

In 2016, Maldives made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government launched a National Victim Support Hotline for victims of the worst forms of child labor, and the Labor Relations Authority trained all labor inspectors on investigating trafficking in persons cases. The Government also created a technical-level committee to advise the Anti-Human Trafficking National Steering Committee and monitor implementation of the National Anti-Human Trafficking National Action Plan. Although research is limited, there is evidence that children in Maldives are engaged in the worst forms of child labor in commercial sexual exploitation, including use in the production of pornography. The Government has not determined specific hazardous occupations or activities that are prohibited for children, and the law does not sufficiently prohibit commercial sexual exploitation of children. The Government does not have a coordinating mechanism or policy that addresses all relevant worst forms of child labor in the country.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Maldives engage in the worst forms of child labor in commercial sexual exploitation, including use in the production of pornography.(1-3) Table 1 provides key indicators on children’s work and education in Maldives.

Table 1. Statistics on Children’s Work and Education

| Children | Age | Percent |
|-------------------------------|---------|-------------|
| Working (% and population) | 5 to 14 | 3.9 (2,364) |
| Attending School (%) | 5 to 14 | 79.5 |
| Combining Work and School (%) | 7 to 14 | 4.0 |
| Primary Completion Rate (%) | | 114.4 |

Source for primary completion rate: Data from 2009, published by UNESCO Institute for Statistics, 2016.(4)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Demographic and Health Survey, 2009.(5)

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 |
|---|---|
| Services | Domestic work (1, 6) |
| Categorical Worst Forms of Child Labor [‡] | Commercial sexual exploitation, sometimes as a result of human trafficking (1, 2) |
| | Use in the production of pornography (3) |
| | Use in the trafficking of drugs (3) |
| | Forced labor in domestic work, sometimes as a result of human trafficking (1, 2) |

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

No current data are available on child labor in Maldives, and a national survey on child labor has not been conducted. Some girls from Bangladesh and Maldives are trafficked for commercial sexual exploitation to Malé, the capital of Maldives, but evidence of the problem is limited.(2)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

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

Maldives

MODERATE ADVANCEMENT

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 | ✓ |

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Maldives' legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

| Standard | Meets International Standards: Yes/No | Age | Legislation |
|---|---------------------------------------|-----|--|
| Minimum Age for Work | Yes | 16 | Section 6 of the Employment Act (7) |
| Minimum Age for Hazardous Work | Yes | 18 | Section 7 of the Employment Act (7) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | No | | |
| Prohibition of Forced Labor | Yes | | Section 3 of the Employment Act; Sections 12–16 of the Prevention of Human Trafficking Act (7, 8) |
| Prohibition of Child Trafficking | Yes | | Sections 12–15 of the Prevention of Human Trafficking Act (8) |
| Prohibition of Commercial Sexual Exploitation of Children | No | | Sections 17–19 of the Special Provisions Act to Deal with Child Sex Abuse Offenders (9) |
| Prohibition of Using Children in Illicit Activities | Yes | | Section 133(c)(1) of the Drugs Act (10) |
| Minimum Age for Military Recruitment | | | |
| State Compulsory | N/A* | | |
| State Voluntary | Yes | 18 | Law on the Protection of the Rights of Children (3) |
| Non-state Compulsory | No | | |
| Compulsory Education Age | Yes | 16 | Article 36(b) of the Constitution of the Republic of Maldives; Article 5(b) of the Law on the Protection of the Rights of Children (3, 11) |
| Free Public Education | Yes | | Article 36(b) of the Constitution of the Republic of Maldives; Article 5(b) of the Law on the Protection of the Rights of Children (3, 11) |

* No conscription (12)

Maldives has not determined by national law or regulation the types of hazardous work prohibited for children. The law does not sufficiently prohibit commercial sexual exploitation, as procuring children for prostitution is not criminally prohibited. The law also does not criminally prohibit using, procuring, and offering children for pornographic performances.⁽⁹⁾ In addition, the recruitment of children by non-state armed groups is not prohibited.

Research did not uncover a public version of the 2014 amendment to the Law on the Protection of the Rights of Children for review.

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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|--|---|
| Labor Relations Authority, Ministry of Economic Development (MED) | Enforce the child labor provisions of the Employment Act. Make recommendations to the MED on penalties, such as fines.(3) |
| Family and Child Protection Department, Maldives Police Service (MPS) | Investigate complaints of child labor and commercial sexual exploitation. Refer cases to the Prosecutor General's Office for prosecution and the Ministry of Gender and Family to provide victim services.(3) Employs eight officers in Malé to investigate child labor cases, including child commercial sexual exploitation and child pornography cases.(3) |
| Family Child Protection Services (FCPS), Ministry of Gender and Family | Receive referrals of children who have been exploited, including in child commercial sexual exploitation, and provide care for such victims.(3) |
| Anti-Human Trafficking Units, MPS | Investigate human trafficking-related offenses and enforce laws prohibiting trafficking in persons. Employs five officers to investigate human trafficking cases.(3) |

Labor Law Enforcement

In 2016, labor law enforcement agencies in Maldives took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

| Overview of Labor Law Enforcement | 2015 | 2016 |
|--|---------|-------------|
| Labor Inspectorate Funding | Unknown | Unknown (3) |
| Number of Labor Inspectors | Unknown | 9 (3) |
| Inspectorate Authorized to Assess Penalties | Unknown | No (3) |
| Training for Labor Inspectors | | |
| Initial Training for New Employees | No (13) | Unknown |
| Training on New Laws Related to Child Labor | N/A | N/A |
| Refresher Courses Provided | No (13) | Yes (3) |
| Number of Labor Inspections | Unknown | 264 (3) |
| Number Conducted at Worksite | Unknown | 264 (3) |
| Number Conducted by Desk Reviews | Unknown | 0 (3) |
| Number of Child Labor Violations Found | Unknown | 0 (3) |
| Number of Child Labor Violations for Which Penalties Were Imposed | Unknown | Unknown |
| Number of Penalties Imposed that Were Collected | Unknown | Unknown |
| Routine Inspections Conducted | Unknown | Yes (3) |
| Routine Inspections Targeted | Unknown | Unknown (3) |
| Unannounced Inspections Permitted | Unknown | Yes (3) |
| Unannounced Inspections Conducted | Unknown | Yes (3) |
| Complaint Mechanism Exists | Unknown | Yes (3) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Unknown | No (3) |

The number of labor inspectors is insufficient for the size of Maldives' workforce, which includes more than 195,100 workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Maldives should employ roughly 13 inspectors.(14-16) The Labor Relations Authority lacks the resources, including staff, necessary to enforce child labor laws. Inspectors have not received training on the identification and remediation of child labor.(3, 17)

In 2016, the Labor Relations Authority, in partnership with the IOM, trained all labor inspectors on investigating trafficking in persons cases.(3)

Maldives

MODERATE ADVANCEMENT

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Maldives took actions to combat child labor, including its worst forms (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

| Overview of Labor Law Enforcement | 2015 | 2016 |
|---|----------|-------------|
| Training for Investigators | | |
| Initial Training for New Employees | Yes (18) | Yes (3) |
| Training on New Laws Related to the Worst Forms of Child Labor | N/A | N/A |
| Refresher Courses Provided | Yes (18) | Yes (3) |
| Number of Investigations | Unknown | 10 (3) |
| Number of Violations Found | Unknown | Unknown (3) |
| Number of Prosecutions Initiated | Unknown | 1 (3) |
| Number of Convictions | Unknown | Unknown (3) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (19) | Yes (3) |

In 2016, the Prosecutor General’s Office participated in a training on the commercial sexual exploitation of children conducted by the Maldives Police Service (MPS). There were 235 officials from various law enforcement agencies, including the MPS and the Labor Relations Authority, who received training on human trafficking by the IOM.(3)

Investigators have insufficient funding and resources, such as office facilities and transportation.(19) Police and other officials also have inadequate training on procedures for identifying human trafficking victims and providing referrals to protective services, including for children.(2, 20) In addition, the MPS lacked the capacity to pursue child trafficking investigations.(18)

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

Although the Government has established a coordination mechanism on human trafficking, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Description |
|--|---|
| Anti-Human Trafficking National Steering Committee | Coordinate anti-human-trafficking activities and implement the country’s National Anti-Human Trafficking National Action Plan under MED leadership and 11 participating government agencies.(8, 19) |

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

| Policy | Description |
|---|--|
| National Anti-Human Trafficking Action Plan (2015–2019) | Sets out the Government’s goals to combat human trafficking, including establishing institutions, coordinating activities, raising awareness, and building capacity.(21) |

Although the Government of Maldives has adopted the National Anti-Human Trafficking Action Plan, research found no evidence of a policy to address the worst forms of child labor.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

| Program | Description |
|---|---|
| FCPS Shelters and Rehabilitation Centers† | Ministry of Law and Gender-operated centers on many of the country’s islands, which 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.(22, 23) |
| National Victim Support Hotline (Number 1696)*† | Ministry of Economic Development-operated hotline dedicated to receiving reports of human trafficking and child labor. Supported by the Maldives Police Service and Maldives Immigration.(24) |

* Program was launched during the reporting period.

† Program is funded by the Government of Maldives.

Existing social programs do not specifically address the worst forms of child labor, including the commercial sexual exploitation of children, use of children in the production of pornography, use of children for drug trafficking, and forced labor in domestic work. Family Child Protection Services Shelters and Rehabilitation Centers lack adequate financial and human resources, and staff are inadequately trained to deal with cases involving abused and exploited children.(3)

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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

| Area | Suggested Action | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework | Determine the types of hazardous work prohibited for children, in consultation with employers’ and workers’ organizations. | 2009 – 2016 |
| | Criminally prohibit all forms of commercial sexual exploitation of children, including procuring children for prostitution and procuring, offering, and using children for pornographic performances. | 2016 |
| | Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups. | 2016 |
| | Publish the 2014 amendment to the Law on the Protection of the Rights of Children. | 2016 |
| Enforcement | Collect and publish information on labor law enforcement, including child labor law violations, and the number of violations and convictions involving criminal law enforcement of the worst forms of child labor. | 2013 – 2016 |
| | Authorize the inspectorate to assess penalties. | 2016 |
| | Ensure that the labor inspectorate receives training that specifically focuses on child labor issues. | 2009 – 2016 |
| | Establish a referral mechanism between labor authorities and social services. | 2016 |
| | Hire a sufficient number of labor inspectors for the size of Maldives’ workforce. | 2016 |
| | Provide sufficient funding and training to the police and prosecutors, to ensure that investigators have the resources necessary to enforce laws on the worst forms of child labor. | 2013 – 2016 |
| Coordination | Establish a coordination mechanism to combat child labor. | 2009 – 2016 |
| Government Policies | Adopt a policy to address the worst forms of child labor. | 2014 – 2016 |
| Social Programs | Conduct a national child labor survey and publish the results. | 2014 – 2016 |
| | Conduct and publish research on the worst forms of child labor, including commercial sexual exploitation and trafficking of children. | 2009 – 2016 |
| | Implement and provide sufficient resources for programs that address the worst forms of child labor, including the commercial sexual exploitation of children, use of children in the production of pornography, the use of children for drug trafficking, and forced labor in domestic work. | 2009 – 2016 |

Maldives

MODERATE ADVANCEMENT

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16. UN. *World Economic Situation and Prospects 2012 Statistical Annex*. New York; 2012. http://www.un.org/en/development/desa/policy/wesp/wesp-current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, “developed economies” equate to the ILO’s classification of “industrial market economies,” “economies in transition” to “transition economies,” “developing countries” to “industrializing economies,” and “the least developed countries” equates to “less developed countries.” For countries that appear on both “developing countries” and “least developed countries” lists, they will be considered “least developed countries” for the purpose of calculating a “sufficient number” of labor inspectors.
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