

Maldives
Anti-Human Trafficking
National Action Plan
2015 - 2019



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Background

Human Trafficking is a serious crime and a grave violation of human rights and human dignity. Trafficking in persons is defined by Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons especially women and children as “ ... the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” On the basis of the definition given in the Trafficking in Persons Protocol, trafficking in persons has three constituent elements; **The Act** (What is done) **The Means** (How it is done) and **The Purpose** (Why it is done).

² [United States Department of State](#) 2014 Trafficking in Persons Report indicates Maldives is a destination country for men, women, and children subjected to forced labour and sex trafficking, and a source country for women and children subjected to labour and sex trafficking. Furthermore, the report states that an unknown number of the approximately 200,000 documented and undocumented foreign workers in Maldives – primarily Bangladeshi and Indian men in the construction and service sectors – experience forced labour, including fraudulent recruitment, confiscation of identity and travel documents, withholding or non- payment of wages, and debt bondage.

In 2014 there were 84,694 documented migrant workers (January 08 2015, as per stats of Department of Immigration and Emigration) and an estimated 30,000 to 35,000 undocumented migrant workers in Maldives. It is also estimated that the migrant workers population amounts close up to quarter of the population and consist almost half of the labour force of the Maldives and the number is growing significantly.

¹ See Article 3(a) of the *Trafficking in Persons Protocol*

² See United States Department of State, 2014 Trafficking in Persons Report - Maldives, 20 June 2014, available at: <http://www.refworld.org/docid/53aab9d010.html>

Due to the clandestine nature of the subject the exact scope of the issue is very much undermined. There is no base line data available on the subject as well as there is no current assessment on the trafficking scenario in Maldives. Efforts are been undertaken by different stakeholders to assess the situation of human trafficking in Maldives, thus based on the findings, recommendations would be put forward to relevant stakeholders. For instance:-

- HRCM is in the process of compiling the final comments for human trafficking assessment.
- Maldivian Democracy Network has conducted an assessment on migrant worker situation assessment.

Furthermore , several reports indicates the nature and scope of human trafficking in Maldives including the Review of the SAARC Convention on Preventing and Combating Trafficking of Women and Children for Protection and the Current Status of Implementation in the Maldives (final draft October 2009), Maldives Common Core Document (16 March 2010) and The State Department's Trafficking in Persons Report. Following the introduction of Anti-Human Trafficking legislation in December 2013 Maldives was upgraded to Tier 2 List of the US State Department's Trafficking in person Report after remaining in the Tier 2 watch list for four consecutive years.

The government of Maldives is genuinely committed to combat all forms of human trafficking in Maldives and the Anti- Human Trafficking Act 12/2013 marks as a milestone in the government's efforts to combatting human trafficking. As per international best practice the legislation includes three main components of criminalization, prevention and rehabilitation of victims; therefore, for the first time the law makes trafficking in persons a criminal offence in the Maldives. The Law also criminalizes forced labour and fraudulent recruitment as acts of human trafficking. The main objectives of the Anti-Human Trafficking Act include:

- Preventing trafficking of persons through and across the Maldives
- Establishing the crimes of trafficking in persons and prescribes the punishments
- Provide for prosecution of perpetrators of trafficking in persons
- Providing protection and assistance to victims of human trafficking
- Promote and protect human rights of trafficked victims
- Engage in cooperation with local and international NGOs working against human trafficking to combat trafficking in persons.

Anti-Human Trafficking National Steering Committee

As per Article 60 of the Anti-Human Trafficking Act, President Yameen Abdul Gayoom constituted the oversight Committee to combat trafficking in Persons in the Maldives on 12 December 2013. The Anti-Trafficking Steering Committee consists of members from the Government, Judiciary, and the Civil Society. The Primary role of the committee is to determine the national programme against human trafficking and to steer its policies and agenda to this effect. The Committee consists of 14 members appointed from the following areas, is responsible for the implementation of the law.

- a member of the People's Majlis appointed by the Majlis
- a judge appointed by the Supreme Court
- a member appointed by the Human Rights Commission of the Maldives
- a staff appointed by the Ministry (Chair of Committee as per Article 61, who convenes meetings and is responsible for coordinating and administering the work of the Committee)
- a lawyer appointed by the Attorney General
- a lawyer appointed by the Prosecutor General
- a staff from the Department of Immigration and Emigration appointed by the controller
- a staff appointed by Ministry of Foreign Affairs
- an officer appointed by Maldives Police Services
- an officer appointed by Maldives Customs Service
- a staff appointed by Labour Relations Authority
- a staff appointed by Ministry of Home Affairs
- a staff appointed by Ministry of Islamic Affairs
- a member of a non-governmental organization working to combat human trafficking

Steering Committee Members:

1	Ahmed Rasheed	Member of Parliament, People's Majlis
2	Abdulla Saeed	Judge, Supreme Court
3	Jeehan Mahmoud	Member, Human Rights Commission of the Maldives
4	Mohamed Anees	Minister of State for Economic Development, Ministry of Economic Development
5	Aisha Naeem	State Counsel, Attorney General's Office
6	Mohamed Iyas	Director, Legal Affairs, Prosecutor General's Office
7	Mohamed Shifan	Deputy Chief Immigration Officer, Department of Immigration and Emigration
8	Khadeeja Najeeha	Director, Ministry of Foreign Affairs
9	Hassan Habeeb	Assistant Commissioner of Police, Maldives Police Services
10	Mohamed Maseeh	Chief Superintendent, Maldives Customs Service
11	Aishath Nafaa Ahmed	Assistant Director, Labour Relations Authority
12	Sheik Hussain Rasheed Yusuf	Inspector General of Correctional Services, Ministry of Home Affairs
13	Ali Waheed	Deputy Minister, Ministry of Islamic Affairs
14	Muruthala Moosa	Member of Advocating the Rights of Children (ARC)

The functions of the committee include to:

- advise the President of the Maldives on actions to be taken in different situations and periods to combat human trafficking
- monitor the implementation of government policies formulated to combat human trafficking
- assist the government in the formulation of government policy, on all aspects of prevention and suppression of migrant smuggling and human trafficking
- in coordination with international organizations who work to combat human trafficking, implement programs, share information and seek assistance and benefits
- monitor and plan different programs implemented to combat human trafficking
- provide necessary assistance, advise and work in cooperation with NGOs
- coordinate with relevant authorities to create public awareness in combating human trafficking

Despite the enactment of the Anti-Human Trafficking Act several challenges still remains to effectively implement the newly enacted legislation. Fraudulent recruitment practices, confiscation of identity and withholding travel documents, withholding or non-payment of wages, or debt bondage,” are among several existing problems leading to human trafficking which is faced by the migrant community. It has been also noted that internal trafficking takes places within the local community in inter atoll areas to a lesser extent. Occasionally children from much poorer families come to live or for children education purposes with more moderate or wealthy families and eventually gets exploited or sexually abused.

Developing the National Action Plan

The first National Action Plan on Anti-Human Trafficking after the enactment of the legislation covering the period from 2015-2019, reflects a comprehensive strategy with a holistic approach taken by Maldives in combating human trafficking. It is characterized *inter alia* through national and international coordination, prevention, victim protection, criminal prosecution, and international cooperation. A Working Group, comprising representatives from different agencies including governmental and non-governmental parties led the process when the first action plan was endorsed in February 2013. The inclusive composition of the Working Group ensured that the drafting process was an open and participatory one.

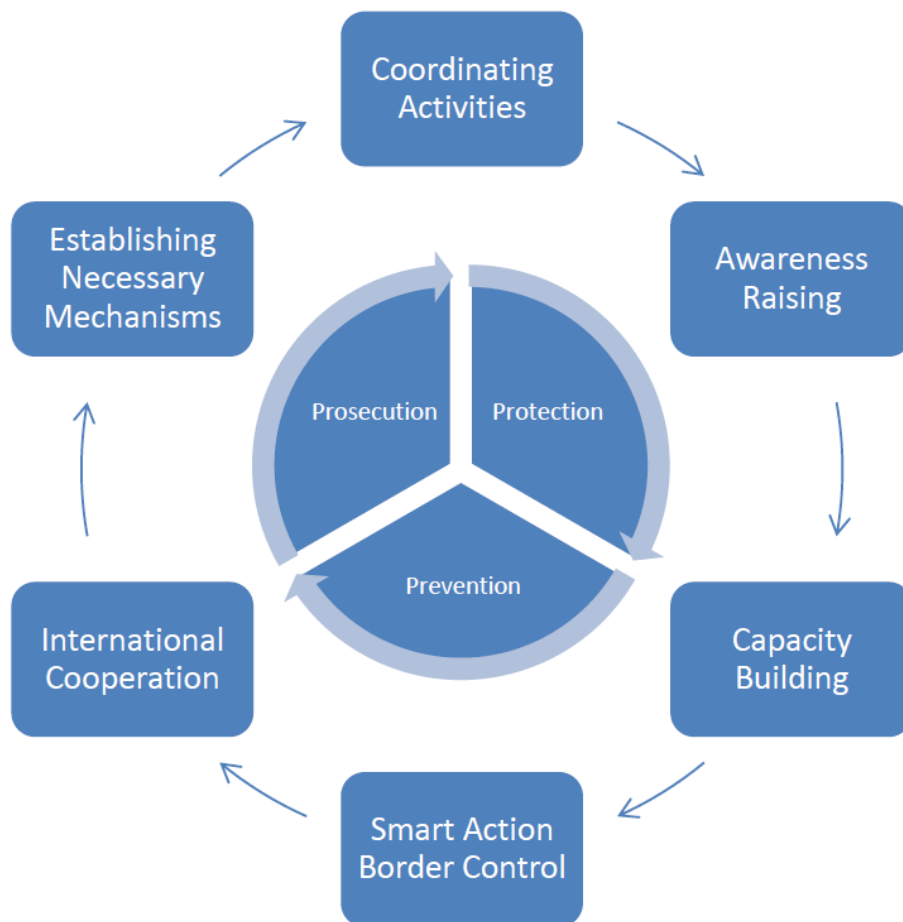
The deliverable measures covering the period from 2015-2019 outlined in this plan demonstrates Maldives determination to Prevent human trafficking, Prosecuting perpetrators of human trafficking and Protecting victims of human trafficking.

Goal of the Action Plan

The overall goal of this plan is to set a comprehensive and effective strategy in combating Human Trafficking in the Maldives. Government of Maldives is committed to collaborate and strengthen its efforts with regional and International bodies along with governmental and non-governmental actors to combat Human Trafficking in Maldives.

Objective of the Action Plan

Identifying the challenges and eliminate duplication of work was a prior step in preparation of this action plan. The priority actions described in this plan are divided into seven strategic goals with several tactical actions concerning protection, prevention, prosecution and collaboration. Some of the tasks specified are continuous with period evaluation mechanisms while others are set for a specific period of time.



- 1. Establishing necessary mechanisms** – The purpose of this specific goal would be to develop and establishing vital mechanisms to combat human trafficking in Maldives effectively. The initial task which would cover under this strategic goal would be to develop this action plan which will outline a national framework with tiered responsible bodies. Actions also include developing systematic procedures to combat human trafficking. Long term actions would include establishing safe separate shelters for both female and male victims of trafficking.

- 2. Coordination of activities** – Is aimed to develop and strengthen cooperation with a collaborated effort among the relevant bodies in order to avoid duplication of work and utilize resources to share responsibilities. The relevant activities is aimed to improve data collection and sharing of Information and Intelligence which is considered to be of pivotal importance in identifying potential victims of human trafficking, because identification is considered one of the major challenges in combating human trafficking.
- 3. Awareness Raising** – Prevention of human trafficking in Maldives is geared towards a proactive and a right based approach. Relevant activities in this plan include awareness- raising events for law enforcement agencies, judiciary, and other front line organizations, migrant communities and general public so that potential victims of trafficking can be identified. Further measures include conducting public awareness raising campaign on sensitivity for target groups, such as potential victims and key institutional actors; including, policymakers, prosecutors, judges, police, labour inspectors, Immigration officers and the vulnerable migrant community of Maldives.

The main purpose of these programs is to educate the targeted audience on forced labour, irregular migration and outcomes of trafficking, with activities addressing all phases of the trafficking cycle. Similar integrated awareness programs had been conducted in the past including a workshop to sensitize judiciary and investigators to human trafficking, photo and poster campaign on the migrant workers day of 2010.

- 4. Capacity building** – With the understanding and recognizing the forms of trafficking in Maldives we need to build human resource capacity, through various trainings to workplace enforcement agencies, judiciary and other front line organizations so that potential victims and victims of trafficking can be identified. Thus creating and implementing a wide-range of trainings to all actors including government and non- governmental organizations in order to assist in identification and providing necessary assistance to victims is essential.
- 5. Smart action border control** – The measures in this plan will increase our knowledge and control over those who uses our borders for irregular migration and other forms of immigration crimes. A number of improvements indicated to enhance our border control functions such as the use of biometric identifiers and the development of e- borders will make it harder for traffickers to use our borders as transiting points and as well as entry points. The bio metric capabilities will also enable us to identify undocumented migrant workers. It is important to deter and identify victims and traffickers at the border. This is because many victims enter the

Maldives with legitimate documentation and some will be unaware that they are being trafficked. Actions to enhance border control also include introduction of offshore visa policy to high risk destinations in order to suspend traffickers and disrupt their possible victims before reaching Maldives.

There are several actions in the Department of Immigration, which is currently ongoing, and are more generally related to migration management while others will assist us in combating human trafficking and crimes related to migrants workers. The new border control programme is a key component aiming to deliver a modernized border control system which is fundamentally more effective, efficient and secure to meet future operating needs of the border management

- 6. International cooperation** – We understand that human trafficking is a borderless crime and it is vital to develop our relationship and strengthen our cooperation with the international community in order to combat this gruesome crime. The actions included under this goal consist of signing relevant conventions and other treaties.
- 7. Monitoring and Evaluation** – Continuous monitoring and evaluation of the mechanisms in place as well as update of the current situation for an effective and proactive system. Periodic review and assessment of the action plan will be done by the steering committee and targeted actions would be reviewed and modified if found to be deficient. Monitoring and Evaluation measures reviews all actions included in this plan and any possible proposals for improvement or new actions will be included to the plan after consideration. As part of our continued work to combat trafficking, our emphasis will be upon developing robust system to minimize the risk of subsequent exploitation.

Responsibility and Implementation of the Action Plan

Implementation of this plan is from 2015-2019. Executing this action plan is a shared responsibility among all relevant stakeholders. Each party has the nodal responsibility to conclude the identified actions designated to them enlisted on this plan. Representation of government and non-governmental organizations plays an essential role in implementing this action plan thus without the commitment and active involvement of all the actors we would be unable to achieve the primary goal of this action plan.

Some of the tasks designated on this plan are coordinated activities while other tasks specifically relevant to individual agencies. Some actions on this plan are targeted to be completed

in a specific period of time while other actions are ongoing relevant work with periodic monitoring and evaluations of the process. In contrast of some of the objectives and actions defined in this action plan does not primarily act on the basis of this plan, but are relevant broader strategies in combating human trafficking in Maldives.

Evaluation and monitoring of the Action Plan

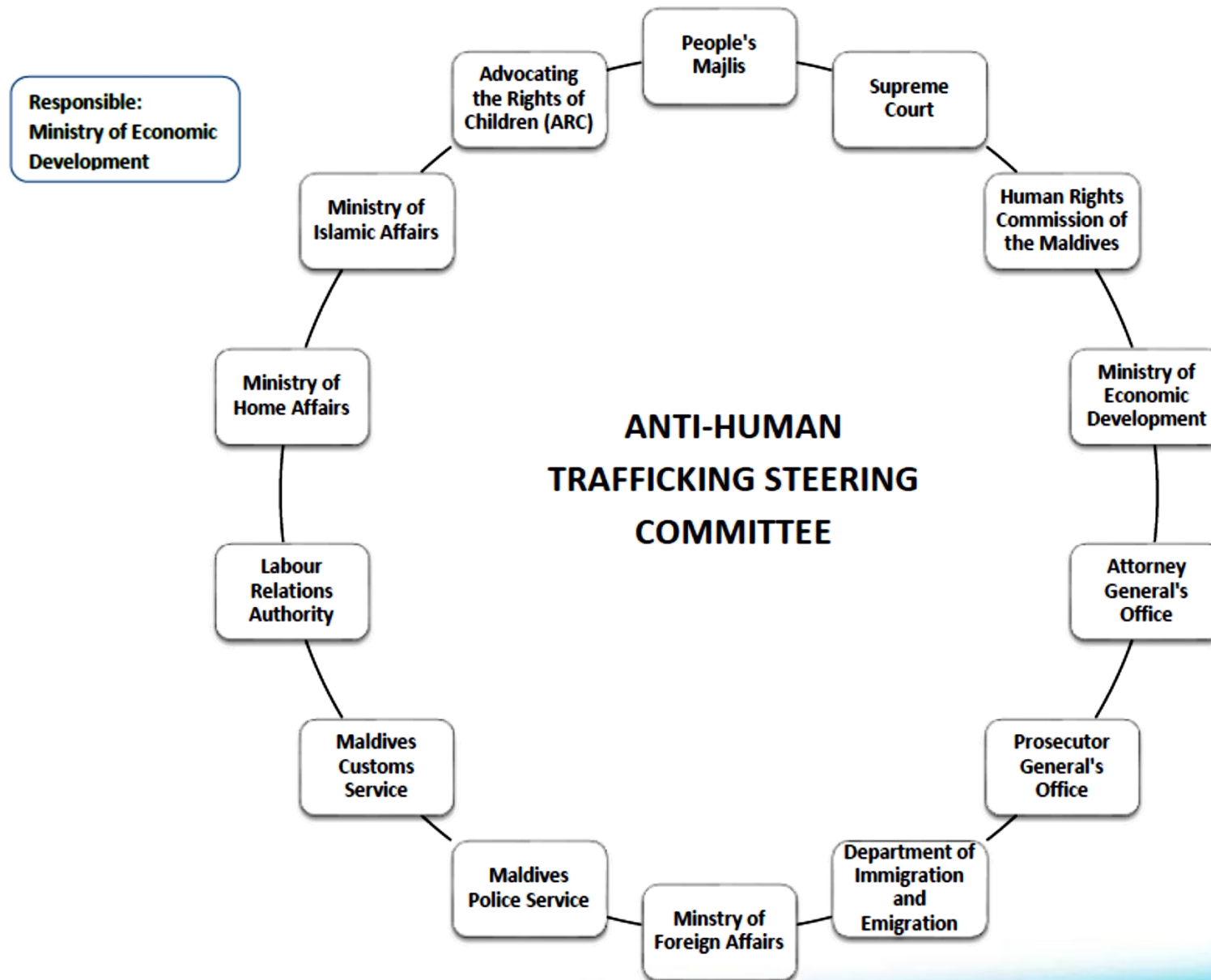
The Anti-Human Trafficking Steering Committee will be the primary responsible body for the monitoring and evaluation of this Action Plan while the Ministry of Economic Development is the nodal Agency. Periodic reporting and evaluation of designated working groups will be a part of the monitoring and evaluation process.

Financing of the Action Plan

In view of the current budgeting difficulties and the fact that the plan was endorsed in March 2015, the allocation of funds for the implementation of this plan will be supported from the contingency budget for 2014. Furthermore, it must be noted that this Action Plan was only formulated after finalizing the State budget for the year 2014, therefore financial resources for the full implementation of this action plan has not been earmarked on the State budget of 2014. All tasks allocated in this plan will fall within the parameters of the government intervention list in Rule of Law and subsequent policies and strategies.

Tasks dedicated to specific objectives and particular entities will be financed within availability of funds and budgets at their disposal.

Annex 1: National Framework on Anti-Human Trafficking Steering Committee



Annex 2: Maldives National Anti-Human Trafficking Action Plan 2015 - 2019

Objectives	Baseline Indicator	Activity No	Activities	Costing	Timeline / Annual Targets																				Responsible / Implementing Agency	Status of Activities
					2015				2016				2017				2018				2019					
					Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
Goal 1: Establishing necessary mechanisms																										
1.1	Develop Victim Identification and Protection and Reintegration SOPs	Document being drafted. Draft Progress:	1.1.1	Issue Victim Identification, Protection and Reintegration Guidelines			✓																		Anti-TIP Comm	
1.2	Accede to the 2000 TIP protocol		1.2.1	Ratify UN TIP protocol	NIL		✓																		Parliament / MFA	
1.3	Possible legal alternatives to deportation of victims		1.3.1	Develop a written procedure on how testimonies (as warranted by article 56) can be taken		✓																			MPS / PG / DoIE	
1.4	Establishing & Developing Anti Human Trafficking Unit in MED		1.4.1	Allocate proper staffing and resources	489,720.00	✓																			MED	
			1.4.2	Establish 24/7 toll free help line for Information & complaints	Through IOM	✓																				
		Development of a case management	1.4.3	Establish case management systems	Through IOM		✓																			
			1.4.4	Specialized training programs for Anti Human Trafficking unit staff	Through IOM		✓																			
			1.4.5	Drafting procedure manual of AHT unit		✓																				
1.5	Establishment of safe house and victim support center		1.5.1	Establishment of a temporary shelter for men and women seperately		✓																			MED	
			1.5.2	Capacity buidling of temporary shelter staff	Through IOM	✓																				
			1.5.3	Development of concept paper to establish safe house and victim support center (to be considered through IOM-request)																						
			1.5.4	Land allocation	NIL	✓																				
			1.5.5	Budget allocation			✓																			
			1.5.6	Construction of safe house building				✓																		
			1.5.7	Capacity building of safe house management	Through IOM			✓																		

Objectives		Baseline Indicator	Activity No	Activities	Costing	Timeline / Annual Targets																				Responsible / Implementing Agency	Status of Activities
						2015				2016				2017				2018				2019					
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
			1.5.8	Implement SOP for shelter operations and Victim Services	NIL					✓																	
			1.5.9	Categorise and separate shelter in accordance to the victim	NIL						✓																
1.6	Strengthening regulatory framework		1.6.1	Developing necessary regulations under the legislation	25,000.00	✓																				MoIE / Police / MED / LRA	
		IOM has translated the trafficking in		Review Anti-Human Trafficking Act and identify areas for revision	70,000.00				✓																	AGO	
				Draft necessary desk review on People Smuggling (either as separate law or to be incorporated into the Anti-Human Trafficking Act)	80,000.00					✓																AGO / DoIE	
			1.6.2	Reviewing existing regulatory frameworks			✓																			MED / DoIE / LRA	
			1.6.3	Endorsing a Labour Policy	NIL (through ILO)		✓																				
		Study tour conducted to Bangladesh on	1.6.4	Pre-departure health screening of migrant workers	Through IOM				✓																		
Goal 2: Coordination of Activities																											
2.1	Coordination and Corporation among National and International Organizations providing assistance on Human trafficking issues		2.2.1	Signing MOU between MED, Department of Immigration and Emigration and Maldives Police Service providing bilateral assistance on Human trafficking issues	NIL		✓																			DoIE / MPS / LRA / P.G	

Objectives		Baseline Indicator	Activity No	Activities	Costing	Timeline / Annual Targets																				Responsible / Implementing Agency	Status of Activities
						2015				2016				2017				2018				2019					
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
2.2	Bridging partnership with NGO's on combating Human Trafficking	IOM conducted a mapping exercise of potential service providers which could	2.3.1	Identify relevant NGOs who can provide assistance in relevant areas such as legal, medical, psychosocial and shelter and establish a victim assistance directory	NIL	✓																			MED / ARC / NGOs		
			2.3.2	Developing LoU/MoU and signing with the NGOs identified in the Victim Assistance Directory	NIL	✓																					
2.3	Contributing to Strategic National Action plan on Human trafficking		2.4.1	Hold a workshop/conference on human trafficking with all stakeholders to address the limitations that currently exist, like terminology & procedures, etc.	Through IOM				✓																MED		
Goal 3: Awareness Raising																											
3.1	Multimedia Campaign		3.1.1	Place anti-Human Trafficking poster & banners at Immigration arrival counters	Government / IOM			✓																	DoIE		
			3.1.2	Choose an ambassador province, atoll and island level against Human Trafficking	NIL					✓															MED		
			3.1.3	Province, island and Atoll level awareness workshops			✓				✓			✓			✓										
			3.1.4	Art/ poster exhibition for school children	20,000.00			✓			✓			✓			✓										
			3.1.5	Awareness Leaflets on Human Trafficking	60,000.00	✓																					
			3.1.6	Radio programs on awareness raising	NIL				✓			✓			✓			✓									
			3.1.7	To host a dedicated webpage providing information on human trafficking on the immigration website.	90,000.00		✓																				
			3.1.8	Fair, media coverage's, newspapers, etc.	NIL				✓			✓			✓			✓							All stakeholders		

Objectives		Baseline Indicator	Activity No	Activities	Costing	Timeline / Annual Targets																Responsible / Implementing Agency	Status of Activities				
						2015				2016				2017				2018						2019			
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4			Q1	Q2	Q3	Q4
3.2	Pamphlets of Anti Human Trafficking in Bengali, Hindi, Sinhalese and Tamil for Migrant worker	IOM, LRA and DoIE had involved in the Phamplets design, which is already finalized.Information materials,	3.2.1	Information pamphlets of (Anti Human Trafficking in Bengali, Hindi, Sinhalese and Tamil for Migrant worker's)	Through IOM	✓																				MED / DoIE / LRA	
3.3	Awareness raising seminars & Fairs targeting relevant government agencies, parliament, media private sector & NGOs		3.3.1	Design and conduct seminars	Government / IOM		✓				✓				✓			✓									
Goal 4: Capacity Building																											
4.1	Capacity building of AHT unit, Immigration staffs and relevant authorities		4.1.1	Train Police Officers on victim identification	Through IOM	✓				✓				✓			✓									MPS / DoIE	
			4.1.2	Developing Immigration officers Foreign language skills (Bengali, Tamil, Singhalese, Nepali, Malayalam Hindi), Human Trafficking investigation and prosecution training, overseas trainings			✓				✓			✓			✓										
			4.1.3	Human Trafficking workshop on sensitizing prosecutors / lawyers and investigators to trafficking in persons.				✓			✓			✓			✓										
			4.1.4	Language training for Immigration staff / translator to be provided at borders and arrangements to get cooperation from embassies and high commissions in Maldives		✓				✓				✓			✓									DoIE	

Objectives		Baseline Indicator	Activity No	Activities	Costing	Timeline / Annual Targets																				Responsible / Implementing Agency	Status of Activities
						2015				2016				2017				2018				2019					
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
4.2	TOT training programs on Human Trafficking victim identification and protection for DIE, LRA , MPS, MGFHR, Employment Tribunal & Juvenile Court other relevant courts and rule of law		4.2.1	Developing TOT training module	Through IOM					✓																MED	
Goal 5: Smart Action Border Control																											
5.2	Developing a Migration Management System		5.2.1	Developing a Border Control and Migration management Assessment	Through IOM					✓																DoIE	
			5.2.2	Establishing Advance Passenger Information System (APIS)	Foreign funded project (No Initial estimate) with Rf 200,000 borne by the government					✓																	
5.3	Possible legal alternatives to deportation of victims		5.3.1	Voluntary Depature Program				✓																		DoIE	
			5.3.2	Undocumented workers Regularization Program				✓																		DoIE	
Goal 6: Monitoring and Evaluation																											
6.1	Assessment of Human Trafficking scenario in Maldives		6.1.1	Assessment on trafficking scenario in Maldives (conduct a situation analysis that will cover all regions)	Through IOM	✓							✓						✓							MED / HRCM / NGOs	
			6.1.2	Publish and disseminate report findings			✓																				
			6.1.3	Coduct periodic review					✓				✓			✓											
			6.1.4	Monitoring achievement of objectives under the National Action Plan	NIL				✓				✓			✓			✓								

Objectives		Baseline Indicator	Activity No	Activities	Costing	Timeline / Annual Targets																				Responsible / Implementing Agency	Status of Activities
						2015				2016				2017				2018				2019					
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
Goal 7: Developing International Cooperation																											
7.1	Regional Participation	Drafted	7.1.1	Lobby and pass the Mutual Legal Assistance Bill	NIL	✓																			MED, PG, AG, Parliament, MoFA		
7.2	Coordination and Corporation among other countries to provide multilateral assistance on Human Trafficking		7.2.1	Identify areas of cordination and corporation and establishment of relations	NIL					✓															MED / MoFA		