / exemption | List of individuals who came to Maldives in 2023 under business visa (nationality of the individual specified)* |
| B. Thulhaadhoo Council | Q1: Easy | Organizational chart of your organization* |
| | Q2: Difficult / larger volume of information | Meeting minutes of all the council meetings of the fourth term* |
| Ministry of Higher Education, Labour and Skills Development | Q1: Easy | Financial report of 2022* |
| | Q2: Difficult / Public interest | Details of individuals who were selected for scholarships announced from your ministry in the past three years (name of the scholarships, duration and the year of award specified)* |
| AA. Rasdhoo Council | Q1: Easy | Names and designation of all employees currently employed at the organization* |
| | Q2: Difficult / Transfer Question (Rasdhoo School) | Details of funds received to AA. Rasdhoo School in 2022* |

*RTI requests that were submitted in Dhivehi language.

Table 10: Details of information requested in each RTI request submitted for the assessment of Reactive Disclosure

8.2 Evaluation

The reactive disclosure evaluation was based on several key performance indicators:

8.2.1 Processing Score

- This score was composed of three sub-scores, each evaluated on a binary YES (1 point) or NO (0 points) basis:
 - **Receipt score:** Whether a receipt was provided to the requester.
 - **Timeliness score:** Whether the request was responded to within the 21-day deadline limit, including any extensions that complied with legal rules and were reasonable.
 - **Fee score:** Whether any charged fee adhered to the legal requirements.

The average of these three sub-scores provided the **processing score** for each request.

Average Receipt score: 0.37

Average Timeliness score: 0.50

Average Fee score: 1.00

Average Processing score: 0.62

Processing Score Grade: 

8.2.2 Result Score

- This score evaluated the outcome of the request based on the quality and completeness of the response:
 - Full disclosure: Awarded 1 point for valid and complete information disclosure.
 - Oral refusals or mute refusals (failure to respond within the deadline) and cases where it was not possible to lodge the RTI request: 0 points (considered never valid).
 - Other responses (e.g., written refusal, partial disclosure, referral to another authority, or incomplete answers) were assessed based on their validity:
 - **LIKELY valid:** 1 point.
 - **MAYBE valid:** 0.5 points.
 - **UNLIKELY valid:** 0 points.

Average Results Score: 0.48

Results Score Grade: 

The overall score for each request was calculated by adding one-third of the processing score and two-thirds of the result score. The final score for each public authority was determined by averaging the scores across both RTI requests submitted to that authority. The overall jurisdiction score was then calculated by averaging the scores for all requests, ensuring consistency in the evaluation process across multiple authorities. The results of the Reactive Disclosure assessment are summarized in Figure 6 and Table 11 below:

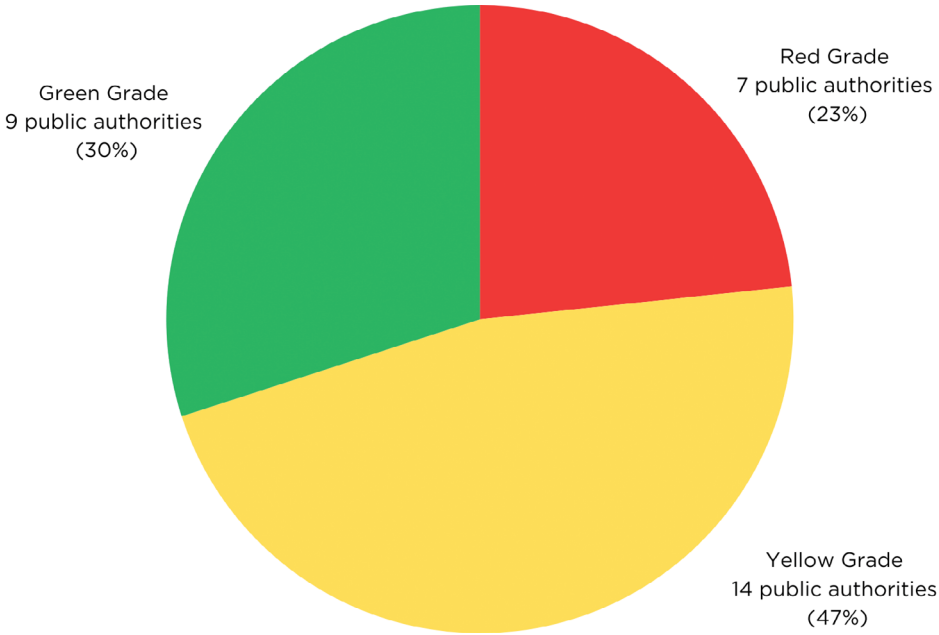


Figure 6: Colour grades received by public authorities in the Reactive Disclosure assessment

| Public Authority | Questions | Date Request Submitted (MM-DD-YYYY) | How Request was filed | Receipt provided (Yes orNo) | Receipt score | Date, if any, of response (MM-DD-YYYY) | Timeliness score | Fee Charged, if any | Fee score | Processing score | Result | Comment | Result score | Final score | Average score by authority | Colour grade by authority |
|---|---|-------------------------------------|-----------------------|-----------------------------|---------------|--|------------------|---------------------|-----------|------------------|--|---|--------------|-------------|----------------------------|---------------------------|
| President's Office | Q1: Easy | 1/21/2024 | Portal | Yes | 1.00 | NA | 0.00 | No | 1 | 0.67 | Information not received after extension | Physical form rejected. Requested for an extension after initial deadline | 0.00 | 0.22 | 0.22 | |
| | Q2: Difficult / larger volume of information | 1/11/2024 | Portal | Yes | 1.00 | NA | 0.00 | No | 1 | 0.67 | Information not received after extension | | 0.00 | 0.22 | | |
| Ministry of Health | Q1: Easy | 1/18/2024 | Physical Form | Yes | 1.00 | 2/6/2024 | 1.00 | No | 1 | 1.00 | Information received in full before deadline | | 1.00 | 1.00 | 0.94 | |
| | Q2: Difficult / larger volume of information | 1/17/2024 | Portal | No | 0.00 | 2/6/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | Receipt not provided | 1.00 | 0.89 | | |
| Ministry of Defence | Q1: Easy | 1/16/2024 | Email body | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | Receipt not provided | 0.00 | 0.11 | 0.56 | |
| | Q2: Difficult / larger volume of information | 1/18/2024 | Physical form | Yes | 1.00 | 1/29/2024 | 1.00 | No | 1 | 1.00 | Information received in full after transfer, before deadline | Transferred to police within the required timeframe | 1.00 | 1.00 | | |
| Ministry of Education | Q1: Easy | 1/18/2024 | Physical Form | Yes | 1.00 | 1/29/2024 | 1.00 | No | 1 | 1.00 | Information received in full before deadline | Difficulty in submission of physical form - had to go to two buildings | 1.00 | 1.00 | 0.56 | |
| | Q2: Difficult / larger volume of information | 1/16/2024 | Email body | Yes | 0.00 | NA | 0.00 | No | 1 | 0.33 | Not transferred as required and rejected | Receipt provided after 3 day deadline | 0.00 | 0.11 | | |
| Ministry of Transport & Civil Aviation | *Q1: Easy | 1/16/2024 | Portal | Yes | 1.00 | 2/6/2024 | 1.00 | No | 1 | 1.00 | Information received in part before deadline | | 0.50 | 0.67 | 0.39 | |
| | Q2: Difficult / Transfer Question (Maldives Police Service) | 1/16/2024 | Email body | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |
| Ministry of Higher Education, Labour & Skills Development | Q1: Easy | 1/16/2024 | Portal | Yes | 0.00 | 3/27/2024 | 0.00 | No | 1 | 0.33 | Information received in full after deadline | Receipt provided after 3 day deadline, no request for extension | 0.50 | 0.44 | 0.67 | |
| | Q2: Difficult / Transfer Question (Higher Education) | 1/11/2024 | Portal | Yes | 0.00 | 2/1/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | Receipt provided after 3 day deadline | 1.00 | 0.89 | | |
| Maldives Police Service | Q1: Easy | 1/18/2024 | Physical Form | No | 0.00 | 1/24/2024 | 1.00 | No | 1 | 0.67 | Information received in part before deadline | | 0.50 | 0.56 | 0.72 | |
| | Q2: Difficult / exemption | 1/17/2024 | Portal | No | 0.00 | 1/29/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | | 1.00 | 0.89 | | |
| Maldives Correctional Service | Q1: Easy | 1/21/2024 | Physical Form | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | 0.50 | |
| | Q2: Difficult / exemption | 1/11/2024 | Portal | Yes | 0.00 | 1/21/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline, after removing exempted info | Receipt provided after 3 day deadline | 1.00 | 0.89 | | |

| Public Authority | Questions | Date Request Submitted (MM-DD-YYYY) | How Request was filed | Receipt provided (Yes orNo) | Receipt score | Date, if any, of response (MM-DD-YYYY) | Timeliness score | Fee Charged, if any | Fee score | Processing score | Result | Comment | Result score | Final score | Average score by authority | Colour grade by authority |
|---------------------------------------|--|-------------------------------------|-----------------------|-----------------------------|---------------|--|------------------|---------------------|-----------|------------------|---|---|--------------|-------------|----------------------------|---------------------------|
| Department of National Registration | Q1: Easy | 1/11/2024 | Email form | Yes | 0.00 | 1/17/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline after institution requested for ID card (later accepted) | Receipt provided after 3 day deadline | 1.00 | 0.89 | 0.56 | |
| | Q2: Difficult / exemption | 1/18/2024 | Physical letter | Yes | 1.00 | NA | 0.00 | No | 1 | 0.67 | Information not received after extension | | 0.00 | 0.22 | | |
| Maldives Immigration | Q1: Easy | 1/18/2024 | Physical form | Yes | 1.00 | 2/6/2024 | 1.00 | No | 1 | 1.00 | Information received in full before deadline | | 1.00 | 1.00 | 0.94 | |
| | Q2: Difficult / larger volume of information | 1/17/2024 | Email form | Yes | 0.00 | 1/31/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | | 1.00 | 0.89 | | |
| ADh. Dhigurah Health Center | Q1: Easy | 1/18/2024 | Email form | No | 0.00 | 1/21/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | | 1.00 | 0.89 | 0.50 | |
| | Q2: Difficult / larger volume of information | 2/1/2024 | Email body | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |
| People's Majlis | Q1: Easy | 1/18/2024 | Physical Letter | Yes | 1.00 | 2/8/2024 | 1.00 | No | 1 | 1.00 | Information received in part after extension | One of the links they shared does not work. The specific clause to find the requested information within the law was not highlighted in their response. | 0.50 | 0.67 | 0.83 | |
| | Q2: Difficult / larger volume of information | 3/18/2024 | Portal | Yes | 1.00 | 4/8/2024 | 1.00 | No | 1 | 1.00 | Information received in full before deadline | | 1.00 | 1.00 | | |
| Supreme Court | Q1: Easy | 1/21/2024 | Physical Form | Yes | 1.00 | 1/28/2024 | 1.00 | No | 1 | 1.00 | Information received in part before deadline | Judges' information not provided. Information of other staff provided | 0.50 | 0.67 | 0.56 | |
| | Q2: Difficult / exemption | 1/16/2024 | Email Form | Yes | 0.00 | 2/8/2024 | 0.00 | No | 1 | 0.33 | Information received in part after deadline | Receipt provided after 3 day deadline, no request for extension | 0.50 | 0.44 | | |
| Department of Judicial Administration | Q1: Easy | 1/22/2024 | Email body | Yes | 1.00 | 2/26/2024 | 1.00 | No | 1 | 1.00 | Information received in full before extended deadline | | 1.00 | 1.00 | 0.72 | |
| | Q2: Difficult / exemption | 1/17/2024 | Email form | No | 0.00 | 2/25/2024 | 0.00 | No | 1 | 0.33 | Information received in full after extended deadline | Requested for extension, and received info late | 0.50 | 0.44 | | |
| Fuvahmulah Magistrate Court | Q1: Easy | 1/8/2024 | Portal | Yes | 1.00 | 1/17/2024 | 1.00 | No | 1 | 1.00 | Information received in full before deadline | | 1.00 | 1.00 | 1.00 | |
| | Q2: Difficult / Public interest | 1/8/2024 | Portal | Yes | 1.00 | 1/29/2024 | 1.00 | No | 1 | 1.00 | Information received in full before deadline | | 1.00 | 1.00 | | |
| Judicial Service Commission | Q1: Easy | 1/18/2024 | Physical form | Yes | 1.00 | 1/24/2024 | 1.00 | No | 1 | 1.00 | Information not received after acknowledgement | | 0.00 | 0.33 | 0.61 | |
| | Q2: Difficult / larger volume of information | 1/17/2024 | Email form | No | 0.00 | 1/24/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | | 1.00 | 0.89 | | |

| Public Authority | Questions | Date Request Submitted (MM-DD-YYYY) | How Request was filed | Receipt provided (Yes or No) | Receipt score | Date, if any, of response (MM-DD-YYYY) | Timeliness score | Fee Charged, if any | Fee score | Processing score | Result | Comment | Result score | Final score | Average score by authority | Colour grade by authority |
|---|---|-------------------------------------|-----------------------|------------------------------|---------------|--|------------------|---------------------|-----------|------------------|--|--|--------------|-------------|----------------------------|---------------------------|
| Maldives Inland Revenue Authority | Q1: Easy | 1/16/2024 | Physical Letter | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | 0.50 | |
| | Q2: Difficult / larger volume of information | 1/14/2024 | Email Form | No | 0.00 | 2/1/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline, after removing exempted info | Asked for ID Card information to log the request | 1.00 | 0.89 | | |
| Elections Commission | Q1: Easy | 1/21/2024 | Physical Letter | Yes | 0.00 | NA | 0.00 | No | 1 | 0.33 | Information not received after acknowledgement | Receipt provided after 3 day deadline | 0.00 | 0.11 | 0.56 | |
| | Q2: Difficult / exemption | 1/16/2024 | Portal | Yes | 1.00 | 2/13/2024 | 1.00 | No | 1 | 1.00 | Information received in full before extended deadline | | 1.00 | 1.00 | | |
| Maldives International Arbitration Center | Q1: Easy | 1/21/2024 | Physical Form | Yes | 1.00 | NA | 0.00 | No | 1 | 0.67 | Information not received after acknowledgement | At first implied they did not have an Information Officer, then the information officer overheard the conversation and came over to handle the request | 0.00 | 0.22 | 0.17 | |
| | Q2: Difficult / Transfer Question (L.Atoll Council) | 1/18/2024 | Physical Letter | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |
| Islamic University of Maldives | Q1: Easy | 1/18/2024 | Physical form | Yes | 1.00 | NA | 0.00 | No | 1 | 0.67 | Information not received after acknowledgement | | 0.00 | 0.22 | 0.17 | |
| | Q2: Difficult / Public interest | 1/16/2024 | Email form | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |
| HA. Ihavandhoo Council | Q1: Easy | 1/16/2024 | Email body | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | 0.11 | |
| | Q2: Difficult / Public interest | 1/17/2024 | Email form | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |
| Sh. Maroshi Council | Q1: Easy | 2/1/2024 | Email form | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | 0.11 | |
| | Q2: Difficult / larger volume of information | 12/28/2023 | Email form | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |
| B. Thulhaadhoo Council | Q1: Easy *Organizational chart of the organization | 1/11/2024 | Email body | Yes | 0.00 | 2/18/2024 | 0.00 | No | 1 | 0.33 | Information received in full after deadline | Refused to provide info through email, info received after RTI form, no request for extension | 0.50 | 0.44 | 0.67 | |
| | Q2: Difficult / larger volume of information | 1/15/2024 | Portal | No | 0.00 | 1/25/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | | 1.00 | 0.89 | | |
| K. Maafushi Council | Q1: Easy | 1/16/2024 | Email body | Yes | 1.00 | NA | 0.00 | No | 1 | 0.67 | Information not received after acknowledgement | | 0.00 | 0.22 | 0.17 | |
| | Q2: Difficult / Transfer Question (Ministry of Islamic Affairs) | 1/15/2024 | Portal | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |

| Public Authority | Questions | Date Request Submitted (MM-DD-YYYY) | How Request was filed | Receipt provided (Yes orNo) | Receipt score | Date, if any, of response (MM-DD-YYYY) | Timeliness score | Fee Charged, if any | Fee score | Processing score | Result | Comment | Result score | Final score | Average score by authority | Colour grade by authority |
|---------------------------|--|-------------------------------------|-----------------------|-----------------------------|---------------|--|------------------|---------------------|-----------|------------------|--|--|--------------|-------------|----------------------------|---------------------------|
| AA, Rasdhoo Council | Q1: Easy | 1/16/2024 | Email Form | No | 0.00 | 1/17/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | | 1.00 | 0.89 | 0.50 | |
| | Q2: Difficult / larger volume of information | 1/17/2024 | Email body | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |
| L. Maabaidhoo Council | Q1: Easy | 1/16/2024 | Email body | No | 0.00 | 1/17/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | Information received after contacting through call, IO email did not work | 1.00 | 0.89 | 0.72 | |
| | Q2: Difficult / exemption | 1/21/2024 | Email form | No | 0.00 | 1/22/2024 | 1.00 | No | 1 | 0.67 | Information received in part before deadline | Request was not transferred and was told that the institution will provide the information but did not hear back after | 0.50 | 0.56 | | |
| Lh.Atoll Council | Q1: Easy | 1/17/2024 | Email body | Yes | 0.00 | 1/18/2024 | 1.00 | No | 1 | 0.67 | Information received in full before deadline | Receipt provided after 3 day deadline | 1.00 | 0.89 | 0.50 | |
| | Q2: Difficult / exemption | 1/172024 | Email form | No | 0.00 | NA | 0.00 | No | 1 | 0.33 | No response received | | 0.00 | 0.11 | | |
| Fuvahmulah City Council | Q1: Easy | 2/1/2024 | Portal | Yes | 0.00 | 2/12/2024 | 1.00 | No | 1 | 0.67 | Information received in part before deadline | Requested via portal to "revise" on 12/02/24, reason: please check Fuvahmulah City Council website | 0.50 | 0.56 | 0.50 | |
| | Q2: Difficult / larger volume of information | 12/28/2023 | Portal | Yes | 0.00 | 2/7/2024 | 0.00 | No | 1 | 0.33 | Information received in full after deadline | Receipt provided after 3 day deadline [for both requests] no request for extension | 0.50 | 0.44 | | |
| Maldives Hajj Corporation | Q1: Easy | 1/18/2024 | Physical form | Yes | 1.00 | NA | 0.00 | No | 1 | 0.67 | Information not received after acknowledgement | | 0.00 | 0.22 | 0.61 | |
| | Q2: Difficult / Public interest | 1/22/2024 | Physical form | Yes | 1.00 | 2/4/2024 | 1.00 | No | 1 | 1.00 | Information received in full after transfer, before deadline | | 1.00 | 1.00 | | |
| Fenaka Corporation | Q1: Easy | 1/21/2024 | Physical letter | Yes | 1.00 | NA | 0.00 | No | 1 | 0.67 | Information not received after acknowledgement | | 0.00 | 0.22 | 0.17 | |
| | Q2: Difficult / Transfer Question (Rasdhoo School) | 1/17/2024 | Email form | Yes | 0.00 | NA | 0.00 | No | 1 | 0.33 | Information not received after acknowledgement | Receipt provided after 3 day deadline | 0.00 | 0.11 | | |

| | | | | | | | | | | | | | | | | |
|----------------------|--|--|--|--|------|--|------|--|------|------|--|--|------|------|--|--|
| Average Score | | | | | 0.37 | | 0.50 | | 1.00 | 0.62 | | | 0.48 | 0.52 | | |
| Colour Grade by Area | | | | | | | | | | | | | | | | |
| Overall Colour Grade | | | | | | | | | | | | | | | | |

Table 11: Scoring details for the Reactive Disclosure assessment

8.3 Overall Assessment

The overall score for the Reactive Disclosure assessment is yellow with an average final score of 0.52 which indicates a need for improvement across the board. Seven public authorities (23%) received a red score, while 14 authorities (47%) received a yellow score. Nine public authorities (30%) received green scores, although there was only one public authority: the Fuvamulah Magistrate Court which received a perfect score of 1.

Of the total 60 requests submitted, 14 requests (23%) did not receive any sort of communication from the authority. There was also one instance where an authority refused to accept the physical RTI form, and the information seeker was asked to submit the request through the portal instead. The request was accepted and acknowledged when it was submitted through the portal, though the requested information was never provided. There were eight instances (13%) where public authorities acknowledged the request by providing a receipt, but the information was not provided, and three instances (5%) where the deadline for responding to the request was extended by the authority, but the information was not provided. All 14 of the refusals to provide information were mute refusals.

The requested information was provided in full for 27 requests (45%), of which, four requests (7%) only received a response after the deadline. This means that only 23 requests (38%) received the requested information in full, before the deadline stipulated in the Act. The requested information was only partially provided for seven requests (12%), of which, the information for one request was provided after the 21-day deadline.

Public authorities assessed fared well in processing stage of the easy requests. However, information was received in full before the deadline for only 10 out of the 30 requests, and a further two responses after the deadline. Partial information was provided for five requests. The remaining 13 requests were not answered to, with five of these requests also not being acknowledged through a receipt during the processing phase. The processing score for the difficult requests was slightly lower than the easy requests. Five requests were submitted that required the receiving public authority to transfer the request to another public authority and three of these requests were met with no responses and information was received in full for only one request. Among the eight requests under the exemption category, a full response noting exemptions with reference to the RTI Act was sent before the deadline by three public authorities. 13 requests were sent requesting information that was large in volume and seven responses were received in full before the deadline. Four requests were submitted in the public interest category with two being answered in full before the deadline and the other two receiving no responses during the entire process.

Among the variety of methods that were utilized to submit the requests, requests through the Mahoali portal were the most responsive method with 11 of 16 (69%) requests receiving a full response. Requests sent using physical letters did not receive any full response (0 of 6). However, 5 of 12 (42%) of physical form requests received a full response while 4 of 11 (36%) requests sent via email body and 7 of 15 (47%) requests received full responses. These results indicate that Information Officers and public authorities are familiar and responsive to the Mahoali portal. Some requests

that were submitted using email or physically were asked to be resubmitted through the portal by some public authorities. This indicates that there is a misconception among Information Officers and institutions that requests have to be submitted only through the portal.

The RTI requests were divided by gender, with an equal split between submissions from men and women. Of the requests submitted by men, 53% (16 out of 30) received the requested information in full, while only 37% (11 out of 30) of requests from women were fully processed. Women submitted 14 difficult requests and 16 easy requests while men submitted 16 difficult requests and 14 easy requests.

Based on the available data and sample size a gender bias cannot clearly be established as the responses may have also been affected by other factors such as the difficulty of the requests, the method used to request information and overall compliance of the public authority for the RTI act.

The overall average process score for the public authorities was 0.62 compared to 0.48 for the results score, which indicates that while most authorities provided receipts and responses in a timely manner as required by law, the actual information requested was not provided in many cases.

Average Final Score: 0.52

Overall Grade:



Recommendations

- **Development and application of RTI Implementation Plans:** In order to streamline the processing of RTI requests submitted to public authorities, and to ensure that RTI requests are not missed, each public authority should develop their own implementation plan based on the provisions of the RTI Act. The plan should lay out in detail the process of gathering, publishing and providing information to requesters, as well as the parties responsible for each step, and focal points to contact from different departments or sections.
- **Comprehensive training for Information Officers and Institutions:** Enhanced training should be provided to Information Officers, senior officials and front office staff to equip them with the knowledge to strengthen the processing of requests and ensure compliance with the RTI Act.
- **Accountability measures for refusals:** In cases of refusals, the Information Commissioner has the power to apply a range of different accountability measures on the public authorities, or the personnel responsible for processing the requests. The application of such measures, especially for repeated infringements, will increase accountability and improve institutional capacity to process RTI requests according to law.
- **Areas for further research:** Given the potential presence of gender biases in the processing of RTI requests, further research is needed to identify whether such biases exist and identify the factors that may contribute to them.

Final Grades

9 Final Grades

The evaluation of all 30 public authorities in the sample was completed for both the assessment of Proactive Disclosure and Reactive Disclosure of public authorities. KIs to measure institutional measures were completed for 23 out of 30 public authorities. The overall final scores and grades presented in Table 12 below, represent the assessment of the 23 authorities for which the full assessment across all 3 areas could be completed.

| Area | Central Measures | Institutional Measures | Proactive Disclosure | Reactive Disclosure | Average |
|-----------------------|------------------|------------------------|----------------------|---------------------|-------------|
| Overall Result | 0.81 | 0.53 | 0.39 | 0.53 | 0.56 |
| Overall Colour | | | | | |

Table 12: Overall results of the RTI Implementation Assessment

The overall average grade for the country is a high yellow, which signifies that while there were some positive results, there is still a lot of room for improvement across the board. Only the assessment of the Central Measures yielded a score higher than the threshold for a green grade, while both Institutional Measures and Reactive Disclosure received similar scores for a yellow grade. The grade for Proactive Disclosure was a very low yellow, just barely passing the yellow grade mark.

From the 23 authorities for which the full assessment across all three areas could be completed, only four public authorities (17%) passed the threshold for a green grade while 14 public authorities (61%) received a yellow grade, and five public authorities (22%) received a red grade.

The four public authorities that received a green grade included the People's Majlis, Maldives Immigration, Fuvahmulah City Council and Elections Commission. The results for all 30 public authorities assessed under the assessment, including the result for each area of assessment, as well as the overall average, percentage and colour grade are provided in Table 13 below:

| Public Authority | Institutional Measures | Proactive Disclosure | Reactive Disclosure | Average | Percent | Grade |
|---|------------------------|----------------------|---------------------|---------|---------|-------|
| People's Majlis | 0.57 | 0.76 | 0.83 | 0.720 | 72% | |
| Fuvahmulah City Council | 0.64 | 0.91 | 0.50 | 0.682 | 68% | |
| Maldives Immigration | 0.50 | 0.60 | 0.94 | 0.680 | 68% | |
| Elections Commission | 0.54 | 0.94 | 0.56 | 0.679 | 68% | |
| Department of Judicial Administration | 0.57 | 0.66 | 0.72 | 0.650 | 65% | |
| Maldives Inland Revenue Authority | 0.64 | 0.73 | 0.50 | 0.623 | 62% | |
| Judicial Service Commission | 0.57 | 0.59 | 0.61 | 0.590 | 59% | |
| L. Maabaidhoo Council | 0.43 | 0.51 | 0.72 | 0.553 | 55% | |
| Fuvahmulah Magistrate Court | 0.64 | 0.01 | 1.00 | 0.550 | 55% | |
| Supreme Court | 0.50 | 0.57 | 0.56 | 0.543 | 54% | |
| Ministry of Education | 0.57 | 0.48 | 0.56 | 0.537 | 54% | |
| Ministry of Health | NA | 0.65 | 0.94 | 0.530 | 53% | |
| Ministry of Higher Education, Labour and Skills Development | 0.50 | 0.29 | 0.67 | 0.487 | 49% | |
| Lh. Atoll Council | 0.36 | 0.52 | 0.50 | 0.460 | 46% | |
| Department of National Registration | 0.57 | 0.24 | 0.56 | 0.457 | 46% | |
| Maldives Correctional Service | 0.50 | 0.35 | 0.50 | 0.450 | 45% | |
| B. Thulhaadhoo Council | 0.57 | 0.03 | 0.67 | 0.423 | 42% | |
| Maldives International Arbitration Center | 0.64 | 0.39 | 0.17 | 0.400 | 40% | |
| Maldives Police Service | NA | 0.36 | 0.72 | 0.360 | 36% | |
| Islamic University of Maldives | 0.57 | 0.28 | 0.17 | 0.340 | 34% | |
| Ministry of Defence | NA | 0.41 | 0.56 | 0.323 | 32% | |
| ADh. Dhigurah Health Center | 0.43 | 0.00 | 0.50 | 0.310 | 31% | |
| AA. Rasdhoo Council | 0.36 | 0.03 | 0.50 | 0.297 | 30% | |
| Maldives Hajj Corporation | NA | 0.25 | 0.61 | 0.287 | 29% | |
| HA. Ihavandhoo Council | 0.57 | 0.03 | 0.11 | 0.237 | 24% | |
| Ministry of Transport & Civil Aviation | NA | 0.25 | 0.39 | 0.213 | 21% | |
| Sh. Maroshi Council | 0.50 | 0.03 | 0.11 | 0.213 | 21% | |
| K. Maafushi Council | 0.36 | 0.03 | 0.17 | 0.187 | 19% | |
| President's Office | NA | 0.21 | 0.22 | 0.143 | 14% | |
| Fenaka Corporation | NA | 0.20 | 0.17 | 0.123 | 12% | |

Table 13: Overall results for each public authority assessed

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Conclusion

The overall final yellow grade, with an average score of 0.56, with 3 out of 4 assessment areas also scoring a yellow grade, signify a need for improvement across all areas in the implementation of the RTI Act in Maldives. Measures to ensure the continued impartiality and financial independence of ICO were highlighted as areas requiring improvement from both the Practitioners' Assessment, as well as the assessment of Central Measures. Issues concerning the appointment of new Information Commissioners were also noted, as none of the newly appointed Commissioners were able to be appointed within the timeframe specified in the RTI Act. While ICO does not have the power to influence the appointment process, the onboarding process for newly appointed Information Commissioners could be greatly improved, as there are currently no procedures in place to provide them with any sort of training or onboarding programs by any of the institutions involved in the appointment of the Commissioner, nor by ICO. Nevertheless, the assessment of the Central Measures yielded an overall green grade, owing to a perfect score in the objective evaluation.

RTI procedures within public authorities were also identified as an area of concern requiring improvement, with informants in various state agencies reporting that Information Officers face pressure from decision makers within public authorities, leading to delays and, at times, the withholding of information altogether. These issues are further exacerbated by the lack of RTI implementation plans, relevant SOPs or guidelines on how to process RTI requests by public authorities. As a result, public authorities often struggle to provide requested information in full, and on time. It was observed that public authorities fared better in processing RTI requests than in providing the requested information. Enhancing the proactive disclosure of information is not only required by law but can also help public authorities in processing their RTI requests, as it would ultimately lead to a reduction in the number of requests for information being submitted.

Many of the recommendations for improvements across the different assessment areas are similar and involve measures such as building the capacity of relevant staff, increasing accountability for responsible personnel, adopting RTI implementation plans, and strengthening the online infrastructure of public authorities.

Annex 1: Questionnaires

Questionnaire : Civil Society Representatives

Areas Assessed: Central Measures, Institutional Measures, Proactive Disclosure, Reactive Disclosure

A. Central Measures

1. Do you feel overall that the oversight body is independent? Why or why not? Do they have appropriate expertise for this position? Are they effective in their work?
2. Does the oversight body receive a sufficient allocation of funding (is it able to undertake all of the activities assigned to it)? If not, by what amount (e.g. percentage) do you feel it needs to increase? Has funding ever been decreased year over year?
3. Does the oversight body recruit its own staff or are these allocated to it by government? Are they on long-term or short-term contracts? Does it have a full or nearly full complement of staff? Do they have appropriate qualifications and training?
4. Does the oversight body make an effort to be geographically accessible (e.g. by holding hearings outside of the capital or by making videoconference facilities available)? If so, how?
5. Have clear procedures for processing appeals been adopted? If so, what procedures do they provide for? How long, on average, does it take to process appeals? What about longer appeals?
6. Are appropriate decisions being made on appeal? Are appropriate remedies being awarded? If your answer to either question is no, in what way are the decisions or remedies inappropriate?
7. Does the oversight body conduct follow up to assess whether its decisions have been implemented? If so, what sort of follow up?
8. Are appeal decisions posted online?
9. Beyond formal appeals, does the oversight body take steps of its own (suo moto steps) to ensure that public authorities are respecting the law? What sorts of steps?
10. Has the oversight body undertaken any regulatory steps to implement the law (e.g. to set fees or records management standards, to discipline officials, and so on)? If it has powers to discipline officials, has it used these? If so, how many times and imposing what sorts of sanctions?

11. Has the oversight body taken steps to raise public awareness about RTI? If so, what sorts of steps?
12. Has the oversight body participated in providing training for Information Officers? For other officials? If so, what sorts of activities has it undertaken in this regard?
13. Does the oversight body produce an annual report each year? If so, where is this available? What is included in the annual report?
14. Has the oversight body taken any other steps to improve implementation?

B. Institutional Measures

15. In general, are Information Officers appointed in a formal way (i.e. in writing and with written ToR or a job description setting out their responsibilities and powers)? What is the normal rank of Information Officers? Do other staff tend to cooperate with or obstruct Information Officers in practice?
16. Are Information Officers generally provided with training? If so, describe it briefly.
17. Do Information Officers tend to face any institutional (political) resistance to doing their jobs (whether formal or informal)? If yes, describe briefly the forms this takes.
18. Do most public authorities have formal plans of action, SOPs or similar documents for RTI?
19. Is it generally easy to lodge requests with public authorities? Can this be done electronically? In person? By post? Are the contact details of the Information Officers generally posted online? At the public offices of the authorities?
20. Have most public authorities appointed individuals to receive and process internal complaints (who is different from the Information Officers)? In practice, are complaints mostly dealt with in a timely manner?
21. Do most public authorities publish annual reports on RTI which include statistics on requests? If so, describe briefly the types of information included in these reports.
22. Have many public authorities taken action to raise public awareness about the RTI law? If so, what sorts of action do they take?

C. Proactive Disclosure

23. In your opinion, and taking into account the list of types of information subject to proactive publication in the RTI law, do most public authorities disclose all or most of the types of information on the list? If not, how would you assess their performance? Where could they do better? Do they tend to go beyond the minimum requirements in any respect?

24. How do public authorities disseminate information other than over their websites? Do they use social media for this purpose? Do they post information at their offices?
25. Do many public authorities create simple versions of certain complex documents so that people can understand them (i.e. in addition to the main, formal document)? If so, which documents is this done for?

D. Reactive Disclosure

26. Is it generally easy to submit requests? Can this be done electronically? In person? By mail? Do you have to use the form? Is the form generally easily accessible? Do you need to prove citizenship? If so, is this generally easy to do in practice?
27. When making a request, what information do you normally need to provide?
28. Can requests be made in local languages or only official languages? If so, which languages?
29. If a requester needs assistance to make a request – for example because he or she cannot write – is assistance normally provided?
30. Is a receipt normally provided when a request is lodged? How long does this usually take?
31. When a public authority does not hold the information, do they normally transfer it to another authority or at least refer you to another public authority? Is this usually done in a timely manner? In what circumstances are requests transferred?
32. How long, on average, does it take to process requests? Are responses normally provided as soon as possible? Within the maximum time limits [NOTE: you should specify what this is in case the interviewee does not know]? Are extensions beyond the time limit often formally claimed? Are responses sometimes provided after the time limit or a claimed extension?
33. Where you ask for information in a particular format, is it normally given in that format? If not, are appropriate reasons for this normally given?
34. What is the practice regarding fees? What sorts of things are you normally charged for? Are any pages commonly provided for free? Do you normally need to pay for staff time or only photocopying? Is a fee sometimes charged simply for lodging a request?
35. How often are requests refused (e.g. as a percentage of all requests)? When this happens, is written notice normally given? What type of information is usually included in the notice?
36. When requests are refused and written notice is given, do the reasons for refusing the request (the exceptions cited) usually seem reasonable or excessive?
37. Do those public authorities which have adopted guidelines on how process requests usually follow those guidelines when requests are made? If not, in what ways do they fail to respect their own guidelines?

Questionnaire : Key Media Users

Areas Assessed: Central Measures, Institutional Measures, Reactive Disclosure

A. Central Measures

1. Do you feel overall that the oversight body is independent? Why or why not? Could its independence be improved? If so, how? What about the members as individuals? What reasons justify your answer? Do they have appropriate expertise for this position? Are they effective in their work? Have any members been removed? Is the membership as a whole diverse and representative, including in terms of gender?
2. Does the oversight body receive a sufficient allocation of funding (does it seem to be able to undertake all of the activities assigned to it)?
3. Do the staff of the oversight body have appropriate qualifications and training?
4. Does the oversight body make an effort to be geographically accessible (e.g. by holding hearings outside of the capital or by making videoconference facilities available)? If so, how?
5. How long, on average, does it take to process appeals? What about longer appeals?
6. Are appropriate decisions being made on appeal? Are appropriate remedies being awarded? If your answer to either question is no, in what way are the decisions or remedies inappropriate?
7. Are appeal decisions posted online?
8. Has the oversight body taken steps to raise public awareness about RTI? If so, what sorts of steps?
9. Does the oversight body produce an annual report each year? If so, where is this available? What is included in the annual report?
10. Has the oversight body taken any other steps to improve implementation?

B. Institutional Measures

11. Is it generally easy to lodge requests with public authorities? Can this be done electronically? In person? By post? Are the contact details of the Information Officers posted online? At the public offices of the authorities?
12. Have most public authorities appointed individuals to receive and process internal complaints (who is different from the Information Officers)? In practice, are complaints mostly dealt with in a timely manner?
13. Do most public authorities publish annual reports on RTI which include statistics on requests? If so, describe briefly the types of information included in these reports.

- 14.** Have many public authorities taken action to raise public awareness about the RTI law? If so, what sorts of action do they take?

C. Reactive Disclosure

- 15.** Is it generally easy to submit requests? Can this be done electronically? In person? By mail? Do you have to use the form? Is the form generally easily accessible? Do you need to prove citizenship? If so, is this generally easy to do in practice?
- 16.** When making a request, what information do you normally need to provide?
- 17.** Can requests be made in local languages or only official languages? If so, which languages?
- 18.** If a requester needs assistance to make a request – for example because he or she cannot write – is assistance normally provided?
- 19.** Is a receipt normally provided when a request is lodged? How long does this usually take?
- 20.** When a public authority does not hold the information, do they normally transfer it to another authority or at least refer you to another public authority? Is this usually done in a timely manner? In what circumstances are requests transferred?
- 21.** How long, on average, does it take to process requests? Are responses normally provided as soon as possible? Within the maximum time limits [NOTE: you should specify what this is in case the interviewee does not know]? Are extensions beyond the time limit often formally claimed? Are responses sometimes provided after the time limit or a claimed extension?
- 22.** Where you ask for information in a particular format, is it normally given in that format? If not, are appropriate reasons for this normally given?
- 23.** What is the practice regarding fees? What sorts of things are you normally charged for? Are any pages commonly provided for free? Do you normally need to pay for staff time or only photocopying? Is a fee sometimes charged simply for lodging a request?
- 24.** How often are requests refused (e.g. as a percentage of all requests)? When this happens, is written notice normally given? What type of information is usually included in the notice?
- 25.** When requests are refused and written notice is given, do the reasons for refusing the request (the exceptions cited) usually seem reasonable or excessive?
- 26.** Do those public authorities which have adopted guidelines on how process requests usually follow those guidelines when requests

Questionnaire : Members of the Oversight Body

Areas Assessed: Central Measures

A. Independence

1. Do you feel overall that the oversight body is independent? Why or why not? Could its independence be improved? If so, how?
2. Were appointments made in accordance with the law? If not, in what way did the process deviate from the law?
3. Have any members been removed? If so, was this in accordance with the law?
4. Have members been provided with appropriate training or onboarding programmes?
5. Is the membership as a whole diverse and representative, including in terms of gender?
6. Does the oversight body receive a sufficient allocation of funding (is it able to undertake all of the activities assigned to it)? If not, by what amount (e.g. percentage) do you feel it needs to increase? Has funding ever been decreased year over year?
7. Does the oversight body recruit its own staff or are these allocated to it by government? Are they on long-term or short-term contracts?
8. Does the oversight body have a full or nearly full complement of staff? Do they have appropriate qualifications and training?

B. Appeals

9. Does the oversight body make an effort to be geographically accessible? If so, how?
10. Have procedures for processing appeals been adopted? If so, what protection for the basic due process rights of complainants do they provide for?
11. How long, on average, does it take to process appeals? What about the longer appeals?
12. Does the oversight body conduct follow-up to assess whether its decisions have been implemented? If so, what sort of follow-up?
13. Does the oversight body have an official system for managing appeals (including to ensure that they are getting processed in a timely fashion)? If so, describe briefly how this works.
14. Are appeal decisions posted online? If so, within how long after they were adopted?

15. Beyond formal appeals, does the oversight body take steps of its own (suo moto steps) to ensure that public authorities are respecting the law? If so, what sorts of steps? Do these apply to both proactive and reactive disclosure or just one of these? What about structural measures (such as whether or not a Information Officer has been appointed or how records are managed)?

C. Other Functions

16. What regulatory powers/functions does the oversight body have (e.g. to set fees or records management standards, to discipline officials, and so on)? Has the body taken steps to use these powers/undertake its regulatory functions? If it has powers to discipline officials, has it used these? If so, how many times and imposing what sorts of sanctions?
17. Has the oversight body taken steps to raise awareness about RTI? If so, what sorts of steps?
18. Has the oversight body participated in providing training for Information Officers? For other officials? If so, what sorts of activities has it undertaken in this regard?
19. Does the oversight body produce an annual report each year? If so, where is this available? What is included in the annual report?
20. Has the oversight body provided comments on draft laws? If so, which laws?
21. Has the oversight body provided direct advice to public authorities? If so, how many times and to which public authorities? What about to members of the public? If so, about how many times?
22. Has the oversight body taken any other steps to improve implementation?

Questionnaire : Information Officers

Areas Assessed: Institutional Measures, Proactive Disclosure, Reactive Disclosure

A. Institutional Measures

1. Was your appointment done in a formal way (i.e. in writing and with written ToR or a job description setting out your responsibilities and powers)? Were you allocated time for this task (i.e. were your other duties reduced)? Do you have access to the equipment you need (such as a photocopier/scanner)? What is your rank? Have other staff been asked to cooperate with you? Do they, in practice?
2. Have you been provided with any training? If so, describe it briefly.
3. Do you face any institutional resistance to doing your job (whether formal or informal)? If yes, describe it briefly.

4. Does your public authority have a formal plan of action, SOPs or similar document for RTI? If so, is it effective (i.e. does it cover the main issues, set reasonable timeframes for delivering work and so on)?
5. Has your public authority adopted formal internal procedures for receiving and responding to RTI requests? Is it easy to lodge a request with your public authority? Can this be done electronically as well as in person and by post? Are your contact details posted online? At your public offices?
6. Has your public authority appointed someone to receive and process internal complaints (who is different from you)? Has it adopted procedures for these complaints? In practice, are they dealt with in a timely manner?
7. Does your public authority publish annual reports on RTI? If so, when was the last report published? Describe briefly the information in the report.
8. Has your public authority done anything to raise public awareness about the RTI law? If so, what?
9. Has your public authority done anything to improve its records management practices? If so, what?

B. Proactive Disclosure

10. Are you responsible for proactive disclosure within your public authority? If not, who is? [NOTE: in this case, it might make sense to do an interview with this other person].
11. In your opinion, does your public authority disclose all or most of the types of information on the list for proactive disclosure in the RTI law? Where could it do better? Does it go beyond the minimum requirements in any respect?
12. How do you disseminate information other than over the website? [NOTE: You can prompt them on the use of social media and/or information posted at their offices if they do not mention it but try not to ask leading questions].
13. Are there documents for which you create simple versions that people can understand (i.e. in addition to the main, formal document)? If so, which ones?

C. Reactive Disclosure

14. Can citizens submit requests electronically? In person? By mail? Do they have to use a form? Is the form easily accessible? Do they need to prove citizenship? If so, how is this done in practice?
15. When making a request, what information does a requester need to provide?
16. What languages may requests be made in?
17. Do you provide assistance where the requester appears to need this? How often do you provide assistance (e.g. as a percentage of all requests)? What sorts of assistance do you provide?

18. Do you provide a receipt when a request is lodged? If so, how do you provide it?
19. When your public authority does not hold the information, what do you do? [NOTE: if they say they transfer it or inform the requester that they do not hold the information, ask how long this takes and under what conditions they do this?]
20. How long, in practice and on average, does it take you to process requests? What standards do you apply in terms of timeliness [NOTE: you are looking here for things like 'as soon as we can but in any case normally within the maximum time limit']? Do you sometimes claim extensions beyond the initial time limit? If so, how do you do that? Do it sometimes take you even longer than any formal extension to respond to requests?
21. Do requester sometimes ask for information in a particular format? If so, do you provide it in this format? Is this sometimes impossible? If so, in what sorts of circumstances?
22. What fees do you charge when providing information? Do you charge a fee when a requester first lodges a request?
23. How often do you refuse requests (e.g. as a percentage of all requests)? When this happens, do you inform the requester? If so, how? What is included in the notice?
24. What is the most common exception used when refusing requests? What other exceptions are common? [NOTE: only ask this question if the answer to the first part of Question 5 was positive]. Do you sometimes fail to comply with the formal internal rules on processing requests? If so, what are the most common problems?

Questionnaire : Senior Officials

Areas Assessed: Central Measures, Institutional Measures, Proactive Disclosure, Reactive Disclosure

A. Central Measures

1. Do you overall feel that the oversight body is independent? Why or why not? What about the independence of the members as individuals? Do they have appropriate expertise for this position? Are they effective in their work? Have any members been removed? If so, what were the grounds for this? Is the membership as a whole diverse and representative, including in terms of gender?
2. Does the oversight body receive a sufficient allocation of funding (is it able to undertake all of the activities assigned to it)? If not, by what amount do you feel it needs to increase (e.g. as a percentage)?
3. Have procedures for processing appeals been adopted? How long, on average, does it take to process appeals?

4. Do you feel that the decisions of the body are appropriate? What about their awards of remedies?
5. Does the oversight body conduct follow-up to assess whether its decisions have been implemented? If so, what sort of follow-up?
6. Beyond formal appeals, does the oversight body take steps of its own (suo moto steps) to ensure that public authorities are respecting the law? If so, what sorts of steps? Do these apply to both proactive and reactive disclosure or just one of these? What about structural measures (such as whether or not a Information Officer has been appointed or how records are managed)?
7. What regulatory powers/functions does the oversight body have (e.g. to set fees or records management standards, to discipline officials, and so on)? Has the body taken steps to use these powers/undertake its regulatory functions? If it has powers to discipline officials, has it used these? If so, how many times and imposing what sorts of sanctions?
8. Has the oversight body taken steps to raise awareness about RTI? If so, what sorts of steps?
9. Has the oversight body participated in providing training for Information Officers? For other officials? If so, what sorts of activities has it undertaken in this regard?
10. Has the oversight body produced an annual report each year? If so, where is this available? What is included in the annual report?
11. Has the oversight body taken any other steps to improve implementation?

B. Institutional Measures

12. Was the appointment of the Information Officer done in a formal way (i.e. in writing and with written ToR or a job description setting out his or her responsibilities and powers)? Was the Information Officers allocated time for this task (i.e. were his or her other duties reduced)? What is the rank of the Information Officer? Have other staff been asked to cooperate with the Information Officer? Do they, in practice?
13. Has the Information Officers been provided with any training? If so, describe it briefly.
14. Does the public authority have a formal plan of action, SOPs or similar document for RTI? If so, is it effective (i.e. does it cover the main issues, set reasonable timeframes for delivering work and so on)?
15. Has the public authority adopted formal internal procedures for receiving and responding to RTI requests? Can requests be lodged with the public authority electronically as well as in person and by post? Are the contact details of the Information Officer posted online? At the public offices of the authority?

16. Has the public authority appointed someone to receive and process internal complaints (who is different from the Information Officer)? Has it adopted procedures for these complaints? In practice, are they dealt with in a timely manner?
17. Does the public authority publish annual reports on RTI? If so, when was the last report published? Describe briefly the information in the report.
18. Has the public authority done anything to raise public awareness about the RTI law? If so, what?
19. Has the public authority done anything to improve its records management practices? If so, what?

C. Proactive Disclosure

20. Who is responsible for proactive disclosure within the public authority?
21. In your opinion, does the public authority disclose all or most of the types of information on the list for proactive disclosure in the RTI law? Where could it do better? Does it go beyond the minimum requirements in any respect?
22. How does the public authority disseminate information other than over the website? [NOTE: You can prompt them on the use of social media and/or information posted at their offices if they do not mention it but try not to ask leading questions].
23. Are there documents for which the public authority creates simple versions that people can understand (i.e. in addition to the main, formal document)? If so, which ones?

D. Reactive Disclosure

24. Can citizens submit requests electronically? In person? By mail? Do they have to use a form? Is the form easily accessible? Do they need to prove citizenship? If so, how is this done in practice?
25. When making a request, what information does a requester need to provide?
26. What languages may requests be made in?
27. Is assistance provided where the requester appears to need this? How often does this happen (e.g. as a percentage of all requests)? What sorts of assistance are provided?
28. Is a receipt provided when a request is lodged? If so, how is it provided?
29. When your public authority does not hold the information, what happens? [NOTE: if they say the request is transfers or the requester is informed that they do not hold the information, ask how long this takes and under what conditions they do this]?

30. How long, in practice and on average, does it take the public authority to process requests? What standards are applied in terms of timeliness [NOTE: you are looking here for things like 'as soon as we can but in any case normally within the maximum time limit']? Are extensions beyond the initial time limit sometimes claimed? If so, how is that done? Does it sometimes take even longer than the extension to provide information?
31. What fees does the public authority charge when providing information? Is a fee charged when a requester first lodges a request?
32. How often are requests refused (e.g. as a percentage of all requests)? When this happens, is the requester informed? If so, how? What is included in the notice?
33. What is the most common exception used when refusing requests? What other exceptions are common?

Questionnaire : Other Officials (IT Staff)

Areas Assessed: Proactive Disclosure

A. Proactive Disclosure

1. What responsibilities, if any, do you have for the proactive disclosure of information by the public authority?
2. Can you describe briefly what sorts of information are available on the website?
3. Are you aware of the provisions in the RTI law on proactive disclosure? If so, in your opinion, does the public authority disclose all or most of the types of information on the list for proactive disclosure in the RTI law? Where could it do better? Does it go beyond the minimum requirements in any respect? Please describe them briefly.
4. How does the public authority disseminate information other than over the website? [NOTE: You can prompt them on the use of social media and/or information posted at their offices if they do not mention it but try not to ask leading questions].
5. Are there documents for which the public authority creates simple versions that people can understand (i.e. in addition to the main, formal document)? If so, which ones?



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