



In 2013, Maldives made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified all key ILO Conventions on child labor and forced labor, which included ILO C. 138, ILO C. 182, ILO Convention 29, and ILO Convention 105, and enacted legislation prohibiting human trafficking. It also adopted an anti-trafficking plan for 2013–2014, and started an anti-trafficking awareness-raising campaign aimed at students and businesses. Additionally, it contributed funding to a World Bank–financed project to improve access to, and quality of, primary and secondary education. However, children in Maldives continue to engage in the worst forms of child labor in commercial sexual exploitation as a result of trafficking. The Government has not established a list of prohibited hazardous work activities for children. The compulsory education age of 13 also leaves children ages 13–16 vulnerable to the worst forms of child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Maldives are engaged in the worst forms of child labor in commercial sexual exploitation as a result of trafficking.(1-5) Table 1 provides key indicators on children’s work and education in Maldives. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

| Children | Age | Percent |
|-------------------------------|-----------|-------------|
| Working (% and population) | 5-14 yrs. | 3.9 (2,364) |
| Attending School (%) | 5-14 yrs. | 79.5 |
| Combining Work and School (%) | 7-14 yrs. | 4.0 |
| Primary Completion Rate (%) | | Unavailable |

Source for primary completion rate: UNESCO Institute for Statistics, 2014.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey, 2009.(7)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

| Sector/Industry | Activity |
|---|---|
| Agriculture | Fishing,* activities unknown (5, 8) |
| | Activities unknown* (5) |
| Services | Domestic service* (5) |
| Categorical Worst Forms of Child Labor† | Commercial sexual exploitation sometimes as a result of trafficking (1, 2, 4) |

* Evidence of this activity is limited and/or the extent of the problem is unknown.




† Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Some girls from Bangladesh and Maldives are trafficked for commercial sexual exploitation to Malé, the capital, but evidence on the problem is limited.(1, 3, 9, 10) The UN Committee on the Rights of the Child has expressed serious concern about the commercial sexual exploitation of children in Maldives and has warned that a lack of research on this exploitation has contributed to widespread denial of the problem.(2) The Maldives Human Rights Commission has been assessing the scope of the trafficking in persons problem in the country, but its findings have not yet been published.(11, 12)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Maldives has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

| | Convention | Ratification |
|---|--|--------------|
|  | ILO C. 138, Minimum Age | ✓ |
| | ILO C. 182, Worst Forms of Child Labor | ✓ |
|  | UN CRC | ✓ |
| | UN CRC Optional Protocol on Armed Conflict | ✓ |
| | UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓ |
|  | Palermo Protocol on Trafficking in Persons | |

In January 2013, the Government ratified ILO C. 138 on the Minimum Age and ILO C. 182 on the Worst Forms of Child Labor, as well as ILO Convention 29 on Forced Labor and ILO Convention 105 on the Abolition of Forced Labor.(13) The Government has taken steps toward ratification of the Palermo Protocol, but has not yet ratified it.(3)

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

| Standard | Yes/No | Age | Related Legislation |
|---|--------|-----|--|
| Minimum Age for Work | Yes | 16 | Employment Act and Sections 16, 25, 26 and 27 of the Law on the Protection of the Rights of Children (14, 15) |
| Minimum Age for Hazardous Work | Yes | 18 | Employment Act and Sections 26 and 27 of the Law on the Protection of the Rights of Children (14, 15) |
| List of Hazardous Occupations Prohibited for Children | No | | |
| Prohibition of Forced Labor | Yes | | Constitution; Employment Act (14, 16) |
| Prohibition of Child Trafficking | Yes | | Sections 12-15 of the Prevention of Human Trafficking Act (17) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Child Sex Abuse (Special Provisions) Act; Ministry of Justice circular (2008/3), which amended Ministry of Justice circular 2008/1 on Penalty for Fornication and Sexual Offenders (3, 18) |
| Prohibition of Using Children in Illicit Activities | Yes | | Drug Act (18) |
| Minimum Age for Compulsory Military Recruitment | N/A* | | |
| Minimum Age for Voluntary Military Service | Yes | 18 | Law on the Protection of the Rights of the Child, as amended in 2002 (12) |
| Compulsory Education Age | Yes | 13 | <i>Legislation title unknown</i> (19) |
| Free Public Education | Yes | | Constitution (16) |

* No conscription or no standing military.

In December 2013, the President signed into law new legislation prohibiting human trafficking. The law covers both domestic and international trafficking, and appears to cover trafficking for labor and sexual exploitation of children.(3, 17)

The minimum age for employment does not apply to children working in family businesses.(10) Further, research has not found evidence of a hazardous work list of work activities prohibited to children.(4) The Child Sex Abuse (Special Provisions) Act criminalizes the use of children for prostitution and pornography, but under Article 14 of the Act, these offenses are not criminalized if the perpetrator and victim are married under Islamic Law. The Drug Act prohibits use of a child in drug trafficking.(10, 18) However, research found no evidence of a prohibition against the use of children in illicit activities in general. The compulsory education age leaves children ages 13–16 vulnerable to the worst forms of child labor, as they are not required to be in school, but are not permitted to work either.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|--|---|
| Ministry of Human Resources, Youth, and Sports' (MHRYS) Labor Relations Authority (LRA) | Enforce the child labor provisions of the Employment Act. Can assess minor fines and make recommendations to the Minister of Human Resources to assess additional fines or take other actions to penalize businesses.(10, 12) |
| Department of Immigration and Emigration (DIE) | Maintain a "blacklist" of employers who violate any provision of the Employment Act; employers on the blacklist cannot hire new workers until violations are corrected.(10) |
| Maldives Police Service (MPS) | Identify victims of trafficking in coordination with DIE. Has a Family and Child Protection Unit (FCPU) that investigates cases of commercial sexual exploitation and refers them to the Prosecutor General's Office for prosecution.(10) |
| Ministry of Gender, Family and Human Rights' (MGFHR) Family and Child Protection Services (FCPS) | Receive referrals of children who have been exploited, including in child prostitution, and provide care for such victims.(10, 18) |
| MGFHR's Anti-Trafficking Unit | Coordinate anti-trafficking enforcement efforts and referrals of victims to services. Maintain a 24-hour hotline. Established during the reporting period.(1) |
| Prosecutor General's Office | Prosecute crimes, including those involving the worst forms of child labor.(10) |

Law enforcement agencies in Maldives took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2013, the Labor Relations Authority (LRA) was staffed with 10 labor inspectors and 6 investigation officers to inspect for any violations of the Employment Act.(10) No training specific to child labor was provided to inspectors during the year. No child labor violations were found by LRA during 2013. The number of inspections carried out during the year is not available.(10)

Criminal Law Enforcement

In 2013, an anti-trafficking unit was established within the Ministry of Gender, Family and Human Rights (MGFHR). However, it lacks a sufficient number of translators to process calls to its hotline.(1) The Family and Child Protection Unit (FCPU) had 25 officers to process child abuse cases in Malé, as well as officers in stations throughout the country's many islands. The Prosecutor General's Office employed 45 prosecutors for all areas of its work, across the country.(10) Investigators do not have sufficient funding and resources such as office facilities and transportation. (10) Research was unable to determine how many children involved in the worst forms of child labor had been referred to MGFHR for services, nor was it able to find updates on the three cases of child prostitution that were handled by the Maldives Police Service (MPS) in 2012.(10, 18)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established a committee to coordinate actions regarding human trafficking, research found no evidence of coordinating mechanisms to combat child labor, including all its worst forms.(1)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Description |
|---|--|
| Anti-Human-Trafficking Steering Committee | Charged with counter-trafficking coordination and implementation of the country's anti-trafficking action plan.(1, 10) Reconstituted in December 2013 pursuant to the new law on trafficking and is now led by LRA within MHRYS. Other members include MPS, the Supreme Court, the People's <i>Majlis</i> (Parliament), the Attorney General's Office, the Prosecutor General's Office, the Human Rights Commission, the Ministry of Foreign Affairs, the Ministry of Home Affairs, the Department of Immigration and Emigration, the Customs Service, the Ministry of Islamic Affairs, and the NGO, Advocating the Rights of Children.(3, 17) |

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The newly reconstituted anti-trafficking committee met a number of times in early 2014. However, NGOs have raised concerns that the change of leadership from MGFHR to the Ministry of Youth and Sports (MHRYS) may hamper the work of the committee.(3) Specific concerns include a lack of awareness of the issue among MHRYS.(3)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Maldives has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

| Policy | Description |
|---|---|
| Anti-Trafficking Plan, 2013–2014† | Formally adopted in February 2013.(12) Contains seven goals the Government of Maldives has set to combat trafficking, which are to enact legislation prohibiting the crime, strengthen interagency coordination, raise awareness, build capacity, improve border control, expand international cooperation and ratify relevant international instruments on trafficking, as well as monitor implementation of the plan.(1, 3, 20) |
| UNDP Country Program for the Maldives, 2011–2015* | Aims to support ILO in developing a Decent Work framework to address youth unemployment, among other issues. Started in 2011 and runs through 2015.(21) Also aims to promote equitable access to justice and rule of law by increasing the capacity of the Prosecutor General's Office and the employment tribunals, and by training these institutions on human rights issues.(21) |
| Maldives Strategic Action Plan* | Establishes policies to strengthen child and family protection service delivery at the central and provincial levels. Establishes and strengthens alternative care systems for children.(22) Recognized by the World Bank and other development partners as the country's Poverty Reduction Strategy Paper.(10, 22) |

* The impact of this policy on child labor does not appear to have been studied.

† Policy was launched during the reporting period.

Although the Anti-Trafficking Plan was launched during the reporting period, there were no funds to implement it. Funds were not available to LRA because of the change in leadership on the issue of trafficking from MGFHR to MHRYS.(12) LRA is working to formulate an updated Anti-Trafficking Action Plan and budget.(3, 12)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Maldives funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

| Program | Description |
|---|---|
| Blue Ribbon Campaign Against Human Trafficking† | Government campaign that aims to raise awareness of human trafficking in Maldives among students and the business community. Began in 2013, and implemented by the Ministry of Foreign Affairs.(23) |
| MGFHR's FCPS* | MGFHR-operated centers on many of the country's islands provide services such as temporary shelter, vocational training, and rehabilitation and counseling for children in need, which could include children rescued from abusive work situations.(2, 11, 18) FCPS established four new "safe homes" in early 2014 to provide short-term protections for women and children.(10) |
| Trafficking in Persons Victims Shelter | Government-operated shelter in Villingili island dedicated to trafficking victims. During 2013, provided services to women trafficking victims, but no children were served.(3) |
| Child Help Line | Government-maintained hotline used to report cases of child abuse and general issues that children face. No complaints involving child labor issues were forwarded from the hotline to LRA or MHRYS during 2013.(12, 24) |
| UNICEF Country Program* | UNICEF program that works with the government to monitor schools to ensure authorities and communities maintain safe and sanitary learning environments for children.(25) Also works to build capacity of FCPS staff to protect children from violence and abuse. Advocates for increased protections for children who are victims and witnesses of crimes.(25) |
| Enhancing Education Development Project*†‡ | Jointly financed by World Bank and Government of Maldives. Approximately \$10 million World Bank and \$1 million Government of Maldives 5-year project that aims to strengthen access to and quality of primary and secondary education in Maldives.(26) |

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is partially funded by the Government of Maldives.

Social workers employed by MGFHR are in need of additional training.(10) Further, research found no evidence of any programs that specifically address the worst forms of child labor in the commercial sexual exploitation of girls.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Maldives (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

| Area | Suggested Action | Year(s) Suggested |
|---------------------|---|-------------------|
| Laws | Ratify the Palermo Protocol. | 2013 |
| | Amend the law to ensure that the minimum age for employment applies to family businesses. | 2013 |
| | Amend the Employment Law, or enact regulations specifying the work activities and processes that are hazardous and prohibited to children. | 2009 – 2013 |
| | Raise the compulsory education to age 16, the minimum age for work. | 2011 – 2013 |
| | Enact laws to criminalize all child prostitution and child pornography, even when it occurs within a marriage relationship. | 2010 – 2013 |
| | Prohibit the use of children by adults in all illicit activities. | 2013 |
| Enforcement | Ensure that the labor inspectorate receives training on child labor issues. | 2009 – 2013 |
| | Make publicly available information on the number of inspections, number of children referred for services, and the status of investigations into worst forms of child labor, such as child prostitution. | 2013 |
| | Increase the number of translators working on MGFHR anti-trafficking unit's hotline. | 2013 |
| | Provide sufficient funding to FCPU and Prosecutor General's Office to ensure investigators have needed resources. | 2013 |
| Coordination | Establish a coordination mechanism to combat child labor. | 2009 – 2013 |
| | Build the capacity of MHRYS on the issue of trafficking. | 2013 |
| Government Policies | Assess the impact that existing policies to promote decent work and alleviate poverty may have on addressing the worst forms of child labor, particularly in commercial sexual exploitation. | 2009 – 2013 |
| | Conduct and publish research on commercial sexual exploitation and trafficking of children to determine whether better targeted policies and services are necessary. | 2009 – 2013 |
| | Update, fund, and implement the Anti-Trafficking Action Plan. | 2013 |
| Social Programs | Study the impact that Maldives' child protection and education programs may have on child labor. | 2013 |
| | Provide additional training to MGFHR social workers. | 2013 |
| | Develop and implement programs to address the worst forms of child labor in the commercial sexual exploitation of girls. | 2009 – 2013 |

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