

In 2012, the Maldives made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government ratified ILO Convention 138 and ILO Convention 182. The Government began implementing the newly passed anti-trafficking plan for 2011–2012. However, the Government has not established a list of hazardous work activities for children, and the compulsory education age of 13 leaves children ages 13 to 16 vulnerable to the worst forms of child labor. The country also lacks laws prohibiting trafficking in persons. While the Government has a steering committee on counter-trafficking, there is no coordination mechanism on other child labor issues. Additionally, although the Government has not collected data on the issue, children in the Maldives are reportedly engaged in the worst forms of child labor, particularly girls found in commercial sexual exploitation and working as domestics in private households.

Statistics on Working Children and Education

Children	Age	Percent
Working	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		114.0

Sources:

Primary completion rate: Data from 2009, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from DHS survey, 2006.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

There are reports of limited numbers of children engaged in the worst forms of child labor in the Maldives, particularly girls found in commercial sexual exploitation and working as domestics in private households.(3-5) Girls are reportedly trafficked for prostitution from other parts of the country to the capital city, Malé; the extent of the problem is unknown.(4) The UN Committee on the Rights of the Child has expressed serious concern about the commercial sexual exploitation of children in the Maldives and has warned that a lack of research on this exploitation has contributed to widespread denial of the problem.(3) In addition, although the number of children working as domestics in private homes is unknown, child domestics may be required to work long hours, performing strenuous tasks, without sufficient food or shelter. These



children may be isolated in private homes where they are susceptible to physical and sexual abuse.(6, 7)

Although evidence is limited, there is information that children work in potentially dangerous activities in fishing.(8) These children may work long hours, perform physically demanding tasks, and face dangers such as drowning.(6, 9)

Laws and Regulations on the Worst Forms of Child Labor

In January 2013, the Government ratified ILO Convention 138 and ILO Convention 182.(10)

The Employment Act establishes 16 as the minimum age for work and 18 as the minimum age for work that may have a detrimental effect on a child's health, education, safety, or conduct.(11) Research has not found evidence of laws or regulations that specify work activities and processes that are hazardous and thus prohibited to children. The Employment Act permits minors under age 16 to work in family businesses, provided such work is voluntary, and to perform work for educational or training purposes.(11) However, children under age 16 are prohibited from working during school hours, and children under age 18 cannot be required to work after 11 p.m.(11, 12)

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International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	13
	Free Public Education	Yes

The Constitution establishes the right to free education. It states that “it is imperative on parents and the State to provide children with primary and secondary education,” but there is no law that establishes an age for compulsory schooling.(13, 14) However, the Government reported to the UNESCO Institute of Statistics that education is compulsory until age 13.(15) The compulsory education age leaves children ages 13 to 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.

The Employment Act and the Constitution both prohibit forced labor, and the Constitution prohibits slavery and servitude.(11, 14) The Government does not have laws in place prohibiting trafficking in persons.(4) The Penal Code and the Child Sex Abuse (Special Provisions) Act criminalize the use of children for prostitution and pornography, but these offenses are not criminalized if the perpetrator and victim are married under Sharia Law.(16)

The Drug Act explicitly prohibits the use of children in drug trafficking.(16) There is no compulsory conscription into the military, and the voluntary recruitment age is 18.(17, 18)

Institutional Mechanisms for Coordination and Enforcement

Although the Government of the Maldives has established an interagency steering committee to strengthen counter-trafficking coordination, research found no evidence of a coordinating mechanism to combat other worst forms of child labor.(16)

The Ministry of Human Resources, Youth, and Sports’ (MHRYS) Labor Relations Authority (LRA) enforces the child labor provisions of the Employment Act.(16) In 2012, the LRA was staffed with 10 labor inspectors and 6 investigation officers to inspect for any violations of the Employment Act.(16) The LRA carried out 360 routine labor inspections in 2012 and found no child labor. It also received 1,619 labor-related complaints through its complaint mechanism, but none involved child labor violations.(16) Inspectors and officers do not receive targeted training on child labor issues.(16)

Until mid-year, the LRA maintained a “blacklist” of employers who violated any provision of the Employment Act, over which the Department of Immigration and Emigration (DIE) then assumed jurisdiction. Employers on the blacklist cannot hire new workers until violations are corrected. Data are not available on whether any employers were blacklisted for child labor violations in 2012, but it is unlikely, since no violations were found during the year.(16)

The DIE is the Government’s focal point on trafficking in persons.(19) The DIE, in coordination with the Maldives Police Service (MPS), are responsible for identifying victims of trafficking.(16) An interagency steering committee comprised of the MPS, the DIE, the Ministry of Foreign Affairs, the LRA, the Ministry of Home Affairs, the Ministry of Health and Family (MHF), the Maldivian Democracy Network (an NGO), and the Human Rights Commission of the Maldives is charged with counter-trafficking coordination.(19)

The Government’s Family and Children’s Centers assist the public in reporting cases of abuse against both women and children.(20) When cases of child sexual abuse are identified, including child prostitution, the Ministry of Gender, Family, and Human Rights (MGFHR) provides victim care, while the MPS’ Family and Child Protection Unit (FCPU) investigates the cases and refers them to the Prosecutor General’s Office for prosecution.(16) In 2012, the FCPU had 25 officers to process child abuse cases in Malé, as well as officers in stations throughout the country’s many islands.(16) Three cases of child prostitution were handled by the MPS in 2012, and charges

were filed under the Child Abuse (Special Provisions) Act in two of these cases.(16)

Government Policies on the Worst Forms of Child Labor

In 2012, the Government began implementing the newly passed anti-trafficking plan for 2011-2012. The plan establishes the Anti-Human Trafficking and People Smuggling Unit as its implementing agency.(4, 21)

The Maldives Strategic Action Plan, recognized by the World Bank and other development partners as the country's PRSP, establishes policies to strengthen child and family protection service delivery at the central and provincial levels and establishes and strengthens alternative care systems for children.(22) The UNDP Country Program for the Maldives (2011-2015) aims to support the ILO in developing a Decent Work framework to address youth unemployment, among other issues. The UNDP Country Program 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.(23)

The question of whether these poverty alleviation and rule of law policies have an impact on the worst forms of child labor

does not appear to have been addressed. The Government does not regularly collect data on working children, making it difficult to understand the scope of the problem and to design strategies to address it. However, the Maldives Human Rights Commission is currently assessing the scope of the trafficking in persons problem in the country.(13)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

Social protection centers on many of the Maldives' islands provide temporary shelter and protection for children in need, which could include children rescued from abusive work situations.(3) The MGFHR provides general protection and rehabilitation services, such as counseling, family reintegration, medical treatment, and educational assistance to vulnerable children.(13, 16, 24) The target population for these services could include children in the worst forms of child labor, but the extent to which such children are involved is unknown. The MHF operates a hotline to report child abuse cases.(20, 25) It is unclear if such cases include children abused in work settings and/or in commercial sexual exploitation.

Research found no evidence of any programs that specifically address the worst forms of child labor for children working as domestics in private homes or those who may be found in commercial sexual exploitation.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in the Maldives:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Amend the Employment Law or enact regulations specifying the work activities and processes that are hazardous to children.	2009, 2010, 2011, 2012
	Raise compulsory education to age 16, the minimum age for work.	2011, 2012
	Enact a law against trafficking in persons.	2011, 2012
	Enact laws to criminalize all child prostitution and child pornography, even when it occurs within a marriage relationship.	2010, 2011, 2012
Coordination and Enforcement	Establish a coordination mechanism to combat all worst forms of child labor.	2009, 2010, 2011, 2012
	Ensure that the labor inspectorate receives training on child labor issues.	2009, 2011, 2012
Policies	Assess the impact that existing poverty alleviation policies may have on addressing child labor, particularly in domestic service and forced prostitution.	2009, 2010, 2011, 2012

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Area	Suggested Actions	Year(s) Action Recommended
Policies	Conduct research on the prevalence of the worst forms of child labor to determine whether better targeted policies and services are necessary.	2009, 2010, 2011, 2012
Social Programs	Develop and implement programs to address the worst forms of child labor, particularly for children exploited in domestic service and forced prostitution.	2009, 2010, 2011, 2012

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