



International Foundation for Electoral Systems

Trust and Remuneration for Elected Representatives: A Vicious or Virtuous Cycle?



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Executive Summary

The rise of the *Aragalaya* ("The Struggle" in Sinhala) protest movement in Sri Lanka, triggered by the government's defaulting on its debts in April 2022, highlighted the public's belief that some of its elected officials are untrustworthy and corrupt. Demand for reforms is high; a supermajority of survey respondents in Sri Lanka in 2023 agreed that enforcing anti-corruption mechanisms equally across political parties (76 percent) and having an impartial judiciary (79 percent) and strong institutions with politically neutral or independent structures (72 percent) would increase their confidence in elected officials. Similar dissatisfaction with elected representatives and demand for reform and accountability can be observed in many countries that have been reeling from overall dissatisfaction with and, in some places, abandonment of, democracy.

In hopes of building more resilient democracies that are bolstered by democratic trust, the International Foundation for Electoral Systems (IFES) undertook this research project. It compares the formal and informal remuneration that elected officials receive in Ecuador, Nepal, New Zealand, and Sri Lanka. This comparative research identifies 16 categories of benefits given to and restrictions placed on elected officials. These serve as a menu of options for others. The research also uncovers two ongoing challenges in rebuilding trust in elected officials via remuneration reform: constituents' perceptions that officials receive more financial compensation than they actually do, and officials' receipt of informal benefits.

This research leads us to make five recommendations to countries considering remuneration reform or reflecting on their current practices:

- 1. Ensure reasonable remuneration that is responsive to economic and other pressures.
- 2. Keep the public informed about remuneration practices and, importantly, any changes to them.
- 3. Require asset and income disclosure to increase transparency around officials' earnings.
- 4. Limit benefits extended to officials' family members and prohibit nepotism.
- 5. Limit unnecessary international travel and manage perceptions of abuse.

Countries that strive to incorporate these reforms into their legal frameworks or common practices may help build a *virtuous cycle* of remuneration for and earned trust in elected officials. Improved trust may ultimately contribute to stronger, more resilient democracies.

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Introduction

Trust is an essential building block of democracy. Constituents in democratic systems expect the people, procedures, and institutions that comprise the political machine not to further their own self-interests, but to represent and work on behalf of the people. Such trust – a personal assessment made about the integrity of an individual, situation, process, or entity – is often influenced by numerous experiences, facts, or perceptions¹. Trust in elected officials is thus driven simultaneously, though not always equally, by a person's experiences with and perceptions of specific politicians, political processes, and political institutions.²

In a democracy, trust in government officials, institutions, or processes is easily taken for granted; however, in the current era of democratic backsliding, there is increased recognition of its incredible fragility. Political and economic crises become cautionary tales in how *untrustworthiness* engendered by elected officials – due to perceptions about their incomes, both formal and informal; widescale mismanagement and under-delivery of public services; and corruption – can lead to sustained social unrest, as witnessed in Sri Lanka in 2022. In order to help build democracies more resilient to such shocks in the future, IFES set out to gain a more comprehensive understanding of how remuneration impacts democratic trust. The aim of this study is to analyze the remuneration constraints and practices of elected officials in various national contexts.

This report first offers an overview of the dire state of trust in political elites globally and the known link between trust and perceived or real corruption. It also justifies the focus on remuneration as a lens into this connection. After outlining the research plan and the unique challenges to conducting research on remuneration for elected representatives, this paper presents the first comprehensive menu of 16 categories of benefits afforded to and restrictions placed on these elected officials. This multi-method research, conducted in Sri Lanka, Nepal, Ecuador, and New Zealand, uncovered two mutually reinforcing challenges to rebuilding trust in elected officials through remuneration: constituents' perception that officials receive more financial compensation than they formally do along with officials' receipt of numerous informal benefits in practice. This comparative analysis generated the six recommendations for remuneration reform presented in the final section of the report, which, if undertaken, stand to motivate a *virtuous cycle* of remuneration practices and trust in officials.

On defining trust, see Uslaner, E. M. (ed.) (2018). The Oxford Handbook of Social and Political Trust. Oxford University Press. In particular, see chapters "Trust and Democracy" by Warren, M., and "Measuring Trust" by Bauer, P. C., & Freitag, M.

^{2.} Emmons, C., Vickery, C., & Shein, E. (2022). Democracy and the Crisis of Trust. Foreign Policy, November.

Motivation: Understanding Global Trends in Democracy, Trust, Corruption, and Equality

Fewer people today than 20 years ago believe in the normative and functional promises of democracy. Since the mid-2000s, people in every region of the world increasingly say it is *bad* to have a democratic political system, with that number nearly tripling in some regions according to data from five waves of the World Values Survey (Figure 1).³ At the same time, there is a growing preference in every region for leaders "who do not have to bother with parliament and elections" (Figure 2).⁴ Objective measures of democracy also indicate a global decline in its *quality* in the same time period.⁵



- Inglehart, R., Haerpfer, C., Moreno, A., Welzel, C., Kizilova, K., Diez-Medrano, J., Lagos, M., Norris, P., Ponarin, E., & Puranen, B. (eds.). (2022). <u>World Values Survey: All Rounds - Country-Pooled Datafile</u>. www.worldvaluessurvey.org. Madrid, Spain and Vienna, Austria: JD Systems Institute and WVSA Secretariat. <u>Dataset Version 3.0.0</u>.
- 4. Ibid.
- Gorokhovskaia, Y., & Grothe, C. (2024). *Ereedom in the World 2024: The Mounting Damage of Flawed Elections and Armed Conflict*. Freedom House; Lindberg, S. (ed). (2024). <u>Democracy Report 2024:</u> <u>Democracy Winning and Losing at the Ballot</u>. Varieties of Democracy Institute, Gothenburg, Sweden.



This current era of global democratic backsliding is characterized – and was arguably driven in part – by declining trust in democratic institutions, processes, and political leaders. These worrying trends demand investigation into the root causes of this distrust.

Overall dissatisfaction with and, in some places, abandonment of democracy is driven in part by *declining trust in elected institutions*. Confidence in parliaments, along with courts or justice systems, has been on the decline across most regions since the early 2000s (see Figure 3 on parliaments specifically).⁶ The Edelman Trust Barometer conducted in November 2023 found that respondents in more than half of the 28 countries surveyed *distrust* their governments.⁷ Citizens also perceived their state and local authorities to be corrupt at alarmingly high rates.⁸

^{6.} Inglehart, et al., *supra* note 3.

^{7.} Edelman Trust Institute. (2024). 2024 Edelman Trust Barometer Global Report.

Haerpfer, C., Inglehart, R., Moreno, A., Welzel, C., Kizilova, K., Diez-Medrano, J., Lagos, M., Norris, P., Ponarin, E. & Puranen, B. (eds.). (2022). <u>World Values Survey Wave 7 (2017–2022) Cross-National Data-Set</u>. Version: 4.0.0. World Values Survey Association.



These gaps in institutional trust can extend to the *people* who serve in prominent government or civil society roles, particularly when those individuals are ensnared in corruption scandals. Corruption has become normalized in many countries – both in everyday life and at the highest political levels. According to the most recent wave of the World Values Survey, civil servants – including members of the police and the judiciary – are perceived to be *at least somewhat* corrupt in most regions. Alarmingly, as many as 60 percent of respondents from Africa and Latin America think all or most of the civil servants in their countries are corrupt.⁹ Other surveys reinforce those findings. An IPSOS poll on trustworthiness conducted in 28 countries in 2021 found that politicians generally and government ministers specifically were considered the two *least* trustworthy types of people.¹⁰

Distrust – at both the individual and institutional levels – is intrinsically tied to and can be worsened by corruption. Corruption can be defined as an "untrustworthy behavior," a betrayal of "entrusted power," or a "breach" of interactional or "formal justice."¹¹ Both *corruption* at the individual or institutional level and *distrust* of individuals or the system can be exacerbated by social *inequality*. Unfortunately, inequality is at an all-time high and rising in many parts of the world.¹² Trust, inequality, and corruption can mutually reinforce each other when corruption is

^{9.} *Ibid*.

^{10. 1} IPSOS. (2021). Global Trustworthiness Index 2021.

^{11.} You, J. (2017). Trust and Corruption. In Uslaner, E. M. (ed.). *The Oxford Handbook of Social and Political Trust* pp. 473–496. Oxford University Press.

^{12.} Qureshi, Z. (2023, May 16). *Rising Inequality: A Major Issue of Our Time*. Brookings.

low and equality and trust are high as part of "virtuous" cycles; alternatively, societies plagued by high inequality, sustained distrust, and continual corruption fall into "vicious" cycles.¹³

When investigating this causal relationship among the levels of inequality in a society, perceived and actual corruption, and generalized trust, measurement and conceptualization issues abound. For example, low levels of trust have been found to be "both a cause and consequence of corruption."¹⁴ The best-known methodologies capture *perceived* corruption, such as Transparency International's annual Corruption Perceptions Index. However, perceptions of corruption are only part of the puzzle. The more difficult task is identifying all possible inroads and methods of corruption to form an "objective" measure of actual corruption. To address this measurement challenge, researchers and practitioners can disaggregate corruption into measurable, observable practices.

One way corruption manifests is through the formal benefits (e.g., diplomatic passports) and informal kickbacks (e.g., gifts) that elected officials receive by virtue of their offices. There is some disjointed scholarly research on remuneration practices in individual countries, usually focusing on elites' reasons for preferring different remuneration structures¹⁵ or the effects of remuneration policy changes in those countries.¹⁶ However, a systematic international review of remuneration best practices and challenges is lacking. Given the connection between corruption and trust, a better understanding of current **remuneration practices for elected officials** and people's impressions of those practices can help make inroads to strengthen democratic trust.

Real-world circumstances further motivate this research and suggest a strong link between compensation for elected officials and levels of political trust. Namely, the Government of Sri Lanka defaulted on its debts for the first time in history in April 2022, leading to the president and cabinet resigning, a complete collapse of the economy, unprecedentedly high inflation, fuel shortages, lack of healthcare, and other socio-economic and political issues. The default precipitated the *Aragalaya* ("The Struggle" in Sinhala) protest movement, which also brought to light difficult conversations about political corruption. Although the economy is, at the time of this writing, showing signs of stabilization due to robust international assistance and a bailout package from the International Monetary Fund, economic disparities between the political elite and ordinary Sri Lankans have become a cornerstone of debates about Sri Lanka's democratic future. The *Aragalaya* movement acutely evinced the need to rebuild confidence in the democratic system – particularly in elected officials.

- 15. See, e.g., Holm Pedersen, L. H., Pedersen, R. T., & Bhatti, Y. (2018). <u>When Less is More: On Politicians'</u> <u>Attitudes to Remuneration</u>. *Public Administration*, 96(4), 668–689.
- 16. See, e.g., Braendle, T. (2014). Does Remuneration Affect the Discipline and the selection of Politicians? Evidence from Pay harmonization in the European Parliament. Public Choice, 162(1/2), 1–24.

See Ulsaner, E. M. (2008). <u>Corruption, Inequality, and the Rule of Law: The Bulging Pocket Makes the Easy</u> <u>Life</u>. Cambridge University Press; Rothstein, B. & Uslaner, E. M. (2005). <u>All for All: Equality, Corruption, and</u> <u>Social Trust</u>. World Politics, 58(1), 41–72.

^{14.} Morris, S. D., & Klesner, J. L. (2010). <u>Corruption and Trust: Theoretical Considerations and Evidence from</u> <u>Mexico</u>. *Comparative Political Studies*, 43(10), 1258–1285.

Scope and Approach

With the *Aragalaya* movement serving as the catalyst for this study, IFES researchers examined remuneration structures and norms for elected officials in four countries: Ecuador, Nepal, New Zealand, and Sri Lanka. The countries were chosen according to a *most-similar* and *most-different* in- and out-of-region design that permits robust conclusions that are not narrowly context-dependent. The driving factors in case selection were democracy score,¹⁷ development level,¹⁸ executive and legislative types,¹⁹ population,²⁰ GDP per capita,²¹ and region. The researchers selected two comparative cases within the region, along with one out-of-region example (Ecuador) that was most similar on all other counts. The two within-region cases were selected to be most different (New Zealand) and most similar (Nepal) along four other dimensions: democracy score, development level, population, and GDP per capita.²²

The research took place in three distinct stages. First, researchers conducted a thorough review of each country's legal code, looking for all explicit legal provisions about remuneration for elected officials. Principally, the research focused on members of the legislative branch – meaning the parliaments in Nepal, New Zealand, and Sri Lanka and the National Assembly in Ecuador. Throughout this document, all elected officials are referred to as Members of Parliament (MPs) or Assembly Members, as appropriate to each country's context. The scope of this study focuses on the remuneration rules relevant to all MPs and Assembly Members, not those in leadership positions. However, additional benefits provided according to rank are discussed when relevant.

During the legal analysis stage, it became clear how diffuse these rules and regulations can be. Remuneration standards are often dispersed throughout legal codes, necessitating review of various laws, regulations, policies, and practices across ministries and within multiple segments of the code. Some of those segments are not readily available for public scrutiny (e.g., not available at ministries or public institutions). The researchers also understood that even where rules and regulations are clearly outlined *de jure*, officeholders typically benefit from some degree of informal benefits that the law does not outline. The challenge then became how to identify the full set of possible remunerations.

- 17. Evaluation of both Freedom House status and average Variety of Democracy (V-Dem) scores calculated in 2022. The V-Dem average was calculated across the annual Liberal Democracy, Polyarchy, and Participatory Democracy index scores. Twenty-year regional trends also consulted.
- 18. Based on World Bank income groups.
- Cheibub, J. A., Gandhi, J., & Vreeland, J. R. (2010). <u>Democracy and dictatorship revisited</u>. *Public Choice*, 143(1/2), 67–101. Updated by authors with Economist Intelligence Unit political structure profiles.
- 20. World Bank Open Data. Population total.
- 21. World Bank Open Data. <u>GDP per capita</u>.
- 22. For more on case selection, see Annex 1.

Recognizing that remunerations are not always explicitly provided for or prohibited in the law, the researchers undertook a series of structured interviews with current and former MPs and Assembly Members in each country to gain insights on the additional benefits that elected officials know and utilize. During this second stage of research, the researchers also interviewed people who did not hold elected positions – namely journalists, academics, and members of civil society – to identify other benefits and better understand how much the public knows about their elected officials' remuneration. The non-MP interviewees thus needed to be positioned to be aware of the intricacies of MP compensation. In total, the researchers conducted 31 interviews between September 2022 and September 2023²³ with roughly the same number of elected officials and others who did not hold elected positions in each country. The scripts for the interviews appear in Annex 2. Originally envisaged as 30-minute conversations, the interviews tended to run closer to one hour. They were conducted in a mix of English and the respondents' native languages, with the assistance of trusted interpreters. The authors then hand-coded the interview data to identify practices within and patterns across the four countries' remuneration practices.

Compensation is a particularly sensitive and opaque topic, especially among elected officials. The research was designed to capture detailed insights from current and former MPs about compensation, checked against non-MPs' knowledge of the same. The non-MPs were able to provide some anecdotal (but non-representative) insights into public perceptions of elected officials. However, the goal of this research was to understand how those practices influence – or at least co-vary – with public perceptions. Since the leading regional surveys do not include all the countries in this study, the researchers conducted a survey of the Sri Lankan public in Stage 3 (hereinafter, the "Sri Lanka Survey"). The Sri Lanka Survey included 151 Sri Lankans from various ethnic, linguistic, and geographic backgrounds who responded to questions about what drives their trust or distrust of elected officials. It was conducted online in English, Tamil, and Sinhala between July and November 2023.

Research Challenges

Remuneration is a conceptually complex issue, and researching such a ubiquitous topic came with unique challenges.

Verification was the greatest challenge for this research. At times, no paper trail existed to triangulate information that the researchers gathered through interviews about a certain practice in a country. In such cases, the researchers triangulated among interviewees of different backgrounds. At other times, data available to the public from official sources was out of date and updates could not be reliably attributed. For instance, the Sri Lankan government's official immigration website outlining diplomatic passport rules²⁴ links to a list of "proposed" persons to be issued diplomatic passports, although the document itself does not bear a state

^{23.} Interviews in Ecuador were completed prior to the dissolution of the National Assembly in May 2023.

^{24.} Sri Lanka Department of Immigration and Emigration. (2022). Issue of Passports.

Scope and Approach

insignia or a date.²⁵ There was also no list of specific eligible persons to cross-reference. In many cases, the combination of research methods enabled the researchers to overcome this type of limitation. Where relevant, the following analysis identifies these transparency limitations.

Finally, the specter of unauthorized benefits (e.g., bribes, informal payments, corruption) loomed over this research, especially during interviews with MPs. To respect cultural sensitivities, the researchers did not ask any direct questions about bribes or corruption.²⁶ However, in several interviews, MPs offered insights into the state of such unauthorized benefits in their countries.

Together, these challenges extended the research period beyond what was originally envisaged. Nevertheless, the combination of the three methods of data collection and generation enables us to draw generalizable conclusions about the composition of remu neration packages and to identify common opportunities and challenges to remuneration as a mechanism for building trust between elected officials and the electorate.

^{25.} Proposed List of Persons to be Issued with Diplomatic Passports.

^{26.} Interview scripts are available in Annex 2.

Understanding Remuneration for and Restrictions on Elected Officials

In exchange for their service, elected officials are compensated through comprehensive remuneration packages outlined in a country's laws and regulations. Formal **benefits and allowances** typically encompass the total compensation proactively bestowed upon representatives, including wages, categorized spending allowances, and myriad benefits that may also extend to family. Those benefits sometimes track with basic provisions afforded to public employees, such as healthcare; others are unique or modified due to the elected officials' status. At the same time, formal **restrictions** on elected officials typically include limits on earned income, other compensation, or elected officials' (or their families') conduct due to their status as representatives. Such restrictions often are imposed to ensure that the officials' representation is not influenced by loyalties to anyone other than their constituents, including for personal gain.

While such benefits and restrictions tend to be explicit in the law, they are not always listed in one central place. Many countries have formal codes of conduct that outline at least some of these rights and responsibilities (New Zealand and Sri Lanka, for example). In other countries, these provisions are codified in disparate rules, regulations, or parts of the law (such as Nepal, which has no central code of conduct for MPs). Each studied country also sets remuneration in different ways. In New Zealand, the Remuneration Authority, on an annual basis, consults specific criteria to determine MPs' remuneration.²⁷ In Ecuador, the Legislative Administration Council (El Consejo de Administración Legislativa, or CAL) establishes remuneration.²⁸ In Nepal, the government may update MPs' remuneration "in a manner not to be to the disadvantage of

^{27.} The <u>Remuneration Authority Act 1977</u> establishes the Remuneration Authority, which consists of three members appointed by the governor-general for three-year terms. Section 12 of the Act explicitly grants the Authority the right to determine "the salaries and allowances of members of the House of Representatives" in accordance with the Members of Parliament (Remuneration and Services) Act 2013. *See also Remuneration process.* (2024). Remuneration Authority.

^{28.} National Assembly of the Republic of Ecuador. Organic Law of the Legislative Function (translated from Ley Organica de la Funcion Legislativa), Registro Oficial Suplemento 642 §160. (2009). (Ecuador). The CAL comprises the President of the National Assembly, two Vice-Presidents, four Assembly Members, and the Secretary-General (also acting as the Secretary-General for the CAL). See Legislative Administration Council (CAL). Asamblea Nacional, Republica del Ecuador.

the Office-bearers or Members" via "a notice in the Nepal Gazette."²⁹ In Sri Lanka, Parliament itself establishes remuneration for all MPs, "by law or resolution" after the start of its term.³⁰

In any case, remuneration policies are often open to reinterpretation by individual legislatures or administrations. That flexibility enables elected officials to undertake reforms reflective of the country's current state of affairs (e.g., elected officials taking pay cuts in line with austerity measures or national crises). However, these gray areas also invite opportunity for corruption. As has been discussed, uncertainty about the perceived and real benefits elected officials receive can drive down trust in those officials.

Table 1 summarizes the remuneration provisions identified through analysis of the four cases. These 16 categories of remuneration provided to and restrictions placed on elected officials take many styles. The remainder of this section discusses each category and identifies more specific sub-categories of salaries, benefits, and restrictions identified through this research. When all countries provide the same benefits, they are labelled "Standard" in Table 1. When two to three countries provide a benefit, it is considered "Typical." When a provision is available in only one country under investigation, it is considered "Rare." Table 1 also summarizes key points of variation.

^{29.} Parliament of Nepal. <u>Remuneration and Facilities of Authorities and Members of Parliament Act, 2052</u> (1996). Schedule-1. (Nepal).

^{30.} Parliament of Sri Lanka, Secretariat. <u>Constitution of the Democratic Socialist Republic of Sri Lanka</u> (revised edition 2023), Chapter X.

Type of Benefit or Restriction	Availability	Points of Variation	
Benefits & Allowances			
Salary and Allowances	Standard	Amounts and calendar flexible; some	
		amounts vary by position	
Paid Leave	Standard	Follow practices for all public employees	
	💿 🐑 🚭 🕕		
Parental Leave	Standard	Provisions vary widely	
Travel and Transportation	Standard		
Ground Transit	Typical	Cars, local transit reimbursement	
Air Transit	Typical	For those not from the capital	
Accommodations	Standard	Reimbursement style or state-maintained	
	🖉 🗲 🍼 🕕	housing; distance-determinate	
Security	Standard	Follows mandate for protection of all	
		public employees	
Additional Security Based	Typical	Personal security under certain	
on Office or Rank	🐌 🌏 💽	conditions	
Office Expenses	Standard	Range broadly	
	💿 🐑 🍼 🕕		
Communications Technology	Standard	Narrowly consistent	
	🐌 🐑 🚭 🕕		
Medical Provisions	Standard	Varies significantly, sometimes beyond	
		those for other public employees	
Tax Breaks*	Typical		
	💽 🍾 🌍		
Income-Related Tax Breaks	Typical	Breaks on some direct income	
	٢		
Tax-Free Discretionary	Rare	Funds to cover "true costs" of business	
Funds	★ *		

Table 1 Common Remuneration Benefits and Restrictions on Elected Officials

Type of Benefit or Restriction	Availability	Points of Variation		
Staff Selection and Benefits	Typical	Choice of assistants; funds specifically for their travel is rare		
Familial Benefits	Standard			
Formal Benefits	Typical	Pensions, passports, travel perks		
Informal Benefits	Typical	Official positions in government		
Restrictions				
Asset Disclosure	Typical	Review and timeline vary		
Gift Restrictions and Reporting Requirements	Standard	Vary based on the value of gifts; punishments also vary with value and context		
Income Limitations for Outside Employment	Rare	Explicit limitations on the total one can earn		
Sitting on boards of for- profit companies	Typical			
Restrictions on Family Members	Standard			
Professional Positions	Rare	Often de facto prohibited, but enforcement is inconsistent		
Financial	Typical	Implications for the MP		

Note for Table 1: *Tax information was not available for Nepal, so the maximum possible score for the category is "Typical."

Benefits and Allowances Afforded to Elected Officials Salary and allowances

This category of benefits encompasses direct payments to elected officials as part of their compensation, including wages, emoluments, per diems (i.e., fixed daily allowances to cover travel expenses), pensions, and severances. The structure of these payments varies significantly from country to country and is sometimes supplemented by additional allowances tied to activities.

In each country, MPs receive a base salary paid on a regular schedule, which can scale up based on one's rank. Table 2 provides an overview of recent base salaries for an ordinary MP (e.g., not a speaker or holder of another senior position), with calculations in U.S. dollars as of April 2024. In Ecuador, all Assembly Members receive 12 monthly payments as well as two additional payments annually.³¹ In New Zealand, all MPs are paid "fortnightly in arrears by direct credit to a nominated bank account."³² The Remuneration Authority determines New Zealand MPs' salaries based on several factors: the office (e.g., speaker, whip); the electorate, meaning which mechanism of the mixed-member proportional system led to that individual serving in office; or "any other considerations that the Remuneration Authority may determine."³³ The prime minister, speaker, and MPs generally also receive a separate allowance for basic expenses.³⁴ Sri Lankan MPs of higher rank, such as the speaker and deputy speaker, earn a higher base salary, paid monthly, than regular MPs.³⁵ Monthly remuneration for office-bearers and members in Nepal is scaled by position as well.³⁶

Additional allowances are also available in most places based on an elected official's office and duties. In New Zealand, the prime minister, speaker, and MPs receive supplementary allowances in addition to their base pay meant to cover out-of-pocket expenses for related parliamentary business, such as donations, raffle tickets, passport photos, and meals.³⁷ Nepalese MPs receive a salary monthly plus an additional daily allowance when they attend meetings "of any House or any Committee or the joint meeting of both Houses" and during scheduled recesses.³⁸ Sri Lankan MPs receive a sitting allowance for each session of Parliament

- 36. Parliament of Nepal, supra at note 29, Schedule-1. (Nepal).
- 37. McGee, D., supra at note 34. See also Income Tax Act 2007 (N.Z.).
- 38. Parliament of Nepal, supra at note 29, §§ 3-4.3. (Nepal).

^{31.} The thirteenth payment is equivalent to an additional month of the MP's salary, while the fourteenth payment is equivalent to one minimum-wage monthly salary. These payments are provided to all eligible Ecuadorian workers as per §§ 111, 113 of the Labor Code (translated from <u>Código de Trabajo</u>), Registro Oficial Suplemento 167. (2005). (Ecuador).

^{32.} New Zealand Parliament. Members' Guide (Aratiki Mema), 52nd Parliament.

^{33.} Members of Parliament (Remuneration and Services) Act Part 2, §8. (2013). (N.Z.). On the differences in "electorate," see Mixed-Member Proportional System Explainer on the Election Commission website.

^{34.} McGee, D. (2023). <u>Members' Conditions of Service</u>. In Wilson, D. (ed.), *Parliamentary Practice in New Zealand* (p. 70). *See also* Income Tax Act 2007 (N.Z.).

^{35.}_Daily Mirror. (2023, April 2). Lawmakers paying 36% as tax and their salaries exposed! Dailymirror.lk.

they attend and a committee allowance for attending committee meetings on non-sitting days in addition to their monthly base salaries. As of 2019, the sitting allowance was 2,500 rupees per day.³⁹ In contrast, remuneration in Ecuador is standard for all Assembly Members and the amounts are available publicly via an information portal, website, or other appropriate means.⁴⁰

	Annual Salary (local currency)	Annual Salary (current USD)
Ecuador (2022)	US \$57,108	\$57,108
New Zealand 54th Parliament (2023-26)	NZ \$163,961	\$96,670
Nepal (2021)	NPR 6,624,012	\$49,728
Sri Lanka (2019)	Rs 651,420	\$2,157

Table 2	Annual Base Salary for MPs in Each Country (local currency and current USD) ⁴¹
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In some countries, the economic situation or other crises also may factor into annual salary rates. For instance, the base salary for Assembly Members in Ecuador was reduced following the 2015 economic crisis, and then reduced again to align with policies of austerity. Similarly, in New Zealand, MPs took a 10 percent pay cut to show solidarity with those affected by the coronavirus pandemic in 2020.⁴² This is one way government bodies can be responsive to and reflective of the pressures faced by constituents during crises.⁴³

39. Parliament of Sri Lanka. (2019, March 21). Allowances and Benefits.

^{40.} National Assembly of the Republic of Ecuador. Organic Law of Transparency and Access to Public Information (translated from Ley Orgánica de Transparencia y Acceso a la Información Pública), Registro Oficial Suplemento 337 § 7 (c). (2004).

^{41.} Nepal monthly salary provided in <u>Ministry of Justice</u>, <u>Notice 9</u>, <u>Regarding the salary scale of various officials of the state</u>; see also <u>Know how much a minister</u>, an <u>MP and other high officials earn in Nepal</u>. (2021, September 7). OnlineKhabar English; New Zealand salary schedule as provided in <u>Parliamentary Salaries and Allowances Determination (No 2)</u>. (2020); Ecuador National Assembly monthly remuneration per position (2022) provided in <u>Organic Law of Transparency and Access to Public Information Literal c. – Remuneración mensual por puesto</u>, *supra* at note 40; Sri Lanka Allowances and Benefits provided in <u>Allowances and Benefits provided to Members of Parliament</u>. Note: the base salary reflected in this table does not include earned income through sitting allowances for Sri Lankan MPs.

^{42.} See Walls, J. (2020, July 25). <u>Covid 19 coronavirus: MPs' pay cuts finally in effect after Jacinda Ardern</u> <u>promised them three months ago.</u> The Herald; Roy, E. A. (2020, April 15). <u>Jacinda Ardern and ministers</u> <u>take pay cut in solidarity with those hit by Covid-19</u>. The Guardian.

^{43.} In Sri Lanka, the decision to suspend the tax-exempt vehicle permit scheme for MPs amid economic challenges sparked widespread debate. While proponents argued that the measure was necessary to address fiscal constraints, opponents – mostly new MPs eager to avail themselves of the permit before their terms end – maintain that the ban hampers their ability to perform their duties. Such controversies underscore the importance of transparent and accountable remuneration practices in times of economic uncertainty. See Controversy surrounds request for vehicle permits by MPs amid economic challenges. (2023, December 10). Hiru News.

Paid leave

This category of benefits includes vacation time, personal time, parental leave, sick leave, bereavement leave, and other types of paid time off extended to elected officials.

Elected officials tend to receive paid leave in amounts similar to other public employees in their country. In New Zealand, all public employees have public holidays off⁴⁴ with and a minimum of 10 days of sick leave, and they are entitled to additional types of leave as outlined in the law and determined by the Ministry of Business, Innovation and Employment.⁴⁵ In Nepal, all employees are entitled to 12 days of paid sick leave per year, adjusted proportionally.⁴⁶ In Ecuador, employment contracts can specify sick leave following either the Organic Law on Public Service or the Labor Code, which specify different minimum sick leave limits.⁴⁷ In Sri Lanka, after public or private sector employees have held a position for two years, they are entitled to seven days of casual or sick leave; in their first year of employment, they are granted four to 14 days of fully remunerated annual leave depending on the month when the contract starts.⁴⁸

Parental leave varies most significantly from country to country and based on the conditions of the family. In New Zealand, after the birth or adoption of a child, the primary caregiver is granted 26 weeks of paid parental leave, in addition to special paid leave for pregnant women "for reasons associated with the pregnancy."⁴⁹ In Sri Lanka, a new mother may receive continuous leave for up to 84 work days (21 weeks) after birth at full pay with options to extend at reduced pay rates for an additional 84 days; the minimum maternity leave is 4 weeks.⁵⁰ As of September 2023, adoptive mothers in Sri Lanka are permitted up to four months of leave after adoption; adoptive fathers are permitted three working days of paternity leave.⁵¹ In Ecuador, new mothers are entitled to 12 weeks of maternity leave, with additional time granted for multiple births and caesarean section deliveries; new fathers receive a 10-day paternity leave after the birth of

- 44. Public holidays, including religious holidays and Provincial Anniversary Days, are named in the Holidays Act 2003, although the specific dates are determined annually based on the calendar. Days of observance for holidays that fall on weekends are determined by Employment New Zealand. *See* Employment New Zealand. (2024, March 2). *Public holidays and anniversary dates.*
- 45. For a full overview, see Employment New Zealand. (n.d.). Leave and holidays.
- 46. Nepal Leave Laws & Holidays. (2024, January 17). <u>Vacation Tracker</u>. The authors could not triangulate this source through other sources.
- See <u>Help Ecuador: Labor Rights.</u> (n.d.). UNHCR; National Assembly of the Republic of Ecuador. Organic Law on Public Service (translated from <u>Ley Orgánica de Servicio Público</u>), Registro Oficial Suplemento 294. (2010). (Ecuador).
- 48. Shop and Office Employees (Regulation of Employment and Remuneration) Act, Part I, §6. (1954). (Sri Lanka).
- Buchanan, K. (2017, December 5). <u>New Zealand: Paid Parental Leave to Be Extended to 26 Weeks by 2020</u>. Library of Congress, Washington, D.C. See also Parental Leave and Employment Protection Amendment Bill No. 1-2. (2017). (N.Z.).
- 50. Sri Lanka Ministry of Public Administration, Home Affairs, Provincial Councils and Local Government. (2005). Public Administrations Circular (4/2005): Maternity Leave – Chapter XII of the Establishments Code.
- 51. Sri Lanka Ministry of Public Administration, Home Affairs, Provincial Councils and Local Government. (2023). <u>Public Administration Circular 16/2023: Granting Leave for a Public Officer for Adoption of a Child.</u>

their child, with additional time for caesarean section deliveries (15 days in total).⁵² In Nepal, women working in government receive a minimum of 98 days of leave with pay, which they can take before or after delivery; men with pregnant wives can take 15 days of paid leave. Additional leave is provided for "complicated surgery ... per the opinion of the specialist doctor due to morbidity."⁵³ Parental leave, like sick leave, is often in line with the leave schedules for public employees in the country generally, and not unique for elected officials.

Travel and transportation

This category of benefits includes such expenses as flights, taxis, rental cars, parking, tolls, and fuel, among other travel-related expenditures. In every country studied, elected officials received some kind of travel and transportation benefit.

Cars, drivers, or fuel allowances are provided to high-ranking elected officials in most countries. All MPs in New Zealand are permitted to use a personal car and submit requests for reimbursement or to use a taxi or rental car when on domestic official travel.⁵⁴ The speaker, deputy speaker, leader of the opposition, and leader of any political party with more than 25 members in Parliament are entitled to chauffeur-driven cars. In Nepal, every high-ranking office-bearer⁵⁵ is provided an automobile and fuel and does *not* need "to submit bills and vouchers of fuel and mobile received by them."⁵⁶ In Sri Lanka, until recently, all MPs received a tax-exempt permit (valued at approximately Rs. 20 million, or USD 66,350) to import a personal vehicle. This scheme is currently on hold, citing the economic crisis.⁵⁷ MPs, however, still receive a driver allowance if they are not provided a driver directly from the government; they also receive a fuel allowance, which is calculated based on the distance from Parliament to each MP's district and "the approved market price of one litre of diesel on the first day of every month."⁵⁸ In contrast, Assembly Members in Ecuador are not generally provided with cars or transportation within the capital, Quito.

Other types of transit costs are also commonly provided, especially for MPs who do not receive a driver or car allowance. In Ecuador, while there is no car allowance, Assembly Members with permanent residences outside Quito are entitled to 52 domestic round-trip airfares per year (one per week). Thirteen of those flights may be to destinations other than a legislator's primary

- 54. New Zealand Parliament. (n.d.). Speaker's Directions 2020.
- 55. "Office-bearer' means the Speaker, Chairperson, Leader of Opposition Party, Leader of Ruling Party, Chief Whip of Ruling Party, Deputy Speaker, Vice-Chairperson, Chief Whip of Opposition Party, Whip of Ruling Party and Chairperson." Parliament of Nepal, *supra* at note 29, § 2. (Nepal).
- 56. Parliament of Nepal, supra at note 29, §10, Schedule-1. (Nepal).
- 57. Vehicle permits to contest? (2024, February 4). The Morning.
- 58. MPs are not entitled to an official vehicle unless they are appointed as a Minister. See Parliament of Sri Lanka, supra at note 39. MPs receive monthly fuel allowances that are calculated based on the nationwide price of fuel and the MP's represented district. This figure "ranges between Rs. 15,000 to Rs. 65,000 [USD 49.76 to USD 215.64]." <u>SL MPs fuel allowance to be reduced in dollar crisis</u>. (2022, March 30). The Sunday Times.

^{52.} See UNHCR, supra at note 47; National Assembly of the Republic of Ecuador, supra at note 31. Labor Code §152. (Ecuador).

^{53.} The Right to Safe Motherhood and Reproductive Health Act, 2075 §§ 13, 14. (2018). (Nepal).

residence.⁵⁹ In Nepal, MPs receive 1,000 rupees (USD 7.50) for each day they must travel to participate in meetings in any House of Parliament, committee, or joint meeting of both houses, as well as a few days before and after; MPs are also entitled to a double travel allowance when travelling and returning to their permanent residences on the same day.⁶⁰ Thus, some kind of transportation benefit is standard, but the specific provisions vary significantly within and across countries.

Accommodations

This category of benefits can include housing provisions or rent and utilities allowances for elected officials. Rent allowances are often provided to officials who live beyond a certain distance from Parliament and cannot reasonably commute to legislative sessions from their primary residences.

Housing units are sometimes maintained for MPs' use. For instance, in Sri Lanka, the Members' Services Office maintains the Madiwela Housing Complex for rent by eligible MPs based outside of Colombo. The Members' Services Office is tasked with maintaining those housing units and providing services to the official residence of the speaker.⁶¹ In New Zealand, the Office of Ministerial Services may allocate an official residence to any minister whose home base is "outside the Wellington commuting area."⁶² The government will cover costs associated with moving from the minister's current residence to this official residence and "maintenance and support services commensurate with the status of the official residence."⁶³ Since February 2022, New Zealand MPs who cannot use the accommodations due to unforeseen and unavoidable circumstances can receive temporary funds for a second accommodation – for instance, if they are facing a security threat.

Other accommodation arrangements operate based on direct compensation or reimbursement. For instance, in Nepal, the government "shall bear the whole tariff of electricity and water supply installed with the residence of the Speaker and the Chairperson" in addition to arrangements for housing. If government housing cannot be provided directly for any reason, MPs will receive monthly stipends to cover housing costs, including installation of electricity and water supply and reimbursement for a certain number of telephone calls per month.⁶⁴ In Ecuador, Assembly Members whose place of residence is located more than 60 miles from Quito receive compensation for a rental home.⁶⁵ Some kind of accommodation provision is standard.

62. New Zealand Parliament. <u>Members of Parliament (Accommodation Services for Members and Travel</u> <u>Services for Family Members) Determination 2020</u> (LI 2020/206), Sec. 26. (2023). (N.Z.).

- 64. Parliament of Nepal, supra at note 29, §§9, 11. (Nepal).
- 65. National Assembly of the Republic of Ecuador, *supra* at note 28. Organic Law of Legislative Function, §160. (Ecuador).

^{59.} Celi, E. (2019, May 12). Cada asambleísta cuesta USD 15,000 mensuales, en promedio. Primicias.

^{60.} Parliament of Nepal, *supra* at note 29, <u>Annex-I (updated 2020)</u>, §§4.4, 10.5. (Nepal). The authors could not independently verify the data points about Nepal in this paragraph.

^{61.} The Madiwela Housing Complex consists of 120 housing units, each with an area of 900 square feet and equipped with three bedrooms and a parking space. *See* Parliament of Sri Lanka (n.d.). *Members' Services Office*.

^{63.} *Ibid.*

Security

This category of benefits includes security services provided to elected officials for their personal safety.

Governments typically provide blanket security services to all elected officials. For instance, in New Zealand, the Intelligence and Security Agency provides any "public authority" with "protective security services, advice, and assistance."⁶⁶ This includes personnel, information, and physical security, as well as advice about national security risks. In Sri Lanka, the Ministerial Security Division provides police protection to all MPs.⁶⁷ In Ecuador, the Legislative Escort of the National Police is charged with securing the legislative area, and thus the members, although no specific additional security is provided for Assembly Members.⁶⁸

Higher-ranking officials often receive additional security. The president of the Assembly in Ecuador has a police escort, for example. Likewise, in Sri Lanka, the Sri Lankan Army oversees a special unit dedicated to protecting the prime minister.⁶⁹ In Nepal, the number of security personnel assigned to parliamentary leadership is similarly based on rank.⁷⁰ Security provisions thus vary widely from those afforded to all public employees and special accommodations.

Office expenses

This category of benefits often includes office space, furniture, and other supplies an elected official might need to fully perform their work duties.

It is typical for a parliament to provide office space for its members; sometimes, it may also provide electronic devices or funds for office expenses. In New Zealand, for example, MPs receive furnished office space and can use dedicated funds to purchase computers, stationary supplies, and other office equipment.⁷¹ Similarly, in Nepal, all office-bearers are legally required to have office space equipped with furniture, typewriters, and telephones in the Parliament Secretariat.⁷²

Not all office spaces suit elected officials, who often desire the flexibility to work elsewhere, especially after the COVID-19 pandemic. For example, in Ecuador, while there is a dedicated building with offices for Assembly Members, internet connectivity issues reportedly disincentivize members from working there regularly. Sri Lankan MPs receive Rs. 100,000

- 68. National Assembly of the Republic of Ecuador, *supra* at note 28. Organic Law of Legislative Function, Second Special Provision. (Ecuador).
- 69. See Ministry of Defence, Public Security, Law and Order of Sri Lanka. (2008, January 11). <u>President's</u> <u>Security now Comes Under New Army Unit</u>.
- 70. Parliament of Nepal, supra at note 29, Schedule 3. (Nepal).
- 71. New Zealand Parliament, *supra* at note 32.
- 72. Parliament of Nepal, *supra* at note 29, §17. (Nepal).

^{66.} Intelligence and Security Act 2017, Sec. 11. (2023). (N.Z.).

^{67.} Parliament of Sri Lanka. (n.d.). <u>Security Officers of Deputy Ministers: Details</u>. In 2022, the Ministerial Security Division increased the security detail from two to six trained police officers, including a sub-inspector, for each MP. See Bird, R. (2022, May 13). <u>Additional security for MPs in Sri Lanka</u>. Newscutter.

(USD 331.75) per month to maintain offices of their choosing.⁷³ These provisions are specific for MPs as opposed to other public employees.

Communications and technology

Closely related to office expenses, this category of benefits typically provides elected officials with personal or professional information and communication technology (ICT), including telephones or other electronics (e.g., laptops, tablets). Elected officials in every country studied receive some type of ICT benefits.

Similar to office supplies, ICT benefits can be issued in the form of hardware or via a separate fund for acquiring such equipment. In New Zealand, an ICT Allocation, Members' Communication Appropriation, and Non-staff Allocation all help fund MPs' ICT costs. The funds may cover hardware (e.g., smartphones, computers) or services (e.g., cellphone usage charges, printing), with service levels varying depending on location and the type of equipment in use.⁷⁴ In Nepal, the government pays the deposit and other expenses incurred when installing a telephone line in buildings assigned to parliamentarians for their use as offices.⁷⁵ In Ecuador, the government pays for elected officials' internet plans and provides a cellphone and tablet for institutional use.⁷⁶ In Sri Lanka, all MPs receive a telephone allowance of Rs. 50,000 (USD 165.88) per month for a landline and mobile device.⁷⁷ These provisions, like office expenses, are uniquely defined for MPs versus other public employees.

Medical provisions

This category of benefits includes coverage for medical treatments, provision of medical insurance, or direct payments for medical services in countries without universal healthcare coverage. In countries with universal healthcare, elected officials may be eligible for supplemental medical care or coverage.

In some countries, elected officials receive the same medical care as other public sector employees. In Ecuador, by virtue of being in an officially employed position, Assembly Members are eligible for free health insurance and access to specific healthcare providers; they do not receive additional benefits beyond those available to other public sector employees.⁷⁸ In Sri Lanka, MPs must use the compulsory group insurance. MPs receive Rs. 6,000 (USD 19.91) for

- 74. New Zealand Parliament, *supra* at note 32.
- 75. Parliament of Nepal, *supra* at note 29, §11.2. (Nepal).
- 76. The cell phones and tablets are reportedly unreliable, and some Assembly Members opt not to use them. Interview data.
- 77. Parliament of Sri Lanka, *supra* at note 39.
- 78. This is true for any publicly employed adults in Ecuador; however, there is a large informal sphere (53.5 percent of workers), meaning that most Ecuadorians are not eligible. *See* Social Security Law (translated from Ley de Seguridad Social), Registro Oficial Suplemento 465, Article 2. (2001). (Ecuador); Instituto Nacional de Estadística y Censos. (2023). *National Survey of Employment, Unemployment, and Subemployment (translated from Encuesta Nacional de Empleo, Desempleo y Subempleo).* Labor indicators, 1st trimester of 2023. <u>https://www.ecuadorencifras.gob.ec/empleo-desempleo-y-subempleo/</u>

^{73.} Parliament of Sri Lanka, *supra* at note 39.

annual medical expenses at Sri Jayawardenepura General Hospital and Rs. 5,000 (USD 16.59) for eyeglasses every three years; they also may incur up to Rs. 200,000 (USD 663.50)-worth of inpatient medical treatment annually.⁷⁹

In some countries with universal healthcare, such as New Zealand, MPs are afforded additional benefits. Their Employee Assistance Programme is meant to provide MPs and other Parliamentary Service employees with "short-term support for personal or work-related issues that are impacting you and your work life."⁸⁰ Specifically, New Zealand MPs are eligible to use a confidential counseling and advice service for up to four fully funded sessions. In other countries, elected officials receive free or discounted medical services. In Nepal, for instance, senior doctors provide free services to MPs, and the government covers any hospital stays or emergency hospital treatment for MPs, as recommended by the senior doctors.⁸¹

Tax breaks⁸²

This category of benefits typically refers to any tax breaks that elected officials may receive on income or other taxable expenses. Not all countries offer these benefits, and the impact varies greatly in countries that do offer tax breaks.

Some of the tax breaks are income-related. For example, in Ecuador, the 13th and 14th salary payments are not subject to taxes.⁸³ In Sri Lanka, taxes on the allowances that MPs receive are based on Advance Personal Income Tax Table 01, published by the Department of Inland Revenue.⁸⁴ Beyond income, some benefits are exempt from taxes. In February 2023, the Sri Lankan Inland Revenue Department amended its instructions regarding non-cash benefits, significantly reducing the percentage of taxes that MPs pay on vehicles, fuel, accommodation, and communications allowances.⁸⁵

In other countries, elected officials have separate funds that are not subject to taxation, meant to compensate for expenses incurred during service. In New Zealand, for instance, in addition to their income (which is taxed like that of all public employees), MPs receive a basic tax-free expense allowance to reflect their "genuine expenses"; this is explicitly not considered remuneration under the Members' Conditions of Service.⁸⁶

- 79. Right to Information Request, submitted January 24, 2023 (No. P/I/23/0006).
- 80. New Zealand Parliament, *supra* at note 32.
- 81. Parliament of Nepal, *supra* at note 29, § 16. (Nepal).
- 82. Reliable information about the tax code in Nepal was not available, so its exclusion from this section is information driven, not an analytic choice.
- 83. National Assembly of the Republic of Ecuador, *supra* at note 31. Labor Code, §§ 112, 114. (Ecuador).
- 84. Right to Information Request, submitted January 24, 2023. (No. P/I/23/0006).
- 85. Inland Revenue Department. (2022). <u>Quantification of Values for non-cash benefits in calculating</u> <u>employment income, SEC/2022/E/05.</u> See also Kotudurage, R. (2023, February 12). <u>Intellectuals' views</u> <u>on relaxed PAYE taxes.</u> Sunday Observer. Sample bill at Numbers.lk [@numberslka]. (2023, May 3). <u>Taxes</u> <u>& MPs: How MPs in Sri Lanka Reduced Their Tax Liability from Rs. 76,000 to Rs. 17,000</u> [Tweet; photo of MP tax liability bill]. X (formerly known as Twitter).
- 86. See McGee, D., supra at note 34.

Staff selection and benefits

This category of benefits includes the ability to select, hire, and fire staff either directly hired or chosen from among a civil servant corps. Typically, these choices are based on expertise and personal preferences, but the elected officials do not usually need to justify their selections.

In practice in most countries, elected officials can select their staffers directly. Assembly Members in Ecuador are allowed to directly hire two advisors and two assistants as their personal staff.⁸⁷ Members in higher positions are allowed to hire additional advisors and assistants. Those advisors are, in theory, chosen for their substantive expertise and justified to the CAL, although staffers with personal ties to Assembly Members have reportedly been approved for positions that are outside their realm of expertise.⁸⁸ Similarly, in Sri Lanka, many MPs are known to employ their wives or relatives as their personal staff⁸⁹ despite the Code of Conduct for Members of Parliament stating that they must not expect any "financial … benefit or personal advantage for himself, [or] his family members."⁹⁰

In other countries, staffers are hired by the government and merely managed by elected officials. For example, in New Zealand, support staff are employed by the Parliamentary Service and managed by MPs. Although the MPs are involved in the recruitment process, they cannot ask staffers to engage in political party work on their behalf. All MPs receive a staff funding allocation, the level of which depends on the MP's position in Parliament.⁹¹

Additionally, in some countries, benefits extended to MPs are also extended to members of an MP's staff. For instance, in Sri Lanka, each MP is paid a total of Rs. 10,000 (USD 33.18) per month for the traveling expenses of four personal staff. In Nepal, MPs are provided furniture and a pre-determined amount of money "for office expenses of the personal secretariat and guest reception."⁹²

Familial benefits

This category captures benefits that are extended to the families of elected officials, such as tuition, travel, transportation, and security. The line between such familial benefits being written into law and being afforded informally often blurs.

- 87. National Assembly of the Republic of Ecuador, *supra* at note 28. Organic Law of Legislative Function, Chapter XVIII, §159. (Ecuador).
- 88. Id. See also interview data.
- 89. For example, *Sri Lanka Minister appoints family as staff, give themselves 7 vehicles: report.* (2022, April 28). EconomyNext.
- 90. Parliament of Sri Lanka. (2018). Code of Conduct for Members of Parliament. Part IV, §7. (Sri Lanka).
- 91. New Zealand Parliament, *supra* at note 32.
- 92. Parliament of Nepal, supra at note 29, §14, Schedule 3. (Nepal).

Formally sanctioned familial benefits vary widely country to country. Some are financial. For instance, an MP in Sri Lanka may designate their pension to be payable to a surviving spouse and children after their death.⁹³ Other formal permissions are more functional. For instance, in New Zealand, family members may travel with MPs who are traveling for parliamentary purposes or ministerial business, and spouses of certain members of the parliamentary leadership (e.g., speaker, deputy speaker) may use chauffeur-driven cars for purposes related to parliamentary work on which those MPs are engaged.⁹⁴ Sri Lankan MPs and their families are entitled to use the 19-room Holiday Bungalow ("General's House") in Nuwara Eliya, which is maintained by the Members' Services Office.⁹⁵ MPs' spouses and certain children are also eligible to receive official diplomatic passports.⁹⁶

Some informal benefits often extend to elected officials' families. Staff positions are sometimes offered to family members, who may or may not have area expertise related to the Assembly Member's portfolio.⁹⁷ In Sri Lanka, where dynastic politics have been the norm since independence with a few families dominating politics, nepotism is rife as spoils, much like power, are kept in the family⁹⁸ and politicians' children are given coveted diplomatic posts.⁹⁹ Nepotism among elected officials is reportedly widespread in Nepal as well.¹⁰⁰

Restrictions Placed on Elected Officials

Asset disclosure

This category of responsibilities requires officials to declare the financial and other assets they own, are invested in, or control. The disclosures may be fully available to the public or limited based on national legal culture and considerations.¹⁰¹

Elected officials in many countries are subject to some kind of asset disclosure procedures. In Sri Lanka, MPs are expected to report all assets as part of a Register of Members' Interests after they are elected.¹⁰² Moreover, the Anti-Corruption Act, No. 9 of 2023 (ACA) stipulates the requirements for regular declaration of assets and liabilities of elected officials, among others.

- 95, Parliament of Sri Lanka, supra at note 61.
- 96. Sri Lanka Department of Immigration and Emigration, supra at note 24.
- 97. Interview data.
- 98. See e.g., Of Nepo-Babies and Sri Lankan Politics. (2023, June 10). Daily FT.
- See, e.g., <u>UNP MP Chandrani B's Son Gets Diplomatic Posting</u>. (2014, September 25). Colombo Telegraph; Wijedasa, N. (2014, January 19). Foreign Service or Family Service? Sunday Times. <u>Ali Sabry's Photo with</u> <u>son at UN fuels nepotism outcry</u>. (2023, September 23). Daily Mirror.
- 100. See, e.g., Giri, A. (2023, August 3). Maoists seek probe into leaders' assets. Kathmandu Post.
- 101. For a discussion and comparative study of asset disclosure, *see* Organisation for Economic Co-operation and Development (OECD). (2011). *Asset Declarations for Public Officials: A Tool to Prevent Corruption*.
- 102. Parliament of Sri Lanka, supra at note 90, Part VI, §17. (Sri Lanka).

^{93.} Parliamentary Pensions (Amendment) Act (No. 47 of 1990), Sec. 7A, Sri Lanka Consolidated Acts. (1990).

^{94.} New Zealand Parliament, supra at note 62, Secs 50, 52. (2023). (N.Z.).

Disclosure is required within three months of appointment, annually, and if the value of assets and liabilities increase by Rs. 10 million (USD 33,175.01) or more.¹⁰³ The Regulation of Election Expenditure Act, No. 3 of 2023 requires all candidates, including incumbent MPs, to submit reports on election spending and donations after elections.¹⁰⁴ In New Zealand, MPs provide all information, in the form of an annual return of pecuniary and other specified interests, to the Registrar of Pecuniary and Other Specified Interests of Members of Parliament to be included in a register.¹⁰⁵ Those disclosures typically include assets held prior to being elected and catalog any assets acquired during the term of office. Similar disclosure policies are not currently in place in Nepal or Ecuador, as far as the researchers could confirm.¹⁰⁶

Gift restrictions and reporting requirements

This category of restrictions requires elected officials to report gifts, usually valued over a specific monetary amount, that they receive during their terms. All countries studied have gift restrictions for elected officials, often with stiff penalties for defying those restrictions, which the legal code often classifies as bribes.

The valuation limits differ from country to country. In New Zealand, officials must report all gifts over \$500NZ (USD 301.69), including multiple gifts by the same donor that total over that amount, and all debts over \$500NZ discharged or paid.¹⁰⁷ Accepting gifts, particularly of higher monetary value, is punished as if the MP had accepted bribes. In Nepal, public servants who accept goods or services at a reduced price without prior governmental approval "shall be liable to a punishment of imprisonment for a term from six months to one year depending on the degree of the offence and a fine equal to the amount involved." ¹⁰⁸ Gifts must also be previously approved, or else surrendered and registered immediately to avoid a three- to sixmonth prison sentence.¹⁰⁹ In Ecuador, public officials who receive an "undue economic or other benefit" face one to three years of imprisonment; if the gift or bribe is connected to another crime, such as for a particular vote, the prison term increases to five to seven years.¹¹⁰ In

- 105. New Zealand Parliament. <u>Standing Orders of the House of Representatives</u>, <u>Appendix B: Pecuniary and other specified interests</u>, (2020). (N.Z.).
- 106. The researchers found no United Nations Convention Against Corruption reviews or reports assessing how New Zealand, Nepal, or Ecuador handle asset declarations for elected officials.
- 107. New Zealand Parliament, *supra* at note 105, at Sec. 8.
- 108. Parliament of Nepal. The Prevention of Corruption Act, 2059 (2002), § 4. (Nepal).
- 109. *Id.* at para. 5.
- 110. National Assembly of the Republic of Ecuador. Organic Integral Criminal Code (translated from <u>Código</u> <u>Orgánico Integral Penal</u>) Registro Oficial Suplemento 180, Sec. 280. (2014). (Ecuador).

^{103.} Anti-Corruption Act, No. 9 of 2023, Para. 82. (2023). (Sri Lanka).

^{104.} The most recent United Nations Office on Drugs and Crime Country Review Report, following Review Cycle 2, outlined Sri Lanka's progress in implementing the United Nations Convention Against Corruption, which the country ratified in 2004. The report recommended that Sri Lanka implement a formal monitoring and/or verification system to track elected officials' noncompliance with their submitted declarations. Additional recommendations include eliminating payments to obtain electronic copies of elected officials' declarations so as to increase public participation and oversight. *See* Brunei Drussalam, Palau. (2018, September 3). *Country Review Report of Sri Lanka*. United Nations Office on Drugs and Crime.

Sri Lanka, a person is disqualified from running for parliamentary office or holding such office if found guilty of accepting a bribe or gratification within the seven years prior to their candidacy.¹¹¹

Sitting on boards of for-profit companies

Elected officials may be prohibited from being part of the governance structure of for-profit corporations while holding elected office. These types of restrictions are common, and violations typically have harsh consequences.

Prohibiting elected officials from participating in the governance of for-profit companies is intended to prevent conflicts of interest and ensure officials' focus is on serving the public interest. In Ecuador, elected officials may not perform *any* other public or private function except university teaching while holding office.¹¹² Breaking this rule is punishable with prison time. In Sri Lanka, an MP is disqualified from being elected to or sitting in Parliament "if he has any such interest in any such contract made by or on behalf of the State or a public corporation as Parliament shall by law prescribe."¹¹³ MPs in Sri Lanka are likewise required to disclose "any private interest or conflict of interests relating to their public duties."¹¹⁴ In New Zealand, elected officials must provide information about companies in which any member is "a director or holds or controls more than 5 percent of the voting rights ... [or] in which the member has a pecuniary interest, other than as an investor in a managed investment scheme."¹¹⁵ Nepal does not have explicit provisions prohibiting or conditions for sitting on the board of for-profit companies.

Income limitations for outside or other employment

This category of restrictions limits the amount of income elected officials may earn in addition to their positions as representatives.

In Ecuador, elected officials may legally earn income in addition to their salaries as Assembly Members only through university teaching.¹¹⁶ Of course, not all Assembly Members are qualified university teachers, so this option is not feasible for every member. All other methods of earning income are prohibited during a member's tenure in office. This restriction means that elected officials need the means and ability to take a leave of absence from their permanent careers or jobs in order to serve as elected officials. In Ecuador, at least, this short-term sacrifice is seen as worthwhile given the long-term benefits.

- 112. National Assembly of the Republic of Ecuador, *supra* at note 28. Organic Law of Legislative Function, §163(1). (Ecuador).
- 113. Constitution of the Democratic Socialist Republic of Sri Lanka, supra at note 30, § 91(1)(e).
- 114. Parliament of Sri Lanka, *supra* at note 90. (Sri Lanka).
- 115. New Zealand Parliament, supra at note 105, Sec. 5. (2020). (N.Z.).
- 116. National Assembly of the Republic of Ecuador, *supra* at note 110. Organic Integral Criminal Code. (Ecuador).

^{111.} Constitution of the Democratic Socialist Republic of Sri Lanka, *supra* at note 30, §91.1(g). A caveat to this disqualification is found in §91.2: "For the purposes of sub-paragraph (g) of paragraph (1) of this Article, the acceptance by a Member of Parliament of any allowance or other payment made to him by any trade union or other organization solely for the purpose of his maintenance shall be deemed not to be the acceptance of a bribe or gratification."

Restrictions on family members' activities

As some MPs' benefits are available to their family members, certain restrictions also extend to elected officials' families. This category of restrictions includes prohibiting representatives' family members from holding certain occupations, making specific investments, pursuing particular business interests, or receiving discounts or benefits.

Explicit limitations placed on officials' families range from blanket restrictions to self-reporting requirements. Ecuador's legal code expressly prohibits nepotism in any form. Thus, family members of elected officials – including distant family members – cannot be employed by the same institution, appointed to a new position within the same authority, or directly supervised by the Assembly Member's office. If a family member already holds such a position when a relative is elected, "the [family member's] contract will remain in force until the expiration of its term" but "the appointing authority will be prevented from renewing [it]."¹¹⁷ Where restrictions on family members are not as explicit in the law, many family members of MPs end up employed in Parliament. Sri Lankan MPs are known to hire their wives as personal secretaries and other secretaryships are also often handed to family members.¹¹⁸

Financial disclosures can also be required due to familial ties. In Sri Lanka, the ACA requires cohabiting and close family members and dependents of elected officials to declare their assets and liabilities.¹¹⁹ It is unclear how stringently this requirement is enforced, however. In Nepal, while there are no asset disclosure requirements, if a family member is found to have accepted a bribe, discounted services or goods, or other such favoritism, the MP is subject to the same punishments as if they accepted it.¹²⁰ In contrast, an MP in New Zealand is not required to disclose "any interest involving a family member unless, guided by the registrar's purpose ... they consider the interest should be disclosed."¹²¹ Uniquely, New Zealand officials specifically do not need to disclose any debt owed, or the names of debtors or creditors, if the debt is between the official and a family member and is purely personal. The *de jure* or *de facto* flexibility and favoritism afforded family members can and has invited public criticism.

- 118. See EconomyNext, supra at note 89.
- 119. Anti-Corruption Act, No. 9 of 2023, Para. 81. (2023). (Sri Lanka).
- 120. Parliament of Sri Lanka, *supra* at note 90. (Sri Lanka).
- 121. New Zealand Parliament, supra at note 105, Sec. 6(1). (2020). (N.Z.).

^{117.} National Assembly of the Republic of Ecuador, *supra* at note 47. Organic Law on Public Service, §6. (Ecuador).

Of these 16 categories of remuneration, some benefits elected officials receive mirror those of other public employees generally, such as leave time, office supplies, and ICT equipment provisions. Travel and accommodation allowances are standard, as they enable the elected officials to conduct their work. Other practices, such as additional medical provisions, tax-exempt funds, and staff and familial benefits are unique to elected officials. The restrictions placed on elected officials are well-intentioned but less consistently codified – and, reportedly, enforced. These practices can create room for distrust to stir, especially if the processes by which people obtain their offices are not trusted as free and fair. The next section reflects on some general challenges to trust in elected officials as tied to their remuneration.

Leading Challenges to Addressing Distrust Related to Remuneration

Current levels of trust in elected officials vary significantly across the four countries in this study. In New Zealand, this research, particularly the interviews, found that people have confidence in government processes, accept the outcomes of elections, and trust their elected officials to work on behalf of their constituents. In Nepal, people reportedly tend to distrust the government at large, although they do trust their own elected officials to work on behalf of their constituents. In Separation work on behalf of their constituents. In Separation work on behalf of their constituents. In Ecuador, this research indicated that people do not trust institutions and tend to deeply distrust politicians. Similar sentiments persist in Sri Lanka, especially after the 2022 crisis; over 85 percent of respondents in a November 2023 survey conducted by the Center for Policy Alternatives believed corruption had *increased* since the crisis.¹²² Examining the roots of this distrust through the interviews and the Sri Lanka Survey suggested two simultaneous trends:

- 1. Public misperceptions (overestimation) of how much direct financial compensation MPs receive, and
- 2. MPs leveraging informal benefits outside the law.

Unfortunately, these two trends create a cycle of continued distrust if not interrupted. This section discusses each in turn.

Challenge 1: Citizens' overestimation of MPs' compensation

Officials interviewed in all four countries expressed that people often misunderstand exactly how much elected officials make by way of salary and allowances. One former Assembly Member in Ecuador shared that members of the public are often shocked to learn how little Assembly Members receive; notably, members are asked quite openly about their income. Even in New Zealand, where both MPs and non-MPs interviewed generally believe elected officials are compensated adequately and fairly for their service, the public is seemingly unaware of specific legal provisions related to officials' remuneration and benefits and how they have changed over time. Members of the public in New Zealand reportedly often assume that MPs still receive remuneration based on an outdated superannuation scheme upon retirement, which affords them high annual pensions and international travel perks. That scheme closed to new MPs in 1992.¹²³

^{122.} Centre for Policy Alternatives. (2023, December). <u>Summary Findings and Overview of the Confidence in</u> <u>Democratic Governance Index – December 2023.</u>

^{123.} See Neilson, M. (2021, June 4). <u>Retiring National MP Nick Smith to receive \$87,000 super allowance.</u> <u>travel perks.</u> The New Zealand Herald.

Even where the base salary may seem reasonable to the public, additional costs and deductions from an elected official's formal income are not public knowledge. Sri Lankan MPs interviewed noted that they cover the cost of fuel for trips to meet with constituents out of their own pockets, as the fuel allowance has not been adjusted for inflation since the economic collapse. Others found ways to carpool because of the prohibitive cost of traveling alone. Similarly, Ecuadorian Assembly Members are known to share accommodations in Quito because allowances do not fully cover expenses for those from distant constituencies. Automatic deductions are also reportedly taken for common institutional funds levied against their base salaries.

Such misconceptions about MPs' incomes can have implications for the demands people place on their elected officials. In Nepal, elected officials are expected to pay some of their staff and contribute to other expenses out of their base salaries, making their net income significantly less than the pay they receive on paper. Culturally, constituents are unlikely to ask their elected officials directly about the benefits they receive. Nevertheless, MPs are often expected to attend and spend a lot on cultural functions, such as wedding rituals, mournings, and local festivals. This is the case in Sri Lanka as well, where people view it as politicians "giving back" money to the community that they are assumed to have "stolen." This expectation shows that people often wrongly assume MPs have power – in the form of money – to make things happen for their communities as well as at a personal level. It becomes challenging for MPs to counter beliefs about their exaggerated benefits with the reality of more limited resources.

Simultaneously, there tends to be negative media coverage of politicians taking time off – either for vacations or generally doing things other than the people's work. One interviewee in Ecuador recalled a colleague being accosted in a grocery store at midday for not being at work, when the member had been in the Assembly overnight and was hurrying back for another session. Many MPs in New Zealand reportedly find it disheartening to hear such criticisms, knowing that they may have chosen to forfeit much more lucrative careers (e.g., in high-powered legal firms) to go into public service. While they did not regret these choices, they wished their constituents better understood the MPs' sacrifices. Sri Lankan interviewees also stressed that they made personal sacrifices, many of them financial, to serve in their elected roles.

Despite this situation – lower salaries and remunerations than constituents understand, coupled with financial demands on MPs – most of MPs interviewed in all four countries did *not* think they should be entitled to any additional compensation in the form of salary. Instead, they suggested alternative resources such as trainings or library access. As will be discussed next, however, members of the public distrust such non-financial types of benefits for other reasons.

Challenge 2: Informal benefits

The first challenge juxtaposes uncomfortably with the second. While their salaries may be deemed sufficient or even low, this research confirmed that MPs – and their families – often receive benefits beyond what is provided for in the law. These "informal" benefits can erode trust in the integrity of elected officials and, by extension, the democratic system.

Many unofficial perks are tied to travel. In New Zealand, for example, domestic travel for MPs is free, whether it has a "parliamentary purpose" or not.¹²⁴ MPs also receive free membership in airline loyalty programs, along with lounge access and other perks. Nepalese MPs have access to special transportation to airports and are permitted to take their cars directly to a plane to bypass long lines. They can also use a VIP room at the airport, as can Sri Lankan MPs at the Bandaranaike International Airport (BIA).¹²⁵ This practice has stirred controversy, such as when a former Sri Lankan finance minister with no active parliamentary affiliation made use of the VIP facilities, allegedly without payment.¹²⁶ International travel is a unique perk for a subset of Assembly Members in Ecuador, as it is often tied to specific portfolios or coveted committee assignments. Such travel opportunities are not always afforded to citizens, so the option to be involved in politics that involves international travel is a unique benefit. Elected officials in each country typically receive special "official" or "diplomatic" passports that may exempt them from visa fees and intensive visa application procedures.¹²⁷ As mentioned above, passport access is commonly extended to the immediate family members of elected officials.¹²⁸ While travel for official business is naturally part of the job, extra frills around that travel can seem superfluous to citizens.

Some provisions afforded to officials are difficult to separate into either the personal or professional sphere. For example, home internet connections are paid for in New Zealand even if the officials do not use the internet at home solely for work. Security arrangements afforded to officials at or traveling to Parliament also continue while New Zealand MPs are at home. They enjoy other, much less politically relevant, benefits as well, such as access to tickets for major sporting events, tax-free allowances to purchase raffle tickets at constituents' events, or free entry to speaking events not hosted by an MP.¹²⁹ Such practices are particularly detrimental to trust where citizens already think MPs are motivated to run for office for personal gain – as was the case among 70 percent of Sri Lanka Survey respondents who said they do not believe elected officials are working in the people's best interest.¹³⁰

The blending of personal and public spheres becomes even murkier when it comes to benefits extended to the family members of MPs. Most countries studied here have some rules against nepotism. However, there are also benefits, notably related to travel and accommodations, extended to the families of elected officials. Despite prohibitions on family members benefiting

- 128. See Sri Lanka Department of Immigration and Emigration, supra at note 24.
- 129. New Zealand interview notes; see also New Zealand Parliament, supra at note 32.
- 130. This feeling was even stronger among residents of the capital (81 percent) and Sinhala respondents (84 percent). Tamil respondents were more likely than respondents from other groups to say that elected officials *sometimes* work in the people's best interest, but only one-third of Tamil respondents felt that way, and half of Tamil respondents agreed that elected officials do not work in the people's best interest.

^{124.} Interview data.

^{125.} Colombo Airport. (n.d.) VIP Lounge.

^{126.} Samarawickrama, C. P. (2022, November 22). *No payment made by Basil to use VIP arrival lounge at BIA.* The Daily Mirror.

^{127.} Sri Lanka Department of Immigration and Emigration. (2022b). *Diplomatic & Official Visits: see also* Sri Lanka Department of Immigration and Emigration, *supra* at note 24.

by virtue of their connections to MPs, Sri Lankan MPs' family members have been known to make large investments and business decisions that would be difficult without inside information.¹³¹ There are also unwritten benefits; the prestige of having served in the Ecuadorian Assembly is recognized as extending to a member's entire family. When MPs anywhere act on such instincts, the public often views them as having foregone their promise to serve the people first.

Of course, some officials choose to operate directly outside the rules. For instance, because the base pay for elected officials in Ecuador is so low, some Assembly Members do not completely give up their former employment despite strict income restrictions. In Ecuador's case, punishment with prison time for this and other infractions is quite common, although it does not fully dissuade the practice. As another example, there is a common belief in Sri Lanka that MPs avail themselves of liquor licenses, sometimes issued outside the law, as concessions for loyalty. While the practice appears to be a feature of Sri Lankan politics, it is connected to non-transparent behavior that people have come to associate with politicians. The traditional media – from which 66 percent of Sri Lanka Survey respondents get their information about corruption in the country – often reveals allegations of this practice, but official investigations and sanctions are uncommon.¹³² Such activities – alleged or confirmed – can quickly instill in the public a perception of ambient corruption, fueling general political distrust.

Where the rules are less explicitly codified, MPs are often perceived as taking advantage of loopholes. Such accusations were levied by non-MP interviewees from Sri Lanka, and they likely influenced Sri Lanka Survey respondents' perspectives. In fact, 61 percent of survey respondents said they do *not* think MPs in Sri Lanka should have benefits beyond their salaries, and 75 percent said that the total compensation package – salary and all the other benefits received – are *not* reasonable. While those opinions may be driven in part by misconceptions about benefits received, corruption – a quarter of survey respondents said all Sri Lankan MPs are naturally corrupt – and use of informal benefits damages trust in officials.

These twin challenges work against each other: while MPs believe their incomes are overstated, the public sees many examples of privileged opportunities for MPs and their families. In one final example of this dissonance, some interviewed MPs were interested in seeing improved libraries and facilities (Nepal), and some wanted training provisions or opportunities for research (Sri Lanka and Nepal). However, non-MPs were suspicious about whether requests for trainings – especially those involving international travel – indicated genuine interest in learning versus a desire for trips. If not addressed, these parallel practices can create a vicious cycle of deepening distrust and mounting corruption.

^{131. &}lt;u>Hizbullah's son invested Rs. 500mn in Baticaloa campus – MP Hesha Vitharana.</u> (2019, May 9). News 1st Sri Lanka.

^{132.} See, e.g., Berenger, L. (2015, July 26). <u>Top politicos behind 2,000 liquor dealers</u>. The Sunday Times; <u>MPs</u> <u>whose houses were burnt given liquor licenses</u>, <u>alleges SJB MP</u>. (2023, September 7). The Daily Mirror.

Conclusions and Recommendations for Remuneration Reform

Tackling these challenges requires an approach that balances providing MPs with the things they need to deliver for the people and assuring those citizens that MPs are motivated to serve the people first and foremost. This concluding section offers recommendations for remuneration reform, keeping these often-competing needs in mind. The following practices may not all be feasible in each place at a given time. However, if opportunities for reform present themselves, they may help build a *virtuous cycle* of transparent, responsive remuneration for and earned trust in elected officials.

- 1. Ensure reasonable remuneration that is responsive to economic and other pressures. Remuneration packages should be sufficient to cover personal needs so elected officials are not driven to corrupt or "unofficial" methods to make ends meet. They should also be responsive to a country's economic situation - including inflation, cost of living, and exogenous crises. For instance, reducing expenditures for elected officials is a reasonable policy when a country imposes austerity measures and shows an awareness of and solidarity with citizens who may be experiencing economic troubles in their own lives. If there is no schedule for reviewing remuneration packages against trending economic data, impose a regular assessment. This kind of review and revision process stands to improve perceptions of the ways in which elected officials recognize citizens' needs. For example, Denmark established mechanisms for annual assessments of remuneration packages for public officials that consider factors such as inflation and economic growth.¹³³ By demonstrating a proactive approach to addressing economic challenges through flexible remuneration policies, governments can foster greater public trust and confidence in the fairness of elected officials' compensation, in turn reinforcing public confidence in the integrity of those officials.
- 2. Keep the public informed about remuneration practices and, importantly, any changes to them. Complete information about remuneration packages is difficult to find in most countries. Strategic communications training can improve outreach and increase citizens' awareness about remuneration provisions for elected officials, especially when institutions consult experts and members of civil society about changing remuneration packages. This might include utilizing social and traditional media so institutions can communicate more effectively with their constituents. For example, Croatia makes all elected officials' income and asset declarations public information, which has led to extensive media coverage of

^{133.} Ministry of the Interior and Health of Denmark. (2024). <u>Folketing (Parliamentary) Elections Act</u>. (Denmark).

suspected conflicts of interest.¹³⁴ When changes are made – whether in response to crises, economic circumstances, or public comment – these should be communicated through effective citizen outreach campaigns. By engaging with both traditional and social media platforms, governments can effectively communicate with constituents and foster greater transparency and accountability in remuneration policies.

- **3.** Require asset and income disclosure to increase transparency around officials' earnings. Asset disclosure as a practice is known "to prevent corruption and to help strengthen integrity in public administration" both of which are key to improving levels of democratic trust.¹³⁵ Indeed, a majority of Sri Lanka Survey respondents (68 percent) said *increased transparency around remuneration* would improve their confidence in elected officials, addressing the first challenge, above. The introduction of a new system or reforms should also include sufficient and appropriate enforcement methods. Asset and income disclosure policies present natural opportunities for greater transparency supported by successful outreach in the form of civic education and public service messaging in the media. All of these can positively impact constituents' views of their elected officials, supported by robust enforcement mechanisms.¹³⁶ By adopting similar practices and conducting public outreach campaigns to educate citizens about the importance of asset and income disclosure, governments can enhance transparency and strengthen public confidence in elected officials.
- 4. Limit benefits extended to officials' family members and prohibit nepotism. These limitations should be outlined in specific laws and regulations and clearly linked to specific sanctions. While such regulations cannot be expected to completely deter individuals who choose to violate them, any allegations of nepotism should be fully investigated and verified instances should be met with appropriate punishment. Additionally, to address pervasive issues of nepotism and favoritism, policymakers should consider implementing comprehensive reforms that promote transparency and meritocracy in staff selection processes. For instance, the United States has implemented stringent regulations to prevent nepotism and ensure transparency in staff selection processes at both the federal

^{134.} Stolen Asset Recovery Initiative. (2013). <u>Income and Asset Disclosure: Case Study Illustrations.</u> The World Bank Group.

^{135.} Pop, L., Kotlyar D., & Rossi, I. (2023). <u>Asset and Interest Disclosure: A Technical Guide to an Effective</u> Form. Stolen Asset Recovery Initiative: The World Bank.

^{136.} See Open-Ended Intergovernmental Working Group on the Prevention of Corruption. (2018). <u>Thematic</u> <u>Compilation of Relevant Information Submitted by Singapore Article 8, Paragraph 5, Asset and Interest</u> <u>Disclosure Systems</u>. United Nations Office on Drugs and Crime; Government of Singapore. <u>Prevention of</u> <u>Corruption Act</u>. (2024). Corrupt Practices Investigation Bureau. <u>See also Ting</u>, K.W. (2024, January 19). <u>'Easier to say no': Public servants would rather decline gifts than go through declaration process</u>. Today Online.

and the state levels.¹³⁷ Implementing such changes might involve tasking independent oversight bodies with monitoring recruitment procedures and ensuring compliance with established guidelines. Furthermore, training programs and workshops could be organized to educate elected officials and their staff about ethical conduct and the importance of impartiality in personnel matters. By adopting similar measures and enforcing strict penalties for violations, governments can strengthen public trust and confidence in the impartiality of public service recruitment.

5. Limit unnecessary international travel and manage perceptions. Given the sprawling, informal travel-related benefits afforded to elected officials, decision-makers should weigh the necessity of travel (especially out-of-country travel) against the perception issues that accompany it. For instance, trainings offered by international partners should be hosted locally, when possible, to avoid the perception that they are excuses for international travel. Any necessary foreign travel should be considered carefully given the perception issues that may ensue. Virtual options should also be considered, given the connectivity possible today. Reducing travel will naturally reduce informal travel benefits, which could reassure the public that officials are traveling for the right reasons. For example, Norway has implemented strict guidelines for international travel by public officials, emphasizing the importance of accountability and cost-effectiveness.¹³⁸ By adopting similar policies and exploring virtual alternatives for international engagements – while also balancing the (often intangible) benefits of occasional foreign travel – governments can mitigate perception issues and enhance public trust in the responsible use of public funds.

^{137.} See Mulcahy, S. (2015, October 12). <u>Regulating Nepotism: Approaches and Best Practices</u>. Transparency International Anti-Corruption Help Desk.

^{138.} Berglund, N. (2019, April 10). Parliament tightens up expense filings. NEWSinENGLISH.no.

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Annex 1: Case Selection

Two comparative cases in the region were selected along with one out-of-region example (Ecuador) that was most similar on all other counts. The two within-region cases were selected to be most different (New Zealand) and most similar (Nepal) along four other dimensions: democracy score, development level, population, and GDP per capita.

The driving factors in case selection were democracy score,¹³⁹ development level,¹⁴⁰ executive and legislative types,¹⁴¹ population,¹⁴² GDP per capita,¹⁴³ and region. Based on these parameters, the most similar within-region case selected was Nepal. As lower-middle income countries with a roughly similar population size, both Nepal (population 29.6 million) and Sri Lanka (22 million) have been consistently rated "Partly Free" on Freedom House's index with a Civil Liberties score of 4 since at least 2013. Both countries also had very similar average V-Dem democracy scores across three indices: liberal democracy, electoral democracy, and participatory democracy. The average across the three indices was 0.48 for Nepal and 0.43 for Sri Lanka. In contrast, New Zealand is also in region, but is different on most other core factors. Definitively upper income and with a much smaller population (5.1 million), New Zealand is rated "Free" by Freedom House standards and has an average V-Dem score of 0.80. Finally, Ecuador was selected as the country from a different region that was most similar to Sri Lanka. Ecuador had been ranked "Partly Free" by Freedom House until it just crossed the threshold to "Free" in 2022. Its democracy scores average close to those of Sri Lanka (0.52 versus 0.43). Ecuador is also a middle-income country, although admittedly upper middle, and it has a population of 17.9 million people.

- 140. Based on World Bank Income Groups.
- 141. Cheibub, J. A., Gandhi, J., & Vreeland, J. R. (2010). <u>Democracy and dictatorship revisited</u>. *Public Choice*, 143(1), 67–101. Updated by authors with Economist Intelligence Unit political structure profiles.
- 142. World Bank Open Data. Population total.
- 143. World Bank Open Data. <u>GDP per capita.</u>

^{139.} Evaluation of both Freedom House status and average Variety of Democracy (V-Dem) scores calculated in 2022. The V-Dem average was calculated across the annual "liberal democracy," "polyarchy," and "participatory democracy" index scores. The authors also consulted twenty-year regional trends.

Annex 2: Structured Interview Scripts

Researchers used the following script – customized to the relevant country context and the interviewee's status – for interviews with all elected officials; the second script was for non-MPs.

Draft Interview Script (MPs)

Thank you for taking the time to meet with me today. My name is ________ and I'm a ________ with IFES (International Foundation for Electoral Systems). I'm not sure how familiar you are with our work, but part of what we do is collaborate with civil society, public institutions and the private sector to build resilient democracies and help develop electoral bodies capable of conducting credible elections, among other initiatives. As part of a comparative analysis project, we're researching the benefits that elected officials receive as part of their compensation packages in [New Zealand/Ecuador/ Nepal/Sri Lanka]. [You were referred to us by _______, (if relevant and someone else is scheduling their meetings)]. I understand that you are currently working in/for ______, and previously have worked as ______.

I know the law provides elected officials in [New Zealand/Ecuador/Nepal/Sri Lanka] with certain benefits, such as [_____]. Did (do) you and your colleagues receive all of these benefits?

IF NO: Why not?

Were (are) there additional benefits that became (have become) part of your compensation package during your time in office?

Are there alternative or additional benefits that you think should be considered as part of MPs' compensation packages?

Can you think of any other informal benefits that were/are part of your job? [Note: be prepared with an example or two *from elsewhere*]

Were there any financial sacrifices you made when deciding to run for office?

IF YES: Do you see these as trades offs with the types of financial benefits that come with the job?

Did (do) your constituents ever ask you about the benefits you received (receive) as an MP?

Did (have) you find (found) that your constituents generally accepted (accept) outcomes of the political process?

EITHER, FOLLOW UP: Why do you think they felt (feel) this way?

How did (do) you try to communicate your choices with your constituents?

What did (do) you think you did (do) that instills the most confidence among your constituents that you were (are) representing their interests?

Is there anything else you expected me to ask or that you've thought of that you'd like to add? Is there anyone else you think I should talk to?

Draft Interview Script (non-MPs)

Thank you for taking the time to meet with me today. My name is ______, and I'm a _______ with the International Foundation for Electoral Systems (IFES). We're researching the benefits that elected officials receive as part of their compensation packages in a few countries. We're hoping to learn more about the reasons people run for office. We're therefore interested in any informal incentives that exist in [New Zealand/Ecuador/Nepal/SriLanka] and how members of the public/their constituents, like you, view them. I understand that you are currently working in/for ______, and previously have worked as ______.

I know the law provides elected officials in [New Zealand/Ecuador/Nepal/Sri Lanka] with certain benefits, such as [_____]. Do you know if all elected officials receive all of these benefits?

Are these benefits extended to elected officials' families?

Can you think of any perks elected officials receive that aren't specifically provided for in the law?

Would you say it is widely/publicly known that the elected officials receive these benefits?

IF YES: What is the public perception of elected officials who utilize these benefits?

IF NO: Why do you think this isn't well-known?

Do you think these benefits are reasonable?

Do you think they should receive other or additional benefits? If so, what do you think would be reasonable?

Overall, speaking from your experience:

Do people trust government officials to work on behalf of the people they represent?

Are people confident in governmental procedures? Why or why not?

IF YES: What would make people *less* confident in government processes?

IF NO: What would make people more confident in government processes?

Do people generally accept outcomes of political processes?

EITHER, FOLLOW UP: What do you think most drives those feelings?

Have you ever communicated with or tried to contact your representatives?

IF YES: What did you contact them for and how did they respond?

Is there anything else you expected me to ask or that you've thought of that you'd like to add? Is there anyone else you think I should talk to?

Trust and Remuneration for Elected Representatives:

A Vicious or Virtuous Cycle?



