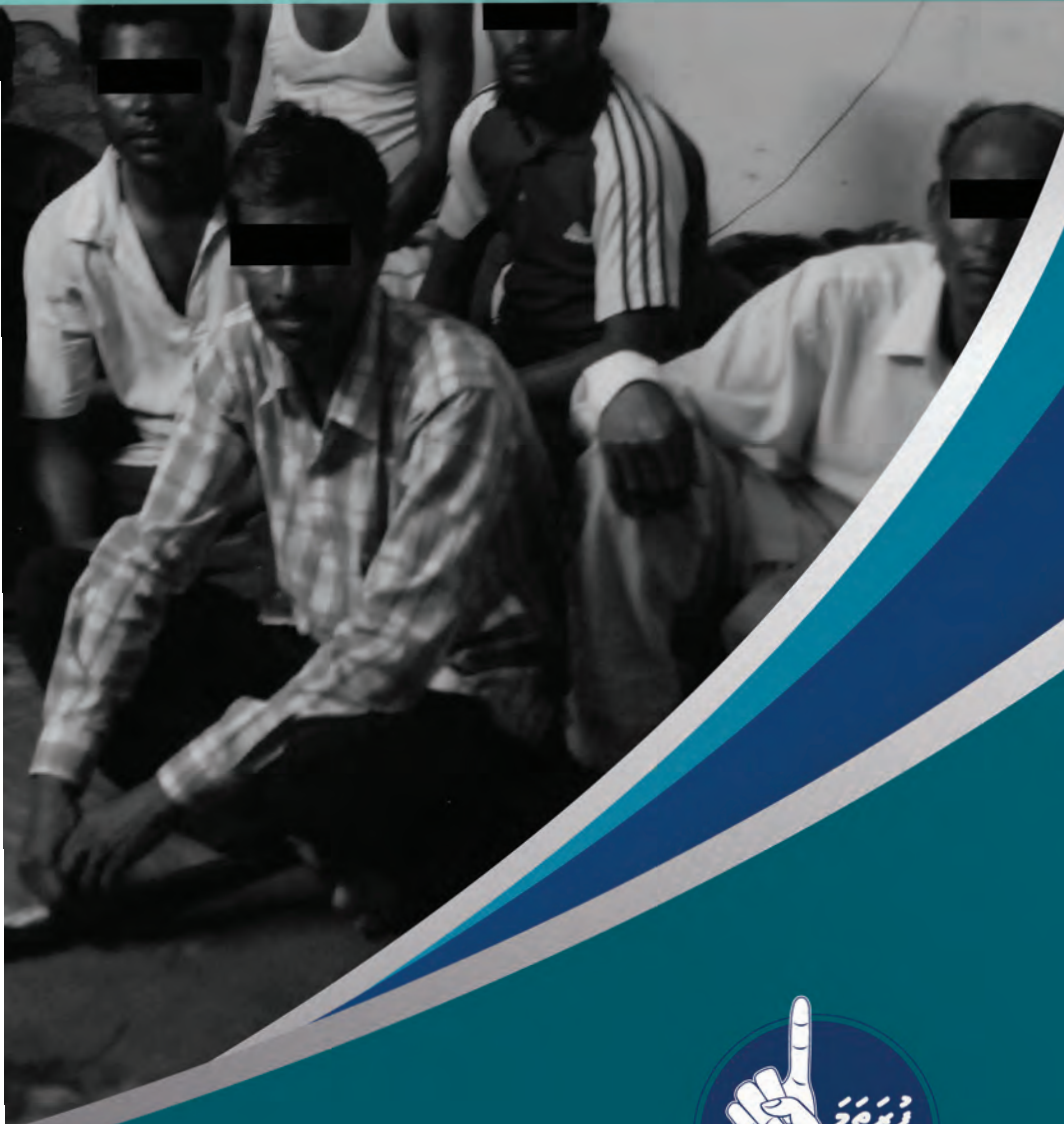




انسانی حقوقوں کی تحریک

## رپورٹ - 2، حصہ 1

مقامی سطح پر انسانی حقوقوں کی تحریک  
کی کارکردگی اور اس کی ترقی





مَدِينَةُ مَكَّةَ الْمُكَرَّمَةِ وَبَلَدُ مَدِينَةِ مَكَّةَ الْمُكَرَّمَةِ وَبَلَدُ مَدِينَةِ مَكَّةَ الْمُكَرَّمَةِ وَبَلَدُ مَدِينَةِ مَكَّةَ الْمُكَرَّمَةِ

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ស្នាក់នៅ:

ក្រសួង-ស្ថាប័នស្រាវជ្រាវ  
02 ផ្លូវ កម្ពុជា ភ្នំពេញ  
រាជធានីភ្នំពេញ កម្ពុជា 1114  
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ក្រសួងស្រាវជ្រាវស្ថាប័នស្រាវជ្រាវ

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ស្នាក់នៅ:

ស្នាក់នៅស្ថាប័នស្រាវជ្រាវ

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- 4 ..... 5. ئىسپات ۋە ئۆزگىرىشى











## 5. Recommendations and Conclusion

To minimize the risk of corruption that may lead to trafficking of persons, the Maldives is yet to make speedier advancements in the area. The border control system and the software systems used in the Maldives Immigration need to be replaced with systems which are specifically designed to tailor Maldivian Immigration procedures with modern technologies. Its system needs to have effective functioning to maintain real-time statistics and prompt service delivery to the public.

Proper implementation of monitoring mechanisms developed by the Maldives Immigration, Local Government Authority and Labor Relations Authority is fundamental for a well-functioning system. Likewise, expatriate registry which is mandated under the Decentralization Act 2010 needs to be maintained systematically by all the local councils. Moreover, proactive monitoring mechanism in which relevant authorities can ensure that expat workers conduct within the laws and regulations of the Maldives is vital to identify and provide protection for the victims of human trafficking and to identify and prosecute the traffickers.

## 4. Corruption Risk Factors

The administrative and procedural corruption risk factors that may contribute to trafficking in persons are summarized as;

1. **Failure to maintain expatriates' registry in the islands:** Out of 181 local councils, only 44 councils maintain their expatriate's registry. Lack of efficient policies could be one of the factors that lead to the failure of maintaining proper/valid statistics as well as lack of monitoring of expat workers in islands.
2. **Lack of a monitoring mechanism for internal transportation:** Expats are allowed to move from one island to another through speedboat without any verification of documents. It's challenging for the relevant authorities to monitor the internal movement of expatriates, since Maldives Islands are geographically dispersed; and government resources are limited to monitor their movement.
3. **Lack of consistent mechanism to monitor expatriates:** The procedures of Maldives Immigration do not include the proactive monitoring of expats workers. This fails to ensure whether they are working at their allocated worksite or not. Also, fails to monitor whether expats are working under their assigned quota/worksite.
4. **Absence of an integrated software system:** The software systems used in Maldives Immigration are not integrated with each other, thus increases manual work, human errors, manipulation of documents that may pervade risks to corruption. For instance, Personal Identification Secure Comparison and Evaluation System (PISCES), the border control system used by Maldives Immigration is not integrated with EXPAT SYTEM, which allows application for quota, work permit and work visa.

### 3. Background

The government of Maldives made significant efforts during the recent couple of years in strengthening the need for prevention and prohibition of human trafficking in the country. In that context, the Maldives enacted the Prevention of Human Trafficking Act 2013, aiming to prohibit human trafficking and to penalize related offenses. In 2017, Maldives was upgraded to Tier 2<sup>4</sup> of the US State Department's Trafficking in person Report from the Tier 2 Watch List<sup>5</sup> due to the successful prosecution and conviction of traffickers for the first time<sup>6</sup>. However, in 2018, Maldives was again downgraded to Tier 2 watch list due to lack of consistent efforts in proactive identification of cases.

Additionally, a few significant efforts made during 2017 include a development of an online case management system by Maldives Police Service that allows victims to submit cases online. The Maldives Immigration had also commenced conducting of mandatory trainings on trafficking for new recruits and implementation of a pre-departure screening system for Bangladeshi migrant workers<sup>7</sup>.

Human trafficking offenses identified in the Maldives are forced labor, fraudulent recruitment, confiscation of identity and travel documents, withholding or non-payment of wages and debt bondage<sup>8</sup>. The risk of trafficking of migrant workers may rise with the expand of labor force. Expat workers have been significantly increasing in the Maldives, since 1990s. Almost half of the Maldivian labor force is migrant workers from different countries, which primarily consists of Bangladeshis, Indians, Sri Lankans, Nepalese and Filipinos.<sup>9</sup>

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<sup>4</sup> Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.

<sup>5</sup> Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND:

a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;  
b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or

c) The determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.

<sup>6</sup> Trafficking in Persons Report 2017, US State Department

<sup>7</sup> Field Survey on Human Trafficking in Male', Maldives, 2014, IOM Maldives

<sup>8</sup> Maldives Migrant Worker System Assessment Report, 2015, Transparency Maldives

<sup>9</sup> National Bureau of Statistics, Republic of Maldives

## 1. Introduction

The Anti-Corruption Commissions' Act 2008, mandates the Commission to carry out researches on the prevention of corruption and to submit recommendations for improvement to relevant authorities regarding actions to be taken<sup>1</sup>. Prevention of corruption is one of the primary functions of the Anti-Corruption Commission (ACC) which is driven through conduction of researches inclusive of providing recommendations to public institutions that are potentially exposed to high risk corruption.

The main purpose of this paper is to present aspects of corruption risk factors in the Maldives in relation to trafficking in persons of migrant workers and suggest remedial measures from the research findings<sup>2</sup>.

This is a policy paper developed from the ACCs risk assessment on procedures of the Maldives Immigration related to expat workers and the ACCs presentation delivered at the 6<sup>th</sup> Interpol Global Conference on Human Trafficking and Migrant Workers held at Abuja, Nigeria on 24<sup>th</sup> – 25<sup>th</sup> September 2018.

## 2. Trafficking in Persons

The United Nations Convention against Transnational Organized Crime (UNTOC), defines “Trafficking in Persons as the recruitment, transportation, transfer, harboring 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 purpose of exploitation”<sup>3</sup>.

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<sup>1</sup> Article 21 (c)

<sup>2</sup> Corruption Risk Assessment - Maldives Immigration

<sup>3</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Article 3, paragraph (a)

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