

The first ad hoc group meeting of Bali Process

Bali, 27 – 29 July 2009

MALDIVES PAPER

THE HUMAN TRAFFICKING

Good afternoon Chairman, ladies and gentleman. I am Hamid Fathuhulla, Deputy Controller of the Department of Immigration and Emigration of the Maldives. First of all, I would like to convey a very special thanks on behalf of the Government of Maldives, for inviting us to participate in this first Ad Hoc Group meeting of the Bali Process.

Today, I would like to highlight some aspects of the US State Department report on Trafficking in Persons, released recently. According to the Report, the Maldives is primarily a destination country for migrant workers from Bangladesh and India, and some are trafficked into forced labor and, to a lesser extent, a destination country for women trafficked for the purpose of commercial sexual exploitation.

At present, there are 80,000 foreign working in the Maldives, mainly in the construction and service sectors. Sometimes, these workers face fraudulent recruitment practices, detention, confiscation of identity and travel documents, debt bondage, or general slave-like conditions imposed by some employers. There were about 20 thousand workers without legal status, yet both legal and illegal workers were vulnerable to conditions of forced labor.

Due to these problems, the Government of Maldives have taken steps to address the problem, especially after the participation of in the Bali process meeting in February this year 2009. In most cases, what we have found is that, problems result from the lack of awareness in the public or in the sending countries and because this business involves a considerable profit for agents and employers. Therefore the Department of Immigration and

Emigration of the Maldives has taken a stand against trafficking to end this modern practice of slavery.

Although the Maldives does not have an anti-human trafficking law, the Government has pushed up its law enforcement efforts against trafficking. The Constitution of the Maldives prohibits forced labor and slavery also some laws covering sexual offenses and child protection could be used to prosecute sex trafficking and child trafficking offenses. The sexual offenses statute – Section 173 of the Rules and Procedure adopted in February 2008 set penalties of up to 15 years imprisonment.

Therefore we should find ways to get help from other organizations to fight this issue of modern-day slavery and we hope to get support and help from participating countries of the Bali Process to end the exploitation of victims of human trafficking in the Maldives.

TRAFFICKING IN MALDIVES

1: The forced transportation of people into Maldives.

35% of the population of Maldives is composed of migrant workers, mostly from Bangladesh, Sri Lanka and India. From what we have found out through interviewing some of these foreign workers, some of them come without knowing where they will be working and some were in the belief that there were going to Qatar or Dubai. Therefore there is a need to create awareness among the job seekers of these countries.

The Maldives has an estimated 20,000 illegal foreigners who do odd jobs across the country. As our islands are scattered in the Indian ocean, it is difficult to locate where and how they are living. There were some reported cases of foreign workers suffering from conditions of withheld pay, poor living conditions and fraudulent recruitment.

2: Trafficking victims and their involvement in sex trade.

Many trafficked persons into Maldives are victims of international trafficking. As there is a market in the Maldives, some foreign national brought women to the Maldives for prostitution, most of these victims are used by migrant workers in the Maldives and the caretaker of these ladies take all the profit.

The Department of Immigration and Emigration has recorded so far since 2009, 7 males and 17 women involved in sex trade or prostitution in the Maldives. It is unclear as who is the mastermind behind this. We do not have a mechanism or a system to investigate these. All of them who are involved in this illicit behavior are foreign nationals and the current practice is to simply deport them to their country.

In 2008 Maldives Police Services identified two women as sex trafficking victims and they were provided temporary shelter before repatriated with the help of their diplomatic mission in Maldives and there was no criminal prosecution related to their exploitation.

3. Contract marriage

Recent the trend has increased, of Bangladeshi nationals and other Muslims migrant workers from other countries, of finding a Maldivian bride and then getting married. There are no restrictions on this, as they will obtain a married visa and also they can establish a business easily once they are married to a Maldivian. The sad reality is that most of the Bangladeshi married visa holders will not open a business that caters to Maldivians, but instead of that they more usually open an employment agency and find quotas to bring in their nationals to the Maldives (dumping).

The local customs of the Maldives is, whoever is a Muslim, they are eligible to be a wife of Muslims. As every country has poverty, Maldives also faces this issues. While poverty and inequality are important factors in making

certain populations more vulnerable, it is sad that these agencies bring their own nationals under false documents and promises of a better pay and a better environment.

So, these marriages are really not a marriage. Instead, it is a marriage bond that involves a profit to both parties - husband and wife.

Eg:

- a monthly pay or salary for the wife and medical support for the family.
- absence of a relationship as husband and wife.

Most of these people are married to local women who are in their middle age and with less opportunities.

4: Can we do anything to minimize this huge issue

We are committed to make an enormous difference in improving the conditions of expatriate workers in the Maldives and held victims of trafficking and to work towards combating human trafficking and people smuggling.

To combat these new challenges, it is very important to train and educate our immigration officers and other related personnel and we look forward to help from international organizations such as I.O.M. to train our immigration and other law-enforcement officers on different training programs on a continuing basis. And participation in meetings such as these would be most useful. I also believe that to move forward, it is important to establish a focal point as initial stage.

5. Building a new Border Control System

As our current border control system has a few limitations, it is difficult to identify and to monitor both, people trafficking and illegal movements of migrant workers. Also this system is not fit for the current situation. Therefore, the government is looking for a new system which is called

"Maldives Immigration system." The concept is to recognize and identify migrant workers from any part of the country with the help of electronic gadget which is carried by most of the law enforcement officers. On the other hand each visa card issued to a foreign worker's status can be read by this gadget. The other use of this device is to provide assistance to other law enforcing bodies; and the information stored can be exchanged to other diplomatic missions for any assessment.

Detention centre for illegal migrant workers

Earlier this year, the Department of Immigration provided the opportunity for illegal workers in the Maldives to return home with the Department's assistance or get registered. When workers in distress sought assistance from the Department of Immigration to go back to their country, government lacked adequate resources to support them.

A detention centre for illegal workers was established in August 2008, but many rooms need to be upgraded. Lack of capacity, lack of staff, need for training to handle difficult situations and the need to provide a better accommodating and a better environment are issues that need to be addressed. Also this centre can be used for arrest and removal of persons who overstays their entry permit.

We hope that this meeting will help to raise awareness and actions collectively and individually will help the victims each and every day.

Please join Maldives and be welcomed into the growing movement to combat this modern form of slavery today!

Thank you.

Submitted by:

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