

## Press release

26 September 2022

For immediate release.

### **Stop delaying minimum wage for migrant workers, sign the Convention on the Rights of Migrant Workers and their Families**

We condemn in the strongest terms, the government's decision to indefinitely postpone the minimum wage for migrant workers in the Maldives. Setting a minimum wage is one of the key election pledges of President Ibrahim Mohamed Solih.

We call upon the government to **uphold the Maldives Constitution and adhere to the state's commitment to international conventions and treaties by revoking its decision to indefinitely delay the enforcement of a minimum wage for migrant workers**. Since Maldives is home to some 180,000 migrant workers out of which the ILO cited 63,000 undocumented (2021), we call on the government to **sign the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) without delay**.

We believe that the decision is an act of grave discrimination against migrant workers which will exacerbate the existing poor working conditions for them in the Maldives. The inhumane conditions of foreign labourers in the Maldives have been a recurring subject in numerous human rights and labour reports by various organizations. Local news reported that in June 2022 alone, four workers lost their lives in accidents related to unsafe working conditions.

On 21 September 2022, President Solih ratified the 7<sup>th</sup> amendment to the Maldives Employment Act (law number 15/2022) that indefinitely delayed the minimum wage for foreign workers. 49 members voted to pass the amendment in the parliament.

The decision of the State violates Article 17 of the Constitution on the right not to be discriminated based on nationality, Article 20 on the right to equality before the law, and Article 37 on the right to employment and pay equity. Further, it violates international obligations of the state such as the ICCPR, the ICESCR and six of the nine conventions of the International Labour Organisation (ILO) that the Maldives signed in 2013 after becoming a member in 2009.

Further, the General Comment No 18 of the 37<sup>th</sup> session of the UN Human Rights Committee (HRC) calls to *“ensure to all persons within its (state) territory and subject to its (state) jurisdiction the rights recognized in the Covenant without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Article 26 not only entitles all persons to equality before the law as well as equal protection of the law but also prohibits any discrimination under the law and guarantees to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”*

The decision to indefinitely postpone the enforcement of minimum wage of migrant workers is in direct violation of its fundamental principles of *the elimination of discrimination in respect of employment and occupation*. It violates the C100 – Equal Remuneration Convention 1951 (No 100) and C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

The 6th amendment to the Employment Act (law number 22/2020) enforced a minimum wage in the Maldives for the first time. The law categorises employment under three tiers. A minimum wage of MVR4,500(US \$ 292) per month for small-tier private companies, MVR7,000 (US \$453) per month was for medium-tier private companies, MVR8,000 (519) per month for larger private companies and MVR7,000 (US \$ 453) per month as minimum wage for civil servants and employees of state-owned enterprises (SOEs). According to the Act, the minimum wage fixed by the government shall be applied for migrant workers two years following the enforcement of the law.

---

END.