
REVIEW OF INCLUSIVITY IN LAW-MAKING & PUBLIC CONSULTATION PROCESS OF ENVIRONMENT SECTOR

for Civil Society Parliamentary Network (CSPN) Annual Forum

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ZERO WASTE MALDIVES

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Executive Summary

This review paper consolidates the legislative processes and stakeholder engagement related to the Water and Sewerage Act (2020/8), Waste Management Act (2022/24), and their respective amendments in the Maldives. It highlights key findings, discussions, and recommendations aimed at improving legislative transparency, stakeholder engagement, and public trust.

The primary objectives of this review are to evaluate the effectiveness of public and stakeholder engagement during the formulation of environmental laws, assess the transparency of the legislative process in incorporating feedback into the final outcomes, and recommend changes to enhance the legislative process.

By analyzing consultation mechanisms, legislative timelines, and transparency, this review seeks to contribute significantly to governance reforms. It identifies deficiencies in stakeholder engagement and recommends measures to improve outreach and responsiveness. These findings are intended to promote greater public participation and accountability, ensuring that environmental laws are developed through more inclusive and transparent processes.

The review digs into the legislative journey of the Water and Sewerage Act and the Waste Management Act, examining the roles of various stakeholders, including government entities, non-governmental organizations (NGOs), and the public. It assesses the consultation processes, the extent of stakeholder involvement, and the transparency of decision-making.

Overall, this review underscores the importance of a transparent and inclusive legislative process in fostering public trust and ensuring that environmental laws are effective and aligned with the needs and interests of the Maldivian people.

1. Introduction

Environmental governance in the Maldives is increasingly shaped by legislative reforms aimed at addressing pressing ecological challenges. This review critically examines the legislative processes of two key environment-related laws: the Water and Sewerage Act (2020/8) and the Waste Management Act (2022/24). These laws represent crucial steps towards ensuring the provision of safe and clean water, sustainable sewerage services, and effective waste management across the nation. The Water and Sewerage Act aims to establish comprehensive procedures and standards for water and sewerage services, emphasizing public ownership of natural water resources and environmental protection. Similarly, the Waste Management Act seeks to reduce environmental pollution, protect public health, and promote sustainable waste management practices.

Despite these legislative advancements, the process of formulating and implementing these laws has faced several challenges. The legislative process in the Maldives involves multiple stages of consultation and review, yet there are significant gaps in how effectively these consultations are conducted and how feedback is incorporated into the final legislative outcomes. This review paper aims to evaluate the effectiveness of public and stakeholder engagement during the formulation of these environmental laws, assess the transparency of the legislative process, and recommend changes to improve the overall legislative framework.

Zero Waste Maldives will present its research and findings at the first annual forum of the Civil Society Parliamentary Network (CSPN). This initiative, jointly supported by the People's Majlis and Westminster Foundation for Democracy (WFD), aims to strengthen collaboration and dialogue between civil society organizations and the legislature. Scheduled for February 2025, the forum will provide a valuable platform for CSOs and policymakers to engage in meaningful consultations, promoting a more inclusive and participatory policy making process.

2. Literature review

2.1. Water and Sewerage Act

The Water and Sewerage Act, No. 8 of 2020 of the Maldives sets out comprehensive procedures and standards to ensure the provision of safe and clean water and sustainable sewerage services to all inhabitants. The Act aims to achieve several objectives, including ensuring the supply of safe water, establishing sustainable sewerage systems, and managing water resources to prevent environmental damage. It outlines the responsibilities of the State, including setting national standards, providing financial assistance, and ensuring the availability and quality of water services. The Act also defines the roles and responsibilities of the Council and the Authority, including compliance with international agreements and the implementation of a strategic water and sanitation plan [1].

The Act emphasizes public ownership of all natural water resources and includes measures for their protection and conservation. It covers the registration, licensing, and inspection of water and sewerage service providers, and enforces standards through administrative measures and criminal penalties. Environmental protection is a key focus, with provisions for disaster preparedness, environmental impact assessments, and the use of water in renewable energy production [1].

The first draft of the water and sewerage bill was initially made in 2016 by the environment ministry. On 25th November 2016, the environment minister Thorig Ibrahim announced that this bill had been made and sent to the Attorney General's office for their comments [2]. After being put on hold during the changes in government in 2018, on 3rd October, the Speaker of the 19th Majlis Mohamed Nasheed announced 30 additional bills would be sent to the parliament by the government at that time. Included in the list he provided was a "water, electricity, and sewerage bill [3].

Soon after, on 18th November 2019, the Attorney General's office announced that the water and sewerage bill drafted by the environment ministry had been sent to the Presidents' Office. They announced that there were 7 main purposes of the bill [4], [5]:

- Ensuring the right of safe drinking water
- Ensuring the sustainability of water sources
- Protection of water sources, and creation of a water resource protection masterplan
- Upgrading of water and sewerage infrastructure
- Ensuring that there is an adequate sewerage system in every inhabited island.
- Ensuring that all other islands in the country have adequate water and sewerage services that are regulated and overseen.
- Defining the fines that can be levied upon those who knowingly damage, or wrongly operate water and sewerage systems.

2.1.1. Water and Sewerage Bill

The 19th Majlis Member of Parliament for Gemanafushi Ahmed Saeed submitted the water and sewerage bill (19/2019/0-42) to the parliament on 7th December 2019. The first debate of the bill was conducted on 5th February 2020 during the 3rd sitting of the 1st session of 2020 of the 19th Majlis [6]. On 11th February 2020, during the 5th sitting of the 1st session of 2020, the parliament voted to accept the bill to the parliament with all 70 members who participated in the vote voting yes [7].

On the same day, the bill was sent to the environment and climate change committee of the 19th People's Majlis. During the committee meeting held on the same day, the committee decided to get written comments from stakeholders and to meet them. This meeting with relevant stakeholders took place on 24th February 2020 with the following entities participating [8]:

1. Ministry of Environment
2. Environment Protection Agency
3. Ministry of Finance
4. Local Government Authority
5. Ministry of Health
6. Health Protection Agency
7. Male' Water and Sewerage Company
8. FENAKA Corporation Limited
9. Maalhos Island Council Secretariat
10. Ukulhas Island Council Secretariat
11. Attorney General's Office
12. Ministry of National Planning and Infrastructure

Additionally, two technical experts, the Ministry of Environment Green Climate Fund Project Manager and the Founder of the Water Care, a social Enterprise with the purpose of increasing research-based water awareness and conducting advocacy on water, sanitation & hygiene, participated in this meeting [8].

During the committee stage, a total of 15 changes were brought to the bill, with a total of 16 hours and 15 minutes spent by 12 of the 13 members of the committee, totaling 12 meetings. The changes brought to the initial draft submitted to the parliament were [8]:

1. Committee added the following to the purpose of the bill, to make it more complete: Ensure that there is minimal impact during the construction and operation of water and sewerage systems, increase public participation during operations, Provision of public friendly service, develop water and sewerage human resources, develop the water and sewerage industry, and to strengthen Maldives' economic and social progress through this bill.
2. Amended the responsibilities of the ministry in section 8 of the bill to include participation from local councils and other stakeholders.
3. Added a section 9 to the bill to empower local councils further regarding water and sewerage projects and operations.
4. Added a section 10 to the bill to include 5 key points that must be included in all agreements that are made between island councils and water and sewerage licensed operators.
5. As section 7 mandates that the enforcement responsibility falls on the Authority, added additional responsibilities to the Authority, including proper fee collection and ensuring proper design of new installations.
6. Empowered the Authority further to give them investigation powers for issues raised, and for inspecting water and sewerage equipment and machinery.
7. Added a point to section 18 to ensure natural freshwater resources of every island are protected and that desalination water intake should be deeper than this freshwater lens.
8. Added section 19 to the bill to stop and criminalize commercial use of groundwater sources.

9. Added a chapter to the bill for environment protection. This chapter ensures that an EIA is conducted for all water and sewerage projects. It also mandates that renewable energy must be used to power water production, and integrated water resource management (IWRM) must be developed.
10. Added responsibilities for service providers to ensure uninterrupted service provision. This includes free water and sewerage house connection for new domestic connections, publicizing service fees, and water quality testing as per regulations.
11. As water and sewerage as basic human rights, added a section 33 to ensure that there are easements for those living under poverty to receive water and sewerage service.
12. As section 36 of the bill stipulates that service providers must have an operating license, added sections 38. 39. 40, and 41 to the bill for license requirements, license provision regulations, license duration, and how to apply for licenses.
13. If the service provider is unable to provide service, section 53 was amended and rephrased to include that the Authority has the power to charge the service provider to continue service provision without a change in fees until the authority can find another service provider.
14. Amended section 54 of the bill to amend and added further fines for infringement of the Act.
15. Additional definitions were added to section 62 because of additional sections and a chapter to the bill.

The report of the final draft of the bill finished by the Environment and Climate Change Committee of the parliament was submitted to the floor on 20th July 2020, during the 21st sitting of the 2nd session of 2020 [8]. During his speech, the chair of the Committee, the 19th Majlis Member of Parliament for Hoarafushi Ahmed Saleem mentioned that the final draft included 9 chapters and 62 sections. He also added that 14 changes were brought to the initial draft of the bill. The bill was passed by the parliament on the same day, with all 67 members who participated in the vote voting to pass the bill [9], [10], [11].

Then the president of the country, President Ibrahim Mohamed Solih ratified the water and sewerage act on 5th August 2020. The Act was published in the government's gazette (Government Gazette of Maldives, vol. 49 no. 153 of 2020) and took immediate effect [10].

A summary of the process is shown in the table below in Table 1:

Table 1: Legislative process of the Water and Sewerage Act at the People's Majlis

Date	Event	Details
7th December 2019	Submission of the Bill	The 19th Majlis Member of Parliament for Gemanafushi, Ahmed Saeed, submitted the water and sewerage bill (19/2019/ϕ-42) to the parliament.
5th February 2020	First Debate	The first debate of the bill was conducted.
11th February 2020	Parliamentary Vote	During the 5th sitting of the 1st session of 2020, the parliament voted to accept the bill with all 70 members voting yes.

11th February 2020	Committee Referral	The bill was sent to the Environment and Climate Change Committee of the 19th People's Majlis.
24th February 2020	Stakeholder Meeting	A meeting with relevant stakeholders was held, including various ministries, agencies, and technical experts.
Committee Stage (Feb - July 2020)	Committee Review and Amendments	The committee brought 15 changes to the bill over 12 meetings, totaling 16 hours and 15 minutes of discussion.
20th July 2020	Submission of Final Draft	The Environment and Climate Change Committee submitted the final draft of the bill to the parliament floor during the 21st sitting of the 2nd session of 2020.
20th July 2020	Parliamentary Approval	The bill was passed by the parliament with all 67 members voting to pass the bill.
5th August 2020	Presidential Ratification	President Ibrahim Mohamed Solih ratified the Water and Sewerage Act. The Act was published in the government's gazette and took immediate effect.

2.1.2. First Amendment Bill to the Water and Sewerage Act

The first draft of the amendment bill to the water and sewerage act was sent to the President's Office by the Attorney General's Office on 3rd November 2021, with the intention of the bill to be introduced to the parliament floor through the government [12].

The 19th Majlis Member of Parliament for Kulhudhuffushi North Yaasir Abdul Latheef submitted the first amendment bill to the Water and Sewerage Act (19/2021/∞-36) to the parliament on 23rd November 2021. This was during the 42nd sitting of the 3rd session of 2021 of the 19th Majlis [13].

Debate on whether to accept the bill to the parliament took place from 2nd March 2022 [14]. On 17th March 2022, during the 14th sitting of the 1st session of 2022, the parliament voted to accept the bill to the parliament with all 58 members who participated in the vote voting yes [15].

The bill was sent to the environment and climate change committee on the same day. However, during the review process, the committee did not accept many of the changes that were proposed by the amendment [16].

The report of the final draft of the bill finished by the Environment and Climate Change Committee of the parliament was submitted to the floor on 25th April 2022, during the 35th sitting of the 1st session of 2022. During his speech, the chair of the Committee, the 19th Majlis Member of Parliament for Hoarafushi Ahmed Saleem mentioned that the government submitted a total of 7 changes to the Act. Only 2 of these changes were accepted [16], [17], [18]:

- Government wanted the Environment Ministry to make standards for water and sewerage equipment testing and certification instead of URA.
- Government wanted URA to make water and sewerage design specifications and operation regulations, instead of the environment ministry.

Meanwhile, the other 5 changes were rejected [17], [18] :

- Change the annual water and sewerage master plan that service providers need to submit to URA every 5 years.
- Remove clauses to ensure all new water plants operate using renewable energy, and all existing water plants need to operate using renewable energy within 5 years of the Water and Sewerage Act.
- Remove all exclusive operating licenses.
- Change the fine for unauthorized use of groundwater to MVR 1 million. This was amended to a range of MVR 5000 - MVR 1 million.

During the debate stage, the 19th Majlis Member of Parliament for Maafannu Middle Ibrahim Rasheed highlighted that the committee met stakeholders from the Environment Ministry, the Utility Regulatory Authority, STELCO, MWSC, and FENAKA, which all belong to the government. He was displeased that no island councils were communicated during the committee work stage [17].

During the debate process, 19th Majlis Member of Parliament for Gemanafushi Ahmed Saeed proposed to amend one of the rejected changes by the committee. The change to “remove clauses to ensure all new water plants operate using renewable energy, and all existing water plants need to operate using renewable energy within 5 years of the Water and Sewerage Act” which was rejected by the committee was proposed to be changed so that if the island has enough renewable energy technology within the electricity grid to cater for water production, the clause is assumed to be fulfilled. This change was seconded by the MP for Gahdhoo Ahmed Zahir and passed with all 40 participating MPs voting to pass the change [17].

The amendment bill was passed by the parliament on the same day, 25th April 2022 with all 47 members participating in the vote voting to pass the bill [17]. On May 10, 2022, President Ibrahim Mohamed Solih ratified the first amendment to the Water and Sewerage Act, aiming to enhance the regulatory framework for water and sewerage services. The amendment includes provisions to improve service delivery, ensure better management of water resources, and strengthen environmental protection measures related to water and sewerage systems [19].

A summary of the process is shown in Table 2 below:

Table 2: Legislative process of the first amendment to the Water and Sewerage Act at the People's Majlis

Date	Event	Details
23rd November 2021	Submission of the Amendment Bill	The 19th Majlis Member of Parliament for Kulhudhuffushi North, Yaasir Abdul Latheef, submitted the first amendment bill to the Water and Sewerage Act (19/2021/ω-36) to the parliament during the 42nd sitting of the 3rd session of 2021.

2nd March 2022	Debate on Acceptance	Debate on whether to accept the bill to the parliament took place.
17th March 2022	Parliamentary Vote	During the 14th sitting of the 1st session of 2022, the parliament voted to accept the bill with all 58 members voting yes.
17th March 2022	Committee Referral	The bill was sent to the Environment and Climate Change Committee on the same day.
Committee Stage (March - April 2022)	Committee Review and Amendments	The committee reviewed the bill but did not accept many of the proposed changes. The government submitted a total of 7 changes, of which only 2 were accepted.
25th April 2022	Submission of Final Draft	The Environment and Climate Change Committee submitted the final draft of the bill to the parliament floor during the 35th sitting of the 1st session of 2022.
25th April 2022	Parliamentary Approval	The amendment bill was passed by the parliament with all 47 members participating in the vote voting to pass the bill.
10th May 2022	Presidential Ratification	President Ibrahim Mohamed Solih ratified the first amendment to the Water and Sewerage Act. The amendment includes provisions to improve service delivery, ensure better management of water resources, and strengthen environmental protection measures.

2.2. Waste Management Act

The Waste Management Act establishes a framework for sustainable waste management, aiming to reduce environmental pollution and protect public health. It applies to all aspects of waste generation, management, storage, recycling, and disposal, including the import, export, and transboundary movement of waste. The Act seeks to prevent waste generation, promote reuse and recycling, enhance waste management in villages, encourage public-private partnerships, and enforce accountability for waste service providers [20].

The Act outlines waste management priorities, institutional roles, and responsibilities. It mandates the development of a National Policy on sustainable waste management, improvement of recycling systems at local levels, and establishment of national waste management targets. Additionally, it covers waste management in specific sectors such as marine vessels, forest villages, and aircraft, while ensuring compliance with international agreements. It also includes provisions for incentives, subsidies, and the formulation of a National Master Plan for waste management services [20].

The Waste Management Act requires individuals or entities providing waste management services in the Maldives to be registered and licensed by the relevant Authority. Regulations governing this must be published within six months of the Act's enforcement. A plastic bag fee of MVR 2 is mandatory for each bag provided at the point of sale, except for duty-free bags, bags for fresh unpackaged fish, and waste disposal bin liners. Businesses must display this fee on receipts, and it is not subject to GST. Non-compliance, such as failing to charge or submit the plastic bag fee, results in fines ranging from MVR 5,000 to MVR 50,000 [21].

2.2.1. Waste Management Bill

The Environment Ministry opened the first draft of the waste management bill for public comments on 27th January 2022. It was opened to public comments for two weeks, until 12th February 2022 [22].

The Attorney General's office sent the draft waste management bill to the President's Office on 15th April 2022 [23]. The 19th Majlis Member of Parliament for Komandoo Mohamed Raashid submitted the waste management bill (19/2022/ω-8) to the parliament on 18th May 2022 [24]. This was the 3rd sitting of the 2nd session of 2022 of the 19th Majlis [25]. On 27th June 2022, during the 19th sitting of the 2nd session of 2022, the parliament voted to accept the bill to the parliament with all 33 members who participated in the vote voting yes [26]. On the same day, the bill was sent to the environment and climate change committee [27].

During the committee meeting held on the same day, the committee decided to get written comments from stakeholders and to meet them. This meeting with relevant stakeholders took place over two days with 19 participants from the following entities participating [28]:

1. Ministry of Environment
2. Environment Protection Agency
3. Utility Regulatory Authority
4. Local Government Authority
5. Waste Management Corporation
6. Ministry of Economic Development
7. Ministry of Finance
8. Ministry of Health
9. Attorney General's Office
10. Zero Waste Maldives

The final bill has 14 sections and 76 chapters. During the committee stage, a total of 8 changes were brought to the bill, with a total of 14 hours and 25 minutes spent by 10 of the 11 members of the committee, totaling 19 meetings. The major changes brought to the initial draft submitted to the parliament were [28]:

1. Added chapters 12-15 to the section 3 of the bill to include responsible parties for waste generated by tourism, industrial works islands and worksites, seafaring vessels, uninhabited islands and lagoons, and aircraft.
2. Added a chapter 25 to the bill to state that waste management services can only be provided with a service license and criminalizes service provision without a license.

3. Amended chapter 32 to remove single use plastic bags used to buy rice, flour, and sugar in the exclusion list for MVR 2 fee.
4. Amended chapter 44 to allow import of waste to the country with permission of the ministry given through a relevant guideline.
5. Amended chapter 46 to state that a list of dangerous wastes should be created by the ministry within 6 months of the bill being ratified.
6. Amended chapter 60 of the bill to state that the ministry is responsible for conducting waste audits.
7. Reduced the fines proposed by the administrative fines section of the bill.
8. Added chapter 64 to the bill that the fines collected through the Act should be given to the local council responsible for the land the crime was committed in, and if not, the Maldives Green Fund.

The bill was passed by the parliament on 28th November 2022, during the 43rd sitting of the 3rd session of 2022. All 54 members who participated in the vote voted to pass the bill [29]. The bill stipulated that a fee of MVR 2 would be taken on most single use plastic sold by MIRA registered businesses within 4 months of the law being ratified [30].

The president ratified the bill on 18th December 2022 [31] and it was published on the same day on the Government Gazette of Maldives vol. 51, no. 327 of 2022 [20]. The Act aimed to implement sustainable waste management practices, reduce pollution, and minimize public health risks. It established penalties for waste mismanagement and negligence while encouraging waste reduction, reuse, and recycling. The law granted the relevant minister 12 months to develop a national waste management strategy and master plan, with a one-month deadline for an action plan to promote waste management initiatives. It also set procedures for reducing single-use plastics and enforcing plastic bag charges. Certain plastic bags were exempt, including those used in duty-free shops, for fresh meat, grains, bulk purchases over 50 bags, and black dustbin bags for waste management services [32].

A summary of the process is shown below in Table 3:

Table 3: Legislative process of the Waste Manage Act at the People's Majlis

Date	Event	Details
18th May 2022	Submission of the Bill	The 19th Majlis Member of Parliament for Komandoo, Mohamed Raashid, submitted the waste management bill (19/2022/ø-8) to the parliament during the 3rd sitting of the 2nd session of 2022.
27th June 2022	Parliamentary Vote	During the 19th sitting of the 2nd session of 2022, the parliament voted to accept the bill with all 33 members voting yes.

27th June 2022	Committee Referral	The bill was sent to the Environment and Climate Change Committee on the same day.
Committee Stage (June - November 2022)	Committee Review and Amendments	The committee held meetings over two days with 19 participants from various entities. A total of 8 changes were brought to the bill over 19 meetings, totaling 14 hours and 25 minutes of discussion.
28th November 2022	Parliamentary Approval	The bill was passed by the parliament during the 43rd sitting of the 3rd session of 2022, with all 54 members voting to pass the bill.
18th December 2022	Presidential Ratification	President Ibrahim Mohamed Solih ratified the Waste Management Act. The Act was gazetted on the same day in the Government Gazette of Maldives vol. 51, no. 327 of 2022.

2.2.2. First Amendment Bill to the Waste Management Act

On 8th December 2022, before the waste management act was ratified by the president, a state minister of the Environment Ministry mentioned in an interview that the government was against the chapter 44 of the Act which enables waste to be imported into the country. He also mentioned that the government would submit an amendment bill to the parliament. This chapter was introduced into the bill by the environment and climate change committee [33].

After the bill was ratified, the environment ministry held a press conference on 26th December 2022 and announced that the government does not condone importing waste into the country. They also clarified that the Act does not provide permission for this, as chapter 44 of the Act gives the power to the environment ministry to give permission to import waste into the country through a regulation made by the ministry. The director general of the ministry, Ahmed Muruthaza stated that the environment ministry had no intention of granting permission to any party to import waste into the country [34].

A bill to amend the waste management act was submitted to the parliament on 27th March 2023 on behalf of the government by the 19th Majlis Member of Parliament for Komandoo Mohamed Raashid. The main change that was requested to amend the Act so that no waste can be imported to the country. Additionally, the responsibilities of the Environment Ministry and the Utility Regulatory Authority were made clearer in the proposed amendment [35].

On 23rd April 2023, the 19th People's Majlis member for Ihavandhoo Mohamed Shifau urged the parliament to finish work on the amendment before going into recess on May 1st [36]. Parliament members aligned with the ruling government debated on the amendment to the Waste Management Act that sought to exempt plastic bag bundles from taxation on 26th April 2023. Several MPs opposed the amendment, arguing that it contradicts the act's goal of reducing plastic usage. MPs Saud Hussain,

Ahmed Saleem, and Ahmed Haitham expressed concerns that the exemption would undermine efforts to curb single-use plastics, create loopholes for abuse, and hinder the act's implementation. They proposed reducing consumer fees to 50 laari instead [37].

Maradhoo MP Ibrahim Shareef was the only lawmaker to support the amendment, citing increased wholesale prices. Opponents listed multiple reasons against exempting plastic bag bundles, including fairness in taxation, preventing black market opportunities, and aligning with government policies to discourage plastic use [37].

On 16th October 2023, during the 11th sitting of the 3rd session of 2023, the parliament voted to accept the bill to the parliament with all 40 members who participated in the vote voting yes. The bill was sent to the Committee of the Whole House as it included a clause related to taxation [38]. The Committee of the Whole House passed a resolution to send the bill to a Subcommittee of the Whole House composed of 7 members on 29th November 2023. This resolution was passed unanimously by 26 members of the Committee of the Whole House, while the 7 names were passed unanimously by 28 members of the Committee of the Whole House [39].

However, the bill was still in the subcommittee stage when the tenure of the 19th Majlis ended, with the last session taking place on 12th December 2023, and so was not worked on further. After the 20th Majlis started, the bill became void, and would need to be reintroduced for further work to be done on the bill.

A summary of the process is shown below in Table 4:

Table 4: Legislative process of the proposed first amendment bill to the Waste Management Act at the People's Majlis

Date	Event	Details
27th March 2023	Submission of the Amendment Bill	The 19th Majlis Member of Parliament for Komandoo, Mohamed Raashid, submitted the amendment bill to the Waste Management Act on behalf of the government.
23rd April 2023	Urging for Completion	The 19th People's Majlis member for Ihavandhoo, Mohamed Shifau, urged the parliament to finish work on the amendment before going into recess on May 1st.
26th April 2023	Parliamentary Debate	Parliament members debated on the amendment, particularly the exemption of plastic bag bundles from taxation. Several MPs opposed the amendment, while some supported it.
16th October 2023	Parliamentary Vote	During the 11th sitting of the 3rd session of 2023, the parliament voted to accept the bill with all 40 members voting yes.

29th November 2023	Subcommittee Referral	The Committee of the Whole House passed a resolution to send the bill to a Subcommittee of the Whole House composed of 7 members.
12th December 2023	End of 19th Majlis Tenure	The bill was still in the subcommittee stage when the tenure of the 19th Majlis ended. The bill became void and would need to be reintroduced for further work.

3. Findings and Analysis

3.1. Interview with the Secretariat of the Environment and Climate Change Committee of the People's Majlis

An interview was conducted with the Secretariat of the Environment and Climate Change Committee of the People's Majlis on 19th January 2025 to understand the current legislative process for environmental legislation in the Maldives.

The consultation process for environment-related legislation follows standing orders of the Environment and Climate Change Committee. With the submission of the bill to the Committee, the first step of this process is to consult the public. Public consultations typically involve announcements with limited timeframes (usually 1-2 weeks) for public submissions. Anonymity is maintained for the public comments submitted. All these comments are shared with the Committee by the Secretariat in their entirety without any prior selection or filtering.

The Committee then finalizes the stakeholders relevant to the Bill, who shall be consulted. These stakeholders are invited to a committee meeting to discuss and comment on the proposed Bill. By incorporating these comments, the Committee prepares a Report on how the Bill was reviewed and finalized. A draft of this report is again shared with the stakeholders before sending it to the Parliament for passing of the bill.

The current system faces several challenges. Public awareness and understanding of parliamentary processes are limited, resulting in low public participation. Short deadlines for public comment submission restrict meaningful engagement. Furthermore, there is a lack of confidence among the public regarding the impact of their feedback on the legislative process.

The Secretariat emphasized the need to improve public awareness and engagement through the new public consultation portal being developed in collaboration with UNDP to enhance public engagement. Enhancing transparency by providing regular updates on the legislative process through the portal was also highlighted. The implementation of e-petitions, as seen in other countries such as Northern Ireland, was suggested as a potential avenue for increased public participation.

The meeting notes are attached as Annex A: Meeting Notes - Majlis Interview with Environment and Climate Change Committee Secretariat.

3.2. RTI response by the Environment ministry

RTIs were sent to both People's Majlis Secretariat and the Environment Ministry. 2 RTIs were sent to each institution for each of the Acts. However, a response was sent on time by the Environment Ministry only. Additionally, due to the burning down of the Green Building in December 2024 where the Environment Ministry operated, they were unable to provide much of the information that was requested in the RTI.

3.2.1. Water and Sewerage Act

Reply to the RTI sent on 8th January 2025 [40]

A total of 7 questions were asked on this RTI, and a response was received on 29th January 2025.

1. Documentation (including emails) of public and stakeholder comments received for the bill draft, as well as deadlines given to provide comments. (If there is a consolidated document with all comments received and how that was addressed that will be ideal)

Answer: A workshop was conducted on 15th June 2016 to get stakeholder comments for the draft water and sewerage act developed by the Ministry. The latest version of the draft act was initiated by the Majilis and the Ministry was not involved in that drafting stage of that version of the act.

2. Amendments recommended to People's Majlis by the ministry after bill was opened for comments post-committee stage. If no comments were given state so.

Answer: Ministry did not provide any comments post-committee stage.

3. Records of relevant discussions (including meetings, workshops, and awareness programs) with the public and other relevant stakeholders.

Answer: A workshop was conducted on 15th June 2016 to get stakeholder comments for the draft water and sewerage act, Ministry developed an outcome report with all the revisions that need to be brought upon stakeholder recommendations.

4. Details of work was done to implement the Act within the ministry. (Drafted regulations, awareness sessions etc.)

Answer: Following outputs have been developed under the Water and sewerage Act:

- National water and sewerage strategic plan
- Water and sewerage master plan
- Water and Sewerage Services regulation
- Water Resources Protection and Management Regulation
- Regulation on Dewatering for Construction and Other Industrial Projects
- Regulation on the provision of house connections under water and sewerage projects
- Water and Sewerage Service Subsidy Regulation
- Water and Sewerage Tariff Regulation
- Operating License Regulation for Water and Sewerage

All the regulations have been translated in English as well and all above mentioned documents will be available from Ministry's website. In addition to this, several awareness sessions to create awareness to the sector has also been conducted targeting to different atolls including recent workshops conducted at Male' with participants from M, R, B, Lh, K, Aa, Ha, Hdh, N, Adh, F, Dh, Th, L, Ga and Gdh atoll councils and awareness workshop conducted at Hdh.Kulhudhufushi targeting to Hdh. Atoll councils, NGOs and water and sewerage operators. Moreover, upon the enactment of water and sewerage act, letters have been dispatched to relevant stakeholders, to implement their mandated activities that are relevant to our sector as per water and sewerage act.

5. Has there been any amendments proposed to this act? if so what are the reasons for the amendments?

Answer: Amendment to Water and Sewerage Act (2020/8) has been ratified and published. Link: <https://gazette.gov.mv/gazette/6395>

6. Were there any stakeholder consultations prior to the amendments being proposed? Documentation of the stakeholder consultations if available including attendance, meeting minutes or summaries of discussions.

Answer: Yes, amendments were proposed based on discussion with Utility Regulatory Authority and recommendations from Male' water and sewerage Company Pvt Ltd, Ministry of Construction, Housing and Infrastructure. However, due to the fire incident at the Ministry, we have not yet been able to retrieve all our files from the server.

7. Any letters exchanged with executive or legislative branch regarding the Act to either expedite, raise concerns of delays in the process to pass the amendment etc. if no letters of this sort has been sent please indicate.

Answer: No letter has been sent.

3.2.2. Waste Management Act

Reply to the RTI sent on 28th June 2022 [41]

A total of 5 questions were asked on this RTI, and a response was received on 21st July 2022.

1. I would like to understand the process of stakeholder consultations done by the Ministry to formulate laws and regulations.

Answer: Laws and Regulations, once drafted (internally or via consultancy) is circulated for internal consultation, and the draft receives policy input. The draft is then circulated for stakeholder consultation, which normally a 2-week period is allocated for commenting. Once deadline for comments has reached, the received comments are incorporated. For Regulations, it then follows process of finalisation from AG Office, PO and Gazetting for publishing. For Bills, it then follows the process of finalisation from AG Office, PO and is submitted to the Parliament via PO.

2. Does the ministry conduct thorough stakeholder and public consultations before laws and regulations are sent to parliament?

Answer: No regulations were sent to the Parliament from the Ministry. For Bills, all bills are finalised at Ministry stage after stakeholder consultation, which normally allows a minimum of 2 weeks for written comments. Public consultations from the Ministry are conducted for bills that are most relevant and has public interest. In addition, a public consultation for all bills are also undertaken by the Parliament.

3. Does the ministry conduct more stakeholder consultations and public consultations for some laws and regulations than others? If so why is this?

Answer: Yes. Some laws and Regulations require more consultations based on its nature, and its affect on public interest. While all laws and regulations undergo a stakeholder consultation, only some undergo public consultations for this reason.

4. List of the last 5 Laws sent to parliament and the stakeholder consultations, public consultations done for each. Including dates and a list of stakeholders invited and stakeholders that attended.

Table 5: Details of stakeholder consultations from Environment Ministry

Date	Stakeholders invited	Stakeholders Attended
Waste Management Bill submitted 2022/2nd session, 19th Meeting)		
27 th January 2022	Opened for public comments	Public.
Bill Amending Utility Regulatory Authority Act (2022/2nd session, 19th Meeting)		
The issue of non-payment of utility bills were an impending issue, and in order to resolve the issue, the Amendment was drafted by AG Office.		
CITES Implementing Legislation (2022/1st Session, 7th Meeting)		
3 rd August 2015	Environmental Protection Agency	Environmental Protection Agency
	Ministry of Economic Development	Ministry of Economic Development
	Attorney General's Office	Attorney General's Office
	Maldives Police Service	Maldives Police Service
	Maldives Customs Service	Maldives Customs Service
	Ministry of Defense and National Security	Ministry of Defense and National Security
	Marine Research Center	Marine Research Center
	Ministry of Environment and Energy	Ministry of Environment and Energy
	Ministry of Fisheries and Agriculture	Ministry of Fisheries and Agriculture
27 th August 2015	Environmental Protection Agency	Environmental Protection Agency
	Ministry of Economic Development	Ministry of Economic Development
	Attorney General's Office	Attorney General's Office
	Ministry of Fisheries and Agriculture	Ministry of Fisheries and Agriculture
	Maldives Police Service	Maldives Police Service
	Maldives Customs Service	Maldives Customs Service
	Ministry of Defense and National Security	Ministry of Defense and National Security
	Marine Research Center	Marine Research Center
	Ministry of Environment and Energy	Ministry of Environment and Energy
Bill Amending Water and Sewerage Act (2022/1st Session, 35th Meeting)		
At different meetings and consultations with URA, STELCO, FENAKA and MWSC, these issues of implementation were highlighted, and thus were included in the Amendment.		
Bill Amending Environment Protection and Preservation Act (Bill no:13/SUP) (2021/3rd Session, 28th Meeting)		
19 th February 2020 (initial consultation)	Importers, Wholesale & Retailers producers, Ministry of Economic Development	Importers, Wholesale & Retailers:8 Producers:5 Ministry of Economic Development:2
4 th March 2020 (second consultation)	Maldives Customs Service Plastic committee members EPA	Customs:2 EPA:1 Plastic committee members:7
19 th August 2020 (Public consultation)	Public	Public

5. What is the process of collecting public comments and how are they incorporated. Do deliberations take place to discuss public comments? If so are minutes logged? If no minutes are logged why?

Answer: Where regulations/bills are open for public consultation, this is often done via social media and ministry's website. Often times, a specific format for commenting is provided as well. In incorporating received comments, technical and policy level staff are involved and each comment is reviewed at such meetings. Meeting minutes are not logged, however, the draft including comments, and the reviewed draft versions are available for later review.

Reply to the RTI sent on 8th January 2025 [42]

A total of 7 questions were asked on this RTI, and a response was received on 29th January 2025.

- 1) Documentation (including emails) of public and stakeholder comments received for the bill draft, as well as deadlines given to provide comments. (If there is a consolidated document with all comments received and how that was addressed that will be ideal)

Answer: As we have not yet recovered any of the “Waste management and pollution control department” documents on the Ministry server, the only reference documents we have in relation to public consultations and commenting periods are information available by email, attachments and previously answered RTIs. We do not have a consolidated document with all comments that we received and how it was addressed.

- The Waste Management bill was originally drafted in 2016 through a UNDP hired consultant to support the Ministry in establishing a legal framework for the waste sector.
 - According to RTIs previously answered, it was opened for public comments on 27th January 2022 in order to restart the works of submitting the bill to Parliament.
 - From January 2022 to July 2022, the draft bill was circulated among relevant stakeholders and within the Ministry.
 - It was later open for public comments (refer to the call for public consultation on the Ministry website).
- 2) Amendments recommended to People’s Majlis by the ministry after bill was opened for comments

post-committee stage. If no comments were given state so.

Answer: No comments were provided.

- 3) Records of relevant discussions (including meetings, workshops, and awareness programs) with the public and other relevant stakeholders.

Answer: All records of discussions and consultation workshop details were stored on the server and this information is no longer available due to the recent fire incident.

- 4) Details of work was done to implement the Act within the ministry. (Drafted regulations, awareness sessions etc.)

Answer: Currently the ministry is working on three regulations under the Waste management Act.

- General Regulation on Waste Management
 - Waste Management Services regulation
 - EPR regulation
 - Single Use Plastic regulation
- 5) Has there been any amendments proposed to this act? if so what are the reasons for the amendments?

Answer: One amendment has been proposed to this act, it has been submitted to Attorney General’s

Office to submit to Parliament. Reasons include:

- Missing components in the EPA and URA mandate section
- Changes in definitions.
- Clarification on vaguely written sections of the Act.
- Inclusion of some missing components.

- 6) Were there any stakeholder consultations prior to the amendments being proposed? Documentation of the stakeholder consultations if available including attendance, meeting minutes or summaries of discussions.

Answer: Consultations have been undertaken with EPA and URA. No meeting minutes were recorded during these discussions.

- 7) Any letters exchanged with executive or legislative branch regarding the Act to either expedite, raise concerns of delays in the process to pass the amendment etc. if no letters of this sort has been sent please indicate.

Answer: No letters has been sent. It has been submitted to Attorney General's Office to submit to Parliament.

3.3. Analysis of findings

3.3.1. Information from The Parliament

Based on the interview responses by the Secretariat of the Environment and Climate Change Committee of the People's Majlis, the option of conducting public consultations and stakeholder consultations is given to the Committee as per the Standing Orders of the People's Majlis. [43], [44]. While these consultations are not mandatory, the Committee exercises discretion based on the specific legislation. This highlights the importance of standardizing the consultation process to ensure efficient stakeholder engagement and transparency in legislation formulation.

One of the key features of the process is the public consultation phase, which begins when a bill is submitted to the Committee. The Secretariat emphasized that public comments are invited via announcements with brief submission periods, typically ranging from one to two weeks. However, this limited time frame reduces the opportunity for meaningful public participation, which is a significant challenge. Many individuals may not have sufficient time to analyze the proposed bills and provide thoughtful feedback, which ultimately undermines the quality of public input. Moreover, the short consultation period and the lack of awareness about the process contribute to low levels of public engagement. This is compounded by the general public's limited understanding of parliamentary procedures, which diminishes their confidence in the potential impact of their feedback.

Another challenge highlighted in the interview is the lack of transparency in how public comments are integrated into the legislative process. Although the Committee claims to share all comments without filtering, there is a noted lack of clear communication regarding how these comments are incorporated into the final decision-making process. This creates a disconnect between the public and the legislative body, leading to doubts about the effectiveness of their participation. The public's skepticism regarding the impact of their feedback further exacerbates the issue, reducing the likelihood of meaningful engagement in future consultations.

To address these challenges, the Secretariat suggested several reforms. One of the most promising initiatives is the development of a new public consultation portal in collaboration with UNDP. This platform aims to enhance public engagement by providing regular updates on the legislative process and facilitating more accessible participation. The portal is expected to increase transparency by

allowing the public to track the progress of bills and see how their feedback is being incorporated into the final legislative decisions. Additionally, the implementation of e-petitions, similar to systems in countries like Northern Ireland, was proposed as a way to further increase public participation. By allowing citizens to express their concerns or support for specific issues through a digital platform, e-petitions could potentially broaden the reach and impact of public opinion on environmental legislation.

3.3.2. Information from The Environment Ministry

The process of stakeholder consultations for formulating laws and regulations begins once a draft is prepared, either internally or through consultancy. Initially, the draft undergoes internal consultation, during which policy input is provided. It is then circulated for stakeholder consultation, typically allowing a two-week period for feedback. After the deadline, the received comments are reviewed and incorporated into the draft. For regulations, the finalized draft is processed through the Attorney General's Office (AG Office), the President's Office (PO), and then published via the Maldives Government Gazette. For bills, after finalization by the AG Office and PO, the draft is submitted to Parliament through the PO for further legislative procedures.

The Ministry does not send regulations to Parliament. For bills, stakeholder consultations are conducted at the Ministry level before finalization, with a minimum of two weeks allocated for written feedback. Public consultations are held for bills that are particularly relevant or of significant public interest. Additionally, Parliament also conducts a separate public consultation process for all bills. While all laws and regulations go through stakeholder consultations, public consultations are conducted only for those deemed highly relevant or significantly affecting the public.

Public consultations for regulations and bills are conducted through social media and the Ministry's website, often with a specific format for submitting comments. Technical and policy staff review and discuss the feedback in meetings, though minutes are not logged. However, the original draft, received comments, and revised versions are retained for reference.

Waste Management Bills

The Waste Management Bill was initially drafted in 2016 with the support of a UNDP-hired consultant to help the Ministry establish a legal framework for the waste sector. According to previous RTI responses, the bill was opened for public comments on January 27, 2022, as part of efforts to resume the process of submitting it to Parliament. Between January and July 2022, the draft bill was circulated among relevant stakeholders and within the Ministry. It was later made available for public consultation, as announced on the Ministry's website.

The Ministry did not recommend any amendments to the People's Majlis after the bill was opened for comments post-committee stage. Currently the ministry is working on four regulations under the Waste management Act:

1. General Regulation on Waste Management
2. Waste Management Services regulation
3. EPR regulation
4. Single Use Plastic regulation

The proposed changes in the amendment bill were to address several issues, including missing components in the EPA and URA mandate sections, updates to definitions, clarification of vaguely written sections, and the inclusion of some previously omitted elements. For the amendment, consultations were conducted only with EPA and URA. No letters were sent to either executive or legislative branch regarding the Act to either expedite the process or raise concerns about delays.

Water and Sewerage Bills

A workshop was held on 15th June 2016, to gather stakeholder feedback on the draft Water and Sewerage Act developed by the Ministry. The most recent version of the draft was initiated by the Majlis, and the Ministry was not involved in the drafting of that version. The Ministry did not recommend any amendments to the People's Majlis after the bill was opened for comments post-committee stage.

Amendments were proposed following discussions with URA and recommendations from MWSC, as well as the Ministry of Construction, Housing, and Infrastructure. No letters were sent to either executive or legislative branch regarding the Act to either expedite the process or raise concerns about delays.

3.3.3. Duration of the bill process

The process for the water and sewerage bill took a total of 242 days to become ratified as an Act by the president. 226 of these days were spent at the parliament, of which 66 days were spent on debates on the parliament floor. The committee work of the bill took 160 days, and the bill was ratified 16 days after being passed by the parliament.

The process for the amendment to the water and sewerage bill took a total of 168 days to become ratified as an Act by the president. 153 of these days were spent at the parliament, of which 114 days were spent on debates on the parliament floor. The committee work of the bill took 39 days, and the bill was ratified 15 days after being passed by the parliament.

The process for the waste management bill took a total of 214 days to become ratified as an Act by the president. 194 of these days were spent at the parliament, of which 40 days were spent on debates on the parliament floor. The committee work of the bill took 154 days, and the bill was ratified 20 days after being passed by the parliament.

The incomplete process for the waste management bill took a total of 219 days spent at the parliament, of which 162 days were spent on debates on the parliament floor. The committee work of the bill took 44 days, and during the remaining 13 days of the 19th People's Majlis, the bill was at a subcommittee.

3.3.4. Further stakeholder work related to the Acts

The Environment Ministry launched the 'Fasgandu' campaign to promote sustainable waste management on 22nd August 2022. As part of the campaign, a monthly newsletter featuring illustrations and writings from school students were to be published. The first edition, created with input from residents of N. Maafaru and N. Kudafari, was released by the then Environment Minister Shauna during the launch event. The campaign focused on five key areas: health, education, economy, gender, and social aspects. The event also featured a video screening, the launch of a web portal

showcasing waste management efforts across the Maldives, and the release of an official campaign song [45].

As part of the national campaign, surveys had been conducted to identify the challenges atolls had faced in waste management, aiming to improve waste management systems. Additionally, the campaign had focused on raising public awareness about sustainable waste and resource management [46].

4. Discussions and Recommendations

4.1. Discussions

17 NGOs including Zero Waste Maldives and Save Maldives Campaign came together to release a public statement stating that although the waste management act addresses a serious national concern, none of the environmental organizations in the country were consulted before the bill was passed. The same statement stated that the “Waste to Energy” program that introduces incinerators is economically unfeasible for the government. It called on the president to [33]:

- 1) Not ratify the bill and send it back to the parliament.
- 2) Increase the public consultations, especially regarding the issues highlighted by the organizations.
- 3) Introduce legislation and regulations to ensure that Maldives does not turn into a dumping ground for foreign contractors and companies to dispose of their waste.

However, none of these issues have been properly addressed to this day. Even when the amendment to the waste management act was introduced to the parliament by the government, proper public consultations were not conducted, and the bill never made it out of the committee stage even when the 19th People’s Majlis ended their tenure. As there is a new 20th People’s Majlis and a new government, either party could introduce amendments to the waste management act to tackle these serious issues raised by the environmental organizers. Such an amendment would need to increase the participation of public and private stakeholders, especially environmental organizers, and island councils.

2 island councils were consulted during the bill work of the water and sewerage Act. However, during the debate stage of the amendment to the Act, the 19th Majlis Member of Parliament for Maafannu Middle, Ibrahim Rasheed, emphasized that the committee consulted stakeholders from the Environment Ministry, the Utility Regulatory Authority, STELCO, MWSC, and FENAKA, all of which are government entities. However, he expressed disappointment that no island councils were engaged during the committee's work [17].

Another relevant issue of note is the fact that the waste management bill was sent to the environment and climate change committee of the parliament, but the amendment to the Waste Management Act was sent to the Committee of the Whole House. The reasoning provided for the change in committee was that changes to taxation were involved in the amendment bill. However, this was part of the original bill as well.

A lot of the information requested through the RTI was not provided by the Environment Ministry as they had lost access to the information after the fire of 12th December 2024 [47] which burnt down the Green Building, where all the works of the ministry takes place. Furthermore, an interview could not be conducted with any staff from the Environment Ministry as we did not receive a response to the email requesting for a meeting. Two follow-ups to email that were sent also remained unanswered. A copy of the emails sent is attached in Annex B: Email communication with the Environment Ministry requesting for a meeting.

4.2. Recommendations

The legislative process in the Maldives, particularly in stakeholder and public consultation, presents several challenges that require urgent attention. While the two-week period allocated for public comments is sufficient for individual laws, the reality is that multiple laws are often opened for public comment concurrently. Given the limited number of active Civil Society Organizations (CSOs) that engage in legal review, this creates significant stakeholder fatigue and pressure. CSOs already face a heavy workload in managing their organizations, and the additional burden of reviewing and providing detailed feedback on multiple laws within a short period often leads to diminished engagement. Some laws receive thorough extensive consultation, while others are fast-tracked with little to no oversight. To address this, the government must establish a structured consultation process that provides a clear framework of how laws will be introduced, how stakeholder input will be sought, deliberated, and addressed. This framework should identify where stakeholder input will be most valued and required as well. Additionally, ministries should adopt a phased consultation approach to avoid overwhelming key stakeholders.

Incorporating alternative avenues for public engagement is crucial to ensuring inclusivity. While online meetings have been used to engage individuals from remote islands, the lack of a standardized consultation process results in inconsistencies across ministries. Some legislative processes include extensive stakeholder engagement, while others are expedited without proper scrutiny. Establishing a formalized minimum standard for the consultation process across all ministries would enhance consistency and predictability. This will properly inform the public and all stakeholders of the process involved and what to expect and where they can expect their voices to be heard most effectively throughout the process. Moreover, language barriers (legalese) and the technical nature of legal documents create additional obstacles to meaningful participation. Legal drafts must be accompanied by plain-language summaries that articulate the purpose of the legislation and explain how different clauses contribute to achieving its objectives. Currently, ministries often present technical documents without clear articulation, making it difficult for non-specialists to provide informed feedback. A dedicated Legislative Translation and Communication Unit could be established to distill complex legal texts into accessible formats using visual aids, infographics, and explanatory briefs.

Public consultation, especially on highly technical areas such as environmental legislation, when carried out with proposals for direct written amendments, tends to have a deterrence effect. Despite the significant impact of these laws, particularly in Maldives where citizens are highly vulnerable to climate risks and environmental disasters, most citizens may struggle to engage due to the complex language used. However, their insights and lived experiences are essential for understanding the real-world effects of such legislation. Expecting the public to directly propose amendments may be a cause for minimal participation. A more effective approach is to incorporate alternative consultation methods, such as Call for Evidence or Call for Views, as seen in UK parliaments, to ensure broader and more meaningful engagement.

A significant gap in the current process is the inadequate communication of background information related to proposed laws. In many cases, the rationale behind specific clauses is not properly articulated, leading to misunderstandings and incorrect assumptions by CSOs and other stakeholders of the intended purpose of how certain laws as well as clauses are put together. To mitigate this, ministries should provide clear, detailed explanations of legislative intent alongside draft bills. Most

of this context can be captured during the several consultation processes that are carried out, inter-department, inter-agency before it goes to stakeholder consultations. Proper documentation of these dialogues will give the required context of the legislative intent. Furthermore, public consultations should involve technical experts who can address specific legal and policy questions, fostering a meaningful dialogue rather than a one-way information session. Establishing a transparent, publicly accessible tracking system for legislative changes would also enhance trust in the process. Such a system should document public comments, ministry responses, and justifications for the inclusion or exclusion of suggested amendments. The current lack of transparency, where stakeholders are unaware of who makes key decisions and why certain feedback is disregarded, fuels distrust and disengagement. Without clear mechanisms for disclosure, documentation, and accountability, many CSOs and public participants become disillusioned with the process.

Public deliberations and debate are critical components of a democratic legislative process but are currently absent in the Maldives. A structured public deliberation phase should be mandated for all major laws before finalization. This would allow for open discussion, addressing concerns and refining legal provisions before submission to Parliament. Establishing multi-stakeholder roundtables, where CSOs, academia, and affected communities can debate laws in an open forum, would ensure that diverse perspectives are considered. Furthermore, transparency in the decision-making process must be improved. Ministries should publicly disclose who is responsible for finalizing legal drafts and provide rationales for key decisions. Involving CSOs more formally in legislative reviews, through a Civil Society Advisory Panel or designated seats in stakeholder consultations, would help bridge the gap between policymakers and the public. Similarly, academia and research institutions should be actively consulted, with their feedback made publicly available to foster informed debate.

Post-legislative scrutiny (PLS) is an essential yet neglected aspect of the legislative process. Laws should not only be reviewed during their drafting phase but must also undergo structured evaluations after implementation. Every major law should be subject to a mandatory review three to five years post-enactment to assess its effectiveness and address any unintended consequences. Ministries should be required to submit PLS reports to Parliament, evaluating whether the law has achieved its intended objectives. Additionally, CSOs and media organizations should play a role in tracking legal implementation, providing independent assessments, and highlighting areas where amendments may be needed. Public feedback mechanisms, such as online reporting platforms and town hall meetings, should be integrated into the legislative review process to ensure that laws remain relevant and effective.

The root cause of public disengagement and poorly formulated laws is the lack of transparency and consistency in legislative consultations. Some laws receive extensive review, while others bypass scrutiny entirely. Addressing this issue requires the establishment of standardized engagement rules, clearer communication of legislative intent, and the implementation of public tracking mechanisms. Institutionalizing CSO and academic involvement will further strengthen the legislative process, ensuring that laws are well-crafted, effective, and aligned with public interest. Finally, integrating post-legislative scrutiny as a mandatory practice will reduce the need for frequent amendments and enhance legislative stability.

A summary of the legislative process and the recommendations for changes is shown below in Figure 1:

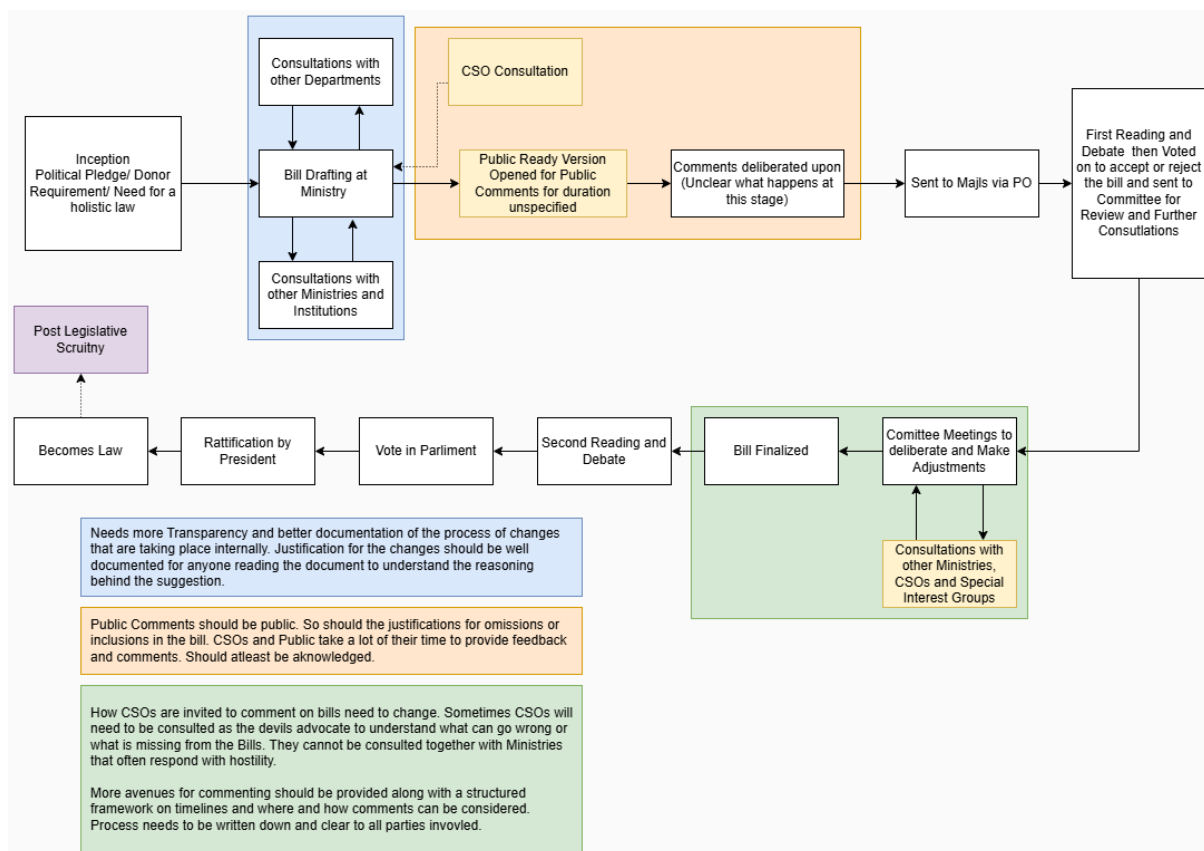


Figure 1: Proposed changes to the legislative process

5. Conclusions

The Water and Sewerage Act, No. 8 of 2020, and the Waste Management Act, No. 24 of 2022 are crucial for ensuring the provision of safe and clean water, sustainable sewerage services, and effective waste management. However, the formulation and implementation of these laws have faced challenges, particularly in stakeholder engagement, transparency, and public participation.

To address the challenges in the legislative process, it is essential to establish structured consultation processes with clear frameworks for stakeholder input. Ministries should adopt phased consultation approaches to prevent overwhelming stakeholders and ensure meaningful engagement. Additionally, a formalized minimum standard for consultation processes across all ministries would enhance consistency and predictability. Legal drafts should be accompanied by plain-language summaries and detailed explanations of legislative intent to improve transparency.

Mandating a structured public deliberation phase for all major laws before finalization would allow for open discussions and refinement of legal provisions. Establishing multi-stakeholder roundtables would ensure diverse perspectives are considered. Furthermore, implementing mandatory reviews of major laws three to five years post-enactment would assess their effectiveness and address unintended consequences. Ministries should submit post-legislative scrutiny reports to Parliament, and CSOs should play a role in tracking legal implementation.

By establishing standardized engagement rules, clearer communication of legislative intent, and implementing public tracking mechanisms, the legislative process can be significantly improved. Institutionalizing CSO and academic involvement will strengthen the legislative process, ensuring laws are well-crafted, effective, and aligned with public interest. Prioritizing transparency and inclusivity will foster greater public trust and enhance the overall quality of the legislative framework in the Maldives.

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Annex A: Meeting Notes - Majlis Interview with Environment and Climate Change Committee Secretariat

Date: 19th January 2025

Time: 13:05 - 13:45 HRS

Attendees: * (Interviewee)* Secretariat of the Environment and Climate Change Committee of the People's Parliament, 3 members of Zero Waste Maldives

1. Consultation Process:

- **Current Process:**
 - Bills are submitted to the committee and opened for public comments.
 - The committee decides which institutions and stakeholders to invite for written comments and meetings.
 - Experts and relevant stakeholders are invited to meetings.
- **Methods:**
 - Public announcements are made to inform the public about the bill and invite comments.
 - A limited timeframe (usually 1-2 weeks) is given for public submissions.
 - A new public consultation portal is being developed in collaboration with UNDP.
- **Effectiveness:**
 - Current methods have limited reach and receive few public responses.
 - Social media can be more effectively utilized to engage the public.
- **Challenges:**
 - Limited public awareness and understanding of parliamentary processes.
 - Low public confidence in the impact of their feedback.
 - Short timeframes for public comment submission.
 - Difficulty in incorporating conflicting stakeholder feedback.
 - Potential for civil society opinions to be overlooked if they contradict government policies.

2. Legislative Process for Water and Sewerage Act (2020/8) and Waste Management Act (2022/24):

- **Water and Sewerage Act:**
 - Submitted to the committee in February 2020.
 - Received comments from 9 out of 12 requested stakeholders.
 - Committee introduced valuable sections on council roles, environmental protection, renewable energy, and serving the poor.
 - One amendment was passed in 2022, also open for public comment.
 -
- **Waste Management Act:**
 - Submitted in June 2022 and concluded in November 2022.

- Received comments from 10 parties, including Zero Waste Maldives.
- Key amendments included restrictions on waste imports and an extension of the
- plastic bag fee grace period.

3. Delays in Legislative Process:

- Delays can be attributed to changes in government policies and the dissolution of parliament.
- The water and sewerage act experienced significant delays in its initial stages.

4. Improving the Legislative Process:

- **Inclusivity:**
 - Utilize the new public consultation portal effectively.
 - Increase communication and engagement with stakeholders.
- **Transparency:**
 - Improve public awareness of the legislative process through the portal.
 - Enhance transparency of committee proceedings.
- **Best Practices:**
 - Implement e-petition systems as seen in other countries.
 - Learn from the experiences of other parliaments, such as the Northern Ireland Parliament.

5. Role of Government Authorities:

- Government authorities actively participate in the legislative process by submitting comments and justifications for proposed changes.
- Committee members ultimately decide on the incorporation of these suggestions.

6. Collaboration with Civil Society:

- Increase public announcements and utilize the public consultation portal to enhance communication.
- Encourage more active participation from civil society organizations.

7. Future of Environmental Legislation:

- Dependent on government policies and priorities.
- Previous government demonstrated a strong focus on environmental legislation.

Annex B: Email communication with Environment Ministry requesting for a meeting



Request for a Meeting for Civil Society Parliamentary Network Research Project

Afrah Ismail <afrah@zerowastemaldives.com>
To: secretariat@environment.gov.mv
Cc: shaulans@gmail.com, sumakhalid.m@gmail.com

Mon, Jan 27, 2025 at 9:26 AM

Dear all,

Following up yet again.

Will appreciate a response.



Ahmed AFRAH Ismail

Co-Founder | Zero Waste Maldives

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e: afrah@zerowastemaldives.com

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[linkedin icon](#)



[instagram icon](#)

---- On Mon, 20 Jan 2025 12:30:24 +0500 afrah@zerowastemaldives.com wrote ----

Dear all,

Gentle reminder regarding this request for a meeting.

Thanks



Ahmed AFRAH Ismail

Co-Founder | Zero Waste Maldives

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---- On Sun, 12 Jan 2025 11:07:06 +0500 afrah@zerowastemaldives.com wrote ----

To whom it may concern

Zero Waste Maldives is currently conducting a comprehensive review of the legislative processes concerning recent environment-related laws in the Maldives, supported and funded through the Westminster Foundation for Democracy (WFD). Zero Waste Maldives is set to present our research and findings at the inaugural annual forum of the Civil Society Parliamentary Network (CSPN), which serves as a platform to enhance collaboration and dialogue between civil society organisations and the legislature.

Our focus is on public and stakeholder engagement to identify gaps and propose improvements. By analyzing consultation mechanisms, legislative timelines, and transparency, we aim to enhance inclusivity, efficiency, and accountability in law-making. Specifically, we are examining the Water and Sewerage Act (2020/8) and the Waste Management Act (2022/24).

As part of this review, we would like to request an online interview with relevant administrative staff from the Environment and Climate Change Committee of the parliament. We would like to request to conduct the interview in English as the paper will be published in English language. Please be assured that all responses will remain anonymous to ensure candid feedback.

The key discussion points for the interview will include:
Perceptions of the consultation process.
Challenges faced in gathering or incorporating feedback.
Reasons for the recent lack of progress on amendment bills for both Acts.
Potential improvements in the legislative process.

We believe your insights will be invaluable to our review and would greatly appreciate your participation.

Feel free to suggest a date from your side we would like to meet with the waste department and water and sewer department staff separately for this specific piece of work.

Thank you for considering our request. We look forward to your positive response.

You may reach out to me or Shaulan Sadiq (+960 794-4474) to confirm a date and time.

Best regards,



Ahmed AFRAH Ismail

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