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The Permanent Mission of the Republic of Maldives to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations and with reference to the call for submission of information and examples of State practice on "Sea-level rise in relation to international law" by the International Law Commission (ILC), has the honour to enclose herewith a submission on behalf of the Republic of Maldives.

The Permanent Mission of the Republic of Maldives to the United Nations avails itself of this opportunity to renew to the Office of Legal Affairs of the United Nations, the assurance of its highest consideration.



New York, 31 December 2019

Office of Legal Affairs
United Nations Headquarters
New York

**Information and examples of State practice on
“Sea-level rise in relation to international law”**

A submission by the Republic of Maldives

31 December 2019

This submission is provided on behalf of the Republic of Maldives in relation to the topic “Sea-level rise in relation to international law,” which was included on the International Law Commission’s programme of work during its seventy-first session. In its report from the seventy-first session, the Commission noted that it would welcome any information that States could provide on their practice and other relevant information concerning sea-level rise in relation to the law of the sea.

The issue of sea-level rise and its implications for international law is of critical importance to the Maldives. Like other small island developing States (SIDS), the Maldives is particularly vulnerable to the impacts of climate change, including sea-level rise. Accordingly, the Maldives is grateful to have this opportunity to provide the Commission with an overview of its practice and views in relation to sea-level rise and the law of the sea so that they may be considered in the course of the Commission’s work.

This submission proceeds in two parts. **Part A** begins by highlighting the significance of sea-level rise for the Maldives, and then provides a summary of the Maldives’ State practice relevant to sea-level rise and the law of the sea. **Part B** provides an explanation of the Maldives’ general views concerning sea-level rise and its impacts on the law of the sea.

PART A – MALDIVES’ STATE PRACTICE IN RELATION TO SEA-LEVEL RISE.

This part of the submission begins with an overview of the significance of sea-level rise for the Maldives. It then provides an overview of the Maldives’ State practice relevant to sea-level rise and the law of the sea.

1) Impacts of sea-level rise on the Maldives

The Maldives, like other SIDS, is on the front line of climate change and particularly vulnerable to the impacts of sea-level rise.¹ The Maldives is a chain of 21 natural coral atolls consisting of about 1200 low lying islands stretching over 860 km from north to south and 80 to 120 km from east to west.² The country’s population of around 400,000 is distributed widely and unevenly across the 186 islands that are permanently inhabited.³ All of the Maldives’ coral islands are low-lying – approximately 80 percent of the islands are less than a meter above sea-level,⁴ and the highest point of elevation is no more than three meters.⁵

The most recent projections from the Intergovernmental Panel on Climate Change (IPCC) on sea-level rise illustrate just how vulnerable this geography makes the Maldives. It is expected that global mean sea-level will rise by 0.26 to 0.77m by 2100, while warming of 2°C will result in an additional 0.1m of sea-level rise by 2100.⁶ Even if warming is limited to 1.5°C, sea-level rise will continue beyond 2100. Further, marine ice sheet instability in Antarctica and/or irreversible loss of the Greenland ice sheet could result in a multi-meter rise

¹ Ministry of Environment and Energy, REPUBLIC OF MALDIVES, SECOND NATIONAL COMMUNICATION OF MALDIVES TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE 4 (Oct. 2016) (hereinafter Second National Communication to the UNFCCC).

² *Id.* at 2.

³ *Economy*, PERMANENT MISSION OF THE REPUBLIC OF MALDIVES TO THE UNITED NATIONS, <http://maldivesmission.com/economy> (last visited Nov. 28, 2019); Second National Communication to the UNFCCC at 2.

⁴ *Geography*, Permanent Mission off the Republic of Maldives to the United Nations, <http://maldivesmission.com/geography> (last visited Nov. 28, 2019).

⁵ Ann Powers, *Sea-Level Rise and its Impact on Vulnerable States: Four Examples*, 73 LA. L. REV. 151, 159 (2012).

⁶ Intergovernmental Panel on Climate Change, *Summary for Policy Makers*, in GLOBAL WARMING OF 1.5°C: AN IPCC SPECIAL REPORT ON THE IMPACTS OF GLOBAL WARMING OF 1.5°C ABOVE PRE-INDUSTRIAL LEVELS AND RELATED GLOBAL GREENHOUSE GAS EMISSION PATHWAYS IN THE CONTEXT OF STRENGTHENING THE GLOBAL RESPONSE TO THE THREAT OF CLIMATE CHANGE, SUSTAINABLE DEVELOPMENT, AND EFFORTS TO ERADICATE POVERTY ¶ B.2.1 (Sept. 2018).

in sea-level over hundreds to thousands of years. These instabilities could be triggered at around 1.5°C to 2°C of global warming.⁷ While there are no projections available as to the level of sea-level rise expected to affect the Maldives specifically, these figures from the IPCC make clear that sea-level rise poses a substantial threat to the Maldives.⁸

The impacts of sea-level rise on the Maldives will be wide-ranging. Sea-level rise is likely to cause salt-water intrusion into already vulnerable groundwater sources, undermining water security, as well as salt-water intrusion into arable land, hindering the Maldives' ability to grow food. It will exacerbate storm surges and coastal flooding during extreme weather events. Beach erosion and flooding of islands also pose a serious risk to homes and infrastructure, which are most often located close to the beach line due to the small size of most of the Maldives' islands. The risk of inundation resulting in loss of territory and large-scale displacement is also a very real one.⁹ Further, the economic impacts of the sea-level rise are also likely to be serious. The three largest sectors in the Maldivian economy are tourism, fisheries and agriculture, all of which are at risk of being impacted by sea-level rise: the tourism sector because it is reliant on the Maldives' pristine coral islands and reefs, fisheries because it is dependent on the stability of the Maldives' maritime entitlements, and agriculture because arable land is at risk of salt-water intrusion, flooding and inundation.¹⁰

Given the significant risks posed to the Maldives by the impacts of climate change and in particular sea-level rise, the issue has been a priority issue for the Maldives for many decades. Since the 1980s, the Maldives has been advocating for action by the international community and seeking to draw attention to the particularly severe impacts sea-level rise will have on SIDS. In 1989 the Maldives hosted the first-ever Small States Conference on Sea Level Rise in Malé. At that conference fourteen small island States, including the Maldives, signed the Malé Declaration on Global Warming and Sea Level Rise which sought to bring attention to the

⁷ *Id.* at ¶ B.2.2.

⁸ Second National Communication to the UNFCCC at 37.

⁹ *See, e.g.*, Government of Maldives, STRATEGIC ACTION PLAN: 2019-2023 (Sept. 2019); Maldives Ministry of Environment and Energy, WHAT YOU DO FOR SMALL ISLANDS YOU DO FOR THE WORLD: 2015-2018 (Nov. 2018); Maldives Ministry of Environment and Energy, STATE OF THE ENVIRONMENT: 2016 (Feb. 2017); Statement Delivered by His Excellency Mr Ahmed Sareer, Permanent Representative at the UN Security Council, Arria Formula Meeting on Security Implications of Climate Change: Sea-level rise (Apr. 10, 2017).

¹⁰ *See* Second National Communication to the UNFCCC at 2.

fact that while the world as a whole would be adversely affected by climate change and sea-level rise, “low-lying, small, coastal and island States will face a decidedly greater predicament.” It was highlighted that sea-level rise would cause extensive damage to the land and infrastructure of SIDS and that it could in some cases even threaten the very survival of some island States.

Since this time, the Maldives has continued to speak out on the issue of sea-level rise and sought to encourage action by the international community. A large number of statements have been given by representatives of the Maldivian government drawing attention to the issue of sea-level rise and the plight faced by SIDS.¹¹ Most recently, in his address to the seventy-fourth session of the General Assembly in September 2019, President Ibrahim Mohamed Solih highlighted that for more than thirty years States have been struggling to address the climate emergency meaningfully. He emphasized that while climate change was not a phenomenon of the Maldives’ making, “[f]or thirty years, we Maldivians have been saying that this is the fight of our lifetime, because it threatens our very existence as a nation”.¹²

2) Maldives’ practice regarding maritime entitlements

The Republic of Maldives became a Contracting Party to the United Nations Convention on the Law of the Sea (UNCLOS) on 7 September 2000, following the lodgement of a formal instrument declaring consent to be bound by the Convention.¹³

¹¹ *See, e.g.*, Statement Delivered by His Excellency Dr Ali Naseer Mohamed, Permanent Representative of the Maldives to the UN, UN Security Council Open Arria Formula Meeting: Preparing for security implications of rising temperatures (Dec. 15, 2017); Statement Delivered by His Excellency Mr Ahmed Sareer, Permanent Representative at the UN Security Council, Arria Formula Meeting on Security Implications of Climate Change: Sea-level rise (Apr. 10, 2017); Remarks by His Excellency Mr Ahmed Sareer, Permanent Representative of the Maldives to the UN, Symposium on Implementing the 2030 Agenda and the SAMOA Pathway (Feb. 21, 2017); Keynote address by His Excellency Mohamed Nasheed, President of the Republic of Maldives, Asia-Pacific Water Ministers’ Meeting in Singapore (June 28, 2010); Address by His Excellency Mohamed Nasheed, President of the Republic of Maldives, Observer Research Foundation, “The Environment and Conflict Resolution” (Oct. 23, 2009); Intervention by His Excellency Maumoon Abdul Gayoom, President of the Republic of Maldives, VIP Panel Discussion “The Scientific Evidence: A Call for Action,” Delhi Sustainable Development Summit 2008 (Feb. 7, 2008); Speech by His Excellency Maumoon Abdul Gayoom, President of the Republic of Maldives, “Is there a Right to a Safe Environment,” Royal Commonwealth Society (17 July 2007).

¹² Statement Delivered by His Excellency Ibrahim Mohamed Solih, President of the Republic of Maldives, General Debate of the 74th Session of the UN General Assembly (Sept. 24, 2019).

¹³ Submission by the Republic of Maldives to the Commission on the Limits of the Continental Shelf 6 (July 2010) (Annex 1).

The archipelagic status of the Maldives is expressly declared in the Constitution of the Republic of Maldives 2008. Section 3 of the Constitution provides that “the territory of the Maldives encompasses the land, air space, sea and seabed within the archipelagic baselines of the Maldives drawn in accordance with the law, and includes the territorial waters, the seabed and air space thereof beyond the said baselines.”¹⁴ Further, the Constitution expressly declares that “[a]ll living, non-living and naturally occurring resources of value within the Exclusive Economic Zone of the Maldives and the seabed shall vest in the State.”¹⁵

In accordance with these provisions of the Constitution, the various maritime zones of the Maldives have been duly established under Law Number 6/96 (Maritime Zones Act of the Maldives).¹⁶ The Maritime Zones Act accounts for the Maldives’ internal waters, archipelagic waters, territorial sea, contiguous zone and exclusive economic zone (EEZ).¹⁷ Additionally, the archipelagic base points have been specified in Schedule 1 of the Maritime Zones Act,¹⁸ and these coordinates have been duly established and publicized in accordance with Article 47 of UNCLOS.¹⁹

The key provisions of the Maritime Zones Act are as follows:

- “1. This Act makes provision in respect of the internal waters, archipelagic waters, territorial sea, contiguous zone and the exclusive economic zone of Maldives. This Act shall be cited as “Maritime Zones Act of the Maldives”.”
- “2 (a). The inland waters of every atoll of Maldives, lagoons and reefs of islands shall be the internal waters of Maldives. In addition to these waters, the Government of Maldives has the right to designate, in accordance with international law, other maritime areas as internal waters of Maldives.”
- “3. Save the internal waters of Maldives as determined under section 2 of this Act, the maritime area contained within the archipelagic baselines drawn in

¹⁴ CONSTITUTION OF THE REPUBLIC OF MALDIVES, § 3 (Annex 2).

¹⁵ *Id.* at § 248(b).

¹⁶ Annex 3.

¹⁷ *Id.*

¹⁸ *Id.* at Schedule 1.

¹⁹ *See Law of the Sea Bulletin 1999* (No. 41). *See also* Maritime Zones Act (Annex 3) (referring to Article 47 of UNCLOS in its annex).

accordance with Schedule 1 of this Act shall be the archipelagic waters of Maldives.”

- “4. The maritime area contained within 12 nautical miles measured from the archipelagic baselines drawn in accordance with Schedule 1 of this Act shall be the territorial sea of Maldives.”
- “5. The maritime area contained within 12 nautical miles measured from the outer limits of the territorial sea as determined under section 4 of this Act shall be the contiguous zone of Maldives.”
- “6. The maritime area adjacent to and beyond the territorial sea as determined under section 4 of this Act together with the seabed thereof, up to 200 nautical miles measured from the archipelagic baselines drawn in accordance with Schedule 1 of this Act shall be the exclusive economic zone of Maldives.”
- “7 (a). In the event that the exclusive economic zone of Maldives as determined under section 6 of this Act overlaps with the exclusive economic zone of another State, this Act does not prohibit the Government of Maldives from entering into an agreement with that State regarding the area of overlap and delimiting the exclusive economic zone of Maldives for the said area of overlap.”
- “18. In this Act: (a) Archipelagic baselines shall mean the lines which join the coordinates specified in Schedule 1 of this Act.”

As stated above, under section 7 (a), the Government of Maldives is permitted to enter into an agreement with another State in the event that the EEZ of Maldives overlaps with the EEZ of another State.²⁰ Accordingly, the Maldives has concluded a number of agreements with adjacent and opposite coastal States that establish agreed maritime boundaries in the region. This includes a maritime boundary established by Maldives and India, concluded in December 1976,²¹ and the tri-point of a maritime boundary between the Maldives, India and Sri Lanka, concluded in July 1976.²²

²⁰ Maritime Zone Act § 7 (Annex 3).

²¹ Agreement Between India and Maldives on Maritime Boundary in the Arabian Sea and Related Matters (Dec. 28, 1976) (Annex 4).

²² Agreement between Sri Lanka, India and Maldives concerning the Determination of the Trijunction Point between the three Countries in the Gulf of Mannar (July 1976) (Annex 5).

The Agreement between India and the Maldives on Maritime Boundary in the Arabian Sea and Related Matters sets out the coordinates of the maritime boundary between India and Maldives in the Arabian Sea in its Article I.²³ Further, Article IV (1) and (2) of this agreement provides as follows:

- “(1) Each Party shall have sovereignty over all islands falling on its side of the aforesaid boundary, as well as over the territorial waters and the airspace above them.
- (2) Each Party shall have sovereign rights and exclusive jurisdiction over the continental shelf and the exclusive economic zone as well as over their resources, whether living or non-living, falling on its own side of the aforesaid boundary.”²⁴

The Agreement between Sri Lanka, India and Maldives concerning the Determination of the Trijunction Point between the three Countries in the Gulf of Mannar is a trilateral agreement that delineates the trijunction point between the three States in the Gulf of Mannar.²⁵ Article 1 of the agreement provides that “[t]he trijunction point between Sri Lanka, India and Maldives in the sea beyond the Gulf of Mannar, which is equidistant from the nearest points on the coasts of Sri Lanka, India and Maldives respectively, shall be the point, which has been agreed to be called point T, defined by latitude and longitude as follows: Point T: 04° 47.04" N (latitude) 77° 01.40" E (longitude).”²⁶

Finally, with regards to the Maldives’ continental shelf, in 2010 the Maldives filed its submission with the Commission on the Limits of the Continental Shelf pursuant to Article 76(8) of UNCLOS, in support of the proposed outer limits of the Maldives’ continental shelf beyond the 200 nautical mile limit of the EEZ.²⁷ The submission outlines that pursuant to Article 76, a total of 297 fixed points have been established by the Maldives to determine the proposed outer limits of the continental shelf.²⁸ Those proposed outer limits identified in the submission enclose an area of approximately 165,966 square kilometres.²⁹ The Maldives’

²³ Annex 3.

²⁴ *Id.*

²⁵ Annex 4.

²⁶ *Id.*

²⁷ Annex 1.

²⁸ *Id.* at ¶ 6-6.

²⁹ *Id.* at ¶ 6-8.

extended continental shelf submission is yet to be examined by the Commission and therefore no recommendations have been provided in response to the submission.

In sum, the Maldives has sought to define its maritime entitlements and boundaries, and to therefore protect its coastal areas, in accordance with international law. The Maldives has also engaged in coastal fortification efforts in an attempt to try and protect islands and communities from rising sea levels. The most prominent example of this is the construction of the artificial island, Hulhumalé, which has been constructed next to the capital Malé.³⁰ The island has been built at 2.1m above sea level (60cm higher than the normal island elevation of 1.5m) in order to take into account future sea-level rise.³¹ This project displays Maldives' commitment to preserving its land territory as well as its maritime entitlements, despite the high costs and technical challenges associated with such projects. However, as discussed further below in Part B, it will not be feasible for the Maldives to undertake coastal fortifications on the scale needed to physically protect its maritime entitlements. For the Maldives, as for other SIDS, international law is a much more viable tool for protecting maritime entitlements.

³⁰ JENNY GROTE STOUTENBURG, *DISAPPEARING ISLAND STATES IN INTERNATIONAL LAW* 169 (2015).

³¹ Jochen Hinkel et al., *The ability of societies to adapt to twenty-first century sea-level rise*, 8 *NATURE CLIMATE CHANGE* 570, 573 (2018).

PART B – THE MALDIVES’ VIEWS ON SEA-LEVEL RISE AND THE LAW OF THE SEA

The Maldives considers that the appropriate position regarding the impact of sea-level rise on States’ existing maritime entitlements is as follows:

First, once a State has determined the extent of its maritime entitlements in accordance with UNCLOS and deposited the appropriate charts and/or geographic coordinates with the UN Secretary-General, as the Maldives has done, these entitlements are fixed and will not be altered by any subsequent physical changes to a States’ geography as a result of sea-level rise. The Maldives takes this view for two key reasons: (a) this position is most consistent with the principles of stability and certainty of international law; and (b) the considerations of equity and fairness require that SIDS’ maritime entitlements are protected, especially given the particular vulnerability of SIDS to climate change.

Second, the Maldives considers that sea-level rise does not have any effect on maritime boundaries between two States when they have been fixed by a treaty. Maritime boundary treaties, such as those that Maldives has negotiated, are binding under the rule of *pacta sunt servanda*, and sea-level rise does not constitute a fundamental change of circumstances that would allow termination or suspension of such treaties.

1) Maritime entitlements determined in accordance with UNCLOS must remain stable regardless of sea-level rise

- a) **The principles of stability and certainty of international law require that maritime entitlements should not be affected by sea-level rise**

The Maldives’ view is that maritime entitlements, delimited in accordance with UNCLOS must be preserved notwithstanding the physical impacts of sea-level rise on a State’s geography because this is crucial for ensuring the stability and certainty of international law – concerns which are central to the purpose of UNCLOS.

i) *Fixed maritime entitlements ensure stability and certainty*

The Maldives considers that it is critical to ensure stability and certainty with respect to maritime entitlements. There is a very real risk that if maritime entitlements are allowed to be in constant flux as a result of the ongoing process of sea-level rise, this could create considerable uncertainty as to the valid location of maritime entitlements. This uncertainty could lead to disputes, between both States and private actors, concerning the true location of maritime entitlements and the control of valuable marine resources.³² In the case of the Maldives, for example, fishing is the second largest contributor to the economy and the main food source for rural communities.³³ If maritime entitlements were not protected by international law, this could raise uncertainty as to whether fishing grounds that were previously within the Maldives' exclusive economic control remain so. This uncertainty could lead to both inter-State and private conflict if other States or private actors sought to exploit that resource.³⁴ It should also be emphasized that the potential for conflict is likely to be heightened by the impacts of climate change, which is now well-recognised as a significant threat to security because of the strains it will place on communities and resources.³⁵ The risk, therefore, is a real one. For these reasons therefore, and as argued by Judge Jesus (the former President of the International Tribunal for the Law of the Sea), fixed maritime entitlements are necessary in order to ensure stability and to promote orderly relations over ocean resources and uses.³⁶

Further, in the Maldives' view, the fixing of maritime entitlements is the only way the stability and certainty of international law are preserved. While coastal States have undertaken various physical measures to protect against coastal erosion and to maintain maritime

³² David D. Caron, *When Law Makes Climate Change Worse: Rethinking the Law of Baselines in Light of a Rising Sea Level*, 17 *ECOLOGY L. Q.* 621, 645 (1990).

³³ FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, National Fishery Sector Overview: Maldives, <http://www.fao.org/fishery/facp/MDV/en> (last visited Dec. 10, 2019).

³⁴ Caron, *supra* note 32, at 641.

³⁵ See, e.g., *Climate Change and "Security,"* in THE OXFORD HANDBOOK OF CLIMATE CHANGE AND SOCIETY 251 (Nils Gilman et al. eds., 2012).

³⁶ The particular method through which he proposes this be achieved is the fixing of baselines. See J. L. Jesus, *Rocks, New-born Islands, Sea Level Rise and Maritime Space*, in VERHANDELN FÜR DEN FRIEDEN: NEGOTIATING FOR PEACE: LIBER AMICORUM TONO EITEL 602, 603 (J. Frowein et al. eds., 2003); See also Moritaka Hayashi, *Sea-Level Rise and the Law of the Sea: Future Options*, in THE WORLD OCEAN IN GLOBALISATION CLIMATE CHANGE, SUSTAINABLE FISHERIES, BIODIVERSITY, SHIPPING, REGIONAL ISSUES 195 (Davor Vidas & Peter Johan Schei eds., 2011)

entitlements, such adaptive measures will not be effective permanent solutions as sea-levels continue to rise.³⁷ It is only the operation of international law that can achieve the necessary stability and certainty.

ii) Principles of stability and certainty are central to the spirit of UNCLOS

The Maldives also considers that the goals outlined above, of maintaining the stability and certainty of international law, are wholly consistent with the spirit of UNCLOS.

As noted by the International Law Association (ILA) in its 2018 report on the issue of sea-level rise and law of the sea, some of the principal motivations of UNCLOS are to contribute to the maintenance of peace, security and cooperation between States.³⁸ This is evident from the preamble of UNCLOS which states that the Convention “will contribute to the strengthening of peace, security, cooperation and friendly relations among all nations in conformity with the principles of justice and equal rights and will promote the economic and social advancement of all peoples of the world, in accordance with the Purposes and Principles of the United Nations as set forth in the Charter”.³⁹ It is clear therefore that ensuring the stability and certainty of maritime entitlements and thereby facilitating orderly relations between States and reducing the risk of conflict, fits clearly within the purposes and spirit of UNCLOS.

Further, while it appears that the drafters of UNCLOS did not anticipate that there would be substantial changes in global sea levels, they were not averse to fixing baselines in the context of deltas and unstable coasts. Article 7(2) provides that “[w]here because of the presence of a delta and other natural conditions the coastline is highly unstable the appropriate points may be selected along the furthest seaward extent of the low-water line and,

³⁷ See Hayashi, *supra* note 36, at 188; See also Coalter G. Lathrop, *Baselines*, in THE OXFORD HANDBOOK OF THE LAW OF THE SEA 78 (Donald R. Rothwell et al. eds., 2015).

³⁸ Davor Vidas et al., *Report of the International Law Association Committee on International Law and Sea Level Rise held in Sydney*, INTERNATIONAL LAW ASSOCIATION 13 (2018), https://www.ila-hq.org/images/ILA/DraftReports/DraftReport_SeaLevelRise.pdf (hereinafter *ILA 2018 Report*).

³⁹ UNCLOS, preamble para. 7.

notwithstanding subsequent regression of the low-water line, the straight baselines shall remain effective until changed by the coastal State in accordance with this Convention.”⁴⁰

In addition, arguably the drafters also intended to fix the outer boundary of the continental shelf permanently. Article 76(9) of UNCLOS provides that the coastal State “shall deposit with the Secretary-General of the United Nations charts and relevant information, including geodetic data, *permanently* describing the outer limits of its continental shelf” (emphasis added).⁴¹ Such an intention would further demonstrate the intention of the drafters of UNCLOS to accord due regard to the principles of stability and certainty, because permanently fixing the outer boundary of the continental shelf would guarantee stable and predictable jurisdictional limits and clearly delineate the area of the high seas - and consequently, the resources which are considered the common heritage of mankind.⁴²

Finally, it should be recognized that international law more generally also emphasizes the importance of certainty and stability in relation to the delineation of international borders and boundaries. For example, the 1978 Vienna Convention on Succession of States in Respect of Treaties recognises a special regime for boundaries. It provides in Article 11 that succession of a State does not affect a boundary established by a treaty, or obligations and rights established by a treaty and relating to the regime of a boundary.

iii) State practice in the Pacific supports fixed maritime entitlements to ensure stability and certainty

Finally, it is relevant to note that the practice engaged in by States in the Pacific region to fix maritime entitlements demonstrates how such a regime can operate to ensure stability and certainty.⁴³ As part of the Pacific Boundaries Project, States have revised and updated their maritime zones legislation, defined their baselines, delineated the outer limits of their maritime zones (this has included the preparation of submissions to the Commission on the Limits of

⁴⁰ Clive Schofield, *Shifting Limits? Sea Level Rise and Options to Secure Maritime Jurisdictional Claims*, 4 CARBON & CLIMATE L. REV. 405, 413 (2009).

⁴¹ See Caron, *supra* note 32, at 634–35.

⁴² See SUZETTE V. SUAREZ, *THE OUTER LIMITS OF THE CONTINENTAL SHELF: LEGAL ASPECTS OF THEIR ESTABLISHMENT* 217 (2008). See also STOUTENBURG, *supra* note 30, at 274.

⁴³ *ILA 2018 Report* at 13.

the Continental Shelf relating to their extended continental shelf) and delimited maritime boundaries between one another.⁴⁴ Further, through the “Framework for a Pacific Oceanscape” initiative,⁴⁵ Pacific Island States have deposited coordinates and charts delineating their maritime zones with the UN,⁴⁶ with the explicit objective that once established, these areas “could not be challenged and reduced due to climate change and sea-level rise”.⁴⁷ This practice demonstrates that by fixing maritime entitlements, stability and certainty between States in a region can be ensured.

As discussed in Part A, Maldives also has taken important steps to establish its own maritime entitlements and boundaries that facilitate fixing them. Maldives has maritime zones legislation and defined baselines and maritime zones, it has filed a submission with the Commission on the Limits of the Continental Shelf, and it has negotiated maritime boundary agreements with other coastal States.

b) Principles of equity and fairness support maintaining the maritime entitlements of SIDS

The Maldives also considers that considerations of fairness and equity mean that it is critically important that international law operates to maintain SIDS’ existing maritime entitlements, as established under UNCLOS. A failure to do so would result in inequitable and unfair treatment of SIDS such as the Maldives, who would be disproportionately affected by any change to their maritime entitlements, notwithstanding that they have contributed virtually nothing to the climate crisis.

It has long been recognised that significant fairness concerns arise in respect of maritime boundary delimitation and it is a well-established approach for international courts and tribunals to consider elements of equity in reaching determinations in respect to boundary

⁴⁴ Clive Schofield & David Freestone, *Islands Arwash Amidst Rising Seas: Sea Level Rise and Insular Status under the Law of the Sea*, 34 INT’L. J. MAR. & COASTAL L. 391, 405 (2019).

⁴⁵ See Cristelle Pratt and Hugh Govan, *Our Sea of Islands, Our Livelihoods, Our Oceania. Framework for A Pacific Oceanscape: a catalyst for implementation of ocean policy*, PACIFIC ISLANDS FORUM SECRETARIAT (2010), <http://www.forumsec.org/wp-content/uploads/2018/03/Framework-for-a-Pacific-Oceanscape-2010.pdf> (hereinafter *Pacific Framework*); *ILA 2018 Report* at 17.

⁴⁶ *Pacific Framework* at 57.

⁴⁷ *Id.* at 58.

lines over maritime areas.⁴⁸ The Maldives' takes the view that the considerations of equity and fairness that apply in the present case are particularly acute.

i) Disproportionate impacts as a result of geography

The geography of the Maldives and SIDS more generally means that if international law were to require that maritime entitlements change as sea-levels rise, the impacts on the Maldives and other SIDS would be disproportionate when compared to many other States. While some coastal States might simply experience a shifting in maritime zones under such an approach, the geography of the Maldives and other SIDS means that the impacts of sea-level rise would result in a reduction of the State's maritime entitlements because as the land area of an island shrinks, so too would the size of the maritime zones which it generates.

These impacts would be particularly pronounced for archipelagic States such as the Maldives. Articles 47 and 48 of UNCLOS set out a special regime for calculating baselines for archipelagic States to preserve the intrinsic geographical, economic and political interrelations between such islands.⁴⁹ These provisions allow the archipelagic State to draw "straight archipelagic baselines" by joining "the outermost points of the outermost islands and drying reefs on the archipelago provided that such baselines are included in the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1".⁵⁰ If international law were to require maritime entitlements to change as sea levels rise, then archipelagic States such as the Maldives would be required to re-draw their archipelagic baselines as basepoints become submerged, potentially resulting in a significant decrease in the size of the States' maritime zone.⁵¹ Further, it is also possible that archipelagic States might no longer satisfy the water to land ratio as islands or reefs are

⁴⁸ For a discussion of the application of equity in maritime boundary delimitations see Malcolm Evans, *Maritime Boundary Delimitation*, in THE OXFORD HANDBOOK OF THE LAW OF THE SEA 254 (Donald Rothwell et al. eds., 2019); and Lucie Delabie, *The Role of Equity, Equitable Principles, and the Equitable Solution in Maritime Delimitation*, in MARITIME BOUNDARY DELIMITATION: THE CASE LAW – IS IT CONSISTENT AND PREDICTABLE? 145 (Alex G. Oude Elferink et al. eds., 2018).

⁴⁹ UNCLOS art 46.

⁵⁰ UNCLOS art. 47(1).

⁵¹ Tim Stephens, *Warming Waters and Souring Seas: Climate Change and Ocean Acidification*, in THE OXFORD HANDBOOK OF THE LAW OF THE SEA 777, 790–91 (David Rothwell et al eds., 2015); *ILA 2018 Report* at 13.

submerged and removed from landmass calculations.⁵² The impact of an approach that did not protect current maritime entitlements would be particularly acute for archipelagic States like the Maldives.

ii) Impact of shrinking maritime entitlements

Any reduction in the size of the Maldives' maritime zones as a result of the processes outlined above would have profound consequences, disproportionate to those likely to be experienced by non-SIDS.

While the Maldives may be a small island State, it is a large ocean State. Over 99 per cent of the Maldives is made up of the sea - only 0.331 per cent is dry land. The EEZ of the Maldives covers more than 859,000 square kilometres. As a result of this geography, the Maldives is incredibly reliant on the ocean for economic wellbeing and sustainable development. Tourism is the main contributor to the Maldives' economy and the industry is heavily reliant on the Maldives' pristine ocean environment.⁵³ Further, fishing has been a way of life and the main occupation in the Maldives for centuries,⁵⁴ and today, the fisheries sector is the second-largest generator of GDP for the Maldives.⁵⁵ The fishing industry employs 20 percent of the active labour force and, along with agriculture, is the main source of income for rural communities.⁵⁶ Fishing also makes a significant contribution to the Maldives' food security, as fish is the primary source of protein in the country.⁵⁷

The Maldives' reliance on the ocean, and, in particular, on our territorial waters and EEZ, means that if the Maldives' present maritime entitlements are not protected, the consequences will be significant. The Maldivian fishing industry in particular would be likely to suffer significant adverse consequences, and this would have society-wide implications.

⁵² Stephens, *supra* note 51. See also *ILA 2018 Report* at 13.

⁵³ Second National Communication to the UNFCCC at 6, 8.

⁵⁴ FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, National Fishery Sector Overview: Maldives, <http://www.fao.org/fishery/facp/MDV/en> (last visited Dec. 10, 2019).

⁵⁵ Second National Communication to the UNFCCC at 2.

⁵⁶ *Economy*, *supra* note 3; Second National Communication to the UNFCCC at 2.

⁵⁷ Food and Agriculture Organization of the United Nations, *Maldives and FAO: Partnering for Sustainable Agricultural Development and Food Security* 1 (2018), <http://www.fao.org/3/a-ax461e.pdf>.

iii) Inability to engage in large-scale coastal reinforcement

The Maldives and other SIDS would also be further disadvantaged by an international legal regime that did not protect existing maritime entitlements because large-scale coastal reinforcement to protect maritime entitlements, which may be possible for some developed States with sufficient resources and appropriate geography, will not be feasible for the Maldives or other SIDS.

It is a generally accepted proposition that coastal States may undertake physical measures to maintain their existing baselines or basepoints.⁵⁸ Such measures might involve “hard” defence structures such as the construction of sea walls, groynes or wave reduction structures (such as revetments, offshore breakwaters, rock armour and gabions) or lower impact “soft engineering options” such as the feeding of beaches or the construction of artificial islands.⁵⁹

The Maldives has historically used shore protection measures to combat erosion, and both hard and soft shoreline protection measures are practised in the country. Commonly used hard engineering solutions in the Maldives are nearshore and foreshore coastal protection methods, land reclamation and land elevation. However, large-scale use of such measures to protect maritime entitlements in the face of sea-level rise will simply not be feasible for the Maldives for a number of reasons. First, such measures are incredibly expensive, and the cost would be prohibitive for the Maldives and other SIDS. It was estimated in 2016 that the costs of using hard engineering solutions to protect the inhabited Maldivian islands alone would cost up to \$8.8 billion USD.⁶⁰ The cost of protecting all the Maldivian islands that generate the archipelagic baselines so as to protect the Maldives’ maritime entitlements would be dramatically higher. For a country with a total GDP of \$5,272 million USD in 2018, such an investment is simply not possible.⁶¹ Even if it were, it would involve significant inefficiencies

⁵⁸ See e.g., International Law Association, *Baselines Under The International Law Of The Sea*, at 30 (2012).

⁵⁹ Schofield, *supra* note 40, at 411.

⁶⁰ Second National Communication to the UNFCCC, at 6, 97.

⁶¹ *Maldives: Data*, WORLD BANK, <http://www.data.worldbank.org> (last visited Nov. 29, 2019).

and wasted expenditure.⁶² Second, in addition to the financial barriers to engaging in large-scale coastal reinforcement, in some cases, such measures may be counter-productive. Reinforcement measures can lead to unexpected erosion and deposition elsewhere along the coast as the coastline is thrown out of equilibrium.⁶³ This can be particularly problematic in the context of coral islands, which depend on uninterrupted sediment flows in order to sustain the island-building processes that maintain their integrity.⁶⁴ In addition, the beach erosion caused by hard seawalls is likely to negatively affect tourism, upon which the Maldivian economy is highly reliant.⁶⁵ Finally, such measures are likely to simply be physically impossible to achieve on the scale required due to the geography of the Maldives.

It is clear therefore that if international law were to require States to physically reinforce their low water line or basepoints in order to protect their current maritime entitlements, SIDS such as the Maldives would be further penalized. While wealthier developed countries with the appropriate geography may be able to invest in significant coastal fortification in order to protect their maritime entitlements, this would not be possible for the Maldives or other SIDS.

iv) Negligible contribution to climate change

Finally, it is particularly important to emphasize that these disproportionately severe impacts that would be experienced by SIDS if international law does not protect our existing maritime entitlements will be borne by the States who are already particularly vulnerable to the physical impacts of climate change, and who have contributed virtually nothing to the climate crisis and are powerless to mitigate it.

The emissions of the Maldives are negligible when considered in the global context. In 2011, the Maldives was responsible for just 0.003% of the world's carbon emissions.⁶⁶ The

⁶² David. D. Caron, *Climate Change, Sea Level Rise and the Coming Uncertainty in Oceanic Boundaries: A Proposal to Avoid Conflict*, in MARITIME BOUNDARY DISPUTES, SETTLEMENT PROCESSES, AND THE LAW OF THE SEA 1, 12–13 (Seoung-Yong Hong and Jon M. Van Dyke, eds., 2009).

⁶³ David Freestone, *International Law and Sea Level Rise*, in INTERNATIONAL LAW AND GLOBAL CLIMATE CHANGE 109, 118 (Robin Churchill and David Freestone eds., 1991).

⁶⁴ Schofield, *supra* note 40, at 411.

⁶⁵ See Second National Communication to the UNFCCC at 2; *Economy*, *supra* note 3.

⁶⁶ Ministry of Environment and Energy, Government of Maldives, REPUBLIC OF MALDIVES, MALDIVES' INTENDED NATIONALLY DETERMINED CONTRIBUTION 2 (Sept. 2015).

injustice of such States bearing the largest burden as a result of climate change-driven sea-level rise is self-evident. Further, this figure is also illustrative of the fact that the Maldives can do very little to mitigate the drivers of climate change. The Maldives is committed to accelerated climate action; President Ibrahim Mohamed Solih recently announced that the Maldives was revising and upscaling our Nationally Determined Contributions under the Paris Agreement.⁶⁷ However, the reality is we are reliant on developed countries with high emissions profiles to reduce emissions in order to avoid catastrophic climate change.

2) **Maritime boundaries that have been fixed in treaties must remain stable regardless of sea-level rise under the rule of *pacta sunt servanda*.**

The Maldives' position is that, regardless of its potential physical and legal effects on baselines, sea-level rise will, in any event, have no effect on maritime boundaries between States when they have been fixed by treaty. Such treaties are binding under the rule of *pacta sunt servanda* (a). Additionally, sea-level rise cannot be invoked as a fundamental change of circumstances to terminate or suspend such maritime boundary treaties (b).

a) Under the rule of *pacta sunt servanda* maritime boundaries determined in treaties are final and binding

Treaties establishing a maritime boundary, like any other treaty, are legally binding upon the parties under the rule of *pacta sunt servanda*, as established in Article 26 of the Vienna Convention on the Law of Treaties (VCLT).

UNCLOS recognizes the validity and binding nature of maritime delimitation agreements. In relation to the delimitation of territorial seas, Article 15 of UNCLOS provides that:

⁶⁷ Statement Delivered by His Excellency Ibrahim Mohamed Solih, President of the Republic of Maldives, General Debate of the 74th Session of the United Nations General Assembly (Sept. 24 2019).

“Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, *failing agreement between them to the contrary*, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured.” (emphasis added)

With regard to the delimitation of the EEZ, Article 74 provides that “[t]he delimitation of the exclusive economic zone between States with opposite or adjacent coasts *shall be effected by agreement* on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution,” and that “[w]here there is an agreement in force between the States concerned, questions relating to the delimitation of the exclusive economic zone *shall be determined in accordance with the provisions of that agreement*” (emphasis added). Article 83 applies *mutatis mutandis* with regard to the delimitation of the continental shelf. Further, Article 134(4) provides that “[n]othing in this article affects the establishment of the outer limits of the continental shelf in accordance with Part VI or *the validity of agreements relating to delimitation between States with opposite or adjacent coasts.*” (emphasis added).

At the very least, those maritime boundary treaties that define the boundary by precise geographic coordinates, like those the Maldives entered into, should remain stable. As opposed to the use of more vague expressions like “the median line,”⁶⁸ which could shift over time due to coastal erosion, geographic coordinates remain the same regardless of changes in coastal geography that could be induced by sea-level rise. Under the rule of *pacta sunt servanda*, a performance of those treaties in good faith would require maintaining the maritime boundary as defined by the precise coordinates in the treaty, regardless of sea-level rise.

b) Sea-level rise may not be invoked as a fundamental change of circumstances to suspend or terminate a treaty establishing a maritime boundary

⁶⁸ See Julia Lisztwan, *Stability of Maritime Boundary Agreements*, 37 Yale J. Int’l L. 153, 181 (2012) (citing David Anderson, *Negotiating Maritime Boundary Agreements: A Personal View*, in MARITIME DELIMITATION 121, 133 (Rainer Lagoni & Daniel Vignes eds., 2006), which recommends States to define the boundary line using “geodetic parameters” rather than “the median line” because the median line might shift over time due to shifting coastlines).

One exception to the rule of *pacta sunt servanda* is the doctrine of fundamental change of circumstances (or *rebus sic stantibus*) which allows a State to terminate or suspend the application of a treaty under certain limited conditions. Such conditions are codified in Article 62 of the VCLT:

“1. A fundamental change of circumstances which has occurred with regard to those existing at the time of the conclusion of a treaty, and which was not foreseen by the parties, may not be invoked as a ground for terminating or withdrawing from the treaty unless:

(a) The existence of those circumstances constituted an essential basis of the consent of the parties to be bound by the treaty; and

(b) The effect of the change is radically to transform the extent of obligations still to be performed under the treaty.

2. A fundamental change of circumstances may not be invoked as a ground for terminating or withdrawing from a treaty:

(a) If the treaty establishes a boundary;”

The Maldives’ position is that a fundamental change of circumstances could not be invoked in relation to a maritime boundary treaty because it falls within the exclusion of Article 62(2)(a) of the VCLT. Even if such treaties did not fall within that exclusion, sea-level rise could not be invoked as a fundamental change of circumstances because it would not radically transform the extent of obligations to be performed under the treaty.

i) A fundamental change of circumstances may not be invoked to terminate or suspend a maritime boundary treaty because it “establishes a boundary”.

(1) A maritime boundary falls within the plain meaning of “boundary”.

Article 62(2)(a) excludes the application of the *rebus sic stantibus* doctrine when the treaty in question “establishes a boundary.” The term “boundary” is broad enough to encompass within its plain meaning maritime boundaries as well as land boundaries. When elaborating the draft articles that served as the basis for the adoption of the VCLT, the International Law

Commission (ILC) never provided a clear definition of the term “boundary,” but according to the ILC’s report to the General Assembly, the clause “embrace[s] treaties of cession as well as delimitation treaties,” without any qualifier.⁶⁹ Many scholars support this reading of Article 62(2)(a).⁷⁰ During the UN Conference on the Law of Treaties, some delegations like Ukraine and the United States also suggested that “boundary” would also encompass maritime delimitations.⁷¹ No delegation made contrary statements.⁷² This reading also conforms with Oppenheim’s definition of boundaries as “the imaginary lines on the surface of the earth which separate the territory of one state from that of another, or from unappropriated territory, or *from the open sea.*”⁷³

(2) To read “boundary” as to encompasses both land and maritime boundaries is in line with the purpose of Article 62(2)(a)

The ILC excluded treaties establishing boundaries to avoid “dangerous frictions” in international relations,⁷⁴ and to “safeguard the stability of boundaries in order to promote peace and security in the international community.”⁷⁵ Maritime boundary treaties, like those fixing land frontiers, by nature require stability, which confirms that they fall within Article 62(2)(a) read in light of its purpose.

⁶⁹ International Law Commission, Report on the Work of its Eighteenth Session, [1966] 2 Yearbook of the International Law Commission 259, U.N. Doc. A/CN.4/SER.A/1966/Add.1.

⁷⁰ See Lisztwan, *supra* note 68, at 189 (“State Parties intended maritime boundaries to fall within the Article 62(2) boundary exception.”); *id.* at 187 (“Clive Schofield implies that maritime boundary treaties are within the Article 62(2) exception when, in his discussion of the treatment of islands in delimitations, he notes that the ‘special protection accorded to boundary treaties in international law’”) (citing Clive Schofield, *The Trouble with Islands: The Definition and Role of Islands and Rocks in Maritime Boundary Delimitation*, in *Maritime Boundary Disputes, Settlement Processes, And The Law Of The Sea* 19, 19, 22 n. 11 (Jon M. van Dyke ed., 2009)).

⁷¹ Lisztwan, *supra* note 68, at 188–89 (citing United Nations Conference on the Law of Treaties, First Session, 63rd Meeting of the Committee of the Whole, at 367, U.N. Doc. A/CONF.39/C.1/SR.63 (May 10, 1968)).

⁷² Lisztwan, *supra* note 68, at 189.

⁷³ *Id.* at 188 (alteration in original) (citing 1 Oppenheim’s International Law § 226, at 661 (Robert Jennings & Arthur Watts eds., 9th ed. 1996)). During the United Nations Conference on the Law of Treaties, the United States delegation quoted this definition, thereby inferring that “it also viewed boundaries as encompassing both land and maritime delimitations.” Lisztwan, *supra* note 68 at 188.

⁷⁴ International Law Commission, Report on the Work of its Eighteenth Session, [1966] 2 Yearbook of the International Law Commission 259, U.N. Doc. A/CN.4/SER.A/1966/Add.1.

⁷⁵ United Nations Conference on the Law of Treaties, First Session, 64th Meeting of the Committee of the Whole, at 371, U.N. Doc. A/CONF.39/C.1/SR.64 (May 10, 1968).

In *Greece v. Turkey (Aegean Sea Continental Shelf)*, the International Court of Justice (ICJ) confirmed that agreements delimiting the continental shelf fell within the exception in Article 62(2)(a) of the VCLT as well as those establishing land frontiers because they both “inevitably involves the *same element of stability and permanence*.”⁷⁶ In the *Bangladesh v. India (Bay of Bengal)* arbitration the tribunal referred to the *Temple of Preah Vihear* case, in which the ICJ stated that “when two countries establish a frontier between them, one of the primary objects is to achieve stability and finality.”⁷⁷ The tribunal asserted that this applied equally to land and maritime boundaries, and further declared that “neither the prospect of climate change nor its possible effects can jeopardize the large number of settled maritime boundaries throughout the world.”⁷⁸

In its *Handbook on Maritime Delimitation*, the UN Division for Ocean Affairs and the Law of the Sea (DOALOS) noted that maritime boundary delimitation agreements “have a vocation for permanence and stability.”⁷⁹ The DOALOS *Handbook on Maritime Delimitation* itself does not recommend making any reference to future geographical changes in coastal geography in maritime delimitation treaties, though such changes are possible and foreseeable. Out of hundreds of maritime boundary treaties, almost none refers to such changes.⁸⁰ This suggests that maritime delimitation treaties are meant to be stable and permanent. One guide on maritime delimitation even recommends that States should define the boundary line using “geodetic parameters” rather than “the median line” because the median line can shift over time due to shifting coastlines⁸¹ – suggesting *a contrario* that the use of geodetic parameters will ensure that the boundary line is not ambulatory. This recommendation confirms that in theory, the goal of maritime boundary treaties is to establish a permanent, stable boundary.

In practice, an overwhelming majority of maritime boundary treaties specify the geographic coordinates of the boundary.⁸² The preferred use of GPS coordinates (as in the

⁷⁶ *Aegean Sea Continental Shelf (Greece v. Turk.)*, Judgment, 1978 I.C.J. 3, ¶85 (Dec. 19) (emphasis added).

⁷⁷ *Bay of Bengal Maritime Boundary Arbitration (Bangl./India)*, ¶216 (Perm. Ct. Arb. 2014) (citing *Temple of Preah Vihear (Cambodia v. Thai.)*, Merits, Judgment, 1962 I.C.J. 6, 34 (June 15)).

⁷⁸ *Bay of Bengal Maritime Boundary*, ¶217.

⁷⁹ Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations, *Handbook On The Delimitation Of Maritime Boundaries*, para. 322 (2000).

⁸⁰ Lisztwan, *supra* note 68, at 180.

⁸¹ See *supra* note 68 and accompanying text.

⁸² *Id.* See also A. H. A. Soons, *The Effect of a Rising Sea Level on Maritime Limits and Boundaries*, 37 Neth. Int'l L. R. 207, 226 (1990) (“The method used most often is to establish the median line (at least, a boundary line

Maldives' maritime boundary treaties) as opposed to other techniques of delimitation such as the median line, which could shift over time due to coastal erosion, shows that States intend for maritime boundaries to remain as stable as land borders. Indeed, according to one author, "where the boundary line has been fixed, it must in principle be concluded that changes in the geographical configuration as a result of sea-level rise will not result in changes in the boundary line."⁸³ Moreover, maritime boundary treaties typically do not contain termination provisions,⁸⁴ demonstrating that States view such delimitation treaties as permanent. Some treaties make this purpose explicit, such as a treaty between India and Indonesia delimiting their continental shelf, which provides in its preamble that the parties are "RESOLVING, as good neighbours and in a spirit of cooperation and friendship, *to settle permanently* the limits of the areas. . ."⁸⁵

In sum, maritime boundary treaties are widely considered as requiring the same level of stability as land boundaries. Their drafting also confirms the States' intent to establish stable and permanent boundaries.

While certain maritime zones like the EEZ are not subject to the territorial sovereignty of the State like land is, they are often crucial to the State's economy and subsistence, especially for SIDS like the Maldives, who rely on their fisheries for subsistence.⁸⁶ As an author explained "[t]he uncertainty as to whether a fishing ground is still within one state's exclusive economic control will tempt others to make use of the resource and create a situation ripe for conflict."⁸⁷

based thereon) by way of lines drawn between points the exact location of which has been determined by geographical coordinates. Another, much less frequently used method involves the mere reference in the agreement to the median line as forming the agreed-upon boundary line.").

⁸³ Soons, *supra* note 82, at 227.

⁸⁴ See Lisztwan, *supra* note 68, at 180.

⁸⁵ Agreement between the Government of the Republic of India and the Government of the Republic of Indonesia on the Extension of the 1974 Continental Shelf Boundary between the two Countries in the Andaman Sea and the Indian Ocean, India-Indon., Jan. 14, 1977 (emphasis added).

⁸⁶ Under UNCLOS, Article 56, "1. In the exclusive economic zone, the coastal State has: (a) sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds; (b) jurisdiction as provided for in the relevant provisions of this Convention with regard to: (i) the establishment and use of artificial islands, installations and structures; (ii) marine scientific research; (iii) the protection and preservation of the marine environment; (c) other rights and duties provided for in this Convention."

⁸⁷ Caron, *supra* note 62, at 14.

As such, to subject maritime boundary treaties to the *rebus sic stantibus* doctrine would “result in a permanent source of serious international political tension.”⁸⁸

For these reasons, reading “boundary” to include maritime boundaries is fully in line with the purposes of Article 62(2)(a).

ii) *In any event, a natural, progressive change like sea-level rise cannot be invoked as a “fundamental change of circumstances”.*

At the ILC, Special Rapporteur Waldock expressly discussed the possibility of a change in geographical circumstances as the basis for invoking Article 62. He only envisaged abrupt changes such as “extraordinary flood,” an “earthquake” or a “landslide,”⁸⁹ and yet he “doubt[ed]” whether such changes “could be said to raise a question of the termination of the treaty on the ground of a fundamental change of circumstances.”⁹⁰ According to an author, this shows that “the general understanding was that these changes would not affect the stability of the agreement.”⁹¹ Geographical changes thus appear to be categorically excluded from the scope of application of Article 62, which would preclude a State from invoking sea-level rise as a fundamental change of circumstances. This is in line with State practice as regards the invocation of the doctrine. States have invoked *rebus sic stantibus* relying on changes of economic and/or political nature.⁹²

⁸⁸ Soons, *supra* note 82, at 228.

⁸⁹ Sir Humphrey Waldock, Fifth Report on the Law of Treaties, [1966] 2 Y.B. Int'l L. Comm'n 1, 44, U.N. Doc. A/CN.4/183.

⁹⁰ *Id.*

⁹¹ Lisztwan, *supra* note 68, at 190.

⁹² See e.g., Gabčíkovo-Nagymaros Project (Hung./Slovk.), 1997 I.C.J. 7, ¶ 104 (Sept. 25) (“Hungary further argued that it was entitled to invoke a number of events which, cumulatively, would have constituted a fundamental change of circumstances. In this respect it specified profound changes of a political nature, the Project’s diminishing economic viability, the progress of environmental knowledge and the development of new norms and prescriptions of international environmental law”); Fisheries Jurisdiction (U.K. v. Ice.), Jurisdiction of the Court, Judgment, 1973 I.C.J. 3, ¶ 35 (the U.K. had alleged “the changed circumstances resulting from the ever-increasing exploitation of the fishery resources in the seas surrounding Iceland.”); Free Zones of Upper Savoy and the District of Gex (Fr. v. Switz.), Order, 1929 P.C.I.J. (ser. A) No. 22, ¶ 63 (Aug. 19) (“The situation of fact changed during the XIXth century. Switzerland, having achieved political unity, established her customs barriers on her frontiers in 1849. The zones which, before 1849, had only received the produce of the Canton of Geneva, now received produce from the whole of Switzerland.”).

Moreover, the gradual aspect of sea-level rise would likely preclude States from invoking it as a *fundamental* change of circumstances. Indeed, the right of a party to terminate a treaty by invoking the *rebus sic stantibus* principle “must be exercised within a reasonable time after the date of the occurrence or completion of the alleged essential change of circumstances.”⁹³ Failure to comply with this condition would estop the State from invoking the doctrine. This is because “a lengthy period of time between the occurrence of the alleged change and its invocation would legitimately presuppose its non-fundamental character.”⁹⁴ The phenomenon of sea-level rise has been publicly known since at least the late 1980s.⁹⁵ It is reasonable to conclude that it would be necessarily too late for any State to invoke the *rebus sic stantibus* doctrine to terminate a maritime boundary treaty on the basis of sea-level rise – which confirms that sea-level rise by nature is not the kind of “fundamental change” that was intended to trigger the application of Article 62.

iii) In any event, sea-level rise could not be invoked as a fundamental change of circumstances because it would not radically transform the extent of the obligations to be performed under maritime boundary treaties

The requirement that the change radically transforms the extent of obligations to be performed under the treaty entails that “[t]he consequences of the change . . . be to destroy or to modify totally the basis of the obligation based on the factual and decisive situation in existence at the time the treaty was concluded as well as . . . make the actual or future realization of the objectives and goals of the treaty or of the obligation impossible”⁹⁶ In the *Fisheries Jurisdiction* case, the ICJ clarified that “[t]he change must have increased the burden of the obligations to be executed to the extent of rendering the performance something essentially different from that originally undertaken”⁹⁷ This is a very high standard to meet, and it confirms the exceptional nature of the plea of fundamental change of circumstances.⁹⁸

⁹³ 2 THE VIENNA CONVENTIONS ON THE LAW OF TREATIES: A COMMENTARY 1427 (Olivier Corten & Pierre Klein eds., 2011).

⁹⁴ *Id.*

⁹⁵ See generally e.g., Male’ Declaration on Global Warming and Sea Level Rise (Nov. 18, 1989).

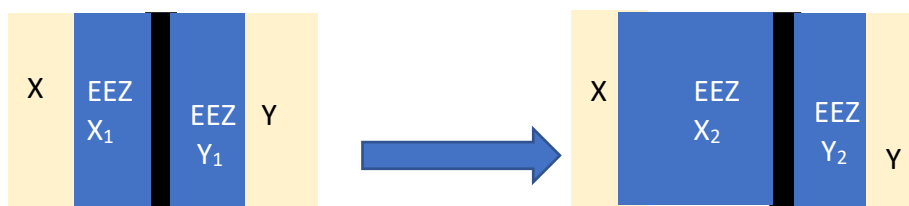
⁹⁶ 2 THE VIENNA CONVENTIONS ON THE LAW OF TREATIES: A COMMENTARY *supra* note 93, at 1426.

⁹⁷ *Fisheries Jurisdiction*, 1973 I.C.J. 3, ¶ 43.

⁹⁸ *Gabčíkovo-Nagymaros Project*, 1997 I.C.J. 7, ¶ 104.

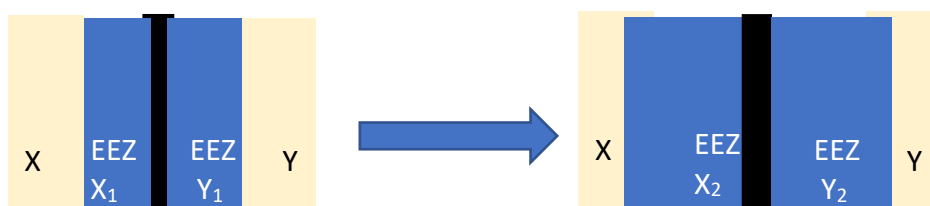
Sea-level rise would not “destroy the basis of the obligations” of a maritime boundary treaty or make the realization of its goals impossible. In fact, it would not even increase the burden obligations to be performed by a State party. Sea-level rise would only give rise to the possibility of extending one of the parties’ EEZ *landward* (Scenario 1). In the worst-case scenario, one of the parties’ EEZ (Country X’s) could extend as baselines would recede landward. However, this would not affect the opposing party’s EEZ, which would remain the same if that party (Country Y), was not affected at all by sea-level rise. Under that scenario, Country Y would not gain *more* EEZ, but it would also not lose any. By definition, the extent of its rights and obligations under the treaty would remain exactly the same, as the dimension of its EEZ would remain exactly the same. Country Y would be precluded from invoking a fundamental change of circumstances in order to extend its original EEZ.

Scenario 1



If Country Y was also affected by sea-level rise, it is unclear what incentive it would have to ask the termination of the maritime boundary treaty in the first place, since it would also benefit from maintaining a fixed boundary that would not reduce the volume of its EEZ as its baseline recedes (Scenario 2).

Scenario 2



Accordingly, sea-level rise is not the kind of change that could “radically transform the extent of the obligations to be performed” under a maritime boundary treaty.

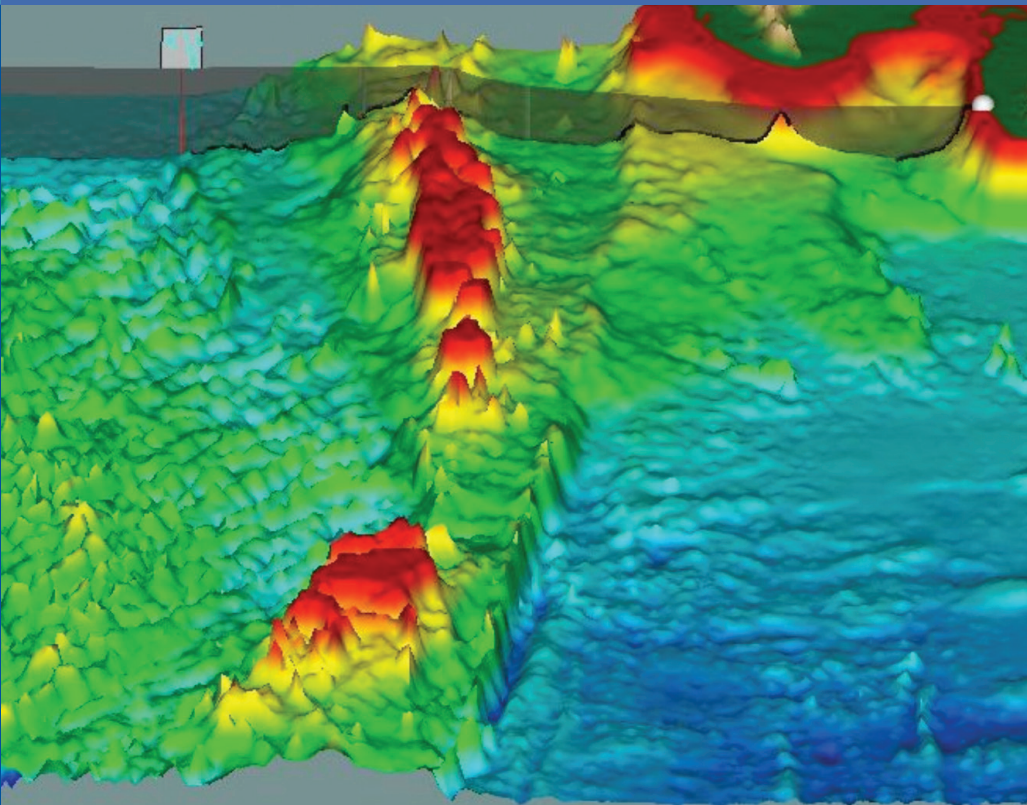
Conclusion

In conclusion, the Maldives is of the view that States’ current maritime entitlements must be preserved, notwithstanding the physical impacts of climate change-induced sea-level rise. In respect to maritime entitlements determined in accordance with UNCLOS, these must remain stable in order to uphold the certainty and stability of international law and to ensure equity and fairness for SIDS such as the Maldives. With regards to maritime boundaries fixed by a maritime boundary agreement, sea-level rise should not have any effect, as these treaties are binding under the rule of *pacta sunt servanda*, and sea-level rise cannot constitute a fundamental change of circumstances.

-ENDS-

COMMISSION ON THE LIMITS
OF THE CONTINENTAL SHELF

Submission by the Republic of Maldives



EXECUTIVE SUMMARY
MAL-ES-DOC, JULY 2010



**SUBMISSION BY
THE REPUBLIC OF MALDIVES
TO THE COMMISSION ON THE LIMITS OF
THE CONTINENTAL SHELF**

EXECUTIVE SUMMARY



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LIST OF ANNEXES

Annex 1

Table listing the points defining the outer limits of the continental shelf of the Republic of Maldives (Decimal Degrees)

MAL-ES-DOC-ANNEX 1

Annex 2

Table listing the points defining the outer limits of the continental shelf of the Republic of Maldives (Degrees, Minutes and Seconds)

MAL-ES-DOC-ANNEX 2

LIST OF MAPS

Map 1

Map depicting the outer limits of the continental shelf of the Republic of Maldives indicating outer limit line and area of continental shelf beyond 200M

MAL-ES-DOC-MAP 1

Map 2

Map depicting the outer limits of the continental shelf of the Republic of Maldives indicating provisions of Article 76 invoked

MAL-ES-DOC-MAP 2



PREFACE

The Submission by the Republic of the Maldives was prepared by the Maldives Continental Shelf Committee, which composed as follows:

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1. INTRODUCTION

- 1-1 This Executive Summary forms part of the Submission by the Republic of Maldives to the Commission on the Limits of the Continental Shelf ('the Commission') made pursuant to paragraph 8 of Article 76 of the 1982 United Nations Convention on the Law of the Sea ('the Convention').
- 1-2 The Republic of Maldives is a sovereign, independent, democratic nation based on the principles of Islam. Located in the equatorial region of the Indian Ocean, the Maldives Archipelago is clearly visible from space and appears today as a series of 800 km long north-south oriented strings of more than 1200 atolls extending between 74°E and 72° 30'E and 7° 10'N and 0° 45'S respectively.
- 1-3 The Republic of Maldives became a Contracting Party to the Convention on 7 September 2000, following the lodgement of a formal instrument declaring consent to be bound by the Convention. The various maritime zones of the Republic of Maldives have been duly established under the *Maritime Zones of Maldives Act No.6 of 1996* ('Maritime Zones Act').
- 1-4 The archipelagic status of the Republic of Maldives is expressly declared in section 2 of the *Constitution of the Republic of Maldives 2008*, with archipelagic baselines and waters subsequently established under section 3 of the *Maritime Zones Act*. The coordinates of the Archipelagic baselines have been duly established and publicised in accordance with Article 47 of the Convention (see: *Law of the Sea Bulletin 1999 (No.41)*).



- 1-5 The present Submission is made in support of the establishment of the outer limits of the continental shelf where it extends beyond 200 nautical miles (M) from the archipelagic baselines of the Republic of Maldives.**
- 1-6 As provided for under paragraph 1 of Article 76, the Republic of Maldives has a continental shelf comprising the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, up to the limits provided for in paragraphs 4 to 6 of Article 76 or, to a distance of 200 M from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend beyond that distance.**
- 1-7 In the case of Archipelagic States such as the Republic of Maldives, archipelagic baselines determined in accordance with Article 47 of the Convention may be relied upon for the purposes of determining the outer limits of the continental shelf in accordance with Article 76 of the Convention. As noted above, the Republic of Maldives has established archipelagic baselines in accordance with the Convention.**
- 1-8 The Republic of Maldives has for the purposes of preparing this Submission, applied the relevant provisions of Article 76 of the Convention, together with the *Rules of Procedure of the Commission on the Limits of the Continental Shelf* (CLCS/40/Rev.1), adopted by the Commission on 17 April 2008 ('Rules of Procedure'), and the recommendations contained in the *Scientific and Technical Guidelines of***



the Commission on the Limits of the Continental Shelf (CLCS/11) adopted by the Commission on 13 May 1999 ('the Guidelines').

1-9 In accordance with Article 1 of Annex III to the Rules of Procedure and paragraphs 9.1.3 to 9.1.6 of the Guidelines, the Submission consists of three parts comprising:

- **this Executive Summary (MAL-ES-DOC);**
- **the Main Body of the Submission (MAL-MB-DOC); and,**
- **Supporting scientific and technical data (MAL-SD).**

A separate section of this Executive Summary provides a brief outline of the region of continental shelf beyond 200M, including a depiction of the outer limits of the continental shelf determined by the Republic of Maldives.

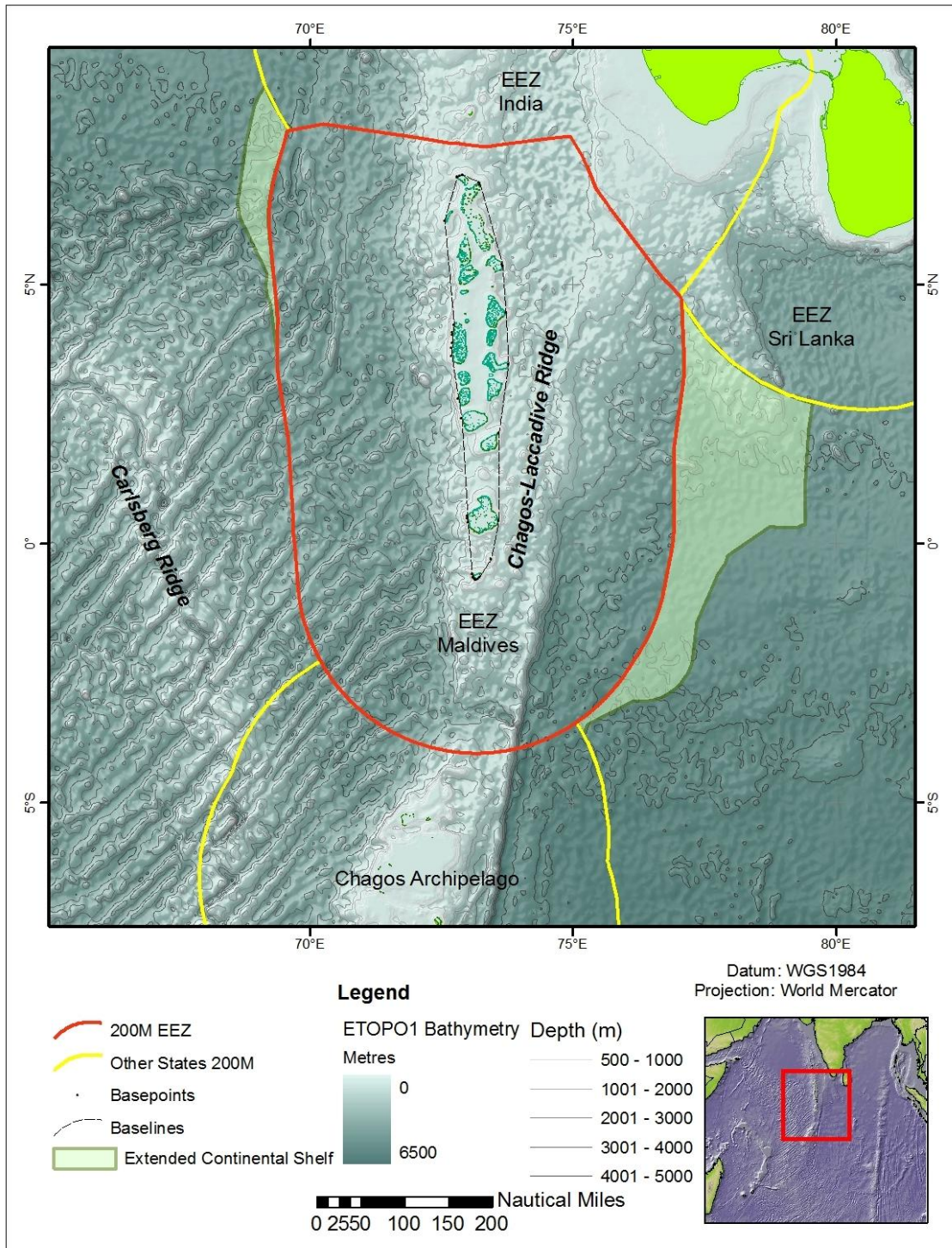
2. MAPS AND COORDINATES

2-1 Two maps at an appropriate scale are included in this Executive Summary and have been duly supplied as separate A0-size maps. Map 1 (MAL-ES-DOC-MAP 1) depicts the outer limits of the continental shelf of the Republic of Maldives showing the outer limit line and area of continental shelf extending beyond 200M from the territorial sea baseline. Map 2 (MAL-ES-DOC-MAP 2) depicts the outer limits of the continental shelf of the Republic of Maldives and provisions of Article 76 invoked.



2-2 Lists of coordinates of the Article 76 fixed points that define the outer limits of the continental shelf are supplied in two tables annexed to this Executive Summary. Table 1 (MAL-ES-DOC-ANNEX 1) lists the fixed points defining the outer limits of Republic of Maldives continental shelf in decimal degrees. Table 2 (MAL-ES-DOC-ANNEX 2) lists the same points in degrees, minutes and seconds. The provision of Article 76 invoked to support the establishment of each fixed point is indicated in both tables, together with the distance between adjacent points.

2-3 In the event of any discrepancy between the two formats of the coordinates for a particular fixed point, the Republic of Maldives relies upon the coordinates farthest seaward from its baseline, subject to compliance with the requirements of the relevant provisions of Article 76 of the Convention.



Map 1. The outer limits of the continental shelf of the Republic of Maldives showing the outer limit line and area of continental shelf extending beyond 200M from the territorial sea baseline.



3. PROVISIONS OF ARTICLE 76 INVOKED

- 3-1 Paragraphs 4 to 6 of Article 76 set out specific formula and constraints by which a coastal State such as the Republic of Maldives may establish the outer edge of its continental margin, and its legal continental shelf, wherever that margin extends beyond 200 M from the baselines from which the breadth of the territorial sea is measured.**
- 3-2 As noted above, in the case of Archipelagic States such as the Republic of Maldives, archipelagic baselines established in accordance with the Convention may be relied upon by the coastal State for the specific application of the formula and constraints set out in Article 76.**
- 3-3 As set out in paragraph 7 of Article 76, the coastal State is to delineate the outer limits of those portions of its continental shelf that extend beyond 200 M from the baselines by straight lines not exceeding 60 M in length, connecting fixed points defined by coordinates of latitude and longitude.**
- 3-4 The Republic of Maldives invokes paragraphs 3, 4(a)(ii), 5 and 7 of Article 76 of the Convention in support of the determination of the outer limits of the continental shelf included in the Submission, as outlined in Section 6 of this Executive Summary.**



4. ADVISORY ASSISTANCE

- 4-1 The Republic of Maldives was not assisted in the preparation of the Submission by any serving member of the Commission.**
- 4-2 A list of advisers and organisations that provided legal and technical assistance to the Republic of Maldives during the preparation of the Submission is included in the Preface to this Executive Summary.**

5. SETTLED AND OUTSTANDING DELIMITATIONS

- 5-1 Consistent with paragraph 2(a) of Annex I to the Rules of Procedure, the Republic of Maldives advises that the area of extended continental shelf contained in the Submission is not the subject of any dispute between it and any other coastal State(s).**
- 5-2 Furthermore, in the view of the Republic of Maldives, the consideration of the present Submission will not prejudice matters relating to the delimitation of maritime boundaries with any adjacent and opposite coastal States.**
- 5-3 The Republic of Maldives has concluded a number of agreements with adjacent and opposite coastal States that establish agreed maritime boundaries in the region. This includes a maritime boundary established by the Republic of Maldives and the Republic of India ('India') under the *Agreement between India and Maldives on Maritime Boundary in The Arabian Sea and Related Matters*, concluded on 28 December 1976 (see:**



Limits in the Seas, No. 78 available online at <http://www.state.gov/documents/organization/59587.pdf>).

- 5-4 In addition, the tri-point of a maritime boundary between the Republic of Maldives, India and the Democratic Socialist Republic of Sri Lanka ('Sri Lanka') in the Gulf of Mannar has been established under the *Agreement between Sri Lanka, India and Maldives concerning the determination of the trijunction point between the three countries in the Gulf of Mannar*, concluded on 23, 24 and 31 July 1976 (see: [http://www.un.org/Depts/los/LEGISLATION ANDTREATIES/PDFFILES/TREATIES/LKA-IND-MDV1976 TP.PDF](http://www.un.org/Depts/los/LEGISLATION_ANDTREATIES/PDFFILES/TREATIES/LKA-IND-MDV1976_TP.PDF)).
- 5-5 The Republic of Maldives notes also that the area of continental shelf included in the Submission may be affected by a potential delimitation with Sri Lanka where the continental shelf determined by the Republic of Maldives overlaps with small portions of the area that forms part of the *Submission made in accordance with the Statement of Understanding adopted by the Third United Nations Conference on the Law of the Sea, on 29 August 1980, contained in Annex II to the Final Act of the Conference, and under paragraph 8 of article 76 of the United Nations Convention on the Law of the Sea and article 3 of Annex II to the Convention*, lodged by the Sri Lanka on 8 May 2009.
- 5-6 On 4 August 2009, the Republic of Maldives lodged with the Secretary-General of the United Nations a *Note Verbale* (Ref: G3 UN-A/2009/2) stating its intention to formally reserve the right to comment upon the Submission made by Sri Lanka.



5-7 Further to that notification, the Republic of Maldives declares pursuant to paragraph 4(a) of Annex I that the present Submission is made without prejudice to any potential delimitation with Sri Lanka that may be required following the examination and publication by the Commission of recommendations concerning the present Submission and the Submission made by Sri Lanka.

6. REGIONAL OVERVIEW AND OUTER LIMITS OF THE CONTINENTAL SHELF

6-1 The Republic of Maldives lies in the northern Indian Ocean to the south of the western continental margin of India. The continental shelf of the Republic of Maldives has been defined primarily based on morphology and comprises the *Chagos-Laccadive Ridge*, the adjacent *Laccadive Basin* and the *Comorin Ridge*. These features are in morphological physical juxtaposition and represent the submerged prolongation of the land territory of the Republic of Maldives.

6-2 The Indian Ocean displays a history of multi-phase sea-floor spreading and evolving plate boundary geometries. In this regard, all of the features that comprise the continental shelf of the Republic of Maldives morphologically share a geological history related to the continental breakup of Gondwanaland, and the interaction of a series of hotspots or mantle plumes, including the development of the Deccan-Réunion Hotspot.



- 6-3 The natural prolongation of the continental shelf of the Republic of Maldives is predicated on an extension of the submerged prolongation of the island landmass of the atolls that together form the land territory of the Republic, with the submerged prolongation of three atolls (*Miladhunmadulu, Malé and Ihavand-hoppolhu*) specifically demonstrated in the Main Body of the Submission.**
- 6-4 A detailed examination of the geology of the region is presented in the Main Body of the Submission, which includes a discussion that is intended to demonstrate clearly the natural prolongation from the relevant landmass.**
- 6-5 The scientific and technical data submitted by the Republic of Maldives in support of this Submission establishes that the outer edge of the continental margin extends beyond 200 M measured from the archipelagic baselines. The continental shelf is divided into two areas, which are referred to in this Executive Summary document and throughout the Submission as 'the Western Area' and, 'the Eastern Area' respectively.**
- 6-6 Applying the relevant provisions of Article 76, a total of 297 fixed points have been established by the Republic of Maldives to determine the outer limits of the continental shelf. These fixed points have been determined by applying the Hedberg Formula (Article 76, paragraph 4(a)(ii)), together with the 350M distance constraint (Article 76, paragraph 5), as summarised below:**



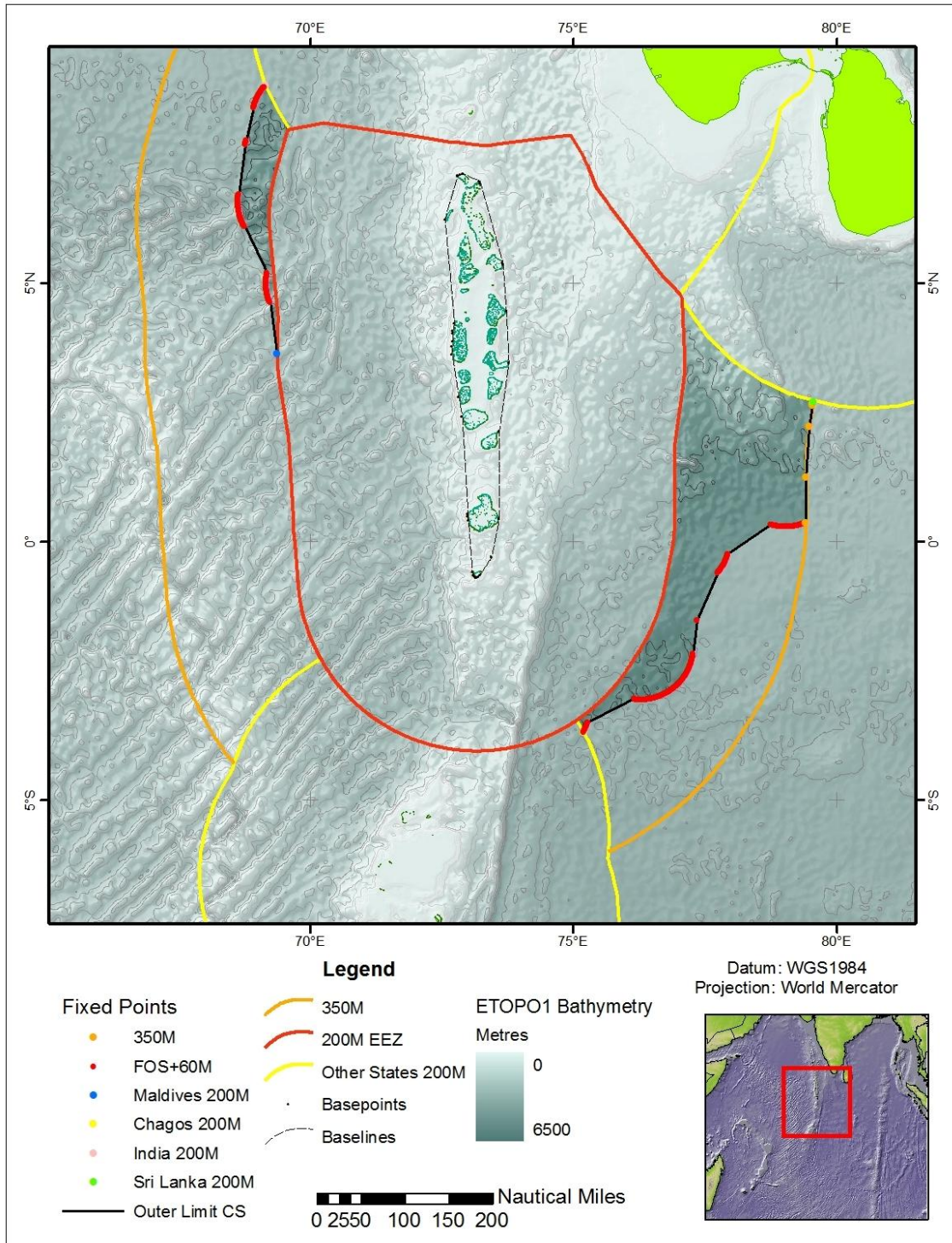
- **286 are defined by arcs 60 M from the foot of the slope (Article 76, paragraph 4(a)(ii));**
- **7 are defined by the constraint line 350 M from the archipelagic baselines (Article 76, paragraph 5);**
- **2 are points where the outer limit line of the continental shelf in the Eastern Area commences at a point located along a 200 M line constructed from the Chagos Archipelago (Mal_ECS_FP1) and terminates at a point along the line constructed 200M from Democratic Socialist Republic of Sri Lanka (Mal_ECS_FP186).**
- **1 is a point (Mal_ECS_FP297) in the Western Area where the outer limit line joins with the line 200M from the archipelagic baselines of the Republic of Maldives.**
- **1 is a point (Mal_ECS_FP187) in the Western Area where the outer limit line intersects the line 200M from the territorial sea baseline of the Republic of India.**

6-7 The outer limits of the continental shelf extending beyond 200 M of the territorial sea baseline has been delineated by geodesic straight lines not exceeding 60 M in length used to connect the fixed points ('Article 76 fixed points'), defined by coordinates of latitude and longitude.

6-8 The outer limits of the continental shelf of the Republic of Maldives extending beyond 200 M from the baseline from which the breadth of the territorial sea is measured encloses an area of approximately 165,966 km². The Eastern Area comprises approximately 142,055 km², whilst the Western Area comprises approximately 23,912 km².



6-9 Lists of the fixed points that have been constructed to delineate the outer limits of the continental shelf are given in the annexes to this Executive Summary.



Map 2. The outer limits of the continental shelf of the Republic of Maldives and provisions of Article 76 invoked.



7. AUTHENTICATION

7-1 All maps, charts and databases forming part of the Republic of Maldives submission were prepared by the Department of National Planning, which is responsible for preparing such material and for certifying its quality and reliability.

8. NOTES

MAP NOTES

- 8-1 For the purpose of the maps contained in this Submission, the exclusive economic zone entitlement of the Republic of Maldives has been depicted in accordance with, and subject to, the provisions of the Maritime Zones Act and any applicable maritime boundary treaty concluded by the Republic of Maldives.**
- 8-2 The depiction of 200 M lines other than those established by the Republic of Maldives is for the sole purpose of demonstrating the location of those fixed points at which the outer limit line delineating the outer limits of the continental shelf commences and terminates respectively. The construction of such 200M lines is based on information available at the time of production, and should not be taken to signify acceptance of the validity at international law of base-points, maritime zones or waters determined by another coastal State, with the exception of those cases where maritime boundary lines, coordinates or**



boundaries have been agreed in a maritime boundary treaty or agreement concluded between the Republic of Maldives and an opposite or adjacent coastal State.

TABLE NOTES

- 8-2 The tables included at Annex 1 and Annex 2 to this Executive Summary list by number (identifiers) and coordinates (in latitude and longitude) the fixed points that define the outer limits of the continental shelf of the Republic of Maldives. The distance in nautical miles (M) from one point on the outer limit line to the next is given in the fourth column of the table.**
- 8-3 All coordinates of fixed points defined according to the provisions of Article 76 of the Convention are expressed in this document in the WGS84 geodetic reference system.**

ABBREVIATIONS

- 8-4 The following abbreviations are used in the tables included at Annex 1 and Annex 2 to denote the Article 76 provisions invoked:**

200 M 200 M line from the territorial sea baseline (Article 76, para. 1)
60 M 60 M formula point (Article 76, para. 4(a)(ii))
350 M 350 M Constraint point (Article 76, para. 5).

Other abbreviations used:

M nautical mile (1852m)



ANNEX 1

MAL-ES-DOC-ANNEX 1

Table listing the points defining the outer limits of the Republic of Maldives extended continental shelf (Decimal Degrees)

Eastern Area				
Fixed Point	Longitude	Latitude	Distance to last Fixed Point	Method
Mal_ECS_FP1	75.1925583	-3.6949456	0.00	BIOT 200M
Mal_ECS_FP2	75.1932297	-3.6937435	0.08	FOS + 60M
Mal_ECS_FP3	75.2011261	-3.6789930	1.00	FOS + 60M
Mal_ECS_FP4	75.2087784	-3.6641130	1.00	FOS + 60M
Mal_ECS_FP5	75.2161789	-3.6491067	1.00	FOS + 60M
Mal_ECS_FP6	75.2233276	-3.6339786	1.00	FOS + 60M
Mal_ECS_FP7	75.2302322	-3.6187329	1.00	FOS + 60M
Mal_ECS_FP8	75.2368774	-3.6033735	1.00	FOS + 60M
Mal_ECS_FP9	75.2432632	-3.5879047	1.00	FOS + 60M
Mal_ECS_FP10	75.2493973	-3.5723307	1.00	FOS + 60M
Mal_ECS_FP11	75.2552643	-3.5566571	1.00	FOS + 60M
Mal_ECS_FP12	75.2608795	-3.5408866	1.00	FOS + 60M
Mal_ECS_FP13	75.2662277	-3.5250247	1.00	FOS + 60M
Mal_ECS_FP14	75.2713089	-3.5090733	1.00	FOS + 60M
Mal_ECS_FP15	76.1556473	-3.0554698	59.58	FOS + 60M
Mal_ECS_FP16	76.1721878	-3.0575006	1.00	FOS + 60M
Mal_ECS_FP17	76.1887589	-3.0592537	1.00	FOS + 60M
Mal_ECS_FP18	76.2053528	-3.0607283	1.00	FOS + 60M
Mal_ECS_FP19	76.2219696	-3.0619247	1.00	FOS + 60M
Mal_ECS_FP20	76.2386093	-3.0628424	1.00	FOS + 60M
Mal_ECS_FP21	76.2552567	-3.0634809	1.00	FOS + 60M
Mal_ECS_FP22	76.2719116	-3.0638399	1.00	FOS + 60M
Mal_ECS_FP23	76.2885742	-3.0639198	1.00	FOS + 60M
Mal_ECS_FP24	76.3052368	-3.0637202	1.00	FOS + 60M
Mal_ECS_FP25	76.3218918	-3.0632412	1.00	FOS + 60M
Mal_ECS_FP26	76.3385391	-3.0624828	1.00	FOS + 60M
Mal_ECS_FP27	76.3551636	-3.0614460	1.00	FOS + 60M
Mal_ECS_FP28	76.3717728	-3.0601301	1.00	FOS + 60M
Mal_ECS_FP29	76.3883591	-3.0585358	1.00	FOS + 60M



Mal_ECS_FP30	76.4049149	-3.0566640	1.00	FOS + 60M
Mal_ECS_FP31	76.4214401	-3.0545144	1.00	FOS + 60M
Mal_ECS_FP32	76.4379196	-3.0520887	1.00	FOS + 60M
Mal_ECS_FP33	76.4543610	-3.0493872	1.00	FOS + 60M
Mal_ECS_FP34	76.4707565	-3.0464091	1.00	FOS + 60M
Mal_ECS_FP35	76.4870987	-3.0431576	1.00	FOS + 60M
Mal_ECS_FP36	76.5033875	-3.0396318	1.00	FOS + 60M
Mal_ECS_FP37	76.5196152	-3.0358346	1.00	FOS + 60M
Mal_ECS_FP38	76.5357742	-3.0317643	1.00	FOS + 60M
Mal_ECS_FP39	76.5518646	-3.0274236	1.00	FOS + 60M
Mal_ECS_FP40	76.5678864	-3.0228148	1.00	FOS + 60M
Mal_ECS_FP41	76.5838242	-3.0179367	1.00	FOS + 60M
Mal_ECS_FP42	76.5996780	-3.0127935	1.00	FOS + 60M
Mal_ECS_FP43	76.6154480	-3.0073841	1.00	FOS + 60M
Mal_ECS_FP44	76.6311188	-3.0017116	1.00	FOS + 60M
Mal_ECS_FP45	76.6466980	-2.9957776	1.00	FOS + 60M
Mal_ECS_FP46	76.6621780	-2.9895828	1.00	FOS + 60M
Mal_ECS_FP47	76.6775436	-2.9831300	1.00	FOS + 60M
Mal_ECS_FP48	76.6928101	-2.9764192	1.00	FOS + 60M
Mal_ECS_FP49	76.7079620	-2.9694538	1.00	FOS + 60M
Mal_ECS_FP50	76.7229919	-2.9622340	1.00	FOS + 60M
Mal_ECS_FP51	76.7379074	-2.9547637	1.00	FOS + 60M
Mal_ECS_FP52	76.7526932	-2.9470439	1.00	FOS + 60M
Mal_ECS_FP53	76.7673492	-2.9390771	1.00	FOS + 60M
Mal_ECS_FP54	76.7818680	-2.9308674	1.00	FOS + 60M
Mal_ECS_FP55	76.7962494	-2.9224169	1.00	FOS + 60M
Mal_ECS_FP56	76.8104858	-2.9137228	1.00	FOS + 60M
Mal_ECS_FP57	76.8245850	-2.9047925	1.00	FOS + 60M
Mal_ECS_FP58	76.8385239	-2.8956287	1.00	FOS + 60M
Mal_ECS_FP59	76.8523102	-2.8862312	1.00	FOS + 60M
Mal_ECS_FP60	76.8659439	-2.8766036	1.00	FOS + 60M
Mal_ECS_FP61	76.8794174	-2.8667476	1.00	FOS + 60M
Mal_ECS_FP62	76.8927155	-2.8566678	1.00	FOS + 60M
Mal_ECS_FP63	76.9058533	-2.8463650	1.00	FOS + 60M
Mal_ECS_FP64	76.9188156	-2.8358457	1.00	FOS + 60M
Mal_ECS_FP65	76.9316025	-2.8251083	1.00	FOS + 60M
Mal_ECS_FP66	76.9442062	-2.8141606	1.00	FOS + 60M
Mal_ECS_FP67	76.9566345	-2.8030005	1.00	FOS + 60M
Mal_ECS_FP68	76.9688644	-2.7916355	1.00	FOS + 60M
Mal_ECS_FP69	76.9809113	-2.7800677	1.00	FOS + 60M
Mal_ECS_FP70	76.9927597	-2.7682996	1.00	FOS + 60M
Mal_ECS_FP71	77.0044174	-2.7563326	1.00	FOS + 60M
Mal_ECS_FP72	77.0158691	-2.7441735	1.00	FOS + 60M
Mal_ECS_FP73	77.0271225	-2.7318218	1.00	FOS + 60M
Mal_ECS_FP74	77.0381622	-2.7192857	1.00	FOS + 60M
Mal_ECS_FP75	77.0489960	-2.7065644	1.00	FOS + 60M
Mal_ECS_FP76	77.0596237	-2.6936646	1.00	FOS + 60M



Mal_ECS_FP77	77.0700302	-2.6805871	1.00	FOS + 60M
Mal_ECS_FP78	77.0802155	-2.6673367	1.00	FOS + 60M
Mal_ECS_FP79	77.0901871	-2.6539164	1.00	FOS + 60M
Mal_ECS_FP80	77.0999298	-2.6403313	1.00	FOS + 60M
Mal_ECS_FP81	77.1094437	-2.6265862	1.00	FOS + 60M
Mal_ECS_FP82	77.1187286	-2.6126847	1.00	FOS + 60M
Mal_ECS_FP83	77.1277847	-2.5986264	1.00	FOS + 60M
Mal_ECS_FP84	77.1366119	-2.5844195	1.00	FOS + 60M
Mal_ECS_FP85	77.1451950	-2.5700674	1.00	FOS + 60M
Mal_ECS_FP86	77.1535339	-2.5555735	1.00	FOS + 60M
Mal_ECS_FP87	77.1616440	-2.5409400	1.00	FOS + 60M
Mal_ECS_FP88	77.1695023	-2.5261748	1.00	FOS + 60M
Mal_ECS_FP89	77.1771088	-2.5112798	1.00	FOS + 60M
Mal_ECS_FP90	77.1844788	-2.4962585	1.00	FOS + 60M
Mal_ECS_FP91	77.1915894	-2.4811161	1.00	FOS + 60M
Mal_ECS_FP92	77.1984558	-2.4658558	1.00	FOS + 60M
Mal_ECS_FP93	77.2050629	-2.4504821	1.00	FOS + 60M
Mal_ECS_FP94	77.2114182	-2.4350014	1.00	FOS + 60M
Mal_ECS_FP95	77.2175140	-2.4194143	1.00	FOS + 60M
Mal_ECS_FP96	77.2233505	-2.4037280	1.00	FOS + 60M
Mal_ECS_FP97	77.2289276	-2.3879461	1.00	FOS + 60M
Mal_ECS_FP98	77.2342453	-2.3720737	1.00	FOS + 60M
Mal_ECS_FP99	77.2392960	-2.3561132	1.00	FOS + 60M
Mal_ECS_FP100	77.2440796	-2.3400695	1.00	FOS + 60M
Mal_ECS_FP101	77.2485962	-2.3239479	1.00	FOS + 60M
Mal_ECS_FP102	77.2528458	-2.3077533	1.00	FOS + 60M
Mal_ECS_FP103	77.2568283	-2.2914894	1.00	FOS + 60M
Mal_ECS_FP104	77.2605438	-2.2751610	1.00	FOS + 60M
Mal_ECS_FP105	77.2639771	-2.2587729	1.00	FOS + 60M
Mal_ECS_FP106	77.2671509	-2.2423294	1.00	FOS + 60M
Mal_ECS_FP107	77.2700424	-2.2258351	1.00	FOS + 60M
Mal_ECS_FP108	77.2726669	-2.2092950	1.00	FOS + 60M
Mal_ECS_FP109	77.2750168	-2.1927128	1.00	FOS + 60M
Mal_ECS_FP110	77.2770844	-2.1760936	1.00	FOS + 60M
Mal_ECS_FP111	77.3545837	-1.5225347	39.30	FOS + 60M
Mal_ECS_FP112	77.7465668	-0.6109830	59.30	FOS + 60M
Mal_ECS_FP113	77.7570877	-0.5980055	1.00	FOS + 60M
Mal_ECS_FP114	77.7673950	-0.5848526	1.00	FOS + 60M
Mal_ECS_FP115	77.7774811	-0.5715296	1.00	FOS + 60M
Mal_ECS_FP116	77.7873383	-0.5580382	1.00	FOS + 60M
Mal_ECS_FP117	77.7969818	-0.5443848	1.00	FOS + 60M
Mal_ECS_FP118	77.8063889	-0.5305725	1.00	FOS + 60M
Mal_ECS_FP119	77.8155670	-0.5166037	1.00	FOS + 60M
Mal_ECS_FP120	77.8245163	-0.5024823	1.00	FOS + 60M
Mal_ECS_FP121	77.8332291	-0.4882127	1.00	FOS + 60M
Mal_ECS_FP122	77.8417053	-0.4737987	1.00	FOS + 60M
Mal_ECS_FP123	77.8499374	-0.4592439	1.00	FOS + 60M



Mal_ECS_FP124	77.8579330	-0.4445528	1.00	FOS + 60M
Mal_ECS_FP125	77.8656769	-0.4297295	1.00	FOS + 60M
Mal_ECS_FP126	77.8731842	-0.4147797	1.00	FOS + 60M
Mal_ECS_FP127	77.8804321	-0.3997045	1.00	FOS + 60M
Mal_ECS_FP128	77.8874359	-0.3845116	1.00	FOS + 60M
Mal_ECS_FP129	77.8941879	-0.3692031	1.00	FOS + 60M
Mal_ECS_FP130	77.9006805	-0.3537842	1.00	FOS + 60M
Mal_ECS_FP131	77.9069214	-0.3382573	1.00	FOS + 60M
Mal_ECS_FP132	77.9129028	-0.3226269	1.00	FOS + 60M
Mal_ECS_FP133	77.9186325	-0.3068990	1.00	FOS + 60M
Mal_ECS_FP134	77.9240875	-0.2910769	1.00	FOS + 60M
Mal_ECS_FP135	77.9292908	-0.2751661	1.00	FOS + 60M
Mal_ECS_FP136	77.9342270	-0.2591695	1.00	FOS + 60M
Mal_ECS_FP137	77.9388885	-0.2430939	1.00	FOS + 60M
Mal_ECS_FP138	78.7466507	0.3301568	59.40	FOS + 60M
Mal_ECS_FP139	78.7626343	0.3255112	1.00	FOS + 60M
Mal_ECS_FP140	78.7786942	0.3211345	1.00	FOS + 60M
Mal_ECS_FP141	78.7948227	0.3170263	1.00	FOS + 60M
Mal_ECS_FP142	78.8110275	0.3131895	1.00	FOS + 60M
Mal_ECS_FP143	78.8272858	0.3096250	1.00	FOS + 60M
Mal_ECS_FP144	78.8435974	0.3063349	1.00	FOS + 60M
Mal_ECS_FP145	78.8599625	0.3033179	1.00	FOS + 60M
Mal_ECS_FP146	78.8763733	0.3005768	1.00	FOS + 60M
Mal_ECS_FP147	78.8928299	0.2981107	1.00	FOS + 60M
Mal_ECS_FP148	78.9093246	0.2959211	1.00	FOS + 60M
Mal_ECS_FP149	78.9258499	0.2940089	1.00	FOS + 60M
Mal_ECS_FP150	78.9424057	0.2923741	1.00	FOS + 60M
Mal_ECS_FP151	78.9589920	0.2910166	1.00	FOS + 60M
Mal_ECS_FP152	78.9755936	0.2899379	1.00	FOS + 60M
Mal_ECS_FP153	78.9922104	0.2891379	1.00	FOS + 60M
Mal_ECS_FP154	79.0088425	0.2886166	1.00	FOS + 60M
Mal_ECS_FP155	79.0254745	0.2883745	1.00	FOS + 60M
Mal_ECS_FP156	79.0421143	0.2884114	1.00	FOS + 60M
Mal_ECS_FP157	79.0587463	0.2887274	1.00	FOS + 60M
Mal_ECS_FP158	79.0753708	0.2893223	1.00	FOS + 60M
Mal_ECS_FP159	79.0919876	0.2901962	1.00	FOS + 60M
Mal_ECS_FP160	79.1085815	0.2913483	1.00	FOS + 60M
Mal_ECS_FP161	79.1251602	0.2927792	1.00	FOS + 60M
Mal_ECS_FP162	79.1417084	0.2944873	1.00	FOS + 60M
Mal_ECS_FP163	79.1582260	0.2964731	1.00	FOS + 60M
Mal_ECS_FP164	79.1747131	0.2987360	1.00	FOS + 60M
Mal_ECS_FP165	79.1911545	0.3012745	1.00	FOS + 60M
Mal_ECS_FP166	79.2075577	0.3040894	1.00	FOS + 60M
Mal_ECS_FP167	79.2239075	0.3071779	1.00	FOS + 60M
Mal_ECS_FP168	79.2402039	0.3105409	1.00	FOS + 60M
Mal_ECS_FP169	79.2564468	0.3141769	1.00	FOS + 60M
Mal_ECS_FP170	79.2726288	0.3180844	1.00	FOS + 60M



Mal_ECS_FP171	79.2887421	0.3222638	1.00	FOS + 60M
Mal_ECS_FP172	79.3047791	0.3267125	1.00	FOS + 60M
Mal_ECS_FP173	79.3207474	0.3314297	1.00	FOS + 60M
Mal_ECS_FP174	79.3366318	0.3364136	1.00	FOS + 60M
Mal_ECS_FP175	79.3524246	0.3416635	1.00	FOS + 60M
Mal_ECS_FP176	79.3681412	0.3471780	1.00	FOS + 60M
Mal_ECS_FP177	79.3837585	0.3529551	1.00	FOS + 60M
Mal_ECS_FP178	79.3992691	0.3589920	1.00	FOS + 60M
Mal_ECS_FP179	79.4087372	0.3628587	0.61	350M Constraint
Mal_ECS_FP180	79.4114380	1.2446117	52.65	350M Constraint
Mal_ECS_FP181	79.4856644	2.2276731	58.86	350M Constraint
Mal_ECS_FP182	79.5447388	2.6421549	25.00	350M Constraint
Mal_ECS_FP183	79.5470734	2.6587381	1.00	350M Constraint
Mal_ECS_FP184	79.5493622	2.6753278	1.00	350M Constraint
Mal_ECS_FP185	79.5516052	2.6919241	1.00	350M Constraint
Mal_ECS_FP186	79.5537720	2.7082772	0.99	Sri Lanka 200M



Western Area				
Fixed Point	Longitude	Latitude	Distance to last Fixed Point	Method
Mal_ECS_FP187	69.1411209	8.8060055	0.00	India 200M
Mal_ECS_FP188	69.1214066	8.7823973	1.83	FOS + 60M
Mal_ECS_FP189	69.1109695	8.7692614	1.00	FOS + 60M
Mal_ECS_FP190	69.1007538	8.7559519	1.00	FOS + 60M
Mal_ECS_FP191	69.0907593	8.7424746	1.00	FOS + 60M
Mal_ECS_FP192	69.0810013	8.7288351	1.00	FOS + 60M
Mal_ECS_FP193	69.0714645	8.7150326	1.00	FOS + 60M
Mal_ECS_FP194	69.0621719	8.7010756	1.00	FOS + 60M
Mal_ECS_FP195	69.0531082	8.6869659	1.00	FOS + 60M
Mal_ECS_FP196	69.0442810	8.6727085	1.00	FOS + 60M
Mal_ECS_FP197	69.0356979	8.6583061	1.00	FOS + 60M
Mal_ECS_FP198	69.0273514	8.6437645	1.00	FOS + 60M
Mal_ECS_FP199	69.0192566	8.6290846	1.00	FOS + 60M
Mal_ECS_FP200	69.0114136	8.6142721	1.00	FOS + 60M
Mal_ECS_FP201	69.0038147	8.5993309	1.00	FOS + 60M
Mal_ECS_FP202	68.9964600	8.5842657	1.00	FOS + 60M
Mal_ECS_FP203	68.9893723	8.5690804	1.00	FOS + 60M
Mal_ECS_FP204	68.9825363	8.5537806	1.00	FOS + 60M
Mal_ECS_FP205	68.9759521	8.5383701	1.00	FOS + 60M
Mal_ECS_FP206	68.9696350	8.5228510	1.00	FOS + 60M
Mal_ECS_FP207	68.9635696	8.5072289	1.00	FOS + 60M
Mal_ECS_FP208	68.9577789	8.4915075	1.00	FOS + 60M
Mal_ECS_FP209	68.9522476	8.4756927	1.00	FOS + 60M
Mal_ECS_FP210	68.9469757	8.4597902	1.00	FOS + 60M
Mal_ECS_FP211	68.9419785	8.4438009	1.00	FOS + 60M
Mal_ECS_FP212	68.9372482	8.4277306	1.00	FOS + 60M
Mal_ECS_FP213	68.9327927	8.4115839	1.00	FOS + 60M
Mal_ECS_FP214	68.9285965	8.3953657	1.00	FOS + 60M
Mal_ECS_FP215	68.9246826	8.3790798	1.00	FOS + 60M
Mal_ECS_FP216	68.7818756	7.7523618	38.38	FOS + 60M
Mal_ECS_FP217	68.7783203	7.7359967	1.00	FOS + 60M
Mal_ECS_FP218	68.7750320	7.7195740	1.00	FOS + 60M
Mal_ECS_FP219	68.7720184	7.7030997	1.00	FOS + 60M
Mal_ECS_FP220	68.7692871	7.6865773	1.00	FOS + 60M
Mal_ECS_FP221	68.7668304	7.6700120	1.00	FOS + 60M
Mal_ECS_FP222	68.6350784	6.7128987	57.69	FOS + 60M
Mal_ECS_FP223	68.6330109	6.6962800	1.00	FOS + 60M



Mal_ECS_FP224	68.6312256	6.6796293	1.00	FOS + 60M
Mal_ECS_FP225	68.6297073	6.6629505	1.00	FOS + 60M
Mal_ECS_FP226	68.6284714	6.6462493	1.00	FOS + 60M
Mal_ECS_FP227	68.6275177	6.6295295	1.00	FOS + 60M
Mal_ECS_FP228	68.6268387	6.6127963	1.00	FOS + 60M
Mal_ECS_FP229	68.6264420	6.5960536	1.00	FOS + 60M
Mal_ECS_FP230	68.6263199	6.5793071	1.00	FOS + 60M
Mal_ECS_FP231	68.6264801	6.5625610	1.00	FOS + 60M
Mal_ECS_FP232	68.6269226	6.5458193	1.00	FOS + 60M
Mal_ECS_FP233	68.6276398	6.5290875	1.00	FOS + 60M
Mal_ECS_FP234	68.6286316	6.5123701	1.00	FOS + 60M
Mal_ECS_FP235	68.6299057	6.4956713	1.00	FOS + 60M
Mal_ECS_FP236	68.6314621	6.4789968	1.00	FOS + 60M
Mal_ECS_FP237	68.6332932	6.4623494	1.00	FOS + 60M
Mal_ECS_FP238	68.6353989	6.4457355	1.00	FOS + 60M
Mal_ECS_FP239	68.6377792	6.4291596	1.00	FOS + 60M
Mal_ECS_FP240	68.6404419	6.4126244	1.00	FOS + 60M
Mal_ECS_FP241	68.6433716	6.3961372	1.00	FOS + 60M
Mal_ECS_FP242	68.6465759	6.3797007	1.00	FOS + 60M
Mal_ECS_FP243	68.6500626	6.3633189	1.00	FOS + 60M
Mal_ECS_FP244	68.6538162	6.3469992	1.00	FOS + 60M
Mal_ECS_FP245	68.6578369	6.3307438	1.00	FOS + 60M
Mal_ECS_FP246	68.6621323	6.3145566	1.00	FOS + 60M
Mal_ECS_FP247	68.6666946	6.2984438	1.00	FOS + 60M
Mal_ECS_FP248	68.6715240	6.2824087	1.00	FOS + 60M
Mal_ECS_FP249	68.6766205	6.2664561	1.00	FOS + 60M
Mal_ECS_FP250	68.6819763	6.2505913	1.00	FOS + 60M
Mal_ECS_FP251	68.6876068	6.2348180	1.00	FOS + 60M
Mal_ECS_FP252	68.6934891	6.2191405	1.00	FOS + 60M
Mal_ECS_FP253	68.6996307	6.2035637	1.00	FOS + 60M
Mal_ECS_FP254	68.7060394	6.1880898	1.00	FOS + 60M
Mal_ECS_FP255	68.7126999	6.1727257	1.00	FOS + 60M
Mal_ECS_FP256	68.7196121	6.1574745	1.00	FOS + 60M
Mal_ECS_FP257	68.7267761	6.1423416	1.00	FOS + 60M
Mal_ECS_FP258	68.7341995	6.1273284	1.00	FOS + 60M
Mal_ECS_FP259	68.7418671	6.1124411	1.00	FOS + 60M
Mal_ECS_FP260	68.7497787	6.0976844	1.00	FOS + 60M
Mal_ECS_FP261	69.1834030	5.2109165	58.96	FOS + 60M
Mal_ECS_FP262	69.1800995	5.1944995	1.00	FOS + 60M
Mal_ECS_FP263	69.1770706	5.1780291	1.00	FOS + 60M
Mal_ECS_FP264	69.1743088	5.1615109	1.00	FOS + 60M
Mal_ECS_FP265	69.1718292	5.1449490	1.00	FOS + 60M
Mal_ECS_FP266	69.1696167	5.1283479	1.00	FOS + 60M
Mal_ECS_FP267	69.1676865	5.1117120	1.00	FOS + 60M
Mal_ECS_FP268	69.1660385	5.0950465	1.00	FOS + 60M
Mal_ECS_FP269	69.1646576	5.0783553	1.00	FOS + 60M
Mal_ECS_FP270	69.1635590	5.0616436	1.00	FOS + 60M



Mal_ECS_FP271	69.1627350	5.0449157	1.00	FOS + 60M
Mal_ECS_FP272	69.1621933	5.0281763	1.00	FOS + 60M
Mal_ECS_FP273	69.1619339	5.0114307	1.00	FOS + 60M
Mal_ECS_FP274	69.1619415	4.9946828	1.00	FOS + 60M
Mal_ECS_FP275	69.1622391	4.9779372	1.00	FOS + 60M
Mal_ECS_FP276	69.1628036	4.9611993	1.00	FOS + 60M
Mal_ECS_FP277	69.1636505	4.9444733	1.00	FOS + 60M
Mal_ECS_FP278	69.1647797	4.9277630	1.00	FOS + 60M
Mal_ECS_FP279	69.1661835	4.9110746	1.00	FOS + 60M
Mal_ECS_FP280	69.1678619	4.8944116	1.00	FOS + 60M
Mal_ECS_FP281	69.1698151	4.8777790	1.00	FOS + 60M
Mal_ECS_FP282	69.1720505	4.8611813	1.00	FOS + 60M
Mal_ECS_FP283	69.1745605	4.8446236	1.00	FOS + 60M
Mal_ECS_FP284	69.1773376	4.8281097	1.00	FOS + 60M
Mal_ECS_FP285	69.1803970	4.8116446	1.00	FOS + 60M
Mal_ECS_FP286	69.1837234	4.7952332	1.00	FOS + 60M
Mal_ECS_FP287	69.1873245	4.7788787	1.00	FOS + 60M
Mal_ECS_FP288	69.1912003	4.7625875	1.00	FOS + 60M
Mal_ECS_FP289	69.1953430	4.7463636	1.00	FOS + 60M
Mal_ECS_FP290	69.1997528	4.7302117	1.00	FOS + 60M
Mal_ECS_FP291	69.2044296	4.7141352	1.00	FOS + 60M
Mal_ECS_FP292	69.2093735	4.6981382	1.00	FOS + 60M
Mal_ECS_FP293	69.2145844	4.6822262	1.00	FOS + 60M
Mal_ECS_FP294	69.2200546	4.6664042	1.00	FOS + 60M
Mal_ECS_FP295	69.2257919	4.6506743	1.00	FOS + 60M
Mal_ECS_FP296	69.2317810	4.6350441	1.00	FOS + 60M
Mal_ECS_FP297	69.3604660	3.6459701	59.56	Maldives 200M



ANNEX 2

MAL-ES-DOC-ANNEX 2

**Table listing the points defining the outer limits of the Republic of Maldives extended continental shelf
(Degrees, Minutes, Seconds)**

Eastern Area								
Fixed Point	Longitude			Latitude			Distance from Fixed Point	Article 76 Method
	Deg	Min	Sec	Deg	Min	Sec		
Mal_ECS_FP1	75	11	24.37	-3	41	57.68	0.00	CHAGOS 200M
Mal_ECS_FP2	75	12	6.11	-3	40	40.43	1.46	FOS+60M
Mal_ECS_FP3	75	12	33.61	-3	39	46.82	1.00	FOS+60M
Mal_ECS_FP4	75	13	0.17	-3	38	52.77	1.00	FOS+60M
Mal_ECS_FP5	75	13	25.85	-3	37	58.28	1.00	FOS+60M
Mal_ECS_FP6	75	13	50.62	-3	37	3.36	1.00	FOS+60M
Mal_ECS_FP7	75	14	14.49	-3	36	8.03	1.00	FOS+60M
Mal_ECS_FP8	75	14	37.42	-3	35	12.31	1.00	FOS+60M
Mal_ECS_FP9	75	14	59.42	-3	34	16.21	1.00	FOS+60M
Mal_ECS_FP10	75	15	20.49	-3	33	19.75	1.00	FOS+60M
Mal_ECS_FP11	75	15	40.62	-3	32	22.95	1.00	FOS+60M
Mal_ECS_FP12	75	15	59.82	-3	31	25.82	1.00	FOS+60M
Mal_ECS_FP13	75	16	18.06	-3	30	28.37	1.00	FOS+60M
Mal_ECS_FP14	75	16	35.33	-3	29	30.64	1.00	FOS+60M
Mal_ECS_FP15	75	16	51.65	-3	28	32.61	1.00	FOS+60M
Mal_ECS_FP16	75	17	7.00	-3	27	34.32	1.00	FOS+60M
Mal_ECS_FP17	75	17	21.39	-3	26	35.79	1.00	FOS+60M
Mal_ECS_FP18	75	17	34.80	-3	25	37.02	1.00	FOS+60M
Mal_ECS_FP19	75	17	47.24	-3	24	38.04	1.00	FOS+60M
Mal_ECS_FP20	75	17	58.69	-3	23	38.85	1.00	FOS+60M
Mal_ECS_FP21	75	18	9.16	-3	22	39.48	1.00	FOS+60M
Mal_ECS_FP22	75	18	18.63	-3	21	39.94	1.00	FOS+60M
Mal_ECS_FP23	75	18	27.15	-3	20	40.25	1.00	FOS+60M
Mal_ECS_FP24	76	0	10.49	-2	37	27.95	59.92	FOS+60M
Mal_ECS_FP25	76	1	9.74	-2	37	37.20	1.00	FOS+60M
Mal_ECS_FP26	76	2	9.12	-2	37	45.45	1.00	FOS+60M
Mal_ECS_FP27	76	3	8.64	-2	37	52.71	1.00	FOS+60M



Mal_ECS_FP28	76	4	8.26	-2	37	58.96	1.00	FOS+60M
Mal_ECS_FP29	76	5	8.00	-2	38	4.22	1.00	FOS+60M
Mal_ECS_FP30	76	6	7.82	-2	38	8.47	1.00	FOS+60M
Mal_ECS_FP31	76	7	7.70	-2	38	11.72	1.00	FOS+60M
Mal_ECS_FP32	76	8	7.60	-2	38	13.97	1.00	FOS+60M
Mal_ECS_FP33	76	9	7.53	-2	38	15.21	1.00	FOS+60M
Mal_ECS_FP34	76	10	7.49	-2	38	15.44	1.00	FOS+60M
Mal_ECS_FP35	76	11	7.45	-2	38	14.67	1.00	FOS+60M
Mal_ECS_FP36	76	12	7.38	-2	38	12.89	1.00	FOS+60M
Mal_ECS_FP37	76	13	7.28	-2	38	10.11	1.00	FOS+60M
Mal_ECS_FP38	76	14	7.13	-2	38	6.32	1.00	FOS+60M
Mal_ECS_FP39	76	15	6.89	-2	38	1.53	1.00	FOS+60M
Mal_ECS_FP40	76	16	6.58	-2	37	55.74	1.00	FOS+60M
Mal_ECS_FP41	76	17	6.15	-2	37	48.95	1.00	FOS+60M
Mal_ECS_FP42	76	18	5.61	-2	37	41.16	1.00	FOS+60M
Mal_ECS_FP43	76	19	4.94	-2	37	32.37	1.00	FOS+60M
Mal_ECS_FP44	76	20	4.10	-2	37	22.59	1.00	FOS+60M
Mal_ECS_FP45	76	21	3.10	-2	37	11.82	1.00	FOS+60M
Mal_ECS_FP46	76	22	1.90	-2	37	0.06	1.00	FOS+60M
Mal_ECS_FP47	76	23	0.52	-2	36	47.32	1.00	FOS+60M
Mal_ECS_FP48	76	23	58.88	-2	36	33.60	1.00	FOS+60M
Mal_ECS_FP49	76	24	57.05	-2	36	18.89	1.00	FOS+60M
Mal_ECS_FP50	76	25	54.92	-2	36	3.22	1.00	FOS+60M
Mal_ECS_FP51	76	26	52.55	-2	35	46.58	1.00	FOS+60M
Mal_ECS_FP52	76	27	49.89	-2	35	28.97	1.00	FOS+60M
Mal_ECS_FP53	76	28	46.91	-2	35	10.41	1.00	FOS+60M
Mal_ECS_FP54	76	29	43.66	-2	34	50.89	1.00	FOS+60M
Mal_ECS_FP55	76	30	40.05	-2	34	30.42	1.00	FOS+60M
Mal_ECS_FP56	76	31	36.08	-2	34	9.01	1.00	FOS+60M
Mal_ECS_FP57	76	32	31.78	-2	33	46.66	1.00	FOS+60M
Mal_ECS_FP58	76	33	27.07	-2	33	23.38	1.00	FOS+60M
Mal_ECS_FP59	76	34	21.97	-2	32	59.17	1.00	FOS+60M
Mal_ECS_FP60	76	35	16.49	-2	32	34.05	1.00	FOS+60M
Mal_ECS_FP61	76	36	10.54	-2	32	8.02	1.00	FOS+60M
Mal_ECS_FP62	76	37	4.18	-2	31	41.09	1.00	FOS+60M
Mal_ECS_FP63	76	37	57.36	-2	31	13.26	1.00	FOS+60M
Mal_ECS_FP64	76	38	50.06	-2	30	44.54	1.00	FOS+60M
Mal_ECS_FP65	76	39	42.30	-2	30	14.94	1.00	FOS+60M
Mal_ECS_FP66	76	40	34.05	-2	29	44.47	1.00	FOS+60M
Mal_ECS_FP67	76	41	25.25	-2	29	13.13	1.00	FOS+60M
Mal_ECS_FP68	76	42	15.95	-2	28	40.94	1.00	FOS+60M
Mal_ECS_FP69	76	43	6.10	-2	28	7.90	1.00	FOS+60M
Mal_ECS_FP70	76	43	55.70	-2	27	34.02	1.00	FOS+60M
Mal_ECS_FP71	76	44	44.73	-2	26	59.32	1.00	FOS+60M
Mal_ECS_FP72	76	45	33.18	-2	26	23.80	1.00	FOS+60M



Mal_ECS_FP73	76	46	21.02	-2	25	47.49	1.00	FOS+60M
Mal_ECS_FP74	76	47	8.27	-2	25	10.36	1.00	FOS+60M
Mal_ECS_FP75	76	47	54.90	-2	24	32.44	1.00	FOS+60M
Mal_ECS_FP76	76	48	40.88	-2	23	53.75	1.00	FOS+60M
Mal_ECS_FP77	76	49	26.20	-2	23	14.30	1.00	FOS+60M
Mal_ECS_FP78	76	50	10.89	-2	22	34.09	1.00	FOS+60M
Mal_ECS_FP79	76	50	54.89	-2	21	53.14	1.00	FOS+60M
Mal_ECS_FP80	76	51	38.20	-2	21	11.45	1.00	FOS+60M
Mal_ECS_FP81	76	52	20.83	-2	20	29.05	1.00	FOS+60M
Mal_ECS_FP82	76	53	2.74	-2	19	45.94	1.00	FOS+60M
Mal_ECS_FP83	76	53	43.91	-2	19	2.13	1.00	FOS+60M
Mal_ECS_FP84	76	54	24.37	-2	18	17.63	1.00	FOS+60M
Mal_ECS_FP85	76	55	4.08	-2	17	32.47	1.00	FOS+60M
Mal_ECS_FP86	76	55	43.03	-2	16	46.65	1.00	FOS+60M
Mal_ECS_FP87	76	56	21.21	-2	16	0.18	1.00	FOS+60M
Mal_ECS_FP88	76	56	58.64	-2	15	13.07	1.00	FOS+60M
Mal_ECS_FP89	76	57	35.26	-2	14	25.34	1.00	FOS+60M
Mal_ECS_FP90	76	58	11.10	-2	13	37.00	1.00	FOS+60M
Mal_ECS_FP91	76	58	46.12	-2	12	48.07	1.00	FOS+60M
Mal_ECS_FP92	76	59	20.34	-2	11	58.55	1.00	FOS+60M
Mal_ECS_FP93	76	59	53.74	-2	11	8.48	1.00	FOS+60M
Mal_ECS_FP94	77	0	26.29	-2	10	17.84	1.00	FOS+60M
Mal_ECS_FP95	77	0	57.98	-2	9	26.67	1.00	FOS+60M
Mal_ECS_FP96	77	1	28.82	-2	8	34.99	1.00	FOS+60M
Mal_ECS_FP97	77	1	58.82	-2	7	42.78	1.00	FOS+60M
Mal_ECS_FP98	77	2	27.96	-2	6	50.08	1.00	FOS+60M
Mal_ECS_FP99	77	2	56.19	-2	5	56.90	1.00	FOS+60M
Mal_ECS_FP100	77	3	23.55	-2	5	3.24	1.00	FOS+60M
Mal_ECS_FP101	77	3	50.03	-2	4	9.15	1.00	FOS+60M
Mal_ECS_FP102	77	4	15.60	-2	3	14.62	1.00	FOS+60M
Mal_ECS_FP103	77	4	40.23	-2	2	19.65	1.00	FOS+60M
Mal_ECS_FP104	77	5	3.99	-2	1	24.29	1.00	FOS+60M
Mal_ECS_FP105	77	5	26.82	-2	0	28.54	1.00	FOS+60M
Mal_ECS_FP106	77	5	48.71	-1	59	32.41	1.00	FOS+60M
Mal_ECS_FP107	77	6	9.69	-1	58	35.92	1.00	FOS+60M
Mal_ECS_FP108	77	6	29.71	-1	57	39.09	1.00	FOS+60M
Mal_ECS_FP109	77	6	48.77	-1	56	41.93	1.00	FOS+60M
Mal_ECS_FP110	77	7	6.93	-1	55	44.46	1.00	FOS+60M
Mal_ECS_FP111	77	7	24.10	-1	54	46.69	1.00	FOS+60M
Mal_ECS_FP112	77	7	40.30	-1	53	48.65	1.00	FOS+60M
Mal_ECS_FP113	77	7	55.57	-1	52	50.34	1.00	FOS+60M
Mal_ECS_FP114	77	8	9.85	-1	51	51.77	1.00	FOS+60M
Mal_ECS_FP115	77	8	23.15	-1	50	52.98	1.00	FOS+60M
Mal_ECS_FP116	77	22	27.25	0	-53	22.86	58.93	FOS+60M
Mal_ECS_FP117	77	23	13.81	0	-52	44.90	1.00	FOS+60M



Mal_ECS_FP118	77	23	59.70	0	-52	6.17	1.00	FOS+60M
Mal_ECS_FP119	77	24	44.97	0	-51	26.66	1.00	FOS+60M
Mal_ECS_FP120	77	25	29.57	0	-50	46.41	1.00	FOS+60M
Mal_ECS_FP121	77	26	13.49	0	-50	5.41	1.00	FOS+60M
Mal_ECS_FP122	77	26	56.72	0	-49	23.68	1.00	FOS+60M
Mal_ECS_FP123	77	27	39.27	0	-48	41.23	1.00	FOS+60M
Mal_ECS_FP124	77	28	21.10	0	-47	58.07	1.00	FOS+60M
Mal_ECS_FP125	77	29	2.21	0	-47	14.22	1.00	FOS+60M
Mal_ECS_FP126	77	29	42.61	0	-46	29.68	1.00	FOS+60M
Mal_ECS_FP127	77	30	22.25	0	-45	44.48	1.00	FOS+60M
Mal_ECS_FP128	77	31	1.11	0	-44	58.61	1.00	FOS+60M
Mal_ECS_FP129	77	31	39.23	0	-44	12.09	1.00	FOS+60M
Mal_ECS_FP130	77	32	16.59	0	-43	24.94	1.00	FOS+60M
Mal_ECS_FP131	77	32	53.15	0	-42	37.17	1.00	FOS+60M
Mal_ECS_FP132	77	33	28.91	0	-41	48.80	1.00	FOS+60M
Mal_ECS_FP133	77	34	3.87	0	-40	59.83	1.00	FOS+60M
Mal_ECS_FP134	77	34	37.98	0	-40	10.29	1.00	FOS+60M
Mal_ECS_FP135	77	35	11.30	0	-39	20.18	1.00	FOS+60M
Mal_ECS_FP136	77	35	43.79	0	-38	29.53	1.00	FOS+60M
Mal_ECS_FP137	77	36	15.40	0	-37	38.33	1.00	FOS+60M
Mal_ECS_FP138	77	36	46.19	0	-36	46.60	1.00	FOS+60M
Mal_ECS_FP139	77	37	16.13	0	-35	54.37	1.00	FOS+60M
Mal_ECS_FP140	77	37	45.16	0	-35	1.64	1.00	FOS+60M
Mal_ECS_FP141	77	38	13.34	0	-34	8.44	1.00	FOS+60M
Mal_ECS_FP142	77	38	40.64	0	-33	14.77	1.00	FOS+60M
Mal_ECS_FP143	77	39	7.04	0	-32	20.65	1.00	FOS+60M
Mal_ECS_FP144	77	39	32.53	0	-31	26.08	1.00	FOS+60M
Mal_ECS_FP145	78	3	14.43	0	14	53.99	51.86	FOS+60M
Mal_ECS_FP146	78	3	42.72	0	15	47.13	1.00	FOS+60M
Mal_ECS_FP147	78	4	10.16	0	16	40.74	1.00	FOS+60M
Mal_ECS_FP148	78	36	17.00	0	33	1.80	36.05	FOS+60M
Mal_ECS_FP149	78	37	10.75	0	33	28.39	1.00	FOS+60M
Mal_ECS_FP150	78	38	4.03	0	33	55.87	1.00	FOS+60M
Mal_ECS_FP151	78	38	56.87	0	34	24.25	1.00	FOS+60M
Mal_ECS_FP152	78	39	49.25	0	34	53.51	1.00	FOS+60M
Mal_ECS_FP153	78	40	41.14	0	35	23.64	1.00	FOS+60M
Mal_ECS_FP154	78	41	32.52	0	35	54.64	1.00	FOS+60M
Mal_ECS_FP155	78	42	23.39	0	36	26.51	1.00	FOS+60M
Mal_ECS_FP156	78	43	13.71	0	36	59.21	1.00	FOS+60M
Mal_ECS_FP157	78	44	3.48	0	37	32.77	1.00	FOS+60M
Mal_ECS_FP158	78	44	52.69	0	38	7.14	1.00	FOS+60M
Mal_ECS_FP159	78	45	41.34	0	38	42.34	1.00	FOS+60M
Mal_ECS_FP160	78	46	29.37	0	39	18.35	1.00	FOS+60M
Mal_ECS_FP161	78	47	16.84	0	39	55.17	1.00	FOS+60M
Mal_ECS_FP162	78	48	3.66	0	40	32.76	1.00	FOS+60M



Mal_ECS_FP163	78	48	49.86	0	41	11.15	1.00	FOS+60M
Mal_ECS_FP164	78	49	35.40	0	41	50.30	1.00	FOS+60M
Mal_ECS_FP165	78	50	20.31	0	42	30.21	1.00	FOS+60M
Mal_ECS_FP166	78	51	4.55	0	43	10.86	1.00	FOS+60M
Mal_ECS_FP167	78	51	48.09	0	43	52.25	1.00	FOS+60M
Mal_ECS_FP168	78	52	30.96	0	44	34.37	1.00	FOS+60M
Mal_ECS_FP169	78	53	13.12	0	45	17.20	1.00	FOS+60M
Mal_ECS_FP170	78	53	54.57	0	46	0.72	1.00	FOS+60M
Mal_ECS_FP171	78	54	35.30	0	46	44.94	1.00	FOS+60M
Mal_ECS_FP172	78	55	15.26	0	47	29.84	1.00	FOS+60M
Mal_ECS_FP173	78	55	54.51	0	48	15.40	1.00	FOS+60M
Mal_ECS_FP174	78	56	32.99	0	49	1.61	1.00	FOS+60M
Mal_ECS_FP175	78	57	10.70	0	49	48.47	1.00	FOS+60M
Mal_ECS_FP176	78	57	47.62	0	50	35.95	1.00	FOS+60M
Mal_ECS_FP177	78	58	23.76	0	51	24.04	1.00	FOS+60M
Mal_ECS_FP178	78	58	59.08	0	52	12.73	1.00	FOS+60M
Mal_ECS_FP179	78	59	33.61	0	53	2.00	1.00	FOS+60M
Mal_ECS_FP180	79	0	7.31	0	53	51.85	1.00	FOS+60M
Mal_ECS_FP181	79	0	40.18	0	54	42.25	1.00	FOS+60M
Mal_ECS_FP182	79	1	12.21	0	55	33.21	1.00	FOS+60M
Mal_ECS_FP183	79	1	43.38	0	56	24.69	1.00	FOS+60M
Mal_ECS_FP184	79	2	13.73	0	57	16.69	1.00	FOS+60M
Mal_ECS_FP185	79	2	43.17	0	58	9.18	1.00	FOS+60M
Mal_ECS_FP186	79	3	11.77	0	59	2.17	1.00	FOS+60M
Mal_ECS_FP187	79	3	39.48	0	59	55.63	1.00	FOS+60M
Mal_ECS_FP188	79	4	6.31	1	0	49.54	1.00	FOS+60M
Mal_ECS_FP189	79	4	32.24	1	1	43.90	1.00	FOS+60M
Mal_ECS_FP190	79	4	57.26	1	2	38.68	1.00	FOS+60M
Mal_ECS_FP191	79	5	21.38	1	3	33.88	1.00	FOS+60M
Mal_ECS_FP192	79	5	44.56	1	4	29.47	1.00	FOS+60M
Mal_ECS_FP193	79	6	6.83	1	5	25.45	1.00	FOS+60M
Mal_ECS_FP194	79	6	28.17	1	6	21.79	1.00	FOS+60M
Mal_ECS_FP195	79	6	48.58	1	7	18.48	1.00	FOS+60M
Mal_ECS_FP196	79	7	8.06	1	8	15.51	1.00	FOS+60M
Mal_ECS_FP197	79	7	26.57	1	9	12.85	1.00	FOS+60M
Mal_ECS_FP198	79	7	44.15	1	10	10.49	1.00	FOS+60M
Mal_ECS_FP199	79	8	0.76	1	11	8.42	1.00	FOS+60M
Mal_ECS_FP200	79	8	16.39	1	12	6.62	1.00	FOS+60M
Mal_ECS_FP201	79	28	24.01	2	8	27.27	59.58	350M
Mal_ECS_FP202	80	21	3.73	2	34	23.43	58.69	200M SL



Western Area								
Fixed Point	Longitude			Latitude			Distance to last FP	Article 76 Method
	Deg	Min	Sec	Deg	Min	Sec		
Mal_ECS_FP203	68	52	15.42	7	59	41.74	0.00	FOS+60M
Mal_ECS_FP204	68	51	47.95	7	58	48.04	1.00	FOS+60M
Mal_ECS_FP205	68	51	21.36	7	57	53.89	1.00	FOS+60M
Mal_ECS_FP206	68	50	55.71	7	56	59.31	1.00	FOS+60M
Mal_ECS_FP207	68	50	30.96	7	56	4.30	1.00	FOS+60M
Mal_ECS_FP208	68	50	7.15	7	55	8.89	1.00	FOS+60M
Mal_ECS_FP209	68	49	44.27	7	54	13.10	1.00	FOS+60M
Mal_ECS_FP210	68	49	22.30	7	53	16.92	1.00	FOS+60M
Mal_ECS_FP211	68	49	1.29	7	52	20.39	1.00	FOS+60M
Mal_ECS_FP212	68	48	41.24	7	51	23.52	1.00	FOS+60M
Mal_ECS_FP213	68	48	22.12	7	50	26.32	1.00	FOS+60M
Mal_ECS_FP214	68	48	3.99	7	49	28.82	1.00	FOS+60M
Mal_ECS_FP215	68	47	46.80	7	48	31.02	1.00	FOS+60M
Mal_ECS_FP216	68	47	30.60	7	47	32.94	1.00	FOS+60M
Mal_ECS_FP217	68	47	15.35	7	46	34.61	1.00	FOS+60M
Mal_ECS_FP218	68	47	1.10	7	45	36.02	1.00	FOS+60M
Mal_ECS_FP219	68	46	47.83	7	44	37.21	1.00	FOS+60M
Mal_ECS_FP220	68	46	35.53	7	43	38.18	1.00	FOS+60M
Mal_ECS_FP221	68	46	24.24	7	42	38.96	1.00	FOS+60M
Mal_ECS_FP222	68	46	13.91	7	41	39.55	1.00	FOS+60M
Mal_ECS_FP223	68	46	4.60	7	40	39.99	1.00	FOS+60M
Mal_ECS_FP224	68	45	56.28	7	39	40.28	1.00	FOS+60M
Mal_ECS_FP225	68	45	48.97	7	38	40.44	1.00	FOS+60M
Mal_ECS_FP226	68	37	10.61	6	45	27.31	53.66	FOS+60M
Mal_ECS_FP227	68	37	0.34	6	44	27.90	1.00	FOS+60M
Mal_ECS_FP228	68	36	51.08	6	43	28.32	1.00	FOS+60M
Mal_ECS_FP229	68	36	42.81	6	42	28.60	1.00	FOS+60M
Mal_ECS_FP230	68	36	35.54	6	41	28.75	1.00	FOS+60M
Mal_ECS_FP231	68	36	29.27	6	40	28.79	1.00	FOS+60M
Mal_ECS_FP232	68	36	24.00	6	39	28.73	1.00	FOS+60M
Mal_ECS_FP233	68	36	19.74	6	38	28.60	1.00	FOS+60M
Mal_ECS_FP234	68	36	16.47	6	37	28.40	1.00	FOS+60M
Mal_ECS_FP235	68	36	14.22	6	36	28.15	1.00	FOS+60M
Mal_ECS_FP236	68	36	12.96	6	35	27.87	1.00	FOS+60M
Mal_ECS_FP237	68	36	12.71	6	34	27.58	1.00	FOS+60M
Mal_ECS_FP238	68	36	13.45	6	33	27.30	1.00	FOS+60M
Mal_ECS_FP239	68	36	15.21	6	32	27.04	1.00	FOS+60M



Mal_ECS_FP240	68	36	17.99	6	31	26.81	1.00	FOS+60M
Mal_ECS_FP241	68	36	21.75	6	30	26.64	1.00	FOS+60M
Mal_ECS_FP242	68	36	26.50	6	29	26.54	1.00	FOS+60M
Mal_ECS_FP243	68	36	32.27	6	28	26.52	1.00	FOS+60M
Mal_ECS_FP244	68	36	39.05	6	27	26.62	1.00	FOS+60M
Mal_ECS_FP245	68	36	46.80	6	26	26.83	1.00	FOS+60M
Mal_ECS_FP246	68	36	55.56	6	25	27.18	1.00	FOS+60M
Mal_ECS_FP247	68	37	5.31	6	24	27.68	1.00	FOS+60M
Mal_ECS_FP248	68	37	16.05	6	23	28.36	1.00	FOS+60M
Mal_ECS_FP249	68	37	27.75	6	22	29.22	1.00	FOS+60M
Mal_ECS_FP250	68	37	40.46	6	21	30.28	1.00	FOS+60M
Mal_ECS_FP251	68	37	54.14	6	20	31.56	1.00	FOS+60M
Mal_ECS_FP252	68	38	8.81	6	19	33.08	1.00	FOS+60M
Mal_ECS_FP253	68	38	24.44	6	18	34.86	1.00	FOS+60M
Mal_ECS_FP254	68	38	41.03	6	17	36.90	1.00	FOS+60M
Mal_ECS_FP255	68	38	58.61	6	16	39.22	1.00	FOS+60M
Mal_ECS_FP256	68	39	17.12	6	15	41.85	1.00	FOS+60M
Mal_ECS_FP257	68	39	36.59	6	14	44.79	1.00	FOS+60M
Mal_ECS_FP258	68	39	57.00	6	13	48.07	1.00	FOS+60M
Mal_ECS_FP259	68	40	18.34	6	12	51.69	1.00	FOS+60M
Mal_ECS_FP260	68	40	40.64	6	11	55.68	1.00	FOS+60M
Mal_ECS_FP261	68	41	3.85	6	11	0.04	1.00	FOS+60M
Mal_ECS_FP262	68	41	27.99	6	10	4.80	1.00	FOS+60M
Mal_ECS_FP263	68	41	53.04	6	9	9.97	1.00	FOS+60M
Mal_ECS_FP264	68	42	19.02	6	8	15.57	1.00	FOS+60M
Mal_ECS_FP265	68	42	45.88	6	7	21.61	1.00	FOS+60M
Mal_ECS_FP266	68	43	13.63	6	6	28.10	1.00	FOS+60M
Mal_ECS_FP267	68	43	42.27	6	5	35.06	1.00	FOS+60M
Mal_ECS_FP268	68	44	11.80	6	4	42.52	1.00	FOS+60M
Mal_ECS_FP269	68	44	42.18	6	3	50.46	1.00	FOS+60M
Mal_ECS_FP270	68	45	13.43	6	2	58.92	1.00	FOS+60M
Mal_ECS_FP271	68	45	45.54	6	2	7.91	1.00	FOS+60M
Mal_ECS_FP272	68	46	18.47	6	1	17.44	1.00	FOS+60M
Mal_ECS_FP273	68	46	52.25	6	0	27.52	1.00	FOS+60M
Mal_ECS_FP274	68	47	26.86	5	59	38.17	1.00	FOS+60M
Mal_ECS_FP275	68	48	2.26	5	58	49.41	1.00	FOS+60M
Mal_ECS_FP276	68	48	38.49	5	58	1.26	1.00	FOS+60M
Mal_ECS_FP277	68	49	15.52	5	57	13.70	1.00	FOS+60M
Mal_ECS_FP278	68	49	53.31	5	56	26.76	1.00	FOS+60M
Mal_ECS_FP279	68	50	31.90	5	55	40.47	1.00	FOS+60M
Mal_ECS_FP280	68	51	11.23	5	54	54.83	1.00	FOS+60M
Mal_ECS_FP281	69	18	41.95	5	0	46.23	60.00	200 Mald

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Functional Translation of the

Constitution

of the

Republic of Maldives

2008

Done By

Ms. Dheena Hussain

LLB. (Hons), (Birmingham), LLM. (London), Barrister-at-Law (Lincoln's Inn)

At the Request of

Ministry of Legal Reform, Information and Arts

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CHAPTER I

STATE, SOVEREIGNTY AND CITIZENS

- Constitution **1.** This is the “*Constitution of the Republic of the Maldives*”. Any reference to the “Constitution” herein is a reference to the Constitution of the Republic of the Maldives.
- Republic of the Maldives **2.** The Maldives is a sovereign, independent, democratic Republic based on the principles of Islam, and is a unitary State, to be known as the Republic of the Maldives. Any reference to “the Maldives” is a reference to the Republic of the Maldives.
- Territory of the Maldives **3.** The territory of the Maldives encompasses the land, air space, sea and seabed within the archipelagic baselines of the Maldives drawn in accordance with the law, and includes the territorial waters, the seabed and air space thereof beyond the said baselines. Any changes to the territory of the Maldives may only be made pursuant to a law enacted by at least a two-third majority of the total membership of the People’s Majlis.
- Powers of the citizens **4.** All the powers of the State of the Maldives are derived from, and remain with, the citizens.
- Legislative power **5.** All legislative power in the Maldives is vested in the People’s Majlis.
- Executive power **6.** As provided for in this Constitution the executive power is vested in the President.
- Judicial power **7.** The judicial power is vested in the courts of the Maldives.

Supremacy of
Constitution

8. The powers of the State shall be exercised in accordance with this Constitution.

Citizens

9. (a) The following persons are citizens of the Maldives:

1. citizens of the Maldives at the commencement of this Constitution;

2. children born to a citizen of the Maldives; and

3. foreigners who, in accordance with the law, become citizens of the Maldives.

(b) No citizen of the Maldives may be deprived of citizenship.

(c) Any person who wishes to relinquish his citizenship may do so in accordance with law.

(d) Despite the provisions of article (a) a non-Muslim may not become a citizen of the Maldives.

State Religion

10. (a) The religion of the State of the Maldives is Islam. Islam shall be the one of the basis of all the laws of the Maldives

(b) No law contrary to any tenet of Islam shall be enacted in the Maldives

National Language

11. The national language of the Maldives is Dhivehi.

National Flag

12. (a) The national flag of the Maldives consists of a white crescent in the centre of a green rectangle

surrounded by a red border.

- (b) The dimensions and colour code of the national flag and the placing of the crescent on the national flag shall be as specified in Schedule 3 of this Constitution.

Currency of the Maldives

- 13.** The unit of currency of the Maldives is the Rufiyaa, divided into one hundred Laari.

Capital

- 14.** The capital of the Maldives is the island of Male’.

National Day

- 15.** The national day of the Maldives is the first day of the month of Rabeuu al-Awwal.

CHAPTER II

FUNDAMENTAL RIGHTS AND FREEDOMS

Guarantee of Rights

- 16.** (a) This Constitution guarantees to all persons, in a manner that is not contrary to any tenet of Islam, the rights and freedoms contained within this Chapter, subject only to such reasonable limits prescribed by a law enacted by the People’s Majlis in a manner that is not contrary to this Constitution. Any such law enacted by the People’s Majlis can limit the rights and freedoms to any extent only if demonstrably justified in a free and democratic society.
- (b) The limitation of a right or freedom specified in this Chapter by a law enacted by the People’s Majlis as provided for in this Constitution, and

in order to protect and maintain the tenets of Islam, shall not be contrary to article (a).

(c) In deciding whether a right or freedom in this Chapter, has been limited in accordance with article (a) and (b), a court must be fully cognisant of and make reference to all the facts, including:

1. the nature and character of the right or freedom;
2. the purpose and importance of limiting the right or freedom;
3. the extent and manner of limiting the right or freedom;
4. the relationship between the limitation of the right or freedom and the importance of the right or freedom;
5. the extent to which the objective for which the right or freedom has been limited could have been achieved by limiting the right or freedom to a lesser degree;
6. the extent to which the right or freedom must be limited in order to protect the tenets of Islam, where the right or freedom has been limited pursuant to article (b).

(d) The onus of establishing that the limitation to any extent, of a right or freedom included in this Chapter is within the reasonable limitations prescribed in this Constitution is on the State or the person asserting the limitation of the right or freedom.

- Non-discrimination **17.** (a) Everyone is entitled to the rights and freedoms included in this Chapter without discrimination of any kind, including race, national origin, colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status, or native island.
- (b) Special assistance or protection to disadvantaged individuals or groups, or to groups requiring special social assistance, as provided in law shall not be deemed to be discrimination, as provided for in article (a).
- Duty of the State **18.** It is the duty of the State to follow the provisions of this Constitution, and to protect and promote the rights and freedoms provided in this Chapter.
- Freedom from restraint **19.** A citizen is free to engage in any conduct or activity that is not expressly prohibited by Islamic Shari'ah or by law. No control or restraint may be exercised against any person unless it is expressly authorised by law.
- Equality **20.** Every individual is equal before and under the law, and has the right to the equal protection and equal benefit of the law.
- Right to life **21.** Everyone has the right to life, liberty and security of the person, and the right not be deprived thereof to any extent except pursuant to a law made in accordance with Article 16 of this Constitution.
- Protection of the environment **22.** The State has a fundamental duty to protect and preserve the natural environment, biodiversity, resources and beauty of the country for the benefit of present and future generations. The State shall undertake and promote desirable economic and social goals through ecologically balanced sustainable development and shall take measures necessary to

foster conservation, prevent pollution, the extinction of any species and ecological degradation from any such goals.

Economic and social rights

23. Every citizen the following rights pursuant to this Constitution, and the State undertakes to achieve the progressive realisation of these rights by reasonable measures within its ability and resources:

(a) adequate and nutritious food and clean water;

(b) clothing and housing;

(c) good standards of health care, physical and mental;

(d) a healthy and ecologically balanced environment;

(e) equal access to means of communication, the State media, transportation facilities, and the natural resources of the country;

(f) the establishment of a sewage system of a reasonably adequate standard on every inhabited island;

(g) the establishment of an electricity system of a reasonably adequate standard on every inhabited island that is commensurate to that island.

Privacy

24. Everyone has the right to respect for his private and family life, his home and his private communications. Every person must respect these rights with respect to others.

No slavery or forced labour **25.**

(a) No one shall be held in slavery or servitude, or be required to perform forced labour.

(b) Compulsory military service, service required in cases of emergency or calamity threatening the life or well-being of the community, or service required pursuant to a court order shall not be deemed to be contrary to article (a).

Right to vote and run for public office **26.**

Unless otherwise provided in this Constitution, every citizen of the Maldives eighteen years of age or older has the right:

(a) to vote in elections, and in public referendums, which shall be held by secret ballot;

(b) to run for public office;

(c) to take part in the conduct of public affairs, directly or through freely chosen representatives.

Freedom of expression **27.**

Everyone has the right to freedom of thought and the freedom to communicate opinions and expression in a manner that is not contrary to any tenet of Islam.

Freedom of the media **28.**

Everyone has the right to freedom of the press, and other means of communication, including the right to espouse, disseminate and publish news, information, views and ideas. No person shall be compelled to disclose the source of any information that is espoused, disseminated or published by that person.

Freedom of acquiring and imparting knowledge **29.**

Everyone has the freedom to acquire and impart knowledge, information and learning.

Freedom to form political parties, associations and societies

30. (a) Every citizen has the right to establish and to participate in the activities of political parties.

(b) Everyone has the freedom to form associations and societies, including the following:

1. the right to establish and participate in any association or society for economic, social, educational or cultural or purposes;

2. the right to form trade unions, to participate or not participate in their activities.

Right to strike

31. Every person employed in the Maldives and all other workers have the freedom to stop work and to strike in order to protest.

Freedom of assembly

32. Everyone has the right to freedom of peaceful assembly without prior permission of the State.

Right to protect reputation and name

33. Everyone has the right to protect one's reputation and good name.

Right to marry and establishment of the family

34. (a) Every person of marriageable age as determined by law has the right to marry, and to establish a family as specified in law. The family, being the natural and fundamental unit of society, is entitled to special protection by society and the State.

(b) Children must be afforded special protection as specified in law in the event of a marital breakdown of the parents.

Special protection to children, young, elderly and

35. (a) Children and young people are entitled to special protection and special assistance from

disadvantaged
people

the family, the community and the State. Children and young people shall not be harmed, sexually abused, or discriminated against in any manner and shall be free from unsuited social and economic exploitation. No person shall obtain undue benefit from their labour.

(b) Elderly and disadvantaged persons are entitled to protection and special assistance from the family, the community and the State.

Right to education **36.**

(a) Everyone has the right to education without discrimination of any kind.

(b) Primary and secondary education shall be freely provided by the State. It is imperative on parents and the State to provide children with primary and secondary education. Opportunity for higher education shall be generally accessible to all citizens.

(c) Education shall strive to inculcate obedience to Islam, instil love for Islam, foster respect for human rights, and promote understanding, tolerance and friendship among all people.

Right to work **37.**

(a) Every citizen has the right to engage in any employment or occupation.

(b) Everyone is entitled to just and safe conditions of work, fair wages, equal remuneration for work of equal value, and equal opportunity for promotion.

(c) Everyone has the right to rest and leisure, including limits on hours of work and periodic holidays with pay.

(d) Everyone has the right to spend time at rest and leisure. In order to provide this right to each employed person, the maximum number of working hours have to be determined as well as the length of paid holidays.

Right of pension **38.** Every one engaged in employment with the State shall have the right of pension as provided by law.

Right to participate in cultural life **39.** (a) Everyone has the right to participate in the cultural life of the nation, and to benefit from literary and artistic endeavours.

(b) The State shall promote education, culture, literature and the arts, within the limits of its resources.

Right to acquire and hold property **40.** (a) Every citizen has the right to acquire, own, inherit, transfer or otherwise transact of such property.

(b) Private property shall be inviolable, and may only be compulsorily acquired by the State for the public good, as expressly prescribed by law, and as authorised by order of the court. Fair and adequate compensation shall be paid in all cases, as determined by the court.

(c) Nothing in this Article prevents any law authorising a court to order the forfeiture (without the giving of any compensation) of illegally acquired or possessed property, or enemy property.

(d) Property of a person shall not be forfeited in substitution for any offence.

Freedom of movement and establishment

- 41.**
- (a) Every citizen has the freedom to enter, remain in and leave the Maldives, and to travel within the Maldives.
 - (b) Every citizen has the right to move to, and take up residence on, any inhabited island of the Maldives.
 - (c) Every citizen shall have equal access to the receipt of rights and benefits from any island where he has established residency.

Fair and transparent hearings

- 42.**
- (a) In the determination of one's civil rights and obligations or of any criminal charge, everyone is entitled to a fair and public hearing within a reasonable time by an independent court or tribunal established by law.
 - (b) All judicial proceedings in the Maldives shall be conducted with justice, transparency and impartiality.
 - (c) Trials of any matter shall be held publicly, but the presiding judge may exclude the public from all or part of a trial in accordance with democratic norms:
 - 1. in the interests of public morals, public order or national security;
 - 2. where the interest of juveniles or the victims of a crime so require; or
 - 3. in other special circumstances where publicity would prejudice the interests of justice.

(d) All judgements or orders of a Court shall be pronounced publicly, unless the Court specifically orders otherwise for the reasons stipulated in article (c). All publicly pronounced judgements or orders shall be available to the public.

Fair administrative action

43.

(a) Everyone has the right to administrative action that is lawful, procedurally fair, and expeditious.

(b) Everyone whose rights have been adversely affected by administrative action has the right to be given written reasons.

(c) Where the rights of a person, a group or community has been adversely affected by administrative action, every such person, group or every person who may be directly affected by such action has the right to submit the matter to court.

Personal liability

44.

The application of the criminal law or criminal procedure, including the conduct of investigations, criminal proceedings and enforcement of sentences as provided by law, shall extend to the accused person only and shall not affect the legal rights or obligations of any other person.

No unlawful arrest or detention

45.

Everyone has the right not to be arbitrarily detained, arrested or imprisoned except as provided by law enacted by the People's Majlis in accordance with Article 16 of this Constitution.

Power of arrest and detention

46.

No person shall be arrested or detained for an offence unless the arresting officer observes the offence being committed, or has reasonable and probable grounds or evidence to believe the person has committed an offence or is about to commit an offence, or under the

evidence dictate otherwise. The release may be subject to conditions of bail or other assurances to appear as required by the court.

Prompt investigation
and prosecution

50. After notice of an alleged offence has been brought to the attention of the investigating authorities, the matter shall be investigated promptly, and where warranted, the Prosecutor General shall lay charges as quickly as possible.

Rights of the accused

51. Everyone charged with an offence has the right:

(a) to be informed without delay of the specific offence in a language understood by the accused;

(b) to be tried within a reasonable time;

(c) not to be compelled to testify;

(d) to an interpreter to be provided by the State where he does not speak the language in which the proceedings are conducted, or is deaf or mute;

(e) to have adequate time and facilities for the preparation of his defence and to communicate with and instruct legal counsel of his own choosing;

(f) to be tried in person, and to defend himself through legal counsel of his own choosing;

(g) to examine the witnesses against him and to obtain the attendance and examination of

witnesses;

(h) to be presumed innocent until proven guilty beyond a reasonable doubt.

- | | |
|--|--|
| Confessions and illegal evidence | 52. No confession shall be admissible in evidence unless made in court by an accused who is in a sound state of mind. No statement or evidence must be obtained from any source by compulsion or by unlawful means and such statement or evidence is inadmissible in evidence. |
| Assistance of legal counsel | 53. (a) Everyone has the right to retain and instruct legal counsel at any instance where legal assistance is required.

(b) In serious criminal cases, the State shall provide a lawyer for an accused person who cannot afford to engage one. |
| No degrading treatment or torture | 54. No person shall be subjected to cruel, inhumane or degrading treatment or punishment, or to torture. |
| No imprisonment for non-fulfilment of contractual obligation | 55. No person shall be imprisoned on the ground of non-fulfilment of a contractual obligation. |
| Right to appeal | 56. Everyone related to a matter has the right to appeal a conviction and sentence, or judgement or order in a criminal or civil matter. |
| Humane treatment of arrested or detained persons | 57. Everyone deprived of liberty through arrest or detention as provided by law, pursuant to an order of the court, or being held in State care for social reasons, shall be treated with humanity and with respect for the inherent dignity of the human person. A person may be deprived of the rights or freedoms specified in this Chapter only to the extent required for the purpose for which he is deprived of his liberty. |

- Compensation
- 58.** Everyone who has been arrested or detained without legal authority or justification has the right to be compensated.
- Retrospective legislation
- 59.**
- (a) No person shall be found guilty of any act or omission which did not constitute an offence under Islamic Shari'ah or law at the time committed. Nor shall a more severe penalty be imposed than the one applicable at the time the offence was committed. If the punishment for an offence has been reduced between the time of commission and the time of sentencing, the accused is entitled to the benefit of the lesser punishment.
 - (b) This Article shall not prejudice the trial and punishment of any person for any act which was criminal according to international law.
- Prohibition of double jeopardy
- 60.**
- (a) If an accused is acquitted of an offence by a court, he shall not be tried again for the same or substantially the same offence. If an accused is found guilty and punished for an offence he shall not be tried or punished again for the same or substantially the same offence.
 - (b) The principle stated in article (a) does not apply to appeals relating to the offence.
- Publication of acts and regulations
- 61.**
- (a) All statutes, regulations, government orders requiring compliance by citizens and government policies shall be published and made available to the public.
 - (b) No person may be subjected to any punishment except pursuant to a statute or pursuant to a regulation made under authority of a statute, which has been made available to the public and which defines the criminal offence and the

punishment for commission of the offence.

- (c) All information concerning government decisions and actions shall be made public, except information that is declared to be State secrets by a law enacted by the People's Majlis.
- (d) Every citizen has the right to obtain all information possessed by the Government about that person.

Retention of other rights

- 62.** (a) The enumeration of rights and freedoms in this Chapter are guaranteed equally to female and male persons.
- (b) The enumeration of rights and freedoms individually in this Chapter shall not be construed to deny or negate other rights retained by the people which are not specified in this Chapter.

Voidance of laws inconsistent with fundamental rights

- 63.** Any law or part of any law contrary to the fundamental rights or freedoms guaranteed by this Chapter shall be void or void to the extent of such inconsistency.

Non-compliance with unlawful orders

- 64.** No employee of the State shall impose any orders on a person except under authority of a law. Everyone has the right not to obey an unlawful order.

Application to court to obtain a remedy

- 65.** Anyone whose rights or freedoms, as guaranteed by this Chapter, have been infringed or denied may apply to a court to obtain a just remedy.

Voidance of laws inconsistent with rights and freedoms

- 66.** All existing statutes, regulations, decrees and notices inconsistent with the fundamental rights and freedoms provisions in this Chapter shall, to the extent of the inconsistency, become void on the commencement of this Constitution.

67. The exercise and enjoyment of fundamental rights and freedoms is inseparable from the performance of responsibilities and duties, and it is the responsibility of every citizen:

- (a) to respect and protect the rights and freedoms of others;
- (b) to foster tolerance, mutual respect, and friendship among all people and groups;
- (c) to contribute to the well-being and advancement of the community;
- (d) to promote the sovereignty, unity, security, integrity and dignity of the Maldives;
- (e) to respect the Constitution and the rule of law;
- (f) to promote democratic values and practices in a manner that is not inconsistent with any tenet of Islam;
- (g) to preserve and protect the State religion of Islam, culture, language and heritage of the country;
- (h) to preserve and protect the natural environment, biodiversity, resources and beauty of the country and to abstain from all forms of pollution and ecological degradation;
- (i) to respect the national flag, state emblem and the national anthem.

Every person in the Maldives must also respect these

duties.

- Interpretation **68.** When interpreting and applying the rights and freedoms contained within this Chapter, a court or tribunal shall promote the values that underlie an open and democratic society based on human dignity, equality and freedom, and shall consider international treaties to which the Maldives is a party.
- Non-destructive interpretation of Constitution **69.** No provision of the Constitution shall be interpreted or translated in a manner that would grant to the State or any group or person the right to engage in any activity or perform any act aimed at the destruction of the rights and freedoms set out in this Constitution.

CHAPTER III

THE PEOPLE'S MAJLIS

- Legislative authority **70.**
- (a) The legislative authority of the Maldives shall be vested in the People's Majlis.
 - (b) The law making powers of the People's Majlis pursuant to article (a), includes the following powers:
 - 1. the amendment of this Constitution, in accordance with the terms provided herein;
 - 2. the enactment of legislation with regard to any matter, or the amendment or repeal of any law, which is not inconsistent with any tenet of Islam;

3. the supervision of the exercise of executive authority and ensuring the executive authority is accountable for the exercise of its powers, and taking the steps required for ensuring the same;
4. the approval of the annual budget and any supplementary budget;
5. the determination of matters relating to Independent Commissions and Independent Offices in accordance with law;
6. the holding of public referendums on issues of public importance;
7. the performance of all duties otherwise expressly required by this Constitution and by law.

(c) The People's Majlis shall not pass any law that contravenes any tenet of Islam.

(d) Any matter submitted to the People's Majlis for approval includes the power of the People's Majlis to accept, reject, revoke or amend the disposition of the matter.

(e) Any appointment or dismissal submitted to the People's Majlis for approval includes the power of the People's Majlis to accept or reject the appointment or dismissal.

Determination of the composition of the People's Majlis **71.**

(a) The membership of the People's Majlis shall be determined in accordance with the following principles:

1. two members for the first five thousand residents registered for each administrative division or two members for administrative divisions with less than five thousand residents; and
2. where the residents registered to an administrative division exceed five thousand residents, one additional member for each group of five thousand residents in excess of the first five thousand.

(b) The administrative divisions at the time this Constitution comes into force, referred to in this Article shall be the twenty administrative Atolls plus Male', for a total of twenty one. The details of the administrative divisions are specified in Schedule 2 of this Constitution.

Election of members **72.**

- (a) Each administrative division shall establish separate electoral constituencies in accordance with the principles specified in Article 71 of this Constitution. All members shall be elected from a separate electoral constituency.
- (b) The person elected from amongst those standing for election in each separate electoral constituency shall be the person receiving the greatest number of votes by secret ballot.
- (c) A law shall specify the manner of determining the number of electoral constituencies in each administrative division and the boundaries of each electoral constituency. Such law shall specify the principles pursuant to which the population on each administrative division shall be divided into the separate electoral constituencies such that there is an approximately equal division of the population.

73. (a) A person elected to be a member of the People's Majlis shall be so qualified if he:

1. is a citizen of the Maldives;
2. is not a citizen of a foreign country;
3. is a Muslim and a follower of a Sunni school of Islam;
4. has attained the age of eighteen years; and
5. is of sound mind.

(b) A person who has acquired Maldivian citizenship is qualified to be a member of the People's Majlis five years after the acquisition of citizenship and is domiciled in the Maldives.

(c) A person shall be disqualified from election as, a member of the People's Majlis, or a a member of the People's Majlis immediately becomes disqualified, if he:

1. has a decreed debt which is not being paid as provided in the judgement;
2. has been convicted of a criminal offence and is serving a sentence of more than twelve months;
3. has been convicted of a criminal offence and sentenced to a term of more than twelve months, unless a period of three

years has elapsed since his release, or pardon for the offence for which he was sentenced;

4. is a member of the Judiciary.

(d) Unless otherwise specifically provided in the Constitution, a member of the People's Majlis shall not continue to hold office in:

1. the Cabinet of Ministers;

2. the office of State Minister, Deputy Minister, or other State office of an equivalent level;

3. an Independent Commission or an Independent Office;

4. the Civil Service;

5. a corporation wholly or partly owned or managed by the Government;

6. the Armed Forces;

7. the Police;

8. any other office of the State except an office held by virtue of being a member of the People's Majlis.

- Court jurisdiction **74.** Any question concerning the qualifications or removal, or vacating of seats, of a member of the People’s Majlis shall be determined by the Supreme Court.
- Function of members **75.** Members of the People’s Majlis should be guided in their actions by considerations of national interest and public welfare foremost, and should not exploit their official positions in any way for their own benefit or for the benefit of those with whom they have special relations. They shall represent not only their constituencies but the country as a whole.
- Declaration of assets **76.** Every member shall annually submit to the Secretary General of the People’s Majlis a statement of all property and monies owned by him, business interests and liabilities. Such declarations shall include the details of any other employment and obligations of such employment.
- Resignation **77.** A member of the People’s Majlis may resign his seat by writing under his hand addressed to the Speaker, and the seat shall become vacant when the resignation is received by the Speaker.
- Filling vacancy **78.** Whenever there is a vacancy among the members of the People’s Majlis, an election shall be held within sixty days from the date of the vacancy. A by-election shall not be held within six months prior to a general election.
- Term of the People’s Majlis **79.** (a) The People’s Majlis shall continue for five years from the date of its first sitting, and shall then stand dissolved. The first sitting of the newly elected People’s Majlis shall be held immediately after the dissolution of the previous People’s Majlis.

(b) Election of members to the new People's Majlis and all matters pertaining thereto shall be concluded thirty days prior to the expiration of the existing People's Majlis.

Extension of term of the People's Majlis

80. In the event of a declaration of a state of emergency, making it difficult to hold a general election, the term of the People's Majlis may be extended by a resolution enacted by the People's Majlis for a period not exceeding one year if such resolution is supported by two-thirds of the total membership of the People's Majlis. When the declaration of the state of emergency expires or is revoked during an extended term, the People's Majlis shall not continue for a period longer than sixty days, and all matters relating to the election of a new People's Majlis shall be completed within that time.

Oath of office of members of the People's Majlis

81. A person elected as a member of the People's Majlis shall assume membership in the People's Majlis upon taking and subscribing, before the Chief Justice or his designate, the oath of office of members of the People's Majlis set out in Schedule 1 of this Constitution.

Speaker and Deputy Speaker of the People's Majlis

82. (a) The People's Majlis shall at the first sitting after the general election elect a Speaker and a Deputy Speaker from its members by secret ballot. Until such time as a Speaker and a Deputy Speaker is elected the People's Majlis shall be presided over by the consecutively longest serving member from among those present. Where there are a number of members who have consecutively served the longest then the Majlis shall be presided over by the member most senior by age of those having served consecutively the longest.

- (b) The Speaker, or in his absence the Deputy Speaker, shall preside over sittings of the People's Majlis, and if neither is present, a person to preside over the sitting shall be determined as provided in the Regulations governing the Proceedings of People's Majlis.
- (c) The Speaker may resign from his post by writing under his hand addressed to the Deputy Speaker, and the post shall become vacant when the resignation is received by the Deputy Speaker. The Deputy Speaker may resign from his post by writing under his hand addressed to the Speaker, and the post shall become vacant when the resignation is received by the Speaker.
- (d) The Speaker or the Deputy Speaker shall vacate his office:
1. if he ceases to be a member of the People's Majlis; or
 2. if the People's Majlis at any time so resolves.
- (e) No such resolution shall be moved unless fourteen days notice has been given to the People's Majlis of the intention to move the resolution.
- (f) The Speaker shall not preside over the debate concerning his removal. The Deputy Speaker shall also not preside over any debate concerning his removal.
- (g) The Speaker and the Deputy Speaker have the right to take part and defend themselves in any debate concerning their removal. However they may not take part in any vote concerning their

removal.

- Sittings of the People's Majlis **83.** There shall be at least three sessions of the People's Majlis every year. The dates for the commencement and conclusion of the sessions must be specified in the Regulations governing the Proceedings of People's Majlis. The sessions shall generally be held at the House of the People's Majlis.
- Presidential address **84.** At the beginning of the first session of each year at the first sitting, the President shall address the People's Majlis on the state of the country, and may present proposals for improving the state of the country to the People's Majlis.
- Proceedings open to the public **85.** (a) Subject to article (b), meetings of the People's Majlis and its committees shall be open to the public.
- (b) A majority of those present and voting of the members of the People's Majlis or of a committee may decide to exclude the public and the press from all or any part of the proceedings if there is a compelling need to do so in the interests of public order or national security.
- (c) Article (b) does not prevent the People's Majlis from specifying additional reasons for excluding the public from all or any part of a committee meeting of the People's Majlis.
- Quorum **86.** The presence of at least twenty five percent of the members, shall constitute a quorum of the People's Majlis.
- Voting **87.** (a) Unless otherwise provided in this Constitution, all decisions of the People's Majlis shall be decided by a majority of votes of the members

present and voting.

- (b) Despite the provisions of Article 86 of this Constitution, voting on any matter requiring compliance by citizens shall only be undertaken when more than half of the total membership of the People's Majlis are present at the sitting at which the matter is voted upon.
- (c) The Speaker or other person presiding over sittings of the People's Majlis shall not vote on any question, but in the event of an equality of votes, he shall have and exercise a casting vote.
- (d) The Speaker or other person presiding over sittings of the People's Majlis may vote when a question must be decided by a two-thirds or three-quarters majority of the members.

Regulation of
procedure

88.

- (a) Subject to the provisions of this Constitution, the People's Majlis shall:
 - 1. determine and control its administrative arrangements, hiring and firing of employees, determination of salaries of employees, and manage all matters concerning the sittings of the People's Majlis. The People's Majlis shall make regulations concerning these matters;
 - 2. make regulations and principles concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement. Such regulations may include rules of decorum and attendance requirements, and, subject to the consent of two-thirds of the members, may provide for non-payment of salary

and allowances.

- (b) Unless otherwise specified in this Constitution, the validity of any proceedings in the People's Majlis shall not be questioned in any court of law.

Publication of proceedings of the People's Majlis

- 89.** All proceedings of the People's Majlis shall be published in the minutes of the People's Majlis and available to the public.

Privilege

- 90.** (a) No member or other person shall be liable to any proceedings in any court, and no person shall be subject to any inquiry, arrest, detention or prosecution, with respect to anything said in, produced before, or submitted to the People's Majlis or any of its committees, or with respect to any vote given if the same is not contrary to any tenet of Islam.

- (b) No person or newspaper or journal shall be liable in respect of any report or proceedings made or published under the authority of the People's Majlis, or in respect of any fair and accurate report of the proceedings of the People's Majlis or any of its committees, where this is done in accordance with principles specified by the People's Majlis.

Presidential assent or return for reconsideration

- 91.** (a) Every Bill passed by the People's Majlis shall be presented for assent by the President within seven days from the date of its passing, and the President shall, within fifteen days of receipt, assent to the Bill or return the Bill for reconsideration of the Bill or of any amendment proposed by the President.

(b) Any Bill returned to the People's Majlis for reconsideration shall be assented to by the President and published in the Government Gazette if the Bill, after reconsideration, is passed without any amendments, by a majority of the total membership of the People's Majlis.

(c) Any Bill not returned for reconsideration or amendment or assented to by the President within the specified time shall be deemed to have been assented to by the President and shall be published in the Government Gazette.

Publication of laws
in the Government
Gazette

92. A Bill passed by the People's Majlis shall become law when assented to by the President. Every Bill assented to by the President shall be published in the Government Gazette on the day of assent. Such law shall come into force when it is published in the Government Gazette, or on such later date following publication stipulated in the statute.

Treaties

93. (a) Treaties entered into by the Executive in the name of the State with foreign states and international organizations shall be approved by the People's Majlis, and shall come into force only in accordance with the decision of the People's Majlis.

(b) Despite the provisions of article (a), citizens shall only be required to act in compliance with treaties ratified by the State as provided for in a law enacted by the People's Majlis.

Delegation of power
to make regulations
and orders with
lawful authority

94. The People's Majlis may, pursuant to law and for prescribed purposes, delegate to any person or body power to make orders, and regulations, or other instruments having legislative effect, including the power to:

- (a) determine a date on which any law shall come into or cease to have effect;
- (b) make any law or part thereof applicable to any area or to any class of persons.

Reference to
Supreme Court

- 95.** The People's Majlis may by resolution refer to the Supreme Court for hearing and consideration important questions of law concerning any matter, including the interpretation of the Constitution and the constitutional validity of any statute. The Supreme Court shall answer the questions so referred and shall provide the answers to the People's Majlis, giving reasons for its answers. The opinion shall be pronounced in like manner as in the case of a judgment on appeal to the Supreme Court.

Annual budget

- 96.**
- (a) Prior to the commencement of each financial year, the Minister of Finance shall submit for approval to the People's Majlis a budget containing the projected revenue and expenditures for the year, and a statement of actual revenue and expenditures for the preceding year.
 - (b) The People's Majlis may approve or amend the budget submitted by the Minister of Finance as in its discretion it deems fit.
 - (c) No supplementary expenditures shall be added to an approved budget without further approval by the People's Majlis. Expenditures included in the budget shall be applied solely for the specified purpose.

Taxation and
expenditures

- 97.** The Executive shall not:

- (a) spend any public money or property;
- (b) levy any taxation;
- (c) obtain or receive any money or property by loan or otherwise;
- (d) provide any sovereign guarantees;

except pursuant to a law enacted by the People's Majlis.

Questioning of
Ministers and
members of the
Government

- 98.**
- (a) The People's Majlis may require the presence of any member of the Cabinet or member of the Government to attend proceedings of the People's Majlis, and to respond under oath truthfully to questions put to them and to produce documents, required by the People's Majlis relating to the due performance of the obligations and responsibilities of such person.
 - (b) Every member of the People's Majlis has the right to question, in the manner specified by the People's Majlis and either orally or in writing, a member of the Cabinet or head of a Government office, concerning the performance of his duties.
 - (c) Any member of the Cabinet or member of the Government office to whom a question is addressed as provided for in article (b) shall answer to the best of his knowledge and ability.
 - (d) The questions and answers given as provided for in this Article, whether orally or in writing, shall be published in the same manner as the proceedings of the People's Majlis.

Summoning persons **99.** The People's Majlis or any of its committees has the power to:

- (a) summon any person to appear before it to give evidence under oath, or to produce documents. Any person who is questioned by the People's Majlis as provided for in this Article shall answer to the best of his knowledge and ability;
- (b) require any person or institution to report to it;
- (c) receive petitions, representations or submissions from interested persons or institutions.

Removal of
President or Vice
President

100. (a) The People's Majlis, by a resolution, may remove the President or the Vice President from office only on the grounds of:

- 1. direct violation of a tenet of Islam, the Constitution or law;
 - 2. serious misconduct unsuited to the office of the President or Vice President; or
 - 3. inability to perform the responsibilities of office of President or Vice President.
- (b) A resolution as provided for in article (a), must be submitted to the People's Majlis, under the hand of at least one third of the members, specifying the reasons.
- (c) The People's Majlis may establish a committee to investigate the matters specified in the resolution calling for removal of the President or Vice President.

- (d) At least fourteen days notice of the debate in the People's Majlis concerning such a resolution shall be given to the President or Vice President, and the President or the Vice President shall have the right to defend himself in the sittings of the People's Majlis, both orally and in writing, and has the right to legal counsel.
- (e) A resolution to remove the President or Vice President from office as specified in article (a) shall only be passed if it receives a two-thirds majority of the total membership of the People's Majlis, and in such event the President or Vice President shall cease to hold office.
- (f) The Regulations governing the functioning of the People's Majlis shall specify the principles and procedures concerning a resolution to remove the President or Vice President from office as provided in this Constitution.

Vote of no confidence in a member of the Cabinet

101.

- (a) A motion expressing want of confidence in a member of the Cabinet may be moved in the People's Majlis, under the hand of at least ten members, specifying the reasons.
- (b) At least fourteen days notice of the debate in the People's Majlis concerning a motion under article (a) shall be given to the concerned member of the Cabinet, and he shall have the right to defend himself in the sittings of the People's Majlis, both orally and in writing.
- (c) A motion of want of confidence concerning a member of the Cabinet shall be passed by a majority of the total membership of the People's Majlis.

(d) A member of Cabinet against whom a motion of want of confidence has been passed by the People's Majlis shall cease to hold office.

Salary and allowances

102. The President, Vice President, members of the Cabinet, members of the People's Majlis, including the Speaker and Deputy Speaker, members of the Judiciary, and members of the Independent Commissions and Independent Offices shall be paid such salary and allowances as determined by the People's Majlis.

Improper benefit

103. The members of the People's Majlis and persons appointed or employed by them shall not use their position or any information entrusted to them to improperly benefit themselves or any other person.

Secretary General

104. The People's Majlis shall, as provided for in its regulations, appoint a Secretary General to establish and manage the secretariat, to arrange for the sittings and documentation of the People's Majlis, and generally to assist the Speaker and the members.

Security

105.

- (a) The security of the House of the People's Majlis, all property attached thereto and all offices and facilities where its work is conducted shall be protected by the security services of the State

- (b) The security services of the State shall ensure the protection and safety of all members of the People's Majlis.

- (a) be a Maldivian citizen born to parents who are Maldivian citizens, and who is not also a citizen of a foreign country;
- (b) be a Muslim and a follower of a Sunni school of Islam;
- (c) be at least thirty-five years of age;
- (d) be of sound mind;
- (e) not have an undischarged decreed debt;
- (f) not have been convicted of a criminal offence and sentenced to a term of more than twelve months, unless a period of three years has elapsed since his release, or pardon for the offence for which he was sentenced; and
- (g) despite the provisions of article (f), not have been convicted of an offence for which a *hadd* is prescribed in Islam or of fraud, deception or criminal breach of trust.

Election

- 110.** Elections for the office of President shall be held within one hundred and twenty days to thirty days prior to the expiry of the existing presidential term.

Presidential election

- 111.** (a) The President shall be elected by over fifty percent of the votes. If no candidate obtains such majority, a run-off election must be held within twenty one days after the first election. The run-off election shall be contested only by the two candidates receiving the highest number of votes in the first election. If the two

candidates receiving the highest number of votes in the first election have an equal number of votes, only those two candidates shall compete in the run-off election. If there are two candidates in second position with an equal number of votes, then the run-off election shall be held among the top three candidates.

- (b) If any of the two candidates withdraws from the run-off election, the candidate receiving the third highest number of votes in the first election may stand for election in the run-off election.
- (c) The People's Majlis shall enact a statute governing the conduct of presidential elections.

Vice President

112.

- (a) There shall be a Vice President of the Maldives who shall assist the President in the discharge of his duties and responsibilities.
- (b) Every candidate for President shall publicly declare the name of the Vice President who will serve with him.
- (c) The qualifications of office for the Vice President shall be the same as those for the President.
- (d) If the office of the President becomes vacant for any reason, the Vice President shall succeed to the office of the President.

Jurisdiction of the
Supreme Court

113.

The Supreme Court, sitting together in session, shall have sole and final jurisdiction to determine all disputes concerning the qualification or disqualification, election, status, of a presidential candidate or running mate or removal of the President by the People's Majlis.

Oath of office of the President and Vice President

114. An incoming President or Vice President shall assume office upon taking and subscribing, before the Chief Justice or his designate, at a sitting of the People's Majlis, the relevant oath of office set out in Schedule 1 of this Constitution.

Powers and responsibilities of the President

115. In addition to the duties and powers otherwise expressly conferred on the President by this Constitution and the law, the President is entrusted pursuant to this Constitution with carrying out the duties specified herein and shall have the following powers to do so:

- (a) to faithfully implement the provisions of this Constitution and the law, and to promote compliance by organs of the State and by the people;
- (b) to supervise the efficient and harmonious functioning of all departments of Government;
- (c) to promote the rule of law, and to protect the rights and freedoms of all people;
- (d) to guarantee the independence and territorial integrity of the Maldives, and to promote respect for national sovereignty in the international community;
- (e) to formulate fundamental policies of the State, and to submit policies and recommendations to the appropriate agencies and institutions of Government;
- (f) to appoint, dismiss and accept the resignation of members of the Cabinet, and such officials necessary for the proper functioning of the duties of his office;

- (g) to preside over the Cabinet of Ministers;
- (h) to issue declarations of war and peace, and to immediately submit such declarations to the People's Majlis for approval;
- (i) to declare states of emergency, in accordance with the provisions of the Constitution;
- (j) to determine, conduct and oversee the foreign policy of the country, and to conduct political relations with foreign nations and international organizations;
- (k)
 - 1. to enter into general treaties and agreements with foreign states and international organizations, which do not impose any obligations on citizens;
 - 2. to enter into and ratify, with the approval of the People's Majlis, treaties and agreements with foreign states and international organizations, which impose obligations on citizens;
- (l) to appoint members of diplomatic missions to foreign countries and international organizations in consultation with the People's Majlis;
- (m) to recall and remove from office members of diplomatic missions to foreign countries and international organizations;
- (n) to receive and recognize the credentials of

diplomatic and consular representatives of foreign countries and other parties and to accept their letters of recall;

(o) to appoint temporary commissions to advise the President on national issues and conduct investigations;

(p) to hold public referendums on issues of national importance;

(q) to declare national and government holidays;

(r) to issue awards, medals and honorary titles, as provided by law;

(s) to grant pardons or reductions of sentence as provided by law, to persons convicted of a criminal offence who have no further right of appeal;

(t) to ensure that the security services comply with their obligations as provided in this Constitution;

(u) to perform all other duties specifically authorized by this Constitution and by law.

Government
Ministries

116. (a) The President has discretion to establish all ministries required within the Government, and shall determine their areas of jurisdiction. The President shall submit all information relating to the ministries and their areas of jurisdiction to the People's Majlis for approval.

(b) The People's Majlis may give to the President such opinions and views it has on the ministries

and their areas of jurisdiction established in accordance with article (a).

- Responsibilities of the Vice President **117.** (a) The Vice President shall exercise such responsibilities and powers of the President as are delegated to him by the President.
- (b) The Vice President shall perform the responsibilities of the President if the President is absent or temporarily unable to perform the responsibilities of office.
- Salary and allowances **118.** The President and Vice President shall be paid such salary and allowances as determined by the People's Majlis.
- Restrictions **119.** (a) The President and Vice President shall not hold any other public office or office of profit, actively engage in a business or in the practice of any profession, or any other income generating employment, be employed by any person, buy or lease any property belonging to the State, or have a financial interest in any transaction between the State and any other party.
- (b) The President, or any person appointed or employed by him, and the Vice President, shall not use his position or any information entrusted to him by virtue of his office to improperly benefit himself or any other person.
- Declaration of assets **120.** Every year, the President shall submit to the Auditor General a statement of all property and monies owned by him, business interests and all assets and liabilities.
- Resignation **121.** (a) The President may resign from office by writing under his hand submitted to the Speaker of the People's Majlis, and the office shall become vacant when the resignation is received by the

Speaker.

- (b) The Vice President may resign from office by writing under his hand submitted to the President, and the office shall become vacant when the resignation is received by the President.

Vacancy of office of
Vice President

- 122.** If the office of Vice President becomes vacant by reason of death, resignation, removal from office, permanent incapacity, or succession to the office of the President, the President shall appoint a new Vice President to serve the remainder of the term. The appointment shall be approved by the People's Majlis.

Temporary inability
of the President to
perform his
responsibilities

- 123.**
- (a) In the event the President believes himself temporarily unable to perform the duties and responsibilities of office, he shall inform the Speaker of the People's Majlis in writing specifying the reasons thereof and shall handover the duties and responsibilities of his office to the Vice President. The President shall resume the responsibilities of his office after informing the Speaker of the People's Majlis in writing.
 - (b) In the event the President is temporarily unable to perform the duties and responsibilities of office, and is not able to inform the Speaker of the People's Majlis in writing due to the nature of the inability, the Vice President shall with the approval of the majority of the Cabinet do so. In the event of such an occurrence, and until such time as the President is able to assume office, the responsibilities of the office of the President shall temporarily be assumed by the Vice President. The President shall resume the responsibilities of his office after informing the Speaker of the People's Majlis in writing.

Temporary incapacity to carry out duties

124. (a) In the event of the absence or temporary incapacity of both the President and the Vice President to carry out the duties of office of the President, the duties shall be carried out, in order of priority, by the Speaker of the People's Majlis, or by the Deputy Speaker of the People's Majlis, or by a member of the People's Majlis elected by a resolution of the People's Majlis, until the President or Vice President are able to resume the duties of office.

Permanent incapacity to carry out duties

(b) In the event of the permanent incapacity, resignation, removal or death of both the President or the Vice President, and both offices becoming vacant at the same time, leading to an incapacity to carry out the duties of the President, until such time as a President and a Vice President shall be elected, the duties of both offices shall temporarily be carried out, in order of priority, by the Speaker of the People's Majlis, or by the Deputy Speaker of the People's Majlis, or by a member of the People's Majlis elected by a resolution of the People's Majlis, until successors in office are chosen.

Qualifications of person temporarily assuming office of President

(c) The qualifications of office for any person temporarily assuming the office of the President shall be the same as those for the President.

Presidential elections on the vacancy of the office of President and Vice President

125. (a) If any of the instances specified in Article 124 (b) of this Constitution occur and both the office of the President and the Vice President become vacant at the same time, a Presidential election shall be held within sixty days of both offices becoming vacant and appointments shall be made to both offices.

(b) In the event of the occurrence of any permanent incapacity preventing the assumption of the office of President by the President elect and

Vice President elect in the presidential elections, presidential elections shall be held within sixty days of such occurrence and appointments shall be made to both offices.

- (c) Where fresh presidential elections have to be held for any reason during the currency of an ongoing presidential term, persons elected to the office of the President or the Vice President shall only continue in office for the remainder of the ongoing presidential term. For the purposes of Article 107 of this Constitution they shall be dealt with as specified in article (c) of the said Article.

Oath of office by persons temporarily discharging the duties of the office of President and Vice President

- 126.** Any person temporarily discharging the duties of the office of the President or Vice President shall take and subscribe before the Chief Justice or his designate, the relevant oath of office set out in Schedule 1 of this Constitution.

Criminal accountability

- 127.** The President and the Vice President shall be answerable in law for any alleged criminal offence, whether committed before or during his term of office. However, if any criminal proceedings are instituted against the President, the People's Majlis may if it so sees fit, by resolution provide that such proceedings shall not be continued until after the expiration of the term of office.

Immunity to a person who has served as the President

- 128.** A person who has served in the office of President, serving his term of office lawfully without committing any offence, shall be entitled to the highest honour, dignity, protection, financial privileges and other privileges entitled to a person who has served in the highest office of the land. Such protection and privileges shall be specified in law.

CHAPTER V

THE CABINET OF MINISTERS

- Cabinet of Ministers **129.**
- (a) There shall be a Cabinet of Ministers appointed by the President, with responsibility for the duties and functions assigned to them by the President, this Constitution and the law.
 - (b) The Cabinet shall consist of the Vice President, the Ministers given responsibility for the different Ministries, and the Attorney General.
 - (c) Except for the Vice President, the President must receive the approval of the People's Majlis for all appointments to the Cabinet.
 - (d) The President shall submit to the People's Majlis, within seven days of making appointments to the Cabinet the names of the appointees to the Cabinet for approval of the People's Majlis.
- Qualifications of Ministers **130.**
- (a) A person shall be qualified to be a member of the Cabinet if he:
 - 1. is a citizen of the Maldives;
 - 2. is not a citizen of a foreign country;
 - 3. is a Muslim and a follower of a Sunni school of Islam;
 - 4. has attained the age of twenty-five years;
 - 5. is of sound mind.

(b) A person is disqualified from being a member of the Cabinet, or a member of the Cabinet immediately becomes disqualified, if he:

1. has a decreed debt which is not being paid as provided in the judgment; or
2. has been convicted of a criminal offence and sentenced to a term of more than twelve months, unless a period of three years has elapsed since his release, or pardon for the offence for which he was sentenced.

Oath of office

131. A member of the Cabinet shall assume office upon taking and subscribing, before the Chief Justice or his designate, the oath of office of members of the Cabinet set out in Schedule 1 of this Constitution.

Responsibilities of the Cabinet

132. The members of the Cabinet shall comply with all the provisions of the Constitution and the law, and shall faithfully discharge the responsibilities assigned to them by the President, including the following:

- (a) to recommend to and assist the President in determining the general policies of the State, and to supervise and implement those policies in all areas of government activity, in accordance with the Constitution and the law;
- (b) to advise and recommend draft bills and proposals to the President, to be prepared for submission to the People's Majlis;
- (c) to direct, review and coordinate the work of the Government;
- (d) to ensure good relations and smooth functioning

between the Government and other organs of the State in their areas of responsibility;

- (e) to prudently and carefully manage the assets of the State within their areas of responsibility;
- (f) to recommend to and assist the President in formulating the general policies of the State in relation to national and international matters, and to direct, review and coordinate the political, economic and social development of the Maldives;
- (g) to promote, protect and uphold the rule of law, and defend public safety and the public interest;
- (h) to perform all other duties specifically authorized by the Constitution and by law.

Attorney General

133.

- (a) The President shall appoint a person with distinguished education and experience in the legal field, who is also qualified to be a member of the Cabinet, as Attorney General. He shall be the legal advisor to the Government.
- (b) It is the duty of the Attorney General to advise the Government on all legal matters affecting the State. The Attorney General's duties include performance of all legal duties pertaining to his office, and discharge of all responsibilities required to be discharged by the Attorney General, by the Constitution and by law.
- (c) The Attorney General has the right of audience in all courts of the Maldives, and the State shall be represented in all courts by the Attorney General or by a person delegated by him, except for those matters deemed to be the

responsibility of the Prosecutor General in this Constitution.

- (d) The Attorney General shall have authority, with the leave of the court, to appear as a friend of the court in any civil proceedings to which the Government is not a party, where in the opinion of the Attorney General the interests of the State or the public interest dictate.
- (e) The Attorney General shall promote, protect, uphold and defend the rule of law, the public safety, the freedoms of the public and the public interest.
- (f) In the exercise of his powers, the Attorney General shall be subject only to the Constitution and the law and shall not be subject to the control or direction of any person or authority.
- (g) The Attorney General shall have power to issue general directives to the Prosecutor General on the conduct of criminal proceedings.

Accountability and
responsibility of the
Cabinet

134.

- (a) Members of the Cabinet are responsible individually and collectively to the President and also to the People's Majlis in the manner specified by the Constitution for the proper exercise of the responsibilities and duties assigned to them.
- (b) Members of the Cabinet shall regularly and fairly report to the President on all matters under their jurisdiction, and shall provide to the People's Majlis information about matters under their jurisdiction when requested to do so.

Salary and allowances

135. The members of the Cabinet shall be paid such salary and allowances as determined by the People's Majlis.

Restrictions

136. (a) A member of the Cabinet shall not hold any other public office or office of profit, actively engage in a business or in the practice of any profession, or any other income generating employment, be employed by any person, buy or lease any property belonging to the State, or have a financial interest in any transaction between the State and another party.

(b) A member of the Cabinet shall not use his position or any information entrusted to him by virtue of his office to improperly benefit himself or any other person.

Dismissal

137. (a) The President may at his discretion remove any member of the Cabinet from office by writing under his hand addressed to such member.

(b) Despite the provisions of article (a), the President does not have the discretion to remove the Vice President from office.

Declaration of assets

138. Every member of the Cabinet shall annually submit to the Auditor General a statement of all property and monies owned by him, business interests and all assets and liabilities.

Resignation

139. A member of the Cabinet may resign from office by writing under his hand submitted to the President, and the office shall become vacant when the resignation is received by the President.

A minister to be responsible for each government authority

140. A member of the Cabinet shall be given responsibility for each authority or institute established by the Government or the People's Majlis, except for independent institutions specified in this Constitution

or established pursuant to law. Such member of the Cabinet must take responsibility for the operation of such authority or institution and must be accountable for it.

CHAPTER VI

THE JUDICIARY

Judiciary

- 141.**
- (a) The judicial power is vested in the Supreme Court, the High Court, and such Trial Courts as established by law.
 - (b) The Supreme Court shall be the highest authority for the administration of justice in the Maldives. The Chief Justice shall be the highest authority on the Supreme Court. All matters adjudicated before the Supreme Court shall be decided upon by a majority of the judges sitting together in session.
 - (c) No officials performing public functions, or any other persons, shall interfere with and influence the functions of the courts.
 - (d) Persons or bodies performing public functions, through legislative and other measures, must assist and protect the courts to ensure the independence, eminence, dignity, impartiality, accessibility and effectiveness of the courts.

Compliance with law **142.** The Judges are independent, and subject only to the Constitution and the law. When deciding matters on which the Constitution or the law is silent, Judges must consider Islamic Shari'ah. In the performance of their judicial functions, Judges must apply the Constitution and the law impartially and without fear, favour or prejudice.

Jurisdiction of the courts **143.** (a) The Supreme Court and the High Court shall have jurisdiction to enquire into and rule on the constitutional validity of any statute or part thereof enacted by the People's Majlis.

(b) In any matter before them, all courts have jurisdiction to determine matters concerning the interpretation and application of any provision of the Constitution, and this shall not be deemed contrary to article (a).

(c) Every court has jurisdiction to overturn the decision of a lower court.

(d) Lower courts shall follow the decisions of a higher court.

Powers in constitutional matters **144.** When deciding a constitutional matter within its jurisdiction, a court:

(a) may declare that any statute, regulation or part thereof, order, decision or action of any person or body performing a public function that is inconsistent with the Constitution is invalid to the extent of the inconsistency; and

(b) may in connection with a declaration pursuant to article (b) make any order that is just and equitable, including:

1. an order providing just compensation for any damage sustained by any person or group of persons due to any statute, regulation or action that is inconsistent with the Constitution; or
 2. an order suspending the declaration of invalidity (of a statute, regulation or action due to inconsistency with the Constitution) for any period and on any conditions, to allow the competent authority to correct the defect:
- (c) may make an order limiting the retrospective effect of a declaration of invalidity of a statute, regulation or part thereof, order, decision or action of any person or body performing a public function that is inconsistent with the Constitution.

Supreme Court

- 145.**
- (a) The Supreme Court shall consist of the Chief Justice and such number of Judges as provided by law. The Supreme Court shall consist of an uneven number of Judges.
 - (b) Matters shall be disposed of in the Supreme Court by an uneven number of Judges sitting together in session.

(c) The Supreme Court shall be the final authority on the interpretation of the Constitution, the law, or any other matter dealt with by a court of law.

High Court

146. (a) The High Court shall consist of such number of Judges as provided by law.

(b) Matters shall be disposed of in the High Court by an uneven number of Judges sitting together in session.

Appointment of the Chief Justice

147. There shall be a Chief Justice of the Maldives. The President as the Head of State shall appoint the Chief Justice, after consulting the Judicial Service Commission and confirmation of the appointee by a majority of the members of the People's Majlis present and voting.

Appointment of Judges

148. (a) The President as the Head of State shall appoint the Judges of the Supreme Court, after consulting the Judicial Service Commission and confirmation of the appointees by a majority of the members of the People's Majlis present and voting.

(b) All other Judges shall be appointed by the Judicial Service Commission, to be established in accordance with the provisions of this Constitution.

(c) Judges shall be appointed without term, but shall retire at the age of seventy years.

(d) Notwithstanding article (c), for a period of fifteen years from the commencement of the Constitution, Judges may be appointed for a fixed term of not more than five years, as specified in the terms of their appointment.

- 149.** (a) A person appointed as a Judge in accordance with law, must possess the educational qualifications, experience and recognized competence necessary to discharge the duties and responsibilities of a Judge, and must be of high moral character.
- (b) In addition to the qualifications specified in article (a), a Judge shall possess the following qualifications:-
1. be a Muslim and a follower of a Sunni school of Islam;
 2. be twenty-five years of age;
 3. has not been convicted of an offence for which a *hadd* is prescribed in Islam, criminal breach of trust, or bribery;
 4. be of sound mind.
- (c) A person appointed to be a Judge of the Supreme Court, shall be at least thirty years of age; possess at least seven years experience as a Judge or practicing lawyer or both as a Judge and a practicing lawyer, and must be educated in Islamic Shari'ah or law.
- (d) The People's Majlis shall pass a statute relating to Judges.

- 150.** Every Judge shall take and subscribe the oath of office of Judges set out in Schedule 1 of this Constitution before assuming office.

- Full time performance **151.** Every Judge shall devote his full time to the performance of the responsibilities of a Judge. A Judge shall perform other work only in accordance with and as specified by the statute relating to Judges.
- Salary and allowances **152.** Judges shall be paid such salary and allowances in keeping with the stature of their office as determined by the People’s Majlis.
- Declaration of assets **153.** Every Judge shall annually submit to the Judicial Service Commission a statement of all property and monies owned by him, business interests and all assets and liabilities.
- Tenure and removal **154.** (a) A Judge shall not be removed from office during good behavior and compliance with judicial ethics.
- (b) A Judge may be removed from office only if the Judicial Service Commission finds that the person is grossly incompetent, or that the Judge is guilty of gross misconduct, and submits to the People’s Majlis a resolution supporting the removal of the Judge, which is passed by a two-thirds majority of the members of the People’s Majlis present and voting.
- Power to determine the jurisdiction of courts and to enact administrative laws relating to the courts **155.** The People’s Majlis shall have authority to pass laws concerning the administration of the courts, the trial and appellate jurisdiction of the courts and trial procedures.
- Administration of the courts **156.** The courts have the inherent power to protect and regulate their own process, in accordance with law and the interests of justice.

CHAPTER VII

INDEPENDENT COMMISSIONS AND OFFICES

JUDICIAL SERVICE COMMISSION

Judicial Service
Commission

- 157.** (a) There shall be a Judicial Service Commission of the Maldives.
- (b) The Judicial Service Commission is an independent and impartial institution. It shall perform its duties and responsibilities in accordance with the Constitution and any laws enacted by the People's Majlis. The jurisdiction of the Judicial Service Commission shall extend to all members of the Judiciary and such other persons as designated by the People's Majlis.
- (c) The Judicial Service Commission shall function as provided by the statute governing the Judicial Service Commission. Such statute shall specify the responsibilities, powers, mandate, qualifications, and ethical standards of members.

Composition of the
Judicial Service
Commission

- 158.** The Judicial Service Commission shall consist of:

- (a) the Speaker of the People's Majlis;
- (b) a Judge of the Supreme Court other than the Chief Justice, elected by the Judges of the Supreme Court;

- (c) a Judge of the High Court, elected by the Judges of the High Court;
- (d) a Judge of the Trial Courts, elected by the Judges of the Trial Court;
- (e) a member of the People's Majlis appointed by it;
- (f) a member of the general public appointed by the People's Majlis;
- (g) the Chair of the Civil Service Commission;
- (h) a person appointed by the President;
- (i) the Attorney General;
- (j) a lawyer elected from among the lawyers licensed to practise in the Maldives by themselves.

Responsibilities and powers

159. The Judicial Service Commission is entrusted with the responsibility and power:

- (a) to appoint, promote and transfer Judges other than the Chief Justice and Judges of the Supreme Court, and to make recommendations to the President on the appointment of the Chief Justice and Judges of the Supreme Court;
- (b) to investigate complaints about the Judiciary, and to take disciplinary action against them, including recommendations for dismissal;

(c) to make rules:

1. regarding schemes for recruitment and procedures for the appointment of Judges;
2. ethical standards of Judges;
3. providing for such matters as are necessary or expedient for the exercise, performance and discharge of the duties and responsibilities of the Commission;

(d) to advise the President and the People's Majlis on any other matter relating to the Judiciary or the administration of justice;

(e) to exercise such additional powers and functions prescribed by this Constitution or by law.

Constituting the
Judicial Service
Commission

160. The President as Head of the State shall constitute the Judicial Service Commission as specified in this Chapter.

Term of office of
members of the
Judicial Service
Commission

161. A member of the Judicial Service Commission:

- (a) appointed pursuant to Article 158 (b), (c), (d), (e), (f), (h) or (j), holds office for a term of five years and is not eligible for reappointment;
- (b) appointed by virtue of the office he held pursuant to Article 158 (a), (g), or (i) remains a member of the Judicial Service Commission only as long as that office is held.

Resignation from membership of the Judicial Service Commission

162. A member of the Judicial Service Commission may resign from office by writing under his hand addressed to the President, and the office shall become vacant when the resignation is received by the President. A member appointed under Articles 158 (a), (g), or (i) may not resign pursuant to this Article.

Quorum and voting

163. A majority of the members shall constitute a quorum at a meeting of the Judicial Service Commission, and any decision of the Judicial Service Commission shall be taken by a majority of votes of the members present and voting.

Salary and allowances

164. A member of the Judicial Service Commission who is not a member of the Executive, the Judiciary, or the People's Majlis shall be paid such salary and allowances as may be determined by the People's Majlis.

Removal from office

165. A member of the Judicial Service Commission appointed pursuant to Article 158 (b), (c), (d), (e), (f), (h) or (j), may be removed from office by the appointor. Members of the Judicial Service Commission appointed by virtue of the office held pursuant to Articles 158 (a), (g), or (i) shall be removed from membership of the Judicial Service Commission upon vacation of the office he holds.

Oath of office

166. Every member of the Judicial Service Commission shall take and subscribe the oath of office of members of the Judicial Service Commission set out in Schedule 1 of this Constitution before assuming office.

ELECTIONS COMMISSION

Elections
Commission

- 167.** (a) There shall be an Elections Commission of the Maldives.
- (b) The Elections Commission is an independent and impartial institution. It shall exercise its duties and responsibilities in accordance with the Constitution and laws enacted by the People's Majlis.
- (c) The Elections Commission shall function as provided by the statute governing the Elections Commission. Such statute shall specify the responsibilities, powers, mandate, qualifications, and ethical standards of members.

Appointment and
composition of the
Elections
Commission

- 168.** (a) The Elections Commission shall comprise of at least five members including the Chairman of the Commission.
- (b) The President shall appoint to the Elections Commission those persons approved by a majority of the People's Majlis from the names submitted to the People's Majlis as provided for in the statute governing the Elections Commission.

Qualifications

- 169.** To be qualified for appointment to the Elections Commission, a person shall possess the educational qualifications, experience and recognized competence necessary to discharge the functions of the Elections Commission. Members of the Elections Commission shall not engage in any other employment.

170. The Elections Commission's responsibilities and powers include the following:

- (a) to conduct, manage, supervise, and facilitate all elections and public referendums, to ensure the proper exercise of the right to vote, and to ensure that all elections and public referendums are conducted freely and fairly, without intimidation, aggression, undue influence or corruption;
- (b) to prepare, maintain, and update electoral rolls, and to make all arrangements for holding elections and public referendums;
- (c) to hold and declare the results of those elections and public referendums within periods prescribed by law;
- (d) to compile the register of voters in each constituency, to revise it at such periods as shall be determined by law and to provide for publication of the register in the Government Gazette;
- (e) to fix, vary, demarcate and continuously review the boundaries and names of constituencies or voting units in all elections in accordance with principles specified by law and to provide for publication of any amendments in the Government Gazette;
- (f) to register political parties, and to perform those actions relating to political parties as specified by law;
- (g) to educate and create awareness among the general public on the electoral process and its purpose;

(h) to perform such additional functions as may be prescribed by law.

Voting and recording of results **171.**

(a) Voting in all public elections or public referendums conducted by the Elections Commission, shall be by secret ballot.

(b) Immediately after the close of the polls, the presiding officer who is appointed by the Elections Commission shall, in the presence of such candidates or their representatives if present, and any other persons authorized by law to be present, count at that polling station the ballot papers of that station, and record and publicly declare the votes cast in favour of each candidate or question in a public referendum.

Elections petitions **172.**

(a) A person may challenge a decision of the Elections Commission concerning an election or a public referendum, or may challenge the results of an election, or contest the legality of any other matter related to an election, by means of an election petition presented to the High Court.

(b) The manner for dealing with any challenge submitted pursuant to article (a) shall be provided for in a statute on elections.

Term of office of members of the Elections Commission

173. A member of the Elections Commission shall be appointed for one term of five years. The People's Majlis can approve the renewal of the appointment for an additional term of not more than five years.

Resignation from membership of the Elections Commission

174. A member of the Elections Commission may resign from office by writing under his hand addressed to the President, and the office shall become vacant when the resignation is received by the President.

- Quorum and voting **175.** A majority of the members of the Elections Commission shall constitute a quorum at a meeting of the Elections Commission, and any decision of the Elections Commission shall be taken by a majority of votes of the members present and voting.
- Salary and allowances **176.** The members of the Elections Commission shall be paid such salary and allowances as determined by the People's Majlis.
- Removal from office **177.** A member of the Elections Commission shall be removed from office only for the reasons specified in article (a), and in the manner specified in article (b):
- (a) on the ground of misconduct, incapacity or incompetence; and
 - (b) a finding to that effect by a committee of the People's Majlis pursuant to article (a), and upon the approval of such finding by the People's Majlis by a majority of those present and voting, calling for the member's removal from office, such member shall be deemed removed from office.
- Oath of office **178.** Every member of the Elections Commission shall take and subscribe the oath of office of members of the Elections Commission set out in Schedule 1 of this Constitution before assuming office.

CIVIL SERVICE COMMISSION

Civil Service
Commission

- 179.** (a) There shall be a Civil Service Commission of the Maldives.
- (b) The Civil Service Commission is an independent and impartial institution. It shall perform its duties and responsibilities in accordance with the Constitution and any laws enacted by the People's Majlis. The Civil Service Commission shall strive to achieve and maintain an effective and efficient civil service with high standards of professional ethics.
- (c) The Civil Service Commission shall function as provided by the statute governing the Civil Service Commission. Such statute shall specify the responsibilities, powers, mandate, qualifications, and ethical standards of members.

Appointment and
composition of the
Civil Service
Commission

- 180.** (a) The Civil Service Commission shall comprise of at least five members including the Chairman of the Commission.
- (b) The President shall appoint to the Civil Service Commission those persons approved by a majority of the members of the People's Majlis present and voting, from the names submitted to the People's Majlis as provided for in the statute governing the Civil Service Commission.

Qualifications

- 181.** To be qualified for appointment to the Civil Service Commission, a person shall possess the educational qualifications, experience and recognized competence necessary to discharge the functions of the Civil Service Commission. Members of the Civil Service Commission

shall not engage in any other employment.

Responsibilities and powers

182.

(a) The Civil Service Commission's responsibilities and powers include the following:

1. to recruit, appoint, promote, transfer and dismiss the members of the Civil Service, as defined by law;
2. to establish uniform standards of organization and administration within the Civil Service;
3. to formulate measures to ensure effective and efficient performance within the Civil Service;
4. to establish personnel procedures relating to recruitment, appointments, transfers, promotions and dismissals;
5. to report to the Executive and to the People's Majlis on its activities and the performance of its functions, including personnel policies, findings, directions and advice it may give, and an evaluation of the extent to which the values and principles set out in article (b) are complied with;
6. to exercise or perform such additional powers and responsibilities prescribed by law.

(b) In carrying out its powers and functions, the Civil Service Commission shall be governed by democratic values and principles, including the

following:

1. a high standard of professional ethics shall be promoted and maintained;
2. efficient, economic and effective use of resources shall be promoted;
3. services shall be provided impartially, fairly, equitably and without prejudice;
4. the needs of the public shall be responded to, and the public shall be encouraged to participate in policy-making;
5. the accountability of the Civil Service to all branches of the State and to the public;
6. transparency shall be fostered by providing the public with timely, accessible and accurate information;
7. good human-resource management and career-development practices to maximise human potential shall be cultivated;
8. employment and personnel management practices shall be based on ability, analysis of determined principles and fairness;
9. no member of the Civil Service may be favoured or prejudiced only because of support for or opposition to a particular political party or cause;

10. no member of the Civil Service shall use his position or any information entrusted to him to improperly benefit himself or any other person.

Term of office of members of the Civil Service Commission

183. A member of the Civil Service Commission shall be appointed for one term of five years. The People's Majlis can approve the renewal of the appointment for an additional term of not more than five years.

Resignation from membership of the Civil Service Commission

184. A member of the Civil Service Commission may resign from office by writing under his hand addressed to the President, and the office shall become vacant when the resignation is received by the President.

Quorum and voting

185. A majority of the members of the Civil Service Commission shall constitute a quorum at a meeting of the Civil Service Commission, and any decision of the Civil Service Commission shall be taken by a majority of votes of the members present and voting.

Salary and allowances

186. The members of the Civil Service Commission shall be paid such salary and allowances as may be determined by the People's Majlis.

Removal from office

187. A member of the Civil Service Commission shall be removed from office only for the reasons specified in article (a), and in the manner specified in article (b):

(a) on the ground of misconduct, incapacity or incompetence; and

- (b) a finding to that effect by a committee of the People’s Majlis pursuant to article (a), and upon the approval of such finding by the People’s Majlis by a majority of those present and voting, calling for the member’s removal from office, such member shall be deemed removed from office.

Oath of office

- 188.** Every member of the Civil Service Commission shall take and subscribe the oath of office of members of the Civil Service Commission set out in Schedule 1 before assuming office.

HUMAN RIGHTS COMMISSION

Human Rights
Commission

- 189.** (a) There shall be a Human Rights Commission of the Maldives.

- (b) The Human Rights Commission is an independent and impartial institution. It shall promote respect for human rights impartially without favour and prejudice.

- (c) The Human Rights Commission shall function as provided by the statute governing the Human Rights Commission. Such statute shall specify the responsibilities, powers, mandate, qualifications, and ethical standards of members.

Appointment and
composition of the
Human Rights
Commission

- 190.** (a) The Human Rights Commission shall comprise of at least five members including the Chairman of the Commission.

- (b) The President shall appoint to the Human Rights Commission those persons approved by a majority of the members of the People's Majlis from the names submitted to the People's Majlis as provided for in the statute governing the Human Rights Commission.

Qualifications

- 191.** To be qualified for appointment to the Human Rights Commission, a person shall possess the educational qualifications, experience and recognized competence necessary to discharge the functions of the Human Rights Commission. Members of the Elections Commission shall not engage in any other employment.

Responsibilities and powers

- 192.** (a) The Human Rights Commission's responsibilities and powers shall include the following:

1. to promote respect for human rights;
2. to promote the protection, development and attainment of human rights;
3. to monitor and assess the observance of human rights.

- (b) The Human Rights Commission shall have the following functions and powers, as regulated by law:

1. to investigate and to report on the observance of human rights;
2. to take steps to secure appropriate redress where human rights have been violated;

3. to carry out research, and to educate the public;

4. to exercise such additional powers and functions prescribed by law.

Term of office of members of the Human Rights Commission

193. A member of the Human Rights Commission shall be appointed for one term of five years. The People's Majlis can approve the renewal of the appointment for an additional term of not more than five years.

Resignation from membership of the Human Rights Commission

194. A member of the Human Rights Commission may resign from office by writing under his hand addressed to the President, and the office shall become vacant when the resignation is received by the President.

Quorum and voting

195. A majority of the members of the Human Rights Commission shall constitute a quorum at a meeting of the Human Rights Commission, and any decision of the Human Rights Commission shall be taken by a majority of votes of the members present and voting.

Salary and allowances

196. The members of the Human Rights Commission shall be paid such salary and allowances as determined by the People's Majlis.

Removal from office

197. A member of the Human Rights Commission shall be removed from office only for the reasons specified in article (a) and in the manner specified in article (b):

(a) on the ground of misconduct, incapacity or incompetence; and

(b) a finding to that effect by a committee of the People's Majlis pursuant to article (a), and upon the approval of such finding by the People's Majlis by a majority of those present and voting, calling for the member's removal

from office, such member shall be deemed removed from office.

Oath of office

198. Every member of the Human Rights Commission shall take and subscribe the oath of office of members of the Human Rights Commission set out in Schedule 1 of this Constitution before assuming office.

ANTI-CORRUPTION COMMISSION

Anti-Corruption
Commission

- 199.**
- (a) There shall be an Anti-Corruption Commission of the Maldives.
 - (b) The Anti-Corruption Commission is an independent and impartial institution. It shall perform its duties and responsibilities in accordance with the Constitution and any laws enacted by the People's Majlis. The Anti-Corruption Commission shall work to prevent and combat corruption within all activities of the State without fear.
 - (c) The Anti-Corruption Commission shall function as provided for by the statute governing the Anti-Corruption Commission. Such statute shall specify the responsibilities, powers, mandate, qualifications, and ethical standards of members.
 - (d) The statute governing the Anti-Corruption Commission shall provide a definition of corruption.

Appointment and
composition of the
Anti-Corruption
Commission

- 200.**
- (a) The Anti-Corruption Commission shall comprise of at least five members including the Chairman of the Commission.

- (b) The President shall appoint to the Anti-Corruption Commission those persons approved by a majority of the members of the People's Majlis present and voting, from the names submitted to the People's Majlis as provided for in the statute governing the Anti-Corruption Commission.

Qualifications

- 201.** To be qualified for appointment to the Anti-Corruption Commission, a person shall possess the educational qualifications, experience and recognized competence necessary to discharge the functions of the Anti-Corruption Commission. Members of the Anti-Corruption Commission shall not engage in any other employment.

Responsibilities and powers

- 202.** The Anti-Corruption Commission's responsibilities and powers include the following:

- (a) to inquire into and investigate all allegations of corruption; any complaints, information, or suspicion of corruption must be investigated;
- (b) to recommend further inquiries and investigations by other investigatory bodies, and to recommend prosecution of alleged offences to the Prosecutor General, where warranted;
- (c) to carry out research on the prevention of corruption and to submit recommendations for improvement to relevant authorities regarding actions to be taken;
- (d) to promote the values of honesty and integrity in the operations of the State, and to promote public awareness of the dangers of corruption;

- (e) to perform any additional duties or functions specifically provided by law for the prevention of corruption.

Term of office of members of the Anti-Corruption Commission

203. A member of the Anti-Corruption Commission shall be appointed for one term of five years. The People's Majlis can approve the renewal of the appointment for an additional term of not more than five years.

Resignation from the Anti-Corruption Commission

204. A member of the Anti-Corruption Commission may resign from office by writing under his hand addressed to the President, and the office shall become vacant when the resignation is received by the President.

Quorum and voting

205. A majority of the members of the Anti-Corruption Commission shall constitute a quorum at a meeting of the Anti-Corruption Commission, and any decision of the Anti-Corruption Commission shall be taken by a majority of votes of the members present and voting.

Salary and allowances

206. The members of the Anti-Corruption Commission shall be paid such salary and allowances as determined by the People's Majlis.

Removal from office

207. A member of the Anti-Corruption Commission shall be removed from office only for the reasons specified in article (a) and in the manner specified in article (b):

(a) on the ground of misconduct, incapacity or incompetence; and

(b) a finding to that effect by a committee of the People's Majlis pursuant to article (a), and upon the approval of such finding by the People's Majlis by a majority of those present and voting, calling for the member's removal from office, such member shall be deemed removed from office.

Oath of office

208. Every member of the Anti-Corruption Commission shall take and subscribe the oath of office of members of the Anti-Corruption Commission set out in Schedule 1 of this Constitution before assuming office.

AUDITOR GENERAL

Auditor General

209. (a) There shall be an independent and impartial Auditor General of the Maldives.

(b) The Auditor General shall carry out his responsibilities and duties in accordance with the Constitution and any laws passed by the People's Majlis.

Appointment of Auditor General

210. The President shall appoint as Auditor General a person approved by a majority of the total membership of the People's Majlis from the names submitted to the People's Majlis as provided for in law.

Qualifications of Auditor General

211. (a) To be qualified for appointment as Auditor General, a person shall possess the educational qualifications, experience and recognized competence necessary to discharge the responsibilities of the Auditor General. The Auditor General shall not engage in any other employment.

(b) A statute shall specify the responsibilities, powers, mandate, qualifications, and ethical standards of the Auditor General.

Responsibilities and powers

212. The Auditor General's responsibilities and powers include the following:-

(a) audit, the accounts, financial statements and financial management and prepare and publish reports on:

1. all Government ministries;
2. departments operating under Government ministries;
3. other government agencies and offices;
4. all offices and organisations operating under the legislative authority;
5. Independent Commissions and Independent Offices established in accordance with the Constitution and law, and all offices operating under the same;
6. all offices and organisations operating under the judicial authority;

(b) in addition to the institutions specified in article (a) any other institution or organisation required by law to be audited by the Auditor General.

(c) Subject to law, the Auditor General may audit, report on and publish the accounts, financial statements and financial management of:

1. any institution primarily funded by the State;
2. any business entity, in which shares are owned by the State.

- Reporting **213.** The Auditor General shall submit audit reports and an annual report to the President and the People’s Majlis, and to any other authority prescribed by law.
- Audit of the Auditor General’s office **214.** The office of the Auditor General shall be audited as specified in law.
- Term of office of the Auditor General **215.** The Auditor General shall be appointed for one term of seven years. The appointment may be renewed for an additional term of not more than five years in accordance with the statute relating to the Auditor General, by a resolution passed by a majority of the total membership of the People’s Majlis.
- Resignation of Auditor General **216.** The Auditor General may resign from office by writing under his hand addressed to the President, and the office shall become vacant when the resignation is received by the President.
- Salary and allowances **217.** The Auditor General shall be paid such salary and allowances as determined by the People’s Majlis.
- Removal from office **218.** The Auditor General shall be removed from office only for the reasons specified in article (a) and in the manner specified in article (b):
- (a) on the ground of misconduct, incapacity or incompetence; and
 - (b) a finding to that effect by a committee of the People’s Majlis, pursuant to article (a) and upon the approval of such finding by the People’s Majlis by a majority of those present and voting, calling for the Auditor General’s removal from office, the Auditor General shall be deemed removed from office.
- Oath of office **219.** The Auditor General shall take and subscribe the oath

of office of the Auditor General set out in Schedule 1 of this Constitution before assuming office.

PROSECUTOR GENERAL

- Prosecutor General **220.**
- (a) There shall be an independent and impartial Prosecutor General of the Maldives.
 - (b) The Prosecutor General shall carry out his responsibilities and duties in accordance with the Constitution and any laws passed by the People's Majlis.
 - (c) The Prosecutor General is independent and impartial, and he shall not be under the direction or control of any person or authority in carrying out his responsibilities and the exercise of his powers. He shall carry out his responsibilities and exercise his powers without fear, favour or prejudice, subject only to the general policy directives of the Attorney General, and on the basis of fairness, transparency, and accountability.
- Appointment of Prosecutor General **221.** The President shall appoint as Prosecutor General a person approved by a majority of the total membership of the People's Majlis from the names submitted to the People's Majlis as provided for in law.
- Qualifications of Prosecutor General **222.** To be qualified for appointment as Prosecutor General, a person shall possess the educational qualifications, experience and recognized competence necessary to discharge the responsibilities of the Prosecutor General. The Prosecutor General shall not engage in any other employment.

223. The Prosecutor General's responsibilities and powers include the following:-

- (a) to supervise the prosecution of all criminal offences in the Maldives;
- (b) to consider and assess evidence presented by investigating bodies to determine whether charges should be pursued;
- (c) to institute and conduct criminal proceedings against any person before any court in respect of any alleged offence;
- (d) to oversee the legality of preliminary inquiries and investigations into alleged criminal activity;
- (e) to monitor and review the circumstances and conditions under which any person is arrested, detained or otherwise deprived of freedom prior to trial;
- (f) to order any investigation that he deems desirable into complaints of criminal activity or into any other criminal activity of which he becomes aware;
- (g) to take over, review and continue any criminal proceedings instituted by any prosecuting body authorized to initiate prosecutions pursuant to a law enacted by the People's Majlis, and at his discretion to discontinue any criminal proceedings at any stage prior to judgment;
- (h) to review or revert any decision to prosecute or not to prosecute any alleged offender, or to discontinue any prosecution;

- (i) to appeal any judgment, verdict or decision in a criminal matter;
- (j) to issue policy directives which shall be observed in the entire prosecutorial process;
- (k) to uphold the constitutional order, the law, and the rights and freedoms of all citizens.

- | | |
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| Acting through agents | 224. The responsibilities and powers of the Prosecutor General may be assigned with his express instructions, to any person working under his mandate or to any other person. |
| Term of office of the Prosecutor General | 225. The Prosecutor General shall be appointed for one term of five years. The People’s Majlis can approve the renewal of the appointment for an additional term of not more than five years in accordance with the statute relating to the Prosecutor General. |
| Resignation of Prosecutor General | 226. The Prosecutor General may resign from office by writing under his hand addressed to the President, and the office shall become vacant when the resignation is received by the President. |
| Salary and allowances | 227. The Prosecutor General shall be paid such salary and allowances as determined by the People’s Majlis. |
| Removal from office | 228. The Prosecutor General shall be removed from office only for the reasons specified in article (a) and in the manner specified in article (b): <ul style="list-style-type: none"> (a) on the ground of misconduct, incapacity or incompetence; and |

- (b) a finding to that effect by a committee of the People's Majlis, pursuant to article (a) and upon the approval of such finding by the People's Majlis by a majority of those present and voting, calling for the Prosecutor General's removal from office, the Prosecutor General shall be deemed removed from office.

Oath of office

- 229.** The Prosecutor General shall take and subscribe the oath of office of the Prosecutor General set out in Schedule 1 of this Constitution before assuming office.

CHAPTER VIII

DECENTRALISED ADMINISTRATION

Decentralised
administration

- 230.**
- (a) The administrative divisions of the Maldives shall be administered decentrally.
 - (b) In order to provide for decentralised administration, the President has the power, as provided in law, to create constituencies, posts, island councils, atoll councils and city councils.
 - (c) The jurisdiction and characteristics of constituencies, posts and councils created to provide for decentralised administration shall be specified in law.

- Election of Councils **231.**
- (a) All members of councils created for decentralised administration shall be democratically elected by secret ballot by their respective communities.
 - (b) The President and the Vice President of the councils elected to administer the administrative divisions shall be elected from among the members of each council by secret ballot of the members.
 - (c) The term of councils elected to administer the constituencies shall not exceed three years.
 - (d) The People's Majlis shall enact a statute governing the election of members of councils created for decentralised administration.
 - (e) The elections of councils created for decentralised administration shall be conducted by the Elections Commission.

- Responsibilities **232.** The responsibilities of councils elected to provide for decentralised administration shall include:
- (a) to provide democratic and accountable governance;
 - (b) to foster the social and economic well-being and development of the community;
 - (c) to establish a safe, healthy and ecologically diverse environment;
 - (d) to achieve such other objects as prescribed by law.

- Authority to enact subordinate legislation **233.** A bylaw or decision of a local authority shall be subject to Acts or Regulation of the People’s Majlis.
- Finance **234.** Local authorities shall be provided with an annual budget from the Treasury as provided in law, and shall also have authority, in accordance with statute, to raise funds.
- Ownership of property and liability for debts **235.** Local authorities shall be empowered to own property and to incur liabilities, subject to any limitations prescribed by statute.

CHAPTER IX

SECURITY SERVICES

- Security services **236.** The Maldivian security services, consisting of the Military Service and the Police Service, is established to enable all persons in the Maldives to live in peace, security and freedom.
- Responsibilities and duties **237.** The security services shall protect the nation’s sovereignty, maintain its territorial integrity defend the constitution and democratic institutions, maintain and enforce law and order, and render assistance in emergencies.
- Constitutional limitations **238.** The actions of the security services must be exercised in accordance with the Constitution and the law, and operate on the basis of accountability. The President shall ensure that these obligations of the security services are complied with.

Authority of the
People's Majlis over
the security services

239. (a) The People's Majlis shall enact a statute on the organization of and the principles pursuant to which each security service shall operate.

(b) The security services shall be subject to the authority of the People's Majlis.

Separate services

240. The security services shall be organized as two separate services, and shall operate independently of each other.

Multiparty
committee of the
People's Majlis

241. A committee of the People's Majlis shall be established to exercise continuing oversight of the operations of the security services. The committee shall include representation from all the different political parties within the People's Majlis.

Ministerial
Responsibility

242. Each security service shall be under the responsibility of a Minister, who shall be answerable for its operations to the President and to the People's Majlis.

Military Service

243. (a) The primary object of the Military Service is to defend and protect the Republic, its territorial integrity, its Exclusive Economic Zone and the people.

(b) If the President, as Commander in Chief, authorizes or orders the employment of the Military Service in defence of the Republic or as part of an international undertaking, the President shall without delay submit the authorization to the People's Majlis. The People's Majlis may at any time approve the authorization, or revoke the authorization.

Police Service

244. The primary objects of the Police Service are:

(a) to maintain public order and safety;

(b) to protect and secure all people in the Maldives, and their property;

(c) to investigate crime, conservation of evidence and prepare cases for disposition by the courts; and

(d) to uphold the law.

Illegal orders and non-compliance

245. No person shall give an illegal order to a member of the security services. Members of the security services shall not obey a manifestly illegal order.

Equal treatment

246. (a) Members of the security services shall treat all persons and groups equally without any discrimination, and with humanity and dignity in accordance with the decorous principles of Islam.

(b) Members of the security services shall not engage in partisan political activity of any nature, and shall not affiliate themselves with any trade union or political party.

CHAPTER X

PROPERTY, LIABILITIES AND LEGAL ACTIONS OF THE STATE

Property and assets owned and acquired by the State

247. (a) All property, assets and monies which at the commencement of this Constitution were vested in the State shall continue to vest in the State.

(b) All property, assets and monies acquired for, or received by the State shall vest in the State.

Land, sea and naturally occurring valuable resources

248.

(a) The land, sea, and seabed, including all fish within the territory of the Maldives, and all naturally occurring resources, including metallic ores, petroleum and gas, shall vest in the State.

(b) All living, non-living and naturally occurring resources of value within the Exclusive Economic Zone of the Maldives and the seabed shall vest in the State.

Ownerless property

249.

(a) Any property found within the territory of the Maldives and any property occurring in the seabed or found drifting in the sea, save those naturally occurring or formed in the sea, without a rightful owner, shall vest in the State.

(b) All property such as gold, silver, other precious metals, jewellery, money and items of historical interest, excavated within the territory of the Maldives without a rightful owner, shall vest in the State.

Transactions relating to State property

250.

(a) Any transfer, sale, lease, release, mortgage (to any person) or destruction of, any property or assets owned by the State, and any such other agreement, shall only be entered into in accordance with law.

(b) Money, property or any other thing kept as a reserve in the State Treasury shall be used only after approval by a resolution passed by a two-thirds majority of the total membership of the People's Majlis.

Prohibition of foreign ownership and foreign military purposes

- 251.**
- (a) No foreign party, shall own or be given ownership of any part of the territory of the Maldives.
 - (b) A foreign party shall not receive a lease of, or be given in any other way, any part of the territory of the Maldives for a period exceeding ninety nine years.
 - (c) No part of the territory of the Maldives shall be used for foreign military purposes without the approval of the majority of the total membership of the People's Majlis.

Legal actions in the name of the State

- 252.** Except where specified in this Constitution as the responsibility of another party, the Executive may sue or be sued on behalf of the State, and may defend any action against the State, in any court of the Maldives, in any foreign court, or in any other place.

CHAPTER XI

STATE OF EMERGENCY

Declaration of a state of emergency

- 253.** In the event of natural disaster, dangerous epidemic disease, war, threat to national security, or threatened foreign aggression, the President may declare a state of emergency in all or part of the country for a period not exceeding thirty days.

Content of the
declaration

254. The declaration of a state of emergency shall specify the reasons for the declaration of an emergency, and include measures to deal with the emergency, which may include the temporary suspension of the operation of laws and infringement of certain fundamental rights and freedoms guaranteed by this Constitution in Chapter 2.

Limitations of the
declaration

255. (a) Measures adopted in an emergency shall not contravene this Article.

(b) Measures adopted in an emergency shall not restrict the following rights and freedoms contained in the following Articles of this Constitution:

1. Article 21 (right to life);
2. Article 25 (no slavery or forced labour);
3. Article 27 (freedom of expression);
4. Article 28 (freedom of the media);
5. Article 42 (fair and transparent hearings);
6. Article 48 (b) (rights on arrest or detention);
7. Article 51 (rights of the accused);

8. Article 52 (confessions and illegal evidence);
9. Article 53 (assistance of legal counsel);
10. Article 54 (no degrading treatment or torture);
11. Article 55 (no imprisonment for non-fulfilment of contractual obligation);
12. Article 57 (humane treatment of arrested or detained persons);
13. Article 59 (retrospective legislation);
14. Article 60 (prohibition of double jeopardy);
15. Article 62 (retention of other rights);
16. Article 64 (non-compliance with unlawful orders).

(c) Any infringement of rights and freedoms under this Constitution and the law shall be only to the extent strictly required by the emergency.

(d) Measures adopted in an emergency shall be consistent with the obligations of the Maldives under international law applicable to states of emergency.

Publication

256. The declaration of a state of emergency shall be published in the Government Gazette within three days of its issuance.

Submission of
declaration to the
Peoples Majlis

257. (a) The declaration of a state of emergency shall be submitted to the People's Majlis within forty eight hours. If the People's Majlis is not in session at the time of the declaration, it shall be re-called within fourteen days, inclusive of holidays, and the declaration of a state of emergency submitted to the People's Majlis for approval.

(b) The People's Majlis may at any time:

1. approve the declaration in whole or in part;
2. extend the operation of the declaration for periods not exceeding thirty days at a time;
or
3. revoke the declaration.

(c) Where the President deems it necessary to extend the length of the state of emergency, he shall submit the extension to the People's Majlis prior to the expiry of the state of emergency, and obtain the approval of the People's Majlis for such extension.

Determination of
disputes relating to
the declaration

258. The Supreme Court shall determine any issues with regard to the validity in whole or part of the declaration or any law or order made pursuant to the emergency.

Expiry or revocation
of declaration

259. When the declaration of a state of emergency expires or is revoked by the People's Majlis, all laws promulgated

pursuant to the declaration shall cease to have effect.

Public
announcement of
expiry of state of
emergency

260. The President must publicly announce the expiration of the declaration of a state of emergency.

CHAPTER XII

AMENDMENT OF THE CONSTITUTION

Amendment of the
Constitution

261. The Constitution may be amended by a Bill passed by a three quarters majority of the total membership of the People's Majlis.

Assent of President

262. (a) The Bill amending the Constitution passed by the People's Majlis shall come into force upon obtaining the written assent of the President.

(b) Despite the provisions of article (a) above, the President shall give written assent to any amendments made by the People's Majlis to the following provisions of this Constitution only after a public referendum decides so by a majority of the votes cast.

1. Any of the provisions contained in Chapter II (The Maldivian Charter of Rights and Freedoms) of this Constitution;

2. Article 79(a) (Term of Majlis);

3. Article 107 (Term of office), and Article 108 (Presidential election);

where the amendment does not receive a majority approval in the public referendum, it shall be deemed to have been defeated.

Publication in
Government Gazette

263. After assent by the President, the Bill amending the Constitution passed by the People's Majlis shall come into force after publication in the Government Gazette and on a date fixed by the People's Majlis.

Non-assent by
President and
national referendum

264. (a) If the President does not assent to the Bill amending the Constitution passed by the People's Majlis within fifteen days of receipt, the President shall inform the People's Majlis specifying the reasons thereof. Where the President does not inform the People's Majlis of the reasons thereof within fifteen days of receipt the President shall be deemed to have assented to the Bill.

(b) If the President does not assent to the Bill amending the Constitution passed by the People's Majlis and so informs the People's Majlis, the People's Majlis may within a period determined by the People's Majlis call for a public referendum to vote on the adoption or rejection of the Bill

(c) If the Bill is approved by a majority in the public referendum specified in article (b), the President shall assent to the Bill within fifteen days and publish it in the Government Gazette.

Defeat of Bill

265. Where the Bill amending this Constitution passed by the People's Majlis does not receive a majority approval in the public referendum, it shall be deemed to have been defeated.

- Provisions included in Bill **266.** The Bill amending the Constitution may not include provisions other than constitutional amendments and matters connected with the amendment.
- No amendment during emergency **267.** No amendment shall be made to any provision of the Constitution during the existence of a state of emergency.

CHAPTER XIII

APPLICATION AND CONSTRUCTION OF THE CONSTITUTION

- Supremacy of the Constitution **268.** All laws of the Maldives must be enacted in accordance with this Constitution. Any law or part of any law inconsistent with this Constitution is, to the extent of its inconsistency, void and of no force and effect. The obligations imposed by this Constitution must be fulfilled. Any conduct contrary to this Constitution shall be invalid.
- Continuance of laws in force **269.** Unless amended by the People's Majlis, the laws in force at the time this Constitution comes into force which are not inconsistent with this Constitution shall continue to remain in force.
- Continued effect of repealed laws **270.** Acts done pursuant to or in accordance with any law which is repealed upon the commencement of this Constitution due to its inconsistency with this Constitution, remain valid, and the repeal of any such law shall not affect any right or obligation of a person under such law or any punishment enforced under such law.
- Regulations enacted under authority of Statute **271.** Regulations derive their authority from laws passed by the People's Majlis pursuant to which they are

enacted, and are enforceable pursuant to such lawful authority. Any regulations requiring compliance by citizens must only be enacted pursuant to authority granted by a law enacted by the People’s Majlis.

Ascertainment of time

272. Terms, periods of times and dates in this Constitution shall be ascertained in accordance with the Gregorian Calendar.

Headings

273. The table of contents, headings, and marginal notes are not part of this Constitution but are inserted for convenience of reference only.

Definitions

274. (a) In this Constitution, unless the context otherwise requires, the following words and phrases shall have the following meanings:

“present and voting” means, of those members participating in the meeting at which the voting occurs, being present at the time of voting and voting either in favour of, or against, the motion being voted upon. In determining the majority of those members present and voting, members who did not vote either for or against the motion shall not be counted;

“a citizen” means, any person specified as a citizen of the Maldives in Article 9 of this Constitution;

“court” means, each and every place established by the Constitution, or by a law enacted by the People’s Majlis, for the purpose of conducting a trial by a judge or bench of judges;

“jurisdiction” means, the area and matters over which an authority has power to exercise influence;

“election” means, those elections in which, pursuant to the law to govern administrative districts under the principles of decentralized governance, citizens vote to select members of various councils, as well as general elections held to select persons as members of the People’s Majlis and presidential elections held to select a person to fill the post of President of the Republic. By-elections held to elect a person to any of the seats falling vacant comes within the meaning of elections;

“tenet of Islam” means, the Holy Qur’an and those principles of Shari’ah whose provenance is not in dispute from among those found in the Sunna of the Noble Prophet, and those principles derived from these two foundations;

“Islamic Shari’ah” means, the Holy Qur’an and the ways preferred by the learned people within the community and followers of the Sunnah in relation to criminal, civil, personal and other matters found in the Sunna;

“person” or “persons” shall include natural and legal personalities;

“have a financial interest” means, doing anything in a manner that could increase his property or wealth, or safeguard his property or wealth from loss;

“judge” means, those persons appointed in accordance with this Constitution to conduct trials in the Supreme Court, High Court or Trial Courts;

“constitutional matter” means, proceedings where the determination of the meaning of an

Article of the Constitution or any part thereof is required, or proceedings requiring a determination whether a law or any part thereof, or a regulation or any part thereof, or an order issued by a State authority, or an act committed, or a decision taken, by an official of that authority contravenes the Constitution;

“enemy” means, those foreign nationals who commit acts detrimental to the independence and sovereignty of the Maldives. Citizens are not included in the meaning of “enemies”;

“law” means, those statutes enacted by the People’s Majlis and assented to by the President, and those regulations which are authorized by, and which fall within the ambit of, those statutes;

“threat to national security” means a threat to the independence and sovereignty of the Maldives, or a threat of major damage to people’s lives, limbs or property. This includes terrorist attacks and acts of aggression committed using weapons. This, however, does not include the exercise by citizens of their legal rights to conduct peaceful activities in support of, or against various matters without contravening the law;

“territorial integrity” means, the security of all persons, places and things within the territory of the Maldives or any part thereof and the Exclusive Economic Zone of the Maldives, and the retention of the entirety of the territory of the Maldives under the control of the Maldivian State;

“tribunal” means any institution not constituting a court, authorized by law to

adjudicate cases where a dispute arises between two or more parties and to which an application is made for adjudication thereto;

“tax” or “a tax” means, all monies levied by the government from an individual or organization or other legal entity for the purpose of raising revenue for the State, and excluding any charge, fee or rent levied in accordance with law for the provision of a service.

(b) In this Constitution, words denoted in the singular tense include the plural tense and vice versa.

CHAPTER XIV

TRANSITIONAL MATTERS

Application of this Chapter

275. Unless otherwise specifically provided in this Chapter:

(a) the provisions set out in this Chapter shall apply from the commencement of the Constitution until the election of and assumption of office by the President and the People’s Majlis; and

(b) actions during the transitional period shall be as provided in this Constitution.

Elections Commission

276. (a) A five member Elections Commission shall in the manner specified in this Chapter, be appointed within thirty days of the commencement of this Constitution.

(b) The members of the Elections Commission shall be appointed as follows:-

1. each of the political parties shall submit to the People's Majlis one nomination for appointment to the Elections Commission;
2. the People's Majlis shall by resolution passed by a two-thirds majority of those present and voting confirm the appointment of five members to the Elections Commission from the nominations received from the political parties;
3. where five members are not confirmed as provided for in article (b) (2), the political party or parties whose nominations were unsuccessful shall be given the opportunity to submit further nominations in numbers equal to the membership positions unfilled;
4. where the nominations submitted by the political parties as provided for in article (a) falls short of five names; the political parties shall be afforded the opportunity to submit further names;
5. the members of the Elections Commission shall appoint a Chairman of the Elections Commission from amongst themselves;
6. for the purposes of this Chapter a political party shall mean a party which has held its elections and post bearers appointed to its posts.

- Vacancy in Elections Commission **277.** Vacancies in the Elections Commission shall be filled in accordance with the provisions of this Chapter on appointments to the Elections Commission.
- Qualifications of members of the Elections Commission **278.** (a) The members of the Elections Commission established pursuant to this Chapter shall possess the qualifications specified in Article 169 of this Constitution.
- (b) A member of the Elections Commission shall not be a member of any political party.
- Responsibilities of the Elections Commission **279.** The responsibilities of the Elections Commission appointed pursuant to this Chapter shall be to do all things necessary to conduct, manage, supervise and declare the results of the elections held pursuant to this Chapter, perform actions relating to political parties, and such additional functions specified in this Constitution to the extent required during the transitional period.
- Term of Elections Commission **280.** The Elections Commission appointed pursuant to this Chapter shall continue until the appointment, by the People’s Majlis elected as specified in the Chapter, “The People’s Majlis” (of this Constitution), of a new Elections Commission as specified in the Chapter, “Independent Commissions and Independent Offices” (of this Constitution).
- Judicial Service Commission **281.** (a) A Judicial Service Commission composed of the following persons, shall be appointed within thirty days of the commencement of this Constitution:
1. a Judge of the Supreme Court other than the Chief Justice, elected by the Judges of the Supreme Court;

2. a Judge of the High Court, elected by the Judges of the High Court;
 3. a Judge of the Trial Courts, elected by the Judges of the Trial Courts;
 4. a member of the People's Majlis appointed by it;
 5. a member of the general public appointed by the People's Majlis;
 6. the Chair of the Civil Service Commission;
 7. a person appointed by the President;
 8. a lawyer elected from among the lawyers licensed to practise in the Maldives by themselves.
- (b) Despite the provisions of article (a), a Judge from the Supreme Court shall only be appointed to the Judicial Service Commission after appointment of Judges to the Supreme Court as specified in this Chapter.
- (c) The Judicial Service Commission appointed as provided in this Chapter shall continue until constitution by the next elected People's Majlis, of a Judicial Service Commission as specified in this Constitution.

Supreme Court

282.

- (a) A Supreme Court comprising of five Judges, shall within forty five days of the commencement of this Constitution, be appointed to deal with all legal disputes arising

under this Constitution and all matters coming to it on appeal from the High Court.

- (b) Until the establishment of the Supreme Court as provided for in this Chapter and appointment of a person to carry out the responsibilities of the Chief Justice as specified in article (c), the highest authority for the administration of justice in the Maldives shall be a Judge of the High Court chosen from among themselves.
- (c) Until such time as the new People's Majlis upon the recommendation of the Judicial Service Commission constituted as specified for in this Constitution, appoints a Chief Justice as provided for in Article 147, the responsibilities of that office shall be administered by a Judge chosen from within themselves by the Judges appointed to the Supreme Court in the manner specified in this Chapter.
- (d) All matters pending on appeal to the President at the commencement of this Constitution shall henceforth be dealt with and deemed to be pending before the Supreme Court. There shall be no further recourse of appeal from the High Court to the President from then onwards.
- (e) The Supreme Court established as provided for in this Chapter, in formulating the principles applicable to the appeal process shall ensure that the following cases have the opportunity of appeal:
 - 1. those cases disposed of by the High Court where the right of appeal has been lost between the commencement of this Constitution and establishment of the Supreme Court pursuant to this Chapter;

2. those cases disposed of by the High Court between the commencement of this Constitution and establishment of the Supreme Court pursuant to this Chapter;

Appointment of Judges to the Supreme Court

283. (a) The President as Head of the State shall appoint Judges to the Supreme Court established as specified in this Chapter. The appointments shall be determined after consulting the Judicial Service Commission and confirmation of the appointments by a two-thirds majority of the members of the People's Majlis present and voting.

(b) The Judges of the Supreme Court appointed pursuant to this Chapter shall possess the qualifications specified in Article 149 of this Constitution.

Term of Supreme Court

284. The Supreme Court appointed pursuant to this Chapter shall continue until the establishment of the Supreme Court as provided for in Article 145 of this Constitution.

Continuation of Judges

285. (a) All Judges in office at the commencement of this Constitution except for the Chief Justice shall continue in office until such time as a determination pursuant to this Article.

(b) The Judicial Service Commission established pursuant to Article 157 of this Constitution, shall within two years of the commencement of this Constitution determine whether or not the Judges in office at the said time, possess the qualification of Judges specified in Article 149.

(c) Where it is determined as provided in article (b) that a Judge does not possess a qualification or

the qualifications specified in Article 149, such Judge shall cease to hold office.

(d) Where it is determined as provided in article (b) that a Judge possesses the qualifications specified in Article 149, such Judge shall be appointed as a Judge under this Constitution.

(e) Except as provided in article (c), Judges may only be removed from office as specified in Article 154 of this Constitution.

Other courts **286.** All Courts in existence at commencement of this Constitution shall continue in existence until such time as new Courts are established in accordance with Article 141 of this Constitution.

Jurisdiction of the courts **287.** All matters pending before the Supreme Court established pursuant to this Chapter and the courts in existence at commencement of this Constitution shall henceforth be deemed to be pending before the courts established under this Constitution.

Prosecutor General **288.** (a) The Prosecutor General shall be appointed in the manner specified in this Chapter within thirty days of the commencement of this Constitution.

(b) Until such time as the Prosecutor General is appointed and assumes office, the responsibilities of the Prosecutor General shall be carried out the by the Attorney General. However the Attorney General shall only carry out the responsibilities of the Prosecutor General for a maximum period of thirty days.

(c) The President as Head of the State shall appoint the Prosecutor General as provided in article (a). The appointment shall be made by

submission of a nomination to the People's Majlis within fifteen days of the commencement of this Constitution, and confirmation of the appointment by a two-thirds majority of the members of the People's Majlis present and voting.

Anti-Corruption
Commission

289. The Anti-Corruption Commission shall in the manner specified in this Constitution be appointed within sixty days of the commencement of this Constitution.

Independent
Commissions

290. The Elections Commission, the Anti-Corruption Commission and the Prosecutor General shall in accordance with the provisions of this Constitution, be appointed within sixty days of the first sitting of the first People's Majlis elected under this Constitution.

Continuance of laws

291. All laws in force at the time this Constitution comes into force which are not inconsistent with this Constitution shall continue to remain in force.

No amendment to the
Constitution

292. No amendments may be made to the Constitution until the first election of and assumption of office by the President and the People's Majlis under this Constitution.

Commencement of
this Constitution

293. (a) This Constitution shall come into force, after approval of the Special Majlis, assent by the President and publication in the Government Gazette.

(b) Upon the commencement of this Constitution, the "*Constitution of the Republic of the Maldives*" which came into force on 1 January 1998 shall be repealed.

(c) Despite the provisions of article (a), until such time as the election of the President and the People's Majlis, the specific provisions of this

Chapter shall apply to the matters specified herein.

Continuance of the
People's Majlis

294.

(a) The People's Majlis in existence at the commencement of this Constitution shall continue until such time as the first elections of the People's Majlis under this Constitution are held, and election of members and assumption of office by the members.

(b) The People's Majlis shall at the first sitting after the ratification of this Constitution, elect a Speaker and a Deputy Speaker from its members by secret ballot. Until such time as a Speaker and a Deputy Speaker is elected the People's Majlis shall be presided over by the consecutively longest serving member from among those present. Where there are a number of members who have consecutively served the longest then the Majlis shall be presided over by the member most senior by age of those having served consecutively the longest.

(c) Whenever there is a vacancy among the members of the People's Majlis, and there is a period of six months between the date of the vacancy and the first sitting of the first elected People's Majlis, an election shall be held to elect a member to the vacancy.

Responsibilities and
powers of the People's
Majlis

295.

(a) The People's Majlis shall carry out the following:

1. to do all things necessary to facilitate the elections specified in this Chapter in the manner provided herein;

2. to determine what laws are contrary to the Constitution and to do all things necessary for the repeal or amendment of such laws;
3. to enact legislation required under this Constitution;
4. to deal with all routine legislative matters necessary for the functioning of the Executive and the Judiciary, and for the proper functioning and good governance of the Maldives.

(b) The People's Majlis shall continue to consider Bills submitted prior to the commencement of this Constitution, and not yet enacted, and any other matters if they are not contrary to the Constitution.

Election of the
People's Majlis

296.

(a) The first election of members to the People's Majlis to be held under this Constitution shall be held before 15 February 2009.

(b) The People's Majlis elected in accordance with article (a) shall after taking and subscribing the oath of office and assumption of office, hold the first meeting of the first People's Majlis elected under this Constitution, before 1 March 2009.

Continuance of other
posts and institutions

297.

(a) Within two years of the commencement of this Constitution, excepting matters specifically provided herein, elections or appointments to posts shall be finalised in accordance with the provisions of this Constitution, and institutions specified in the Constitution shall also be created or established.

(b) Until such time as elections or appointments to posts specified in this Constitution in the

manner provided in this Chapter or this Constitution are finalised, persons elected or appointed at the commencement of this Constitution shall continue in office.

- (c) Until such time as creation of institutions specified in this Constitution in the manner provided in this Chapter or this Constitution, institutions created or established at the commencement of this Constitution shall continue.

Decentralised
administration

- 298.** In order to provide for decentralised administration of the administrative divisions of the Maldives, elections to island councils, atoll councils and city councils as provided for in this Constitution shall be held before 1 July 2009.

Obedience to the
Constitution

- 299.** (a) The Executive, the People's Majlis, the Judiciary, the Independent Commissions and persons in Independent Offices, all State institutions, all persons in any State post and all citizens shall comply with the provisions of the Constitution upon its commencement. The non-existence of a law shall not be an excuse for the infringement of any fundamental right or freedom under the Constitution.

(b) Despite the provisions of article (a):-

1. the People's Majlis shall identify laws inconsistent with the Constitution at its commencement and approve a course of action until such inconsistent laws or parts thereof can be amended or repealed. The Executive shall within thirty days of the commencement of this Constitution draw up a list of such laws or part thereof and submit it to the

People's Majlis. Within ninety days of the commencement of this Constitution, the People's Majlis shall draw up and approve a schedule for amending or revoking such laws.

2. the People's Majlis shall until the enactment and commencement of laws required to give effect to this Constitution, approve a course of action in relation to these matters. The Executive shall within thirty days of the commencement of this Constitution draw up a list of such laws and submit it to the People's Majlis. Within ninety days of the commencement of this Constitution, the People's Majlis shall draw up and approve a schedule for enactment and commencement of such laws.

Continuation in office
of the President and
the Cabinet of
Ministers

300.

- (a) Until such time as the first Presidential elections under this Constitution are held and a person elected to and assumes the post of President, the person holding the post of President at the commencement of this Constitution shall continue in office.
- (b) Until such time as the first Presidential elections under this Constitution are held and a person elected to and assumes the post of President, the Cabinet of Ministers appointed by the person holding the post of President at the commencement of this Constitution shall continue in office. The President has the discretion to make changes to the Cabinet of Ministers.
- (c) The Cabinet of Ministers appointed after the first Presidential elections held pursuant to this

Constitution shall not contain any members of the People's Majlis.

- Presidential election **301.**
- (a) The first presidential elections to be held under this Constitution shall be held before 10 October 2008.
 - (b) The President elected in accordance with article (a) shall take and subscribe the oath of and assume office on 11 November 2008.

SCHEDULE 1

OATHS OF OFFICE

1. OATH OF OFFICE OF PRESIDENT

I, ...(name of person)..., do swear in the name of Almighty Allah that I will respect the religion of Islam, that I will uphold the Constitution of the Republic of Maldives and the fundamental rights of the Maldivian citizens, that I will bear true faith and allegiance to the Republic of Maldives, and will discharge the duties and responsibilities of the office of President honestly and faithfully in accordance with the Constitution and laws of the Republic of Maldives.

2. OATH OF OFFICE OF VICE PRESIDENT

I, ...(name of person)..., do swear in the name of Almighty Allah that I will respect the religion of Islam, that I will uphold the Constitution of the Republic of Maldives and the fundamental rights of the Maldivian citizens, that I will bear true faith and allegiance to the Republic of Maldives, and will discharge the duties and responsibilities of the office of Vice President honestly and faithfully in accordance with the Constitution and laws of the Republic of Maldives.

3. OATH OF OFFICE OF MEMBERS OF THE CABINET

I, ...(name of person)..., do swear in the name of Almighty Allah that I will respect the religion of Islam, that I will uphold the Constitution of the Republic of Maldives and the fundamental rights of the Maldivian citizens, that I will bear true faith and allegiance to the Republic of Maldives, and will discharge the duties and responsibilities entrusted to me by the President and my duties and responsibilities as Cabinet Minister/ Attorney General honestly and faithfully in accordance with the Constitution and laws of the Republic of Maldives.

4. OATH OF OFFICE OF MEMBERS OF THE PEOPLE'S MAJLIS

I, ...(name of person)..., do swear in the name of Almighty Allah that I will respect the religion of Islam, that I will uphold the Constitution of the Republic of Maldives and the fundamental rights of the Maldivian citizens, that I will bear true faith and allegiance to the Republic of Maldives, and will discharge my duties and responsibilities as a member of the People's Majlis honestly and faithfully in accordance with the Constitution and the laws of the Republic of Maldives.

5. OATH OF OFFICE OF CHIEF JUSTICE AND JUDGES

I, ...(name of person)..., do swear in the name of Almighty Allah that I will respect the religion of Islam, that I will uphold the Constitution and the laws of the Republic of Maldives, that I will uphold the fundamental rights of the Maldivian citizens and will discharge the duties and responsibilities of Chief Justice/ Judge honestly and faithfully in accordance with the Constitution and laws of the Republic of Maldives.

6. OATH OF OFFICE OF MEMBERS OF INDEPENDENT COMMISSIONS AND INDEPENDENT OFFICES

I, ...(name of person)..., do swear in the name of Almighty Allah that I will respect the religion of Islam, that I will uphold the Constitution of the Republic of Maldives, that I will bear true faith and allegiance to the Maldives, that I will uphold the fundamental rights of the Maldivian citizens and will discharge the duties and responsibilities of Auditor General/ Prosecutor General/ membership of the Elections Commission/ membership of the Judicial Service Commission/ membership of the Human Rights Commission/ membership of the Civil Service Commission/ membership of the Anti-Corruption Commission honestly and faithfully in accordance with the Constitution and laws of the Republic of Maldives.

SCHEDULE 2
ADMINISTRATIVE DIVISIONS

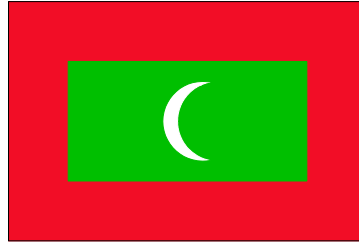
Male' (including Villingilli and Hulhumale')

HA	Thiladhunmathi Uthuruburi
HDh	Thiladhunmathi Dhekunuburi
Sh	Miladhunmadhulu Uthuruburi
N	Miladhunmadhulu Dhekunuburi
R	Maalhosmadhulu Uthuruburi
B	Maalhosmadhulu Dhekunuburi
Lh	Faadhippolhu
K	Male' Atoll
AA	Ari Atoll Uthuruburi
ADh	Ari Atoll Dhekunuburi
V	Felidhe Atoll
M	Mulakatoll
F	Nilandhe Atholhu Uthuruburi
Dh	Nilandhe Atholhu Dhekunuburi
Th	Kolhumadulu
L	Haddhunmathi
GA	Huvadhu Atholhu Uthuruburi
GDh	Huvadhu Atholhu Dhekunuburi
Gn	Fuvammulah
S	Addu Atoll

SCHEDULE 3

NATIONAL FLAG

National flag



Composition of national flag

As provided in Article 12 of this Constitution, the national flag of the Republic of Maldives comprises of a green rectangle with a white crescent in the centre, the green rectangle being surrounded by a red border.

Dimensions

The width of the national flag is two-thirds of its length. The width of the red border is one-fourth of the width of the flag. The radii of both curvatures crescent are one-third of the width of the green rectangle. They are drawn from two points on a centre line across the length of the green rectangle, the first point being nine-sixteenth and the second at five-eighths of the length, measured from

the side nearer to the staff, joining together to form a crescent. When the flag is hoisted the curvature of the crescent should face out.

Colours

Green- British Admiralty Colour Code No. T 1143 for nylon worsted bunting and No. T 817 A for other bunting.

Red- British Admiralty Colour Code No. T 1144 for nylon worsted bunting and No. T 818 A for other bunting.

White- British Admiralty Colour Code No. T1145 for nylon worsted bunting and T 819 A for other bunting.

Law Number 6/96

Maritime Zones Act of the Maldives

(First amendment to Law Number 6/96 (Maritime Zones Act of the Maldives) included)

- | | |
|---------------------|--|
| Introduction | 1. This Act makes provision in respect of the internal waters, archipelagic waters, territorial sea, contiguous zone and the exclusive economic zone of Maldives. This Act shall be cited as “Maritime Zones Act of the Maldives”. |
| Internal Waters | 2. (a) The inland waters of every atoll of Maldives, lagoons and reefs of islands shall be the internal waters of Maldives. In addition to these waters, the Government of Maldives has the right to designate, in accordance with international law, other maritime areas as internal waters of Maldives.

(b) Notwithstanding subsection (a), where any changes brought to the maritime areas of the Maldives as stipulated in this Section results in changes to the territory of the Maldives, such changes can only be brought by an Act passed by two thirds majority of the Parliament. |
| Archipelagic waters | 3. Save the internal waters of Maldives as determined under section 2 of this Act, the maritime area contained within the archipelagic baselines drawn in accordance with Schedule 1 of this Act shall be the archipelagic waters of Maldives. |

- Territorial sea 4. The maritime area contained within 12 nautical miles measured from the archipelagic baselines drawn in accordance with Schedule 1 of this Act shall be the territorial sea of Maldives
- Contiguous zone 5. The maritime area contained within 12 nautical miles measured from the outer limits of the territorial sea as determined under section 4 of this Act shall be the contiguous zone of Maldives.
- Exclusive economic zone 6. The maritime area adjacent to and beyond the territorial sea as determined under section 4 of this Act together with the seabed thereof, up to 200 nautical miles measured from the archipelagic baselines drawn in accordance with Schedule 1 of this Act shall be the exclusive economic zone of Maldives.
- Overlap between the exclusive zone of Maldives and the exclusive economic zone of another State 7. (a) In the event that the exclusive economic zone of Maldives as determined under section 6 of this Act overlaps with the exclusive economic zone of another State, this Act does not prohibit the Government of Maldives from entering into an agreement with that State regarding the area of overlap and delimiting the exclusive economic zone of Maldives for the said area of overlap.
- (b) Notwithstanding subsection (a), where any changes brought to the exclusive economic zone of the Maldives as stipulated in this Section results in changes to the territory of the Maldives, such changes can only be brought by an Act passed by two thirds majority of the Parliament.
- Sovereignty 8. In addition to the land territory of Maldives and the airspace thereabove, the sovereignty of Maldives shall extend to the internal waters,

archipelagic waters and territorial sea, together with the seabed and subsoil and airspace thereof.

- | | | |
|---|-----|---|
| Sovereign rights | 9. | Within its exclusive economic zone, Maldives shall have sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources contained therein, whether living or non-living, and with regard to other activities for purposes of the economic exploitation of the zone. Economic exploitation of the natural resources found in the zone by persons other than nationals of Maldives or the conduct of scientific research within the zone as well as the construction, operation and use of any artificial island installation or structure within the zone for any of the foregoing purposes shall be subject to authorization from the Government of Maldives. |
| Jurisdiction over contiguous zone | 10. | Maldives may exercise within the contiguous zone the control necessary to prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within the territory of Maldives and its territorial sea and to punish the infringement of the above laws and regulations committed within the territory and the territorial sea of Maldives. |
| Entry of foreign vessel into Maldives internal waters | 11. | No foreign vessel shall enter the internal waters of Maldives except with prior authorization from the Government of Maldives in accordance with the laws and regulations of Maldives. |
| Entry into archipelagic waters | 12. | Foreign vessels shall have the right of continuous and expeditious archipelagic passage in the sea lanes designated by the Government of Maldives from among international navigation channels. Such passage shall be in accordance with the regulations made under this Act. |

- Entry into the territorial sea 13. (a) Save such vessels engaged in innocent passage compatible with international laws, no vessel shall enter the territorial sea of Maldives except in accordance with the laws and regulations of Maldives.
- (b) No foreign warship or foreign nuclear-powered ship or ship carrying nuclear or other inherently dangerous or noxious substances shall enter the territorial sea of Maldives for any purpose except with prior authorization of the Government of Maldives and in accordance with the laws and regulations of Maldives.
- Entry into the exclusive economic zone 14. No foreign fishing vessel shall enter the exclusive economic zone of Maldives except with prior authorization from the Government of Maldives in accordance with the laws of Maldives.
- Entry into and passage through the airspace 15. (a) Except in accordance with international standards and applicable regulations in force in Maldives, no foreign aircraft shall engage in any overflight across the airspace or via air routes above the land territory, internal waters, archipelagic waters and territorial sea of Maldives. Except as provided above, no aircraft shall enter the foregoing airspace or air routes.
- (b) No foreign military aircraft shall engage in overflight across the airspace or air routes specified in subsection (a) of this section except with the authorization of the Government of Maldives. Except as provided above, no military aircraft shall enter the foregoing airspace or air routes.

SCHEDULE 1**Archipelagic base points of the Maldives**

Serial No.	Point code	Latitude	Longitude
(1)	B1	07° 03' 54" N	72° 47' 45" E
(2)	B2	07° 04' 35" N	72° 48' 07" E
(3)	B3	07° 04' 47" N	72° 48' 21" E
(4)	B4	07° 05' 44" N	72° 50' 30" E
(5)	B5	07° 06' 35" N	72° 53' 60" E
(6)	B6	07° 06' 33" N	72° 54' 13" E
(7)	B7	06° 58' 07" N	73° 12' 46" E
(8)	B8	06° 57' 37" N	73° 13' 14" E
(9)	B9	06° 55' 31" N	73° 13' 53" E
(10)	B10	05° 23' 20" N	73° 39' 20" E
(11)	B11	05° 22' 05" N	73° 39' 31" E
(12)	B12	04° 27' 28" N	73° 43' 21" E
(13)	B13	03° 27' 27" N	73° 46' 13" E
(14)	B14	02° 08' 04" N	73° 35' 18" E
(15)	B15	00° 25' 51" N	73° 35' 10" E
(16)	B16	00° 18' 25" S	73° 26' 37" E
(17)	B17	00° 39' 45" S	73° 13' 07" E
(18)	B18	00°41' 30" S	73° 11' 12" E
(19)	B19	00° 42' 22" S	73° 10' 02" E
(20)	B20	00°42' 24" S	73° 09' 08" E
(21)	B21	00° 42' 11" S	73° 08' 40" E
(22)	B22	00° 41' 13" S	73° 07' 30" E
(23)	B23	00° 40' 23" S	73° 06' 52" E
(24)	B24	00° 39' 18" S	73° 06' 23" E
(25)	B25	00° 35' 33" S	73° 04' 33" E
(26)	B26	00° 23' 55" N	73° 00' 08" E
(27)	B27	00° 29' 21" N	72° 59' 09" E
(28)	B28	00° 32' 22" N	72° 59' 38" E
(29)	B29	02° 25' 09" N	72° 53' 05" E
(30)	B30	02° 47' 50" N	72° 49' 14" E
(31)	B31	03°37' 38" N	72° 41' 40" E
(32)	B32	03° 47' 09" N	72° 41' 49" E
(33)	B33	03° 52' 15" N	72° 42' 03" E
(34)	B34	04° 01' 50" N	72° 42' 11" E
(35)	B35	04° 05' 13" N	72° 42' 36" E
(36)	B36	04° 13' 46" N	72° 44' 14" E
(37)	B37	06° 14' 12" N	72° 33' 19" E

MARITIME BOUNDARY: INDIA-MALDIVES

AND

MALDIVES' CLAIMED "ECONOMIC ZONE"

On December 28, 1976, the Governments of the Republic of India and the Republic of Maldives signed an agreement establishing a maritime boundary. To date, however, ratifications have not been exchanged.

The full text of the agreement is as follows:

**AGREEMENT BETWEEN INDIA AND MALDIVES ON
MARITIME BOUNDARY IN THE ARABIAN SEA AND
RELATED MATTERS**

The Government of the Republic of India and the Government of the Republic of Maldives,

DESIRING to strengthen the existing historical bonds of friendship between the two countries,

RECALLING the Agreement between India, Maldives and Sri Lanka concerning the determination of the trijunction point (Point T) between the three countries in the Gulf of Manaar, which came into force on July 31, 1976, and

DESIRING to establish the maritime boundary between the two countries in the Arabian Sea,

HAVE AGREED as follows:

Article I

The maritime boundary between India and Maldives in the Arabian Sea shall be arcs of the Great Circles between the following positions, in the sequence given below, defined by latitude and longitude:

Point No.	Latitude North	Longitude East
T	04°47'04"	77°01'40"
1	04°52'15"	76°56'48"
2	05°05'35"	76°43'15"
3	05°13'56"	76°36'48"
4	06°28'14"	75°41'34"
5	06°33'21"	75°38'31"

Point No.	Latitude North	Longitude East
6	06°51'06"	75°25'46"
7	07°15'27"	75°16'19"
8	07°24'00"	75°12'06"
9	07°25'19"	75°11'18"
10	07°51'30"	74°56'09"
11	07°48'30"	74°29'45"
12	07°41'50"	73°38'34"
13	07°39'02"	73°19'38"
14	07°40'52"	73°03'23"
15	07°42'19"	72°49'30"
16	07°42'54"	72°42'26"
17	07°49'05"	72°03'45"
18	08°05'38"	70°15'08"
19	07°57'27"	69°35'45"

ARTICLE II

The coordinates of the positions specified in Article I are geographical coordinates and the straight lines connecting them are indicated in the chart annexed hereto, which has been signed by the officials duly authorised for the purpose by the two Governments respectively.

Article III

The actual location at sea and on the seabed of the positions specified in Article I shall be determined by a method to be mutually agreed upon by the two Governments respectively.

Article IV

(1) Each Party shall have sovereignty over all islands falling on its side of the aforesaid boundary, as well as over the territorial waters and the airspace above them.

(2) Each Party shall have sovereign rights and exclusive jurisdiction over the continental shelf and the exclusive economic zone as well as over their resources, whether living or non-living, falling on its own side of the aforesaid boundary.

(3) Each Party shall respect rights of navigation through its territorial sea and the exclusive economic zone in accordance with its laws and regulations and the rules of international law.

Article V

If any single geological petroleum or natural gas structure or field, or any single geological structure or field of any mineral deposit, including sand or gravel, extends across the boundary referred to in Article I and the part of such structure or field which is situated on one side of the boundary is exploited, in whole or in part, from the other side of the boundary, the two countries shall seek to reach agreement as to the manner in which the structure or field shall be most effectively exploited and the manner in which the proceeds deriving therefrom shall be apportioned.

Article VI

The Agreement shall be subject to ratification. It shall enter into force on the date of exchange of instruments of ratification which shall take place as soon as possible.

Sd/-YB Chavan
FOR THE GOVERNMENT OF
THE REPUBLIC OF INDIA

Sd/-AHilmy Didi
FOR THE GOVERNMENT OF
THE REPUBLIC OF MALDIVES

New Delhi, 28th December, 1976

On December 5, 1976, the Republic of Maldives entered into law two bills related to the establishment and enforcement of an "exclusive economic zone." The text of the two laws are as follows:

LAW NO. 30/76 OF 27TH NOVEMBER 1976, RELATING TO THE EXCLUSIVE ECONOMIC ZONE OF THE REPUBLIC OF MALDIVES.

No. 30/76
5th December, 1976

1. The area, including the sea as well as the sea-bed and sub-soil thereof, situated within the line joining the points of which the co-ordinates are given below, shall constitute the Exclusive Economic Zone of the Republic of Maldives.

(1)	7°57'27"N	69°35'45"E
(2)	7°57'27"N	69°11'48"E
(3)	4°02'20"S	69°11'48"E
(4)	4°02'20"S	77°05'42"E
(5)	3°27'15"N	77°05'42"E
(6)	4°47'04"N	77°01'40"E
(7)	4°52'15"N	76°56'48"E
(8)	5°05'35"N	76°43'15"E
(9)	5°13'56"N	76°36'48"E
(10)	6°28'14"N	75°41'34"E

**Agreement between Sri Lanka, India and Maldives concerning the Determination of
the Trijunction Point between the three Countries in the Gulf of Mannar
23, 24 and 31 July 1976**

The Government of the Republic of Sri Lanka, the Government of the Republic of India and the Government of the Republic of Maldives,

Recalling the Agreement between Sri Lanka and India on the Maritime Boundary between the two countries in the Gulf of Mannar, etc., signed in March 1976,

Noting the negotiations which are being conducted between India and Maldives concerning the maritime boundary between their two countries in the Arabian Sea,

And desiring to determine the location of the trijunction point between Sri Lanka, India and Maldives in the sea beyond the Gulf of Mannar,

Have agreed as follows:

Article 1

The trijunction point between Sri Lanka, India and Maldives in the sea beyond the Gulf of Mannar, which is equidistant from the nearest points on the coasts of Sri Lanka, India and Maldives respectively, shall be the point, which has been agreed to be called point T, defined by latitude and longitude as follows:

Point T: 04° 47.04" N (latitude) 77° 01.40" E (longitude)

Article 2

The trijunction point (point T), whose geographical coordinates have been mentioned in Article I, has been indicated in the chart annexed hereto, which has been signed by the persons duly authorised for the purpose by the three Governments, respectively.

Article 3

The actual location at sea and on the sea-bed of the trijunction point shall be determined by a method to be mutually agreed upon by the persons authorised for the purpose by the three Governments, respectively.

Article 4

This Agreement shall come into force upon signature. If the Agreement is signed on different dates, it shall enter into force on the date of last signature.

Colombo: 23 July, 1976 Colombo: 24 July, 1976 Male: 31 July, 1976.