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G R E T A

Group of Experts on Action
against Trafficking in Human Beings

GRETA(2023)11_MLT_rep

Reply from Malta to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings

Fourth evaluation round

Thematic focus: Addressing vulnerabilities to trafficking in human beings

Adopted by the Group of Experts on Action against
Trafficking in Human Beings (GRETA) on 30 June 2023

Reply submitted on 4 October 2024

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings (“the Convention”), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and the vulnerability of children to trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on **vulnerabilities to human trafficking** and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.¹

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of “vulnerability” appears in Articles 4 (definitions), 5 (prevention of THB) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, “by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim’s administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.”

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”. It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.² Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

Applying a socio-ecological approach to the analysis of vulnerability to human trafficking demonstrates how different risk factors influence vulnerability, and how protective factors may reduce the risk of victimisation by increasing resilience.³ The socio-ecological model considers the complex interplay between individual, relationship, community and societal factors. It helps to understand how anti-trafficking strategies should: (a) reduce the vulnerability of individuals, (b) work with the communities (which may also include relationships) concerned to ensure that their practices or current dynamics

¹ [Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe, April 2022.](#)

² [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

³ https://www.avoiceforcentraloregon.com/uploads/1/3/9/9/139904528/socio_ecological_model_and_trafficking.pdf

do not exacerbate or contribute to vulnerabilities to human trafficking and, (c) change a number of system-driven or structural elements (such as policies) so that they do not facilitate but discourage an environment conducive to human trafficking.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive **country-specific follow-up questions** related to recommendations not implemented or partially implemented after the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's third evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

List of Acronyms:

AML	Anti-Money Laundering
AWAS	Agency for the Welfare of Asylum Seekers
CfC	Commissioner for Children
CFT	Combating the Financing of Terrorism
CGBVDV	Commission on gender-based Violence and Domestic Violence
CMS	Case Management System
CSA	Court Services Agency
CSP	Company Service Provider
DIER	Department of Industrial and Employment Relations
DS	Detention Service
EU	European Union
EUAA	European Union Agency for Asylum
FAST	Finance Against Slavery and Trafficking
FES	Foundation for Education Services
FIAU	Financial Intelligence Analysis Unit
FSWS	Foundation for Social Welfare Services
GWC	Gender Wellbeing Clinic
GWU	General Workers' Union
HRD	Human Rights Directorate
HRIU	Human Rights Initiatives Unit
HT	Human Trafficking
HTMC	Human Trafficking Monitoring Committee
IMC	Anti-Human Trafficking Inter-Ministerial Committee
IOM	International Organization for Migration
IPA	International Protection Agency
IPG	Department of Information Policy and Governance
JRS	Jesuit Refugee Service Malta
LEA	Law Enforcement Authority
LCU	Law Compliance Unit
LSF	Lino Spiteri Foundation
MCA	Malta Communication Authority
MEEP	Ministry for the Economy, Enterprise and Strategic Projects
MEYR	Ministry for Education, Sport, Youth, Research and Innovation
MFET	Ministry for Foreign and European Affairs and Trade
MFIN	Ministry for Finance
MFSA	Malta Financial Services Authority
MGRM	Malta LGBTIQ Rights Movement
MHA	Ministry for Health and Active Ageing
MHSE	Ministry for Home Affairs, Security and Employment
MIV	Ministry for Inclusion and the Voluntary Sector
MJR	Ministry for Justice and Reform of the Construction Sector
MPF	Malta Police Force
MS	Modern Slavery
MSA	Malta Statistics Authority
MSAA	Ministry for Social and Affordable Accommodation
MSPC	Ministry for Social Policy and Children's Rights
NAP	National Action Plan
NGO	Non-governmental Organisation
NRM	National Referral Mechanism
NSO	National Statistics Office

OAG	Office of the Attorney General
OHSA	Occupational Health and Safety Authority
OPM-EES	Office of the Prime Minister, European Funds, Equality, Reforms and Social Dialogue
PPPs	Public-Private Partnerships
PSCD	Personal, Social and Career Development
SARs	Suspicious Activity Reports
SCSA	Social Care Standards Authority
SL	Subsidiary Legislation
STRs	Suspicious Transaction Reports
TPPPs	Third-Party Payment Processors
TCNs	Third Country Nationals
THB	Trafficking in Human Beings
TSI	Technical Support Instrument
UM	University of Malta
VSA	Victim Support Agency

Part 1 – Addressing vulnerabilities to trafficking in human beings

I. PREVENTION (Articles 5, 6 and 7)

1. Do you have specific data/research/analysis of **what makes people vulnerable to trafficking in human beings (THB) in your country**? Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in the national anti-trafficking strategy and/or action plan. Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?

1) Identification of Vulnerable Groups

- Migrants and Asylum Seekers
- Economic Migrants

Malta's strategic position in the central Mediterranean makes it a significant transit and destination country for migrants from North Africa and the Middle East seeking entry into Europe. This position exposes **migrants** to the risk of trafficking. It is to be noted that arrivals by sea have decreased drastically during the past few years. Migrants and asylum seekers arriving by sea, often in precarious conditions, makes this population particularly vulnerable to trafficking. These individuals may lack proper documentation, making them easy targets for exploitation.

- Women and Girls

Between 2021-2022 EUROSTAT reported 27 victims of THB in Malta, of which 23 were female. This is also in line with global trends in which the majority of trafficking victims are female. Women and girls are often vulnerable to sex trafficking. Traffickers often exploit their victims in Malta's nightlife industry, including bars, clubs, and massage parlours.

- Children

Children are vulnerable to human trafficking especially those who drop out of school or are denied access to income-generating opportunities. This can lead to social exclusion and entrapment in a cycle of poverty and increased vulnerability to trafficking and exploitation. Unaccompanied children pose a real concern in Malta due to their high vulnerability to human trafficking, and although data on child victims is limited, it is likely that the true scale of child trafficking is much higher. In the National Strategy and Action Plan on Combatting Trafficking in Human Beings in Malta (2024-2030), improving the identification of victims of THB, including children, is considered a high priority. In fact, it includes actions to carry out systematic and appropriate risk assessments of vulnerabilities of unaccompanied and separated children and ensure access to accommodation that is safe, child-friendly and with services that respond to their needs.

- Persons with a Disability

It is acknowledged that persons with a disability are vulnerable and more susceptible to human trafficking as they are more likely to be targeted by traffickers. Despite this, currently there is a lack of data on the link between persons with a disability and human trafficking in Malta. As part

of the National Strategy and Action Plan on Combatting Trafficking in Human Beings in Malta (2024-2030), measures will be carried out to improve understanding of THB through research on at-risk groups and root causes including risks for persons with physical and mental disabilities.

The lack of specific data on vulnerable groups such as children and people with disabilities is being addressed through a future court system that would provide data on minority groups through triangulation with other registers such as the register with Identita'. This should ensure that more data on these vulnerable groups is available in the future.

2) Economic Disparities

Economic disparities lead individuals from lower socioeconomic backgrounds to fall prey to traffickers, who lure them with false promises of employment. Due to the Maltese economic growth, there are about 130,000 economic migrants that might experience exploitation. Still, economic disparities persist and individuals from lower socioeconomic backgrounds may be lured by traffickers with false promises of lucrative jobs, both within Malta and abroad. The demand for cheap labour in sectors such as construction, hospitality, and domestic work creates opportunities for labour trafficking. Migrant workers, especially those without legal status, are particularly vulnerable to exploitation by employers.

3) Cultural and Language Barriers

Migrants, refugees, asylum seekers and economic migrants often face cultural and language barriers that limit their ability to seek help and understand their rights. This isolation increases their vulnerability to traffickers who exploit their lack of local knowledge. Discrimination against certain groups, such as migrants, asylum seekers, and ethnic minorities, can marginalize these individuals, making them more susceptible to trafficking and less likely to seek assistance.

4) Identification of High-Risk Sectors

In May 2024, the Malta's administrative FIU (Financial Intelligence Unit), within the Financial Intelligence Analysis Unit (FIAU), published a guidance document entitled 'Human Trafficking and Modern Slavery Guidance and Typology Report for Malta'. This report is a result of a collaboration with FAST (Finance Against Slavery and Trafficking), and includes research derived from international sources, but also internal data gathered from the FIAU strategic analysis. This publication is set to provide a positive impact in terms of providing the necessary information which can assist the subject persons (obliged entities) when adhering with their anti-money laundering (AML) and combating the financing of terrorism (CFT) obligations. This publication provides a general outlook on the current international and national situation connected with Human Trafficking/Modern Slavery (HT/MS), the importance of financial inclusion in relation to human trafficking and modern slavery survivors, an overview of the FIAU's financial intelligence analysis section and the benefits of financial investigations, trafficking profile and the typologies of traffickers in Malta. Additionally, it also includes HT/MS-related ML indicators and red flags, automated transaction monitoring systems and case studies. In addition to the above sections, the guidance document also sheds light on the High-Risk Industries and Countries in terms of HT/MS. As the guidance explains, it is important that subject persons (obliged entities) are aware of the customers' links to the industries and countries listed as being exposed to a higher risk of HT/MS connection.

Through a review of literature sources and expert opinions, provided especially during the FIAU-FAST Roundtable discussion event held in Malta in July 2023, FIAU and FAST have identified the following high-risk sectors in relevant industries. In Malta the following high-risk industries were identified:

- Construction of buildings;
- Civil engineering, i.e., construction of roads, railways, bridges and tunnels;
- Specialised construction activities, e.g., demolition and site preparation;
- Residential care activities;
- Taxi services;
- Massage parlours;
- Activities of households as employers of domestic personnel, e.g., cleaning persons, housekeepers, and nannies.

The subject persons (obliged entities) are also reminded to determine the countries that constitute a high HT/MS risk to Malta by analysing the typical countries of origin of victims and perpetrators in Malta and the typical destination countries of the victims of HT/MS from Malta.

Furthermore, the FIAU, conducted a strategic analysis on the possible correlation between massage parlours and human trafficking, further to which a factsheet entitled 'Intelligence Factsheet: Strategic Analysis on Maltese Massage Parlours and their possible exposure to the sexual exploitation of women' was also issued last month (May 2024). This publication was drafted with the intent to provide the most pertinent information to the subject persons (obliged entities) in assisting them to adhere with their AML/CFT obligations. The publication provides for:

- information on the definition of illicit massage businesses,
- information on links to organised crimes and human trafficking victims working in possible illicit massage businesses (debt bondage and moral/cultural shame),
- red flags of human trafficking through illicit massage businesses,
- possible relevant indicators on GoAML, and
- the situation in Malta in the context of illicit massage businesses.

The underlying strategic analysis on which this factsheet was based on also sheds light on how female Asian individuals working as massage therapists are at an increased risk of being made victims of human trafficking.

The response identifies high-risk sectors, including construction and massage parlours, reflecting an understanding of the economic contexts that exacerbate trafficking vulnerabilities. This identification aligns with global patterns of labour exploitation.

5) Strategic Framework and Actions

The first [National Strategy and Action Plan on Combatting Trafficking in Human Beings in Malta](#) (2024 - 2030) was officially launched by the Human Rights Directorate (HRD) on 1st August 2024. The Strategy and Action Plan aim to strengthen the prevention of human trafficking, the protection of victims, effective investigations, and the prosecution of perpetrators through a victim-centred approach. The development Strategy and Action Plan has been supported through a Technical Support Instrument project of the European Union, entitled 'Supporting Malta in the design and implementation of a new national Anti-Trafficking Strategy'. Through this project, experts have ensured that the foundation Strategy is based on research, including the findings of the analysis of the current anti-trafficking patterns in Malta and national responses to address them, a Strengths,

Weaknesses, Opportunities, and Threats (SWOT) analysis, an analysis of needs and gaps and research on victims of trafficking in Malta regarding their experiences during the identification process and of services received.

To address vulnerabilities, the identification of trafficking victims was given particular importance as per Strategic Area 2 of the Strategy. Research on at-risk groups and root-causes of human trafficking shall be led by HRD as part of specific objective 2.1.2 and shall inform the following specific objective 2.1.3 in addressing vulnerabilities such as poverty, discrimination, and early school leave, by increasing awareness on the related risks of human trafficking and formulating cross-sectoral policy priorities. Additionally, HRD shall be supporting the Agency for the Welfare of Asylum Seekers (AWAS) in the implementation of specific objective 4.8.3. This objective focuses on protecting people vulnerable to trafficking by carrying out systematic and appropriate risk assessments of vulnerabilities of unaccompanied and separated children and ensuring access to accommodation that is safe, child-friendly and with services that respond to their needs.

6) Data Collection and Research Efforts

The Malta Police Force (MPF) primarily derives its information on factors contributing to vulnerability to trafficking in human beings (THB) from victims' statements. These statements have shed light on the origin and conditions of victims, who have been exposed to labour or sexual exploitation. Victims originate from regions as far apart as the Far East and South America. While no detailed research or analysis has recently been conducted on the specific factors that make individuals vulnerable to THB within the country, Malta acknowledges the critical importance of addressing vulnerabilities and is committed to enhancing its understanding of the relevant factors contributing to such vulnerabilities through ongoing data collection and analysis.

The Foundation for Social Welfare Services (FSWS) has a Research Team which gathers and analyses data from the Case Management System (CMS). All the professionals within FSWS, including the Human Trafficking team input data of cases which they are working on in the CMS. The FSWS Research Office produces Statistical Reports and Mapping Reports, parts of which are published in the annual reports and can be found on the following link: <https://fsws.gov.mt/en/Pages/Statistical-Reports.aspx>

The Human Trafficking Service does not carry out specific research on vulnerability. However, the service currently sees trends from the experiences of the service users encountered and also information from several training opportunities provided to our staff members.

7) Collaboration and Stakeholder Engagement

Malta's proactive approach includes collaborative efforts with governmental and civil society organisations to address trafficking. Regular workshops and round tables foster communication and coordination among various stakeholders, enhancing the overall effectiveness of the response.

FSWS' Human Trafficking Service works closely with the Homeless team and with the Intake and Family Support Service (including the Sex Work Support Programme). Through this, the service tries to identify patterns of what makes a person vulnerable - how many opportunities the person has and the support system of the individuals. **Homeless persons, persons coming out of prison, sex workers and migrants** (especially those with a pending asylum status and persons who are failed asylum seekers) are mostly at risk of being groomed and recruited as Human Trafficking victims.

Meetings are held with the different services in order to discuss potential cases of trafficking and refer accordingly. A training was also organised for Community services (ACTS) who could also be coming across these cases.

The Human Trafficking team within Appoġġ also organises bi-monthly round tables to meet up with other professionals from government entities and from civil society (in particular entities that work directly with migrants). The aim is to build a stronger network between the services, identify issues and trends that are emerging and identify ways in which the service needs to intervene even to prevent and raise awareness on human trafficking. Appoġġ attends workshops and conferences organised by other entities to build more knowledge and networks and also forms part of the Inter-Ministerial Committee (IMC) on the National Anti-Trafficking Strategy for Malta.

During the past year, the Human Trafficking service increased their presence within the Corradino Correctional Facility, in particular within the female section. In fact, last year a session was organised to raise awareness on Human Trafficking and interviews with inmates who identified themselves as working in prostitution/sex work was carried out. This led to the creation of a new set of workshops, called Rebuild, which will be held in conjunction with Intake and Family Support Services (IFSS) to provide inmates with the necessary life skills once they are reintegrated in the community. These sessions started in July 2024 and will continue until September 2024.

2. What specific measures are taken to reduce children's vulnerability to THB by creating a protective environment for children? Please provide information in the following areas:

- a. protecting children's rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);
- b. developing children's life skills (including media literacy and online safety skills), knowledge and participation;
- c. putting in place a system for monitoring and reporting cases of abuse;
- d. providing training to child care professionals, legal guardians, education professionals;
- e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;
- f. birth registration for all children born in the country.

One of the leading principles in the National Strategy and Action Plan is the principle of the best interest of the child. This principle is observed throughout the Strategy, and shall guide the implementation of all measures, with particular attention to measures under Strategic Goal 2.2: 'Implement specific measures to address child trafficking'. Specific objectives under this Strategic Goal include efforts to increase public awareness on child trafficking including among children and through education, to improve reporting mechanisms for children at risk and to improve early identification of children at risk of trafficking. Further efforts include the training of education psycho-social services professionals and teachers and other education staff, social workers, healthcare professionals and legal guardians, on indicators of child trafficking.

HRD has collaborated with the Malta College of Arts, Science & Technology (MCAST) and the International Organization for Migration (IOM) to carry-out of a training session on human

trafficking for MCAST administrative staff. This training was held on 31st July 2024 and focused on human trafficking, smuggling and labour exploitation, child protection, identification and interviewing techniques and counter-trafficking activities. This training aimed to equip frontliners with the techniques in becoming aware of the red flags which may indicate human exploitation and thus, allows them to better spot victims of child trafficking and take action to support and protect them.

The Agency for the Welfare of Asylum Seekers (AWAS) has implemented various measures to prevent migrant and asylum-seeking children and their parents from becoming victims of criminal activities such as trafficking and exploitation. Families and children receive support from social workers and the Psychosocial Team within AWAS, which includes Assistant Psychological Officers, and Counsellors. Additionally, information sessions are conducted in AWAS centres to provide awareness about the risks of labour trafficking, human trafficking and sexual exploitation, as well as to offer assistance in coping with past traumatic experiences. These sessions were delivered as part of the All-Equal project, and they were organised by the FSWS in collaboration with AWAS, the Correctional Services Agency (CSA), and coordinated by HRD.

As regards unaccompanied minors, each child is followed by a social worker and assigned a representative who acts in their best interest. Unaccompanied minors are encouraged to pursue education or legal employment to prevent any form of abuse.

a) Protecting children's rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption)

The Commission on Gender-Based Violence and Domestic Violence (CGBVDV), HRD and the Commissioner for Children (CfC) have started discussions with key experts and stakeholders regarding child marriages in Malta aiming to explore the realities of child marriages in the local context. Such discussions will better inform upcoming policy and strategic work in tackling child marriages in Malta.

Malta's National Education Strategy 2024-2030 is based on three strategic pillars: wellbeing, growth and empowerment, and equity and inclusion. This strategy aims to improve the quality of life for educators and students, positively impacting society at large.

The Strategy, which includes a six-year plan with a current strategic orientation and a strategic foresight up to 2050, is integral to the ongoing transformation of Malta's education system. It builds on past achievements and employs a person-centred approach, emphasizing consultation, support, and empowerment. Strategic foresight and multiple monitoring tools are used to assess the effectiveness and outcomes of the action plan.

b) Developing children's life skills (including media literacy and online safety skills), knowledge and participation;

Having said that, at compulsory education level, the Child Safety Service (CSS) within the National School Support Services (NSSS) within Malta's Ministry for Education, Sport, Youth, Research and Innovation (MEYR) is specialised in dealing with issues of child abuse. It is an educational and therapeutic service which offers help and intervention to students, parents and members of staff. The Service supports children who are victims of abuse or are at risk of abuse. The CSS' main tasks are: prevention programmes, consultations, monitoring of cases and working collaboratively with other services like the Child Protection Services within the FSWS.

Furthermore, also at compulsory education level, from a digital education perspective, to make sure children's life skills (including media literacy and online safety skills), knowledge and participation are delivered, the Directorate for Digital Literacy and Transversal Skills within MEYR implements initiatives aimed at educating both children and parents/guardians. These include web filtering embedded to their digital device which aims to safeguard children not only during their school hours but also when they are using the tablets elsewhere. Furthermore, ongoing programs on digital citizenship in our training and events is currently in place where the said Directorate promotes best practices in digital citizenship, such as online behaviour, balancing online and offline life, and participating in World Internet Safety Day. Furthermore, in order to provide access to safe digital education for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers, the said Directorate undertakes projects and initiatives to deliver digital technologies and pedagogy to all students and teachers, regardless of their socioeconomic background.

In addition, also at compulsory education level, the BeSmartOnline Project and the Personal, Social and Career Development (PSCD) learning outcomes syllabus have the aim of equipping students with different life skills, preparing them to navigate the complexities of the digital world responsibly and confidently. The project and learning outcomes related to media literacy and online safety start in Year 3 and continue till Year 11. The following is a list of the life skills taught:

- Digital literacy - navigating the online world effectively and safely;
- Critical thinking - evaluating online information critically;
- Privacy management - protecting personal information online;
- Social and emotional learning - managing online interactions and emotions;
- Empathy and respect - fostering positive online behaviour;
- Decision-making - making safe and ethical online choices;
- Resilience and coping skills - handling online challenges and adversity, such as cyberbullying;
- Communication skills - communicating effectively online;
- Media literacy - understanding media influence and representation.

Also, at compulsory education level, in Ethics Education, the thematic units of gender studies are permeated within the Primary and Secondary Syllabi in both a methodological and a curricular way. In terms of Methodology, the resources and exemplars that teachers are provided with by the Ethics department, are always designed to account for diversity in all its forms. Therefore, the approaches and narratives that are presented are always enshrining the values of gender equality throughout ethics education from Year 1 all the way to Year 11. Then there are direct learning outcomes stipulated in the Primary and Secondary syllabi that directly affect gender and topics like human trafficking and social justice. At the primary level, the foci are more on universal values.

The learning outcomes of the recently published Year 7 syllabus which has been implemented for the first time during scholastic year 2023/24, and the newly revised Year 8 syllabus which will be implemented in coming scholastic year 2024/25 have been designed with the UN's 2030 Sustainable development Goals in mind, and incorporate the UNODC GRACE Initiative which has primary and secondary teaching resources in relation to human trafficking, drugs, crime, rule of law, and youth empowerment. These resources have been adapted and integrated within the teachers' resources issued by the Department for Ethics within the Directorate for Early Years, Languages and Humanities within MEYR.

The MATSEC Syllabus has more specificity in terms of themes and these are spread from Year 9 to Year 11. For every learning outcome, the Department for Ethics within the Directorate for Early Years, Languages and Humanities within MEYR, is creating Student Books to support teachers and students with knowledge, exemplar tasks, case studies, and reflective journal ideas to support their learning journey towards MATSEC. Teachers are using this at their own discretion as they deem fit

in their own way. The student books are also ensuring a diversified approach in the narratives brought to the classroom, as well as dealing directly with issues like sexism, gender discrimination, gender-based violence, vulnerability and human trafficking. Overall, the Ethics curricula foster a holistic ethical education that prepares students to be compassionate, responsible, and active participants in creating a just and sustainable world.

Moreover, at further and higher education level, from an initial teacher education perspective, Malta's further and higher institutions, namely the University of Malta, Malta College of Arts, Science and Technology (MCAST) and Institute for Education (IfE) offer qualifications to teachers. The qualifications and Awards offered by the said further and higher education institutions aim to develop teachers that will then impart the required competencies that inhibit any type of harm children come across.

c. Putting in place a system for monitoring and reporting cases of abuse;

UM-IPG (Department of Information Policy and Governance) organised a 2-day training and awareness raising programme for Maltese teachers and students in 2023, which focused on the prevention of sexual violence (including via platforms). The training was also supported by an online programme which was made available to all interested stakeholders in Malta.

As part of the DISRUPT project, UM-IPG will organise training for first-line practitioners in Malta in October – December 2024 on the topic of use of digital evidence in the case of child trafficking, which will contribute towards increasing the level of preparedness.

All children, including migrant children, have access to emergency medical care and essential treatment of illness including serious mental illness as a basic medical coverage in accordance with entitlement criteria <https://s2.eessi.gov.mt/en/health-entitlement-to-refugeesmigrants/>

The Social Care Standards Authority (SCSA) designated as the Central Authority monitors all the proceedings for intercountry adoptions, accredits local adoption agencies and oversees the process of adoption to ensure that all the necessary safeguards are observed in the best interest of the adoptee. The Adoption Administration Act (Chapter 495 of the Laws of Malta)⁴ and the Civil Code (Chapter 16 of the Laws of Malta)⁵ makes special provisions for the administration of adoption proceedings.

The Office of the Commissioner for Children continuously creates awareness about children's rights amongst children themselves through the dissemination of resources and the carrying out of awareness sessions and focus groups in schools. Between January 2023 and May 2024, over 45 focus groups were held in different State, Church and Independent schools amongst children of different ages so as to identify children's concerns and challenges regarding the implementation of their rights as well as to include their ideas and opinions in the advocacy work of the Office. The Office also conducts ongoing awareness raising initiatives amongst professionals and the public at large so as to sensitise them about children's rights. These initiatives include lectures, talks, campaigns, development of resources and promotion through the media. The Office is collaborating with a number of stakeholders on the issue of child marriages.

⁴ Refer to <https://legislation.mt/eli/cap/495/eng>

⁵ Refer to <https://legislation.mt/eli/cap/16/eng/pdf>

At a national level, the Ministry for Social Policy and Children's Rights (MSPC) launched the Children's Policy Framework 2024-2030,⁵ which is a roadmap for the next six years that represents the culmination of extensive engagement and public consultations with stakeholders, experts, and most importantly, with the children themselves.

The Policy Framework upholds four core principles throughout, which serve both as a guide and as a monitoring tool:

- Complete adherence to the United Nations Convention on the Rights of the Child.
- Prioritisation of a child-centred approach, where every decision will be made with the child's wellbeing and best interests at the forefront.
- A framework that gives priority to equal opportunities for every child in all aspects of life, free from any form of discrimination and structural disadvantages.
- A dynamic policy that seeks to continuously improve the quality of services to meet children's diverse and ever-changing needs.

In turn, these principles have led to the framework's four National Priorities:

- A total of 91 measures for improving children's wellbeing.
- A total of 44 measures supporting families with children.
- A total of 51 measures aimed at creating a better environment.
- A total of 11 measures strengthening child participation.

The role of the SCSA as a regulatory body for social welfare services in Malta is to assist service providers in achieving a better quality of the services provided in order to protect and enhance the dignity, safety, and wellbeing of all service users. The Authority achieves this by establishing regulatory standards for social welfare services; licensing service providers to ensure compliance and operational integrity; conducting inspections to identify any shortcomings; and assisting service providers in implementing necessary remedial actions to continually improve and sustain high-quality service delivery.

The Social Regulatory Standards for Residential Services for Children in Alternative Care⁶ and the Social Regulatory Standards for Office-Based Services for Children in Alternative Care⁷, as issued by the SCSA, define the responsibilities of residential and office-based services towards children in alternative care. Service providers are responsible for ensuring that an individual care plan is drawn up before a child is placed in alternative care (Standard 3, Quality Indicator 1 and Standard 4, Quality Indicator 1 respectively). The care plan shall outline the child's health needs; educational developmental needs; emotional needs; religious beliefs, racial origin, cultural and ethnic background; steps and measures to be taken in order to address the needs, goals, aptitude and capabilities of the child; dreams and aspirations of the child; short-term and long-term goals of the child; decisions taken about the placement arrangements of the child; and decisions regarding contact with their parents, siblings and/or significant others.

The two sets of Standards also ensure that children participate in the development and review of their care plans (Standard 3, Quality Indicator 3 and Standard 4, Quality Indicator 3 respectively).

⁵ Refer to <https://www.gov.mt/en/publicconsultation/Pages/2023/NL-0043-2023.aspx>

⁶ Refer to

<https://scsa.gov.mt/en/Documents/Publications/Children%20in%20Alternative%20Care/Children%20Care%20ENG%20Residential%20Services.pdf>

⁷ Refer to

<https://scsa.gov.mt/en/Documents/Publications/Children%20in%20Alternative%20Care/Children%20Care%20ENG%20Office%20Services.pdf>

This means that children shall be empowered and supported to understand their role in the development of their care plan and care review meetings, and they shall have an equal voice as adults during meetings concerning their care plan. Moreover, children shall be the main focus of the meetings, and their comfort and needs must be prioritised. Service providers must also ensure that children and parents are provided with a copy of the care plan and that all information is age-appropriate, accessible, and in a format that the child prefers. Additionally, children shall be prepared for the leaving care process (Standard 3, Quality Indicator 4 and Standard 4, Quality Indicator 4 respectively). Service providers are responsible for ensuring that children are supported throughout the leaving care process as they move into young adulthood and that their transition to independent living is thoroughly planned and implemented.

Moreover, the Social Regulatory Standards for Residential Services for Children in Alternative Care ensure that children receive support to develop the necessary life skills for independent or semi-independent living. They are encouraged to make decisions and to take responsibility for their actions. Additionally, children who wish to continue their studies shall be supported throughout their transition to independent or semi-independent living, ensuring they have the same opportunities as their peers. Young persons who wish to engage in employment will also receive guidance (Standard 3, Quality Indicator 4, Performance Indicators 4.2 – 4.5).

The BeSmartOnline project which is partially EU funded and has been in operation since 2010 is implemented through a consortium coordinated by the FSWS and brings together the Office of the Commissioner for Children, the Directorate for Learning and Assessment Programmes (DLAP) and the MPF - Cyber Crime Unit. The consortium is supported by the expertise and experience of a number of strategic partners who contribute through a purposely set up Advisory Board.

All partners work together to raise awareness and educate children and teens, parents/carers and educators on the safer use of the Internet including. This helps individuals to understand and avoid online grooming, sexting and cyberbullying. Such awareness is carried out through media slots, social media, in schools, information days in shopping centres and other strategic places which minors might visit including places such as football nurseries, Girl Guides and Scout groups. The partners also established and promote www.childwebalert.gov.mt, an online reporting facility for illegal online content, particularly child abuse material. It also offers support services to respective victims.

The Office of the Commissioner for Children is a catalyst for Child Participation in Malta and creates various platforms where children formulate and express their ideas and opinions.

Two platforms which are worth mentioning are:

1. The Children's Advisory Board, which was set up in December 2022, consists of 20 children between the ages of 12 and 16, who meet every month to discuss various issues including online safety for children. The feedback provided by the members then feeds into the work of BeSmartOnline. An Advisory Board meeting was held in July 2024 which allowed for HRD, Council of Europe and European Commission representatives to inform the Board on human trafficking through informative and interactive activities. Following the meeting, the Office supported the members of the Board to put forward their recommendations to HRD on how this issue can be addressed.

2. The focus Groups which are a form of outreach so as to reach as many children as possible to encourage them to express their ideas and concerns on how to better implement children's rights. The Rights 4U live-ins took place in July and August 2024 which brought together 45 children, per live-in, between the ages of 13 and 15 to discuss children's rights in the digital environment. The Live-in, through its interactive three-day programme, addressed issues of sexting, grooming and specifically human trafficking. During the month of May, 32 secondary schools were visited to

promote this initiative. This live-in is an ongoing initiative and for the past 10 years has specifically focused on children's rights in the digital environment.

On various occasions, over the last few years, the Commissioner for Children (CfC) has advocated for the rights of migrant children, whether accompanied by their families or unaccompanied. On two different occasions, in the first quarter of 2024, the Commissioner spoke to the press about the need to regularise the status of children, whether they were born in Malta or not.

The Directorate of Child Protection Services is legally responsible to put every child's best interest at the centre by adopting an integrated child protection system. The functions of the Directorate for Child Protection Services are regulated within a robust legal framework that offers a legal structure for mandatory reporting of abuse, investigation and monitoring in such a way that every child is safe. This is done in collaboration with other stakeholders such as police, health, education and other supportive services through joint training, prevention campaigns and interventions.

The Social Regulatory Standards for Residential Services for Children in Alternative Care and the Social Regulatory Standards for Office-Based Services for Children in Alternative Care set out the service providers' obligation to ensure that children are supported in raising concerns and complaints (Standard 1, Quality Indicator 3 and Standard 2, Quality Indicator 3 respectively). This means that service providers are required to ensure that children receive support to raise concerns and complaints and that a complaints procedure is made available to all children so they can safely report issues or raise concerns. Moreover, children shall be provided with feedback on how their concerns and complaints have been addressed.

Additionally, the SCSA routinely conducts unannounced monitoring visits for all services. The sole purpose of these visits is to assess and ensure that the services meet the required standards. These visits can vary from following up on remedial actions previously communicated to the service providers to checking specific aspects of the service in line with the Social Regulatory Standards.

On the other hand, feedback visits are more investigative in nature and are carried out in response to the feedback or concerns received from service users, their relatives, staff, or other stakeholders through various channels, such as phone calls, emails, and submissions through the feedback form on the Authority's website. When a feedback case is received, the officer who logs the report communicates the details of the case to the Inspectorate Unit within the Authority for investigation.

When the Authority receives a report of abuse, all available information related to the incident will be gathered, including details about the victim, alleged perpetrator, and the nature of the abuse. Based on the information gathered, the Authority will conduct a thorough investigation into the reported incident, which may include contacting the service provider, conducting site visits, and interviewing management, staff, and service users. As per Article 22(3) of the SCSA Act (Chapter 582 of the Laws of Malta)⁸, on the conclusion of an investigation, the Authority may:

- (i) submit a report to the Executive Police for further investigation in all cases involving a criminal offence;*
- (ii) take any administrative action, which it deems appropriate in the circumstances of the case;*
- (iii) take any such other action as it deems appropriate in the circumstances of the case.*

The Social Regulatory Standards for Residential Services for Children in Alternative Care and the Social Regulatory Standards for Office-Based Services for Children in Alternative Care provide clear

⁸ Refer to <https://legislation.mt/eli/cap/582/eng/pdf>

guidelines to those overseeing such services regarding the importance of ensuring effective leadership and management to ensure that children are provided with child-centred, safe, and effective care (Standard 7, Quality Indicator 1 and Standard 8, Quality Indicator 1 respectively). This includes ensuring that caregivers receive ongoing training, professional development, supervision and support to provide the best possible care to children in alternative care.

Moreover, as part of the yearly licensing process, the Authority's assessors conduct the Human Resources and Qualifications Exercise. This exercise involves assessing a list of all employees and volunteers within the service, with a sampling of 25% being carried out.

During the Human Resources Exercise conducted by SCSA, the assessors examine the files of the selected employees/volunteers. This examination seeks proof of qualifications, warrants, police conduct certificates, curriculum vitae, evidence of training, induction and continuous professional development courses, performance appraisals, and Protection of Minors Act (POMA) certification, if applicable.

In line with the Social Regulatory Standards for Residential Services for Children in Alternative Care, service providers offering such services, including residential services for unaccompanied migrant children, are responsible for ensuring that children are empowered and supported to engage in educational programmes to maximise their potential (Standard 5, Quality Indicator 1). This includes ensuring that children in care are given the same educational opportunities as all other children and that any learning difficulties are identified at an early stage (Standard 5, Quality Indicator 1, Performance Indicators 1.1 and 1.2). Moreover, children shall be provided with the necessary educational support in order to maximise their educational outcomes and shall be encouraged to understand that education is important for their future development and independence (Standard 5, Quality Indicator 1, Performance Indicators 1.3 and 1.4). Service providers shall also ensure that children are given the opportunity to identify their future aspirations and supported in reaching them (Standard 5, Quality Indicator 1, Performance Indicators 1.5 and 1.6).

These Standards also outline the service providers' obligation to ensure that children in alternative care receive individualised and comprehensive assessments of their healthcare needs, beyond what is offered by universal services to maximise their potential (Standard 4, Quality Indicator 1). This means that service providers are required to ensure that:

- 1.1 Children in alternative care shall have healthcare assessments by a trained medical team with an understanding of safeguarding children, leading to holistic healthcare plans which incorporate the voice of the child.*
- 1.2 The placement provider shall be provided with all the available information about the health conditions of the children entering care so that the necessary medical treatment is provided adequately and timely.*
- 1.3 All children entering the care system need to have an initial health assessment within four weeks of entering care.*
- 1.4 Children under five years of age shall be seen at least twice a year.*
- 1.5 Children over five years shall be seen at least once a year.*
- 1.6 Children in care shall benefit from assessments that make use of age-appropriate tools to screen and diagnose particular healthcare needs and incorporate their physical, developmental, emotional and mental health needs.*

Moreover, children shall receive appropriate and effective care that meets their health needs (Standard 4, Quality Indicator 2). This involves ensuring that:

- 2.1 *The unmet healthcare needs of children in care shall be managed in a time appropriate manner, in order for them to reach their full potential.*
- 2.2 *All children, particularly those below the age of three years need to have their cognitive, physical and socio-emotional developmental needs met through appropriate stimulation and care for their age.*
- 2.3 *Health promotion of looked after children shall be central to every encounter with the trained medical team, including sexual health education, exercise and healthy eating and the risks of substance misuse, depending on the age of the child.*
- 2.4 *Children shall understand their health history as this is an essential part of them growing up securely. This includes children leaving the care system, who shall have a clear understanding of their health history and healthcare needs.*

The *Social Regulatory Standards for Office-Based Services for Children in Alternative Care* also ensure that children are empowered and supported to engage in educational programmes to maximise their potential (Standard 6, Quality Indicator 1). Moreover, children in alternative care shall have individualised and comprehensive assessments of their healthcare needs, beyond what is offered by universal services for them to maximise their potential, and shall receive appropriate and effective care which fulfils their health needs (Standard 5, Quality Indicators 1 and 2).

3. What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?

The recently launched National Anti-Trafficking Strategy aims to contribute to strengthening a gender-sensitive approach to combatting THB. This includes taking into account the specificities of THB that are reflected in differences of recruitment, control and exploitation of women and men. THB can also have specific and different impacts on women and men. For this reason, prevention strategies, as well as assistance and support measures for victims included in the Strategy take a gender-specific approach, considering the different needs of male and female victims. Collaboration was sought with a Women's Rights NGO (Women's Rights Foundation) in the design of the Strategy. Additionally, it should be noted that a research project conducted as part of the development of the Strategy enabled an evidence-based-approach in its creation. This research ensured that the measures developed are targeted towards the needs of victims, including those of women and girls. Moreover, that Strategy and Action Plan are aligned with the relevant Sustainable Development Goals (SDGs), in particular eliminating all forms of violence against women and girls, including for sexual exploitation (SDG 5.2). This highlights Malta's commitment to addressing vulnerabilities related to the gender dimension of human trafficking. To ensure this, a National Referral Mechanism (NRM) shall be developed through a centralised system for data collection on victims of THB which will be disaggregated by gender. The National Action Plan also includes actions to ensure that school children are educated about trafficking, exploitation, gender equality, and the importance of human rights. Specifically, this will be done through the development of education materials on gender-based violence, trafficking and exploitation adapted to specific age groups, and integrated in the school curricula.

It should be noted that the development of "a strategy to address human trafficking, addressing issues related to forced prostitution and exploitation for sexual purposes as a crime" is a specific

measure within the National Strategy on Gender-Based Violence and Domestic Violence 2023-2028, led by the CGBVD.

The Human Trafficking Service has been focusing its efforts to raise more awareness on trafficking amongst female inmates. The service is aiming to carry out several sessions to provide necessary life skills to be better equipped in avoiding traps of manipulation by having better communication skills, understanding attachment and setting boundaries.

Apart from individual client work and assessments, the running of the shelter and the prevention sessions, the human trafficking social workers also conduct outreach in the certain streets which are well known for loitering and prostitution, and in massage parlours. So far, the workers encountered were always females.

Social workers regularly visit commercial outlets specifically associated with human trafficking (mainly of women) and they try to reach out to women working there, leaving their contacts and encouraging them to seek assistance should they require it.

4. What specific measures are taken to reduce the vulnerability to trafficking of persons from disadvantaged minorities? Please provide information on policies and measures in the following areas:

- a. research;
- b. information, awareness-raising and education campaigns;
- c. socio-economic initiatives targeting underlying and structural causes;
- d. education, vocational training and job placement programmes.

As previously mentioned, the implementation of Strategic Goal 2.1 of the National Strategy and Action Plan on Combatting THB in Malta shall lead to increasing capacities in addressing root causes and reducing vulnerabilities and conducting targeted awareness/outreach activities by improving understandings of THB through research on at-risk groups and root causes. It also aims to ensure synergies with sectors working on combatting and eliminating the root causes of THB such as poverty, discrimination, and early school leave, by increasing awareness on the related risks of human trafficking and formulating cross-sectoral policy priorities. Measures in the Strategy include efforts to reduce vulnerabilities of disadvantaged minorities through systematic and appropriate risk assessments of vulnerabilities of unaccompanied and separated children and ensure access to accommodation that is safe, child-friendly and with services that respond to their needs.

Over the past two years, HRD has worked on a national awareness raising campaign to inform the public on what constitutes the crime of human trafficking, to ensure that the public is knowledgeable about the indicators of trafficking, and to equip the public with the contact details needed to report suspicious activities to the police. Campaign efforts also aimed to reach victims to inform them about red flags and indicators of trafficking which were phrased as direct questions, and encouraged them to report their situation to authorities, and provided contacts for direct victim support. This information campaign has taken place through billboards, bus shelters, posters, leaflets, videos, posts on social media and appearances on national television and radio programmes.

The main remits of Jobsplus are set out in Cap 594, the Employment and Training Services Act of the Laws of Malta, and Directive 2009/52/EC of the European Parliament and of the Council of 18

June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals – transposed into Maltese Legislation by Subsidiary Legislation 217.14. Jobsplus also provides for an effective reporting system whereby any individuals working in Malta who feel aggrieved by any issue related to any breaches of the Cap 594, may lodge a complaint by various means including: email, freephone or meeting, following which Jobsplus inspectors will investigate. The Law Compliance Unit within Jobsplus investigates breaches related to undeclared work within the Maltese labour market. Jobsplus also provides information and participates in awareness-raising campaigns among jobseekers and employers on the risks and signs of human trafficking.

Victims of human trafficking who benefit from the provisions of subsidiary legislation 217.07 (Permission to reside for victims of trafficking or illegal migration who co-operate with the Maltese authorities) and who are granted permission to reside in Malta and subsequently a residency permit, are also issued with a work permit in accordance with Article 5 thereof. On this basis, victims may access Jobsplus services, including advisory services and schemes such as the VASTE (currently closed, however an application to the managing authority for a similar scheme has been submitted), and free training courses which aim at reskilling and upskilling clients to enter gainful employment.

Training sessions were delivered to frontliners working directly with minority groups both in the health sector and also staff from AWAS etc. on recognising the signs of human trafficking for early identification of victims and where they can be referred for further assistance. Entities including AWAS, IPA (International Protection Agency), JRS (Jesuit Refugee Service) and IOM are invited to bi-monthly roundtables and Appogg's annual conference, in order to facilitate the referral process and explore possible collaborations.

AWAS professionals received training from the European Union Agency for Asylum (EUAA), which training focused on identifying victims of human trafficking. This initiative aims to enhance these professionals' ability to recognise and support individuals who may be at risk or have experienced trafficking. In addition to this training, information sessions are held within AWAS centres to raise awareness about the dangers of labour trafficking, human trafficking, and sexual exploitation. These sessions also offer support to help individuals cope with past traumatic experiences.

Through the DISRUPT project, there were attempts to investigate how human trafficking impacts vulnerable communities, such as irregular migrants.

However, most of this research could not be validated due to the lack of field data. There is no systematic effort to collect data from such vulnerable communities due to (a) difficulty to access them, especially in the case of irregular migrants found in the closed centres.

Most of the findings come from first line practitioners working within these communities as well as from members of these communities attending UM roundtables and consultation processes. Therefore, findings are of a qualitative nature based on reporting of individual cases. All findings are publicly available in DISRUPT project deliverables.

Dar Hosea carries out several awareness-raising campaigns to inform the public about situations encountered and experienced by women involved in prostitution. Dar Hosea also carries out educational programmes with service users to inform them on how to safeguard themselves from abusive situations. Dar Hosea provides service users with educational courses supporting them to engage with regularised employment through job opportunities, as part of the process of self-empowerment.

5. What specific measures are taken to reduce the vulnerability to THB of persons with disabilities? Please provide information in the following areas:
- a. deinstitutionalisation, including community and family-based services for children and support for independent living;
 - b. monitoring institutions and foster families accommodating persons with disabilities;
 - c. procedure for the selection and appointment of legal guardians and monitoring of their work;
 - d. access to adequate accommodation, education and work;
 - e. access to information and reporting/complaints mechanisms which are accessible to persons with disabilities.

The Ministry for Social and Affordable Accommodation (MSAA) in collaboration with the Housing Authority, have worked diligently to provide measures aimed at assisting people with disability. Such measures fall into the main categories of allocation, schemes, building and regeneration projects, and special projects which address communities with physical and mental health issues. Access to such information is accessible through the Housing Authority website.

People with disabilities eligible for social housing are prioritised and allocated to apartments accessible to these communities. Concurrently, several social housing units, funded both by local and European funds, were built or regenerated to provide accessibility for persons with disabilities. The Ministry and Housing Authority have also recently inaugurated a regeneration project along with Richmond Foundation, to provide a home and acute rehabilitative care for mothers with mental health issues and their children. Such projects fall under the Sustainable Homes Projects which are funded by the Housing Development Fund.

The Housing Authority provides multiple schemes that are essential to promote affordable housing such as Equity Sharing, First-Buyers Scheme and Rent Subsidies. Specific schemes for disabilities have also been implemented to the system to alleviate issues that these vulnerable communities might encounter. One example is the New Hope Scheme which assists people with disability to guarantee a home and life insurance to be able to buy their first home. The Housing Authority provides grants through schemes which allow the addition of accessible equipment, even sensory equipment, that benefits people with physical impairments and children suffering from neurodivergent conditions.

Agenzija Sapport offers the services mentioned in question 5 through a myriad of schemes, programmes and support to eligible persons with disabilities. Further information can be found on the Agency's website here: <https://sapport.gov.mt/>

Living independently and within the community is one of the priorities in the Commission for the Rights of Persons with Disability's (CRPD) Strategy, including the deinstitutionalisation of persons with disabilities. In its research published in December 2023, CRPD put forward recommendations about protecting the rights of persons with disability.

CRPD is involved in the consultation on the Personal Assistance Reform which will provide more independence to persons with disability. It is important that this service will include the proper safeguards to protect the wellbeing of persons with disability.

With regards to access to information, it is fundamental that persons with disability have access to information, including but not limited to material in easy-to-read. CRPD ensures that people who want to report or lodge complaints are able to do so in various manners: CRPD offices are compliant

with Legal Notice 198 of 2019, Accessibility in the Built Environment Standards meaning that the offices are physically accessible. In addition, persons can lodge complaints and reports via telephone, via the website and can communicate with CRPD through its various social media channels.

The Investigations Unit deals with reports/complaints that persons with disabilities or their relatives can lodge within the following grounds:

- Education,
- Employment,
- Goods and Services,
- Accessibility,
- Housing
- Health and the bill of rights.

Persons with disability can lodge complaints that they were discriminated against on the basis of their disability if they have residence in Malta. CRPD will investigate each individual complaint and decide the way forward accordingly.

Victims of human trafficking, including individuals with disabilities, are provided with the necessary information and help to regularise their stay in Malta. As the Public Employment Services, Jobsplus provides advisory services to such victims whereby employment advisors meet with the individual and design a tailor-made action plan known as a Personal Action Plan (PAP), which sets reachable goals for proper integration into the labour market. Moreover, Jobsplus administered the VASTE programme (ESF.02.048). One of the activities that formed part of this programme was the development of Vocational Multi-Disciplinary Assessment Centre, which included detailed assessment services to eligible individuals. Such assessment helped the Lino Spiteri Foundation (LSF) guidance service tailor a personal action plan and employment exposure to targeted jobseekers. Multiple training options such as Pre-Employment Training, Basic ICT Training, Sheltered Employment Training, the Headstart Programme, Job Carving and Supported Employment (On-the-Job Coaching), were also offered to clients.

Jobsplus, has recently submitted an application proposing a Project (VASTE II) to be co-financed through the ESF+ 2021-2027, for actions contributing to Priority 2 – Fostering Active Inclusion for All, Specific Objective 4.8, Active Inclusion and Employability, and a number of the proposed measures are aimed specifically at creating personalised training pathways for disadvantaged jobseekers.

In respect of persons with disability (PwD), in line with the Disability Employment Package, Jobsplus in partnership with the LSF, is there to provide additional services to ensure that persons with disabilities enjoy social inclusion and economic autonomy through employment. The supported employment packages include job coaches and corporate relations officers, who complement the guidance offered by the profiling and guidance officers. Job Coaches offer bespoke pre-employment support which focusses on activities such as CV building, mock interview support, as well as sessions to target specific needs/challenges, such as boundaries, finances, hygiene, transport, etc.

The Job Coaches also offer 'Support at the workplace', which is designed to assist individuals with on-the-job learning, enable integration, and foster independence at the workplace. Job coaches work closely with the employee and the employer addressing challenges as they arise towards a successful transition and improved job retention. Job coaching enables further job carving via feedback cycles, ensuring job/task and individual alignment across time.

In its National Disability Strategy, *Freedom to Live (2021-2030)*⁹, Malta is committed to addressing the deinstitutionalisation of persons with disabilities through the formulation of a National

⁹ Refer to <https://inclusion.gov.mt/wp-content/uploads/2023/04/Disability-Doc-ENG-SEP-21.pdf>

Deinstitutionalisation Strategy and improved provision and coordination of community-based services. In this regard, the SCSA is participating in the initiative to deinstitutionalise services for persons with disabilities in line with the *United Nations Convention on the Rights of Persons with Disabilities*. These initiatives aim to shift the focus from institutionalised care to community-based support, promoting independence, inclusion, and dignity for individuals with disabilities.

From a social security perspective, there is no discrimination such as race, gender, class or religion if the statutory contributory conditions are satisfied, to have access to contributory benefits or pensions.

All children in care, irrespective whether they have a disability or not are looked after in foster families as a first resort and then community homes or residential homes. Each child has a care plan, and every effort is made for the minor to be reintegrated with their family. If this is not possible, a permanency decree is sought from court.

The Directorate for Alternative Care keeps close contact with licensed placements and monitors each child. Each placement is also licensed and regulated by the SCSA.

The SCSA is not responsible for monitoring foster families directly, as this is carried out by FSWS, but rather for monitoring the services through which individuals can become foster carers. The Authority is also responsible for monitoring residential, respite, day /centre, and community-based services for persons with disabilities.

The Authority evaluates service provision and compliance with the applicable Social Regulatory Standards using a Quality Tool that serves as a comprehensive checklist for licensing purposes. This tool helps the assessors identify all the requirements that the service must meet according to the established Standards. During monitoring visits conducted throughout the year, any identified shortcomings prompt the issuance of remedial actions, which must be rectified within a specific time frame and followed up accordingly.

Additionally, feedback visits are carried out in response to any feedback or concerns received from service users, their relatives, or other stakeholders through multiple channels. Upon receiving a feedback case, the Inspectorate Unit within the Authority initiates an investigation.

In Malta, there is a different procedure - upon the issuing of a care order, the Director of Alternative Care is given care and custody and a child advocate is also appointed.

The Directorate for Child Protection Services aims at safeguarding every child at risk of abuse including those with disabilities, and especially those, whose disability might put them more at risk. The directorate liaises with specialised services to ensure that the minor in question receives the most appropriate and specialised care possible. As per CAP62, Laws of Malta, every child protected by a protective order is appointed a child advocate so that their legal needs are safe-guarded and their voice heard.

The SCSA provides multiple channels through which individuals, their relatives, and/or legally appointed representatives can raise complaints and report any concerns or issues through phone calls, emails, feedback forms on the Authority's website, and meetings with representatives from the Authority.

Moreover, for each set of Social Regulatory Standards, an Easy Read version is published by the Authority for the benefit of the service users, which avoids technical jargon with the aim of addressing everyone.

When there are children with disabilities, the Looked After Children service liaises with the specialised national agency on disability to ensure that the right information is provided.

During the past years since the Human Trafficking service has been established, the service has never encountered a human trafficking victim with a disability. However, should there be such cases, we would work jointly with Agenzija Sapport in order to combine the expertise of both agencies and give the best possible service to the client.

6. How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage? What procedures are followed when vulnerability to THB is detected? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;
- b. access to legal assistance and representation;
- c. access to decent accommodation, health (including psychological) care, work and education.

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;

AWAS professionals are always present during when migrants are disembarked from boats in order to screen any vulnerable migrant or to detect any indicators related to human trafficking. Professionals have a list of indicators to assist them in this task.

AWAS has its own assessment team, which carries out assessments on a voluntary basis. The team primarily focuses on undocumented migrants; but has lately also worked with documented migrants who arrives in Malta by other means and register for asylum. Persons found to have been involved in human trafficking are referred to the necessary authorities. Besides, a central referral system was created by AWAS. Hence, AWAS internal services or any entity, NGO, or international organisation that encounters a vulnerable person or a person in need may refer that person to a contact point, who ensures that relevant service needs are identified. Assessments are carried out in reception centres, closed centres, and even with migrants who are living in the community. Anyone who is considered vulnerable is referred to the appropriate services, such as doctors, to be further assessed. Moreover, psychological support, and support by social workers and legal aid personnel is provided to these migrants during the asylum interview. AWAS also makes requests for the release from closed centres of any migrant identified as vulnerable.

- b. access to legal assistance and representation;

Legal aid services are provided to all victims of crime including THB. Victims are either referred to the Legal Aid Agency through other entities for legal advice (only upon the client's request), for court representation, or both. Victims may also request personally by referring to the Agency to be assisted accordingly.

- c. access to decent accommodation, health (including psychological) care, work and education.

The MSAA has made the necessary legal and operational changes to ensure such procedures. Regarding the legal framework, the Private Residential Lease Act (2020) shaped the future of reform in residential rental contracts. Such an Act addressed common anomalies within the rental contract agreements between landlords and tenants, including the rights of each stakeholder, registration, termination, and enforcement measures (e.g.: Adjudicating Panel).

In consideration of the Act, the Housing Authority equipped its operational management towards rent registration and provides biannual reports and studies on the rental market. Since its implementation, MSAA were also in talks with MSPC to develop information sheets in six different languages, highlighting the tenants' rights within the rental market. This is in accordance with the Action Plans related to the Anti-Racism Strategy from 2021 to 2023

Since November 2023, the Private Residential Lease Act was undergoing relative amendments to be in line with current issues related to the rental market, especially the issue of overcrowding. Solidarjeta`, Malta Development Association, Malta Landlords' Association and the gaming industry were amongst the stakeholders who contributed their expert opinion on the recent amendments and the updated reform will proceed in September 2024.

Besides the reform on the rental market, MSAA was represented during meetings with NGOs and Inter-Ministerial Committees for the Anti-Racism Strategy and the Poverty and Social Inclusion Strategy. MSAA has also reformed the Housing Authority Act, which allows said authority to increase its day-to-day functions, especially in enforcement measures.

From a health perspective, the above-mentioned needs within the question are referred to during the training programmes on THB to health and social care professionals. When a victim of THB is detected he/she is treated/referred to consultants/hospitals/units related to the immediate health needs and a referral is made to Agenzija Appogg who address needs not related to health.

Agenzija Appogg is not involved in the early stages of asylum since such cases fall within the remit of AWAS and IPA. However, when such cases are detected, IPA would normally refer the case to the Human Trafficking service for further assessment, guidance and support and safe accommodation if needed.

In terms of assessment of the vulnerability and special needs of asylum seekers the following findings came out of the DISRUPT project consultation:

- IOM Malta provided training on these topics to staff in the closed and open centres for asylum seekers
- NGOs have also reported that potential THB victims are scared to report they have been trafficked as they fear that will negatively impact their asylum procedures

Local NGOs have been contacted by family members of individuals found in the closed reception centres, who on their behalf have reported cases of trafficking both enroute to Malta and in the centres themselves.

7. What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;
- b. provision of clear employment contracts;
- c. access to decent work and housing, health care, social services and education;
- d. possibility to change employers;
- e. access to confidential complaints mechanisms;
- f. right to join trade unions and to engage in collective bargaining;
- g. legal avenues for regularising their stay in the country.

Victims of human trafficking who benefit from subsidiary legislation 217.07 (Permission to reside for victims of trafficking or illegal migration who co-operate with the Maltese authorities) and who are granted permission to reside in Malta and subsequently a residency permit, are issued with a work permit for the duration of the residence permit. An employment licence is still required for the latter individuals to access the Maltese labour market. The Employment Licence is issued in the name of the employer; however, the application would not be subject to labour market testing, making it easier for individuals to change employers.

Efforts to provide information sessions in AWAS centres are crucial in raising awareness and offering support to migrants. Information sessions were conducted, and also planned, to continue being delivered in AWAS centres to ensure awareness about the risks of labour trafficking, human trafficking and sexual exploitation, as well as to offer assistance in coping with past traumatic experiences. These sessions were part of the All-Equal project, organised by the FSWS in collaboration with AWAS, the CSA, and coordinated by the HRIU within the HRD.

AWAS also has its Migrant Advice Unit, which also delivers sessions with Jobsplus about legal employment and the rights of employees. These sessions are necessary with a view to ensuring that migrants are informed about the dangers they may face, and their legal rights, while also providing necessary psychological support to those who have experienced trauma. Collaboration among various agencies and organizations highlights a comprehensive and multi-faceted approach to migrant welfare.

With regards to provision of clear employment contracts, Malta's Employment and Industrial Relations Act mandates that all employees, including migrant and domestic workers, receive clear and detailed employment contracts. These contracts must outline:

- Date of commencement of employment.
- Period of probation.
- Normal rates of wages payable and overtime rates.
- Normal hours of work.
- Periodicity of wage payment.
- Duration of the contract (for fixed or definite contracts).
- Paid holidays, vacation, sick, and other leave entitlements.
- Conditions for imposing fines by the employer.
- Job title, grade, nature, or category of work.

- Notice periods for termination by the employer and employee.
- Applicable collective agreements.
- Any other relevant conditions of employment to ensure transparency and prevent

Additionally, the DIER (The Department for Industrial and Employment Relations) conducts random inspections in sectors known to be more vulnerable, such as construction, in collaboration with the immigration police, Jobsplus (the Undeclared Work Department), and the Occupational Health and Safety Authority (OHSA) to minimize abuse exploitation.

With regards to access to confidential complaints mechanisms, the department offers a free helpline where employees can ask employment-related questions anonymously. Through this helpline, the department can initiate generic inspections at sites from which complaints are received, allowing employees to remain anonymous while an investigation is ongoing, rather than having to open a case themselves.

At present, the Human Trafficking service is also working with cases of labour exploitation without necessarily having all the elements of trafficking present. Migrant workers that come in contact with the service are given information on the legalities of work and assistance to report instances of exploitation. The service also assists all the clients in job searching and ensures that the job is legal, with a legal contract, adequate salary and that it is registered with Jobsplus. The service also facilitates for the provision of cultural mediators, assistance from legal aid, help the clients to attend courses which can ameliorate their career prospects, prepare them for interviews and provides safe accommodation, should they be victims of trafficking. If clients are not victims of trafficking but are still homeless, they would be referred to a homeless shelter.

Malta has implemented several measures to reduce the vulnerability of migrant workers, including seasonal workers, seconded/posted workers, domestic workers, and diplomatic household employees, to THB. These measures encompass various policies and initiatives aimed at enhancing worker protection and ensuring their rights.

Trade unions, government agencies and various NGOs offer information on migration and labour laws, worker protection and relevant contacts in multiple languages. Trade Unions make sure (in places that are organised with a trade union) that they have an employment contract and that they are covered by the collective agreement. These contracts must be clear and standardised, specifying job roles, wages, working hours, and other essential terms. The problems arise when migrant workers, work in the informal economy.

Trade unions make sure that in those places that are organised, migrant workers received the same treatment and make sure that Maltese labour laws and collective agreements are enforced and adhered with.

All migrant workers have the right to join trade unions and participate in collective bargaining. Trade unions in Malta actively support migrant workers, offering them representation and advocating for their rights.

Health screening for some categories of workers is carried out in liaison with their employers on application in accordance with the details listed here https://hpd.gov.mt/idcu/work_permits_for_first_time_applicants

8. Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation? How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?

In Malta, labour inspections are conducted by two main bodies: Department For Industrial and Employment Relations (DIER) and Jobsplus.

- DIER: Focuses on matters regulated by Chapter 452, which includes all aspects of employment conditions.
- Jobsplus: Primarily handles cases of undeclared work.

Although both departments are responsible for conducting inspections, joint inspections with other authorities such as the Occupational Health & Safety Authority (OHSA) and immigration police are primarily focused on high-risk sectors, such as roadside and construction, where exploitation is more likely to occur.

Cooperation between authorities ensures that high-risk areas receive attention. Importantly, there is a separation between labour inspection functions and immigration control, maintaining the objectivity and impartiality of labour inspections.

The Law Compliance Unit (LCU) within Jobsplus conducts labour inspections in line with Cap 594 of the Employment and Training Services Act to ensure that employers comply with employment requirements established in the Act. The 10 inspectors in the LCU are trained to identify victims of human trafficking and report such cases to the appropriate authorities. During inspections, employees are interviewed in connection with their employment status and respective employers (be it legal or natural persons) in the Maltese labour market. If Jobsplus officers come across any reasonable suspicion of possible THB, the latter are referred to the Police. Whenever Jobsplus inspectors have a tip off that the employees are TCNs, joint inspections with the Immigration Police under SL 217.14 are performed. Jobsplus inspectors are trained to decipher possible red flags. These may include instances when an interviewee is afraid or hesitant; or does not have documents, and claims that the employer holds their documents; whenever the employer interferes with his/her employee's interview; and whenever there is reasonable suspicion of any violence. The Law Compliance Unit (LCU) refers any suspicious cases to the Police. Once a suspicious case is raised and referred to the Police, the Police will determine whether s/he is a victim of trafficking.

The LCU has established internal reporting mechanisms to proactively combat THB.

The LCU has a Risk-Based Matrix in place by which it identifies high-risk sectors of human exploitation and undeclared work. The highest-risk factors found in the risk-based matrix include:

- i. Nature of work (including type of work, highest being construction and entertainment such as hospitality and the catering/leisure industry);
- ii. Age bracket of potential employers and employees (most of the risks takers would be under the age of 35);
- iii. The area (or locality) within which the illegal employment is mostly recurring (highest risk being touristic and commercial dense areas);
- iv. Time of offence – i.e. the time wherein employment occurs being early morning and late evenings mostly at risk;
- v. Platform employment.
- vi. Temping employment.

Based upon this matrix Jobsplus has tailored two inspections:

- I. Ad hoc and routine inspections by Jobsplus inspectors (which are working upon flexi-time and outside-office-hours in order to target the areas with highest infringement risk;
- II. Joint inspections with the Immigration Policy in compliance with the Employers' Sanctions Directive (Directive 2009/52/EC) of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of

illegally staying third-country nationals, which may occur on a weekly basis and focusing on information and intelligence gathered by Jobsplus regarding possible breaches.

Additionally, Jobsplus inspectors cooperate with Identita'; with the DIER; with OHSa; with the Immigration Police; with Transport Malta and with Traffic Police. Since 2020, Jobsplus also included inspections in line with the European Labour Authority Road Transport initiative and has conducted joint inspections with the Vulnerable Victims Unit (Police) to curb upon suspicions of human trafficking.

The GWU only has visibility of organised places, however the Union occasionally receives complaints from other workplaces. The GWU is also informed by migrant workers that abuse and exploitation is rampant concerning pay, hours of work etc. predominantly in the construction, fishing and domestic work.

9. How are employment and recruitment agencies regulated and monitored? Are all stages of the recruitment process, including advertisements, selection, transport, and placement, subject to regulation? Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?

Through the publication of Legal Notice 270 of 2023 in November 2023, the Employment Agencies Regulations, the need for employment agencies to be regulated in a more transparent and efficient manner was addressed, with the Regulations targeting specifically sectors of employment agencies which act as recruitment agencies, temporary work agencies and outsourcing agencies. The Regulations came into force on the 1st of April 2024.

10. How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting, and posting of workers, which may be used to commit THB?

Breaches on grounds of self-employment are regulated under regulation 37 of Cap 594 of the Employment and Training Services Act. Employment activities are bound to be reported to Jobsplus through the submission of an engagement form. False declarations are reported by Jobsplus inspectors to the Police.

The Employment Status National Standard Order, (L.N. 110 of 2012), which became effective as of 31st January 2012, establish rules for the conversion of a self-employment relationship between two parties to one of employment, automatically and potentially irretrievably. The Regulations list eight scenarios in which one party provides services on a self-employment basis to another party as being eligible for reclassification as employment. If the scenarios cumulatively exist, the automatic re-categorisation and designation of the relationship as one of employment is triggered. The provision of services on a self-employment arrangement would be re-characterised as employment automatically and immediately if at least five of the following grounds are satisfied:

1. he depends on one single person for whom the service is provided for at least 75% of his income over a period of one year;
2. he depends on the person for whom the service is provided to determine what work is to be done and where and how the assigned work is to be carried out;

3. he performs the work using equipment, tools or materials provided by the person for whom the service is provided;
4. he is subject to a working time schedule or minimum work periods established by the person for whom the service is provided;
5. he cannot sub-contract his work to other individuals to substitute himself when carrying out work;
6. he is integrated in the structure of the production process, the work organisation or the company's or other organization's hierarchy;
7. the person's activity is a core element in the organization and pursuit of the objectives of the person for whom the service is provided; and
8. he carries out similar tasks to existing employees, or, in the case when work is outsourced, he performs tasks similar to those formerly undertaken by employees.

In relation to letter box companies, the Malta Business Registry (MBR) conduct checks on the registered offices being used by Companies either when a company is being incorporated or whenever there is a change in the registered office. The following check are made:

- 1) In case where an address is owned by a Company Service Provider (CSP), the MBR confirms that the CSP is licenced by the Malta Financial Services Authority (MFSA).
- 2) In case where it is a private address, the MBR asks for a lease agreement and confirms that the landlord is authorising the tenant to use that address for the company being registered/for the particular company which is already registered. The MBR ensures that this is not being done by way of business, as otherwise it is a licensable activity by MFSA.
- 3) The Company also submits a consent letter from the owner of the building

One should also note that the CSP is supervised by both MFSA and FIAU (since a CSP is also a subject person).

Furthermore, the Companies Act provides in article 401(1)(n), for a duty of the Registrar of commercial partnerships (including companies) to conduct onsite inspections to a company's registered office to verify that its shareholders and/or beneficial owners, as applicable, are those disclosed to the Registrar. This duty thus aides towards combatting and preventing any formation or use of letter box companies.

Any form of THB is criminalised and sanctioned under the Criminal Code in Malta – more specifically under Articles 248A to 248G.

11. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?

Jobsplus, as Malta's Public Employment Service, is responsible for conducting labour market tests in relation to the issuing of work permits according to Maltese Legislation and in line with the Employment and Training Services Act.

Malta's migration legislation and policies aim to enable lawful migration and provide legal employment opportunities with decent work conditions, this is mainly prevented through measures such as the;

- Single Permit Procedure: Allows non-EU nationals to reside and work in Malta through a single application process, simplifying legal employment pathways and reducing the risk of THB.
- Equal Treatment Directive: Ensures that migrant workers have the same working conditions, pay, and rights as local workers, enforced through regular inspections from both labour inspectorate departments, Jobsplus and DIER as well as awareness raising.

These measures aim to protect migrant workers' rights and working conditions, reducing their vulnerability to exploitation and trafficking.

Reference is made to the Immigration Act (Chapter 217 of the Laws of Malta), subsidiary legislation 217.04 (Immigration Regulations) and subsidiary legislation 217.07 (Permission to reside for victims of trafficking or illegal immigration who co-operate with the Maltese Authorities Regulations).

12. How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?

Reference is made to the Immigration Act (Chapter 217 of the Laws of Malta), subsidiary legislation 217.04 (Immigration Regulations) and subsidiary legislation 217.07 (Permission to reside for victims of trafficking or illegal immigration who co-operate with the Maltese Authorities Regulations).

13. How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?

MPF Border Guards receive comprehensive training on recognising trafficking indicators, including physical and psychological signs, behaviours suggesting coercion, and specific vulnerabilities of groups like unaccompanied minors. When potential trafficking victims are identified, border guards follow protocols that involve immediate referrals to specialised units within MPF who also coordinate social support services.

Reference is made to Chapter 217 of the Laws of Malta (Immigration Act) and to Subsidiary Legislation 217.04 (Immigration Regulations).

14. What measures are taken to prevent THB in sports? What sectors and categories/groups of people have been identified as being at risk?

Suspected or confirmed cases of human trafficking in Malta have only been encountered in relation to employment or the provision of sexual and related services. Nevertheless, all residence permit applications are processed to ensure that related employment is legitimate, thereby preventing abusive situations. Moreover, an awareness campaign has been launched in order to raise awareness of abuse and exploitations of employees in any sector.

15. Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation? What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes? What is the practical effect of their implementation?

Police officers receive specialised training on online trafficking activities. This includes training on digital forensics, cyber-investigation techniques, and the use of technology to trace and disrupt traffickers' online networks. Police have identified various online practices that increase the risk of individuals becoming victims of THB, including recruitment through social media, fake job advertisements, and exploitation on dating websites.

Through the strategic and tactical analysis conducted by the FIAU's Intelligence Analysis Section a number of online practices have been identified rendering individuals to become more vulnerable to human trafficking and modern slavery. Some of these practices were reported in the following publications:

In the ['Human Trafficking and Modern Slavery Guidance and Typology Report for Malta'](#) specifically in the section entitled 'Trafficking Profile and Modus Operandi of Traffickers in Malta', which also delves into payment methods, it has been reported that:

"Traffickers may also accept payment via prepaid cards, credit cards, mobile payment applications and convertible virtual currency. It has been noted that human traffickers also make use of third-party payment processors (TPPPs) to wire funds. This method can conceal the true origin of the payment as it is masked through the TPPPs. There's a possibility to register an account on a TPPP with a temporary email address and funding the account with a virtual credit card. To increase anonymity, the user might use a tested VPN to hide the actual IP address and carry out online transactions with unbreakable encryption."

In this same publication, in the section entitled 'HT/MS Indicators relative to sexual exploitation' the FIAU also reports that subject persons should keep an eye when there are:

"Frequent low-value deposits and payments through an online payment service which are deposited in a personal account. Eventually making use of the funds for virtual currency deposits, or payment of bills (e.g., credit card bills)".

Additionally, within the last section which provides two anonymised case studies, the FIAU concludes its publication with the following text:

"Additionally, one cannot but highlight the importance of opensource intelligence as a vital and proactive means, for subject persons and authorities alike, to identify human trafficking rings in Malta. Including through prostitution marketing websites, social media advertisements, recruitment through dating apps, online fake or deceptive job recruitment and online fora."

In the ['Intelligence Factsheet: Strategic Analysis on Maltese Massage Parlours and their possible exposure to the sexual exploitation of women'](#), the FIAU also included a section on 'Red Flags of Human Trafficking through Illicit Massage Businesses and possible relevant indicators on GoAML' which urges subject person (obliged entities) to follow the steps here below when there is:

"Advertising on commercial sex websites or mentioned on blogs that customers use to write about their sexual experience. Upon identification of this open-source intelligence, subject persons should select the RS-23 indicator (Adverse Media - Subjects, or persons linked to subjects of a STR are adversely known on open sources) upon submitting a report to the FIAU."

As already mentioned, PPPs also provide for a knowledge-sharing fora to combat such crimes. The FIAU and FAST organised a Roundtable discussion which took place on the 18th and 19th July

2023, and it helped in providing further understanding in order to fight against such a crucial matter. During one of the breakout sessions organised during this event, a subject person mentioned, amongst other points, to be aware of online model agencies and talent agencies websites that serve as bait to lure individuals into human trafficking and modern slavery, including children.

Social media is a very powerful tool through which many women and girls are being lured into conversations, believing that they are chatting with a love interest in another country, a country which can offer them a better future, a well-paid job and a prospect of marriage. The BeSmartOnline project in collaboration with the HRD have produced a leaflet regarding the dangers of online grooming and trafficking together with a series of online posts on the same topic. Moreover, the projects also carries out several awareness sessions with adolescents, even those who are more vulnerable and at risk of grooming such as children in care.

16. What measures are taken to raise awareness of the risks of technology-facilitated THB, including among children, parents, teachers, childcare professionals and social workers? What technology-based initiatives exist in your country to disseminate information to groups/communities at risk of THB?

As part of HRD's national awareness campaign, leaflets on child trafficking have been developed which include a panel on 'tips to keep children safe online', including signs that may indicate a case of technology-facilitated child trafficking. These leaflets are to be disseminated in schools for parents, teachers and caregivers to increase awareness on the issue of human trafficking online and increase online safety.

PSCD within the Directorate for Early Years, Languages and Humanities within MEYR is one of the main partners in the BeSmartOnline Project and thus the learning outcomes related to internet use and safety within the syllabus, have been strengthened and given more impetus through the collaboration with the BeSmartOnline consortium. PSCD in fact provides opportunities for students to learn, achieve and develop emotional literacy, self-confidence, self-worth and self-esteem. The subject also gives learners the opportunity to develop the necessary skills, knowledge and understanding to be able to live a healthy, safe, productive, and responsible life both online and offline.

The BeSmartOnline website and Facebook page are technology-based platforms that are used by the consortium to disseminate information, initiatives and good practices to different audiences.

Also, at compulsory education level, within the Ethics Education curriculum learning outcomes related to responsible digital citizenship and the ethical use of new technologies including AI, impart several critical skills to students, such as:

- (a) Critical thinking and analysis like evaluating information sources (the ability to assess the credibility, accuracy, and bias of digital content), understanding algorithms and AI: (the comprehension of how algorithms work and their potential biases and impacts) and risk assessment (identifying potential risks and ethical dilemmas associated with digital technologies) and;
- (b) Responsible Behaviour to include Digital Footprint Management, Practicing respectful and considerate communication in digital interaction, and Understanding the societal impact of technology use and promoting positive online communities.

The Ethics Department within the Directorate for Early Years, Languages and Humanities within MEYR, utilises various social media platforms, notably the active Facebook page Etika.mt, to share information, initiatives, and best practices with different audiences.

Furthermore, from a digital education perspective, while in general, this question does not fall under the remit of the Directorate for Digital Literacy and Transversal Skills within MEYR, at compulsory education level, the said Directorate's primary aim is to ensure that students acquire digital literacy and competencies in a comprehensive manner through various digital literacy learning outcomes embedded in subject curricula. However, while the risks of technology facilitated THB is not specifically along the lines of the said directorate, the said directorate is also focused on promoting safe internet usage. This includes encouraging best practices in digital citizenship, such as appropriate online behaviour, balancing online and offline life, and participating in World Internet Safety Day.

Additionally, from a Foundation for Education Services (FES) perspective, FES offers three services, namely, Childcare, Klabb 3-16 (an after-school programme) and Skolasajf (a Summer Programme). Both programmes offer non-formal educational activities based on a specific theme. There are general measures taken to raise awareness of the risks of technology-facilitated THB in these services. In the afterschool and summer programme, children do not actually use computers for browsing but use them in controlled games and to view YouTube links which have been vetted and sent by FES.

During information sessions carried out by both the Human Trafficking services and also by the BeSmartOnline, the process of online grooming is discussed, and ways in which traffickers can use social media and technology to prey on their victims are highlighted.

Moreover, both services have an online presence including a Facebook page. Both Facebook pages are active and upload regular posts that are related to human trafficking or on online risks and raising awareness on the work that is being carried out.

17. How do you cooperate with ICT companies and Internet service providers, including content hosts and social media, in preventing THB?

The Malta Communications Authority (MCA) does not have any legal remit or mandate on related matters.

18. How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?

As part of the Technical Support Instrument (TSI) Project 'Supporting Malta in the design and implementation of a new national Anti-Trafficking Strategy', research was carried out among victims and survivors of human trafficking in Malta to understand the efficacy of the identification process and assistance provided. A secondary aim was to understand how recruitment into exploitation was taking place in Malta.

A total of nine people participated. All were adult TCNs who has entered Malta through the airport on visas. They then either experienced labour exploitation or domestic servitude. Some of the issues raised by the victims included the challenges in: short term residency; gaining longer term

residence; accessing information about rights and entitlements; and the issue of exploitative employment agencies.

The recommendations made by victims and survivors of human trafficking on the basis of their experience of the identification process and the services provided to them were greatly considered and utilised to ensure policy measures are evidence-based during the drafting of the National Strategy and Action Plan on Combatting Trafficking in Human Beings in Malta.

II. IDENTIFICATION OF VICTIMS AND PROTECTION OF THEIR RIGHTS (Articles 10, 11, 12, 14 and 16)

19. Among the victims of THB identified, were any subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults? If yes, did any of them report on police misconduct?

No such cases were identified.

20. What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention? Is there cooperation with specialised NGOs, trade unions, and employers to enhance the identification and protection of potential victims within these at-risk groups?

To ensure that trafficked persons, including migrant workers in irregular situations, are identified as victims of THB and have access to their rights under the Convention, MPF collaborates closely with support services (including the Victim Support Agency (VSA), employers, and trade unions. This cooperation includes training for frontline workers to recognise and report signs of trafficking, and ensuring victims receive necessary legal, medical, and psychological support. The MPF's proactive approach involves identifying potential victims and facilitating access to comprehensive support services through partnerships with specialised NGOs and coordinated efforts with various stakeholders.

When certain indicators of human trafficking are observed, AWAS professionals follow a protocol to refer the case to the appropriate authorities. This referral ensures that suspected victims receive the necessary support and protection from the relevant agencies equipped to handle trafficking cases. AWAS maintains communication and coordination with relevant authorities to ensure that suspected victims are provided with timely and appropriate assistance. The referral process is part of a larger framework of cooperation aimed at combating human trafficking and safeguarding vulnerable individuals. AWAS professionals undergo continuous training to stay updated on the best practices for identifying and referring human trafficking victims. Protocols are regularly reviewed and updated to reflect new insights and improve the effectiveness of the identification and referral process. By adhering to these protocols, AWAS ensures that suspected victims of human trafficking are promptly and appropriately referred to the relevant authorities, facilitating their access to the necessary support and protection services.

The HT service collaborates on a regular basis with many NGOs and other government entities in order to facilitate the referral to the HT service and also to assist when referring the service users to specific services. The service constantly ensures to increase its collaboration by reaching out to other NGOs, invite them to attend to our roundtables and attend workshops organised by

other entities to keep building bridges between different services for a more holistic approach towards the care and support for our service users.

In cases which involve service users who form part of the migrant population, Dar Hosea liaises with specialised services to ensure that the required support is being provided.

Various trade unions, employers' association and other stakeholders works closely with several NGOs, such as the Jesuit Refugee Service (JRS) and Aditus Foundation, which provide crucial support services to trafficking victims, including legal assistance, shelter, and psychological support.

The GWU play a significant role in advocating for workers' rights, including those of migrant workers who might be victims of trafficking. There are efforts to raise awareness among employers and to promote fair labour practices that reduce the risk of trafficking. The GWU gives regular training sessions for shop stewards and economic migrant workers on basic industrial relations, basic working rights, like minimum working time, minimum wage, vacation and sick leave entitlement. Training is also provided to police officers, border control agents, social workers, and healthcare professionals to enhance their ability to identify and support trafficking victims.

21. What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?

Throughout HRD's awareness raising campaign on human trafficking multiple hotlines were promoted, including 119 which is MPF's Crime Stop Number, 116 006 which is the Victims Support Line and 179 for shelter and social welfare services. Other pathways for victims of THB were also promoted, including 112 for emergency services, to encourage them to report their situation to the authorities and receive protection and support.

To encourage victims of THB to report their situation, VSA advocates for victims' rights and has launched a Victim Support Line. This Support Line allows any person to call and seek assistance. Through the Support Line, victims are encouraged to file a police report, obtain legal advice, receive information following their report, and access emotional support. These measures ensure that victims have a safe and supportive environment to come forward and report their circumstances to the authorities or civil society organisations.

Most of the service users are referred to the HT service by the police for guidance, support and safe accommodation, so at that point the police would have been the first point of contact. As regards to other service users who are not yet known to the police, the Human Trafficking social workers encourage and empower the victims to report their case to the authorities and inform them about the benefits and the protection that they would get when reporting. The service also ensures that throughout this process they are fully supported by the social workers by being physically present when reporting their case and offering emotional and therapeutic support whenever needed. The social workers also prepare victims for court and are present with them when they need to witness against their traffickers.

Regular visits from APPOG to commercial outlets where trafficking may be taking place (e.g. massage parlours), where they leave their contacts and try to establish a trusted relationship.

To the extent that they have access, local NGOs try to raise awareness of THB in open and closed reception centres for asylum seekers.

Dar Hosea provides the victims with the necessary information of where they can report their situation, through written material and educational sessions. Dar Hosea provides all the support

required through the whole process of reporting their situation, including liaising with other professionals and stakeholders.

22. What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders? What measures are taken in your country to identify victims of THB during the examination of asylum applications and prior to the return of persons whose applications are rejected?

All officers working at the borders receive specialised training to detect and refer possible victims of THB to assistance.

The IPA follows "Guidelines for the fast-tracking of applications submitted by vulnerable persons," which provide Protection Officers with specific instructions for processing requests from applicants identified as vulnerable according to the EUAA training module on vulnerabilities and the 'Tool For The Identification Of Persons With Special Needs' (IPSN Tool).

These guidelines are designed to protect a broad range of vulnerable individuals, including victims of THB. Most THB cases are referred to the IPA by agencies such as AWAS, UNHCR, EUAA, and other NGOs that work in the field. These referrals typically come with a professional report confirming the need for fast-tracking and outlining the individual's rights as a vulnerable person and potential THB victim.

Sometimes, applicants do not initially disclose their THB experiences, revealing them only during the asylum application process or later during interviews. This delayed disclosure can occur due to various reasons, including fear, shame, or threats from traffickers. In such cases, subsequent applications may be made to provide new information, often revealed to trusted psychologists or lawyers.

For every new application, the IPA uses a standard vulnerability assessment form and a medical conditions form, completed with the assistance of trained Protection Officers. These officers are skilled in identifying vulnerable individuals and those needing special procedural guarantees. Identified victims of THB are informed of their rights and referred to AWAS and other service providers for additional support.

The decision to fast-track an application is made by the CEO, ensuring the process is conducted in a manner that makes the applicant feel safe and provides special procedural guarantees. Interviews are conducted by experienced Protection Officers who prepare sensitive questions, provide interpreters and case workers of the same gender, and ensure a comfortable environment with regular breaks. These interviews are carefully managed to build rapport with the applicant, making them feel secure.

Each case is discussed with senior staff and the CEO before a decision is made. Decisions are drafted in accordance with quality control guidelines that reflect the IPSN Tool on vulnerabilities. If necessary, further interviews may be conducted. Cases are closed quickly to ensure a timely resolution.

When applicants do not qualify for refugee or subsidiary protection, they are considered for other forms of humanitarian protection on cumulative grounds to prevent deportation. However, it is important to note that the IPA is not responsible for the return of failed asylum seekers.

AWAS professionals play a crucial role in ensuring the safety and well-being of migrants during disembarkations in Malta. Their presence aims to screen for vulnerable individuals and identify any

signs of human trafficking. After AWAS conducts the vulnerability assessments, a Special Procedure Guarantee Form is sent to the IPA. This form serves to formally document the findings of the vulnerability assessment and provide support to asylum seekers who are making asylum claims. It indicates a structured process to ensure that vulnerable individuals receive the necessary assistance and protection under international asylum protocols. This approach underscores Malta's commitment to safeguarding the rights of asylum seekers and addressing potential cases of human trafficking through systematic screening and procedural support.

23. What measures are taken in your country to identify victims of THB in immigration detection centres and prisons?

At the Correctional Services Agency, Malta's only prison, a range of comprehensive measures are implemented to identify victims of THB. These measures begin with initial screening and assessment procedures conducted upon entry, where trained Correctional Officers and medical personnel evaluate individuals for signs of abuse, coercion, and other indicators of trafficking, enabling them to identify potential victims effectively. Within three days, professional social workers and psychologists from the Care Reintegration and Education Unit (CREU) interview newly admitted persons in prison for such signs as well.

Collaboration with NGOs and AWAS add additional expertise and resources for victim identification and support. Potential victims are granted access to legal assistance and social services, ensuring they receive appropriate protection and aid. Confidential reporting mechanisms are in place at CSA in order to uncover any instances of trafficking, allowing victims or other detainees to report suspicions without fear of retaliation. CSA makes use of interpreters to ensure effective communication, especially for individuals who do not speak Maltese or English. Clear referral mechanisms ensure that identified victims are referred to appropriate protection and support services. These measures collectively aim to safeguard the dignity and rights of victims while enhancing the overall efficacy of THB identification efforts within these facilities.

As explained above, AWAS officials conduct assessments of migrants in detention, and wherever vulnerabilities are detected a request is issued to the Principal Immigration Officer to release the persons in question from detention. Support and referral is provided and conducted in the event a person may be a victim of human trafficking.

24. What services are available in your country to provide specific assistance to particularly vulnerable victims, such as:

- a. persons with disabilities;
- b. LGBTI+ persons;
- c. victims with children;
- d. victims with severe mental and physical trauma;
- e. homeless persons;
- f. other.

VSA offers free-of-charge services to all victims of crime, including particularly vulnerable groups such as persons with disabilities, LGBTI+ persons, victims with children, victims with severe mental

and physical trauma, and homeless persons. The VSA provides interpreters to facilitate access to services and offers both emotional and therapeutic support to combat trauma. Additionally, the VSA collaborates with other governmental agencies and NGOs to ensure a holistic, victim-centred service that addresses the diverse needs of these vulnerable groups.

In Malta, various services are available to provide specific assistance to particularly vulnerable victims, including persons with disabilities, LGBTI+ individuals, victims with children, those with severe mental and physical trauma, homeless persons, and others. Here is an overview of the services that AWAS usually liaise with:

1. Persons with Disabilities

- Agenzija Support: Offers various services and support for individuals with disabilities, including residential care, day centres, and community-based support.
- Foundation for Information Technology Accessibility (FITA): Provides assistive technology and support for enhancing the quality of life for persons with disabilities.

2. LGBTI+ Persons

- LGBTI+ Malta: Offers counselling, legal advice, and support groups for LGBTI+ persons.
- LGBTI+ Gozo: Provides support, advocacy, and safe spaces for LGBTI+ individuals in Gozo.
- MGRM (Malta Gay Rights Movement): Works on LGBTI+ rights advocacy and provides support services including a helpline, counselling, and community events.

3. Victims with Children

- FSWS-Child Protection Services, Looked After Children Service and Alternative Care.
- Richmond Foundation: Provides psychological support and counselling for families, including those with children.

4. Victims with Severe Mental and Physical Trauma

- Mental Health Services: Includes the Mount Carmel Hospital and various community mental health centers offering psychiatric and psychological support.
- Victim Support Malta: Provides emotional support, legal assistance, and counselling for victims of crime, including those with severe trauma.
- Richmond Foundation: Offers comprehensive mental health support, including therapy and residential programs for individuals with severe mental health issues.

5. Homeless Persons

- Caritas-Fondazzjoni Dar il-Hena- The foundation has three shelters, two of which are emergency homeless shelters, the first of their kind in Malta, and a third which is a long-term residential shelter-Dar Papa Frangisku, Dar Maria Dolores and Reach Residential.
- YMCA Malta: Provides emergency shelter, food, and rehabilitation programs for homeless individuals.
- Dar Merhba Bik: A shelter for women and children facing homelessness and domestic violence, offering accommodation and support services.
- St. Jeanne Antide Foundation: Offers social work services and support for homeless individuals, including assistance with finding housing and employment.

- Homeless Service-Appogg

6. Other Vulnerable Groups

- Caritas Malta: Offers a wide range of services including addiction counselling, family support, and aid for marginalised individuals.
- SOS Malta: Provides support to various vulnerable groups, including assistance with integration, education, and healthcare services.

These organisations and services work together to provide a comprehensive support network for vulnerable individuals in Malta, addressing their specific needs and helping them achieve stability and well-being.

Most of these communities' benefit from several initiatives (e.g.: Sustainable Housing Projects) and schemes that will assist such vulnerable communities. The Government is in partnership with NGOs to provide shelters that will assist such communities.

The Ministry for Health and Active Ageing, guided by the National Strategic Policy for Active Ageing (2023-2030), has implemented a variety of services and initiatives to support elderly individuals, including those who may be particularly vulnerable.

Regardless of whether an older person is directly affected by societal challenges such as loneliness, discrimination, or housing insecurity, comprehensive measures are being implemented to ensure their well-being across the board. Initiatives targeting specific vulnerable groups, including migrants, individuals with chronic health issues, and widowed persons, aim to alleviate social isolation through tailored programs and supportive networks. Ageism and discrimination are being tackled head-on, with post-pandemic strategies prioritizing the needs of digitally illiterate, financially vulnerable, and dementia-affected older adults. Mental health support is also a priority, with leadership in mental health strengthened and resources provided for community-based care and awareness. These multifaceted approaches emphasize the importance of holistic support systems for older individuals, regardless of their specific circumstances.

Services in Healthcare, social care, legal aid, shelter, victim support, cultural mediators, Gender Wellbeing Clinic (GWC). The GWC provides multidisciplinary care for transgender persons wishing to access gender affirmative medical care to change their bodies to better align to their internal gender identity.

Part of the GWC comprises of psychosocial professionals including social workers from FSWS and also MHA. Thus the team is well connected to support and refer potential victims if these are encountered. However, the primary aim of this service is the provision of support for transitioning in terms of gender and not specifically tailored to victims of THB.

Agenzija Support offers many services, schemes, programmes and support to eligible persons with disabilities Further information can be found on the Agency's website here: <https://sapport.gov.mt/>

Persons with disability who feel that they were discriminated against on the basis of disability in one of the grounds specified by law (i.e. Employment, Education, Housing, Health, Goods and Services, Accessibility and Bill of Rights) can contact CRPD to lodge their complaint. CRPD can be contacted in a myriad of ways including by physically visiting the CRPD offices, (in Malta and in Gozo), by telephone, by SMS (for Deaf persons), through its website and through its social media platforms.

The Directorate of Child Protection Services is responsible for the protection of all minors and will intervene once a report is launched stating that a minor might be at risk. Once an investigation is carried out, a care plan is devised to ensure the best interest of the minor in question.

The human trafficking service offers social work support to any current or past victim of THB irrespective of their nationality, minority group, gender, sexual orientation, disability etc. There are several instances in which the involvement of professionals from other specialised services is needed to work jointly on cases in order to give the best possible care to our service users. For instance, in cases of child victims of trafficking, Child Protection Services are involved. As regards to service users with a disability, cases are jointly worked with Agenzija Sapport. Service users with severe mental health issues are referred for mental health services and if upon assessment the professionals would determine that the person is at risk of self-harm or harm to others, then the service user might be admitted to a mental health facility.

Victims with children are still admitted into our shelter and the parent is informed that they would be taking responsibility of their children meaning that they cannot leave the children in the care of professionals or other residents. Children without a parent would need to use the services of minor's residential home. AWAS and Child Protection Services would be involved to assess.

While LGBTIQ+ individuals are recognised as a vulnerable group in the context of human trafficking, there is a notable absence of local data and tailored services. These victims may choose to utilise specific services related to their victimisation or more general LGBTIQ+ services, provided they qualify for such assistance.

An LGBTIQ+ Hub has been established in Paola, offering a range of services from both the Government and NGOs. Key services include the Gender Wellbeing Clinic, LGBTIQ+-specific psychosocial support, and monthly HIV rapid testing. Plans are underway to expand these services and relocate to a larger, more accessible premises.

From 2017 to 2019, a three-year Public Social Partnership was formed between the Malta LGBTIQ Rights Movement (MGRM) and the Ministry for the Family and Children's Rights to fund the Rainbow Support Service, providing a variety of services to LGBTIQ individuals and their families. This partnership was renewed in 2020 and 2023, with increased funding allocations, demonstrating continued governmental support for this service.

Through a funding scheme managed by the Housing Authority, designed to collaborate with Civil Society Organisations in providing social accommodation to vulnerable groups, MGRM has been granted use of a residential building. This building will be converted into a second-stage shelter for LGBTIQ+ individuals. The project is in its final preparatory stages and is expected to launch later in 2024.

The VSA, established under Legal Notice 418 of 2020 (Subsidiary Legislation 594.37), is a multidisciplinary governmental entity comprising police officers, probation and parole department staff, professionals from the former Hate Crime and Speech Unit, legal experts, and other public officials. Its mission is to serve as the national contact point for victims of crime, promoting a comprehensive approach to addressing their needs and enhancing their quality of life. The Agency, which has integrated the former Hate Crime Unit, offers a variety of free services for victims of hate crimes and hate speech and their families, including psychological support, legal assistance, a dedicated phone line, and online chat assistance. Additionally, the Agency maintains a website (<https://victimsupportagency.com/>) providing support and information to victims of hate crime and hate speech.

In 2020, the IPA adopted Internal Guidelines on Procedures and the Assessment of Sexual Orientation and/or Gender Identity Claims. Amendments to the Procedural Standards for Granting and Withdrawing International Protection Regulations (S.L. 420.07) extended protection to individuals fleeing persecution based on their gender expression and sex characteristics. Article 19d(iii) specifies that, depending on the circumstances in the country of origin, a particular social group might include those with a common characteristic or sexual orientation. Sexual orientation does not include acts considered criminal in Malta. Gender and sex-related aspects, including

gender identity, gender expression, and sex characteristics, are to be duly considered when determining membership of a particular social group or identifying a characteristic of such a group.

Dar Hosea provides services to women who are victims of sexual exploitation or at risk of such exploitation. Such services include a drop-in centre where they receive immediate support and other support such as medical, legal and educational. A biopsychosocial approach is taken in working with service-users, that seeks to support their holistic well-being.

25. How do you support the (re)integration of victims of THB? What processes are in place in your country to provide assistance to victims of THB exploited abroad after their return?

Provided that they have a Maltese and EU citizenship, such victims can benefit from all the initiatives provided by the Housing Authority and the Ministry for Social and Affordable Housing.

Throughout the time that a victim of human trafficking is followed by the HT social workers, a care plan is devised and implemented in order to ensure that eventually the service user would be able to be reintegrated in society and is able to function independently. Thus, the HT team helps the victims to regularise their position in Malta and/or to find a legal job and be financially stable. Most victims also have a language barrier, thus our service facilitates their attendance for an English language course. Or else, if the victim wishes to go back to his/her country of origin, support is provided for this to occur and ensure that the victim travels safely and has help and support once s/he arrives at their country of origin.

In these cases, Dar Hosea liaises with specialised services as required.

26. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

In Malta, Subsidiary Legislation 217.07 grants permission to reside for victims of trafficking or illegal immigration who cooperate with the Maltese authorities. This provision, transposing Council Directive 2004/81/EC, provides a legal pathway for victims to remain in Malta temporarily or permanently based on their cooperation with law enforcement in prosecuting traffickers and their personal circumstances. In practice, each case is assessed on its merits, with advice from experts assisting the victims. Consequently, a residence permit may be issued, allowing the individual to stay in Malta under specified conditions. This approach ensures that victims receive the necessary legal protection and support based on their unique situations.

27. What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?

Prosecutors request the court to disallow the publication of names of the victims. The court also understands the sensitivity of cases that are presided before it, and therefore, it bans the publication of names even without such a request.

While the Directorate of Child Protection has the legal responsibility to obtain any information required to assist in their investigation, it is also legally responsible to protect any data collected about the minor, particularly if it might endanger the child.

Measures are strictly enforced by MPF to ensure that the identity and details allowing the identification of a child victim of trafficking are kept confidential and not publicly disclosed.

Besides EU General Data Protection principles, during judicial proceedings, prosecutors request the court to disallow the publication of names of the victims. The court also understands the sensitivity of cases that are presided before it, and therefore, it bans the publication of names even without such a request.

Additionally, the Minor Protection (Alternative Care) Act (Chapter 602 of the Laws of Malta) is in place to safeguard, protect and give priority to the best interest of minors and to ensure, in the least possible time, the permanence of the care given to minors. This Act also information on the protection of personal data in accordance to data protection principles.

The Media and Defamation Act, Cap. 579 deals mostly on defamation and the related procedures, including court procedures, and other issues such as protection of journalistic sources.

Article 531 of the Criminal Code, Cap. 9, provides that the court shall hold its sittings with open doors, unless it deems it necessary to hold sittings with closed doors in cases involving minors (under 18) or in cases where it is of the opinion that if proceedings are conducted in public they may be offensive to modesty, or might cause scandal; in any such case, the court shall previously make an order to that effect stating the reasons for so doing. It goes on to say that where the sittings are held with closed doors, it shall not be lawful to publish any report of the proceedings under the penalties established for contempt of the authority of the court.

Similarly, Article 8 of the Juvenile Court Act, Cap. 287, provides that no newspaper report of, or sound or television broadcast relating to, any proceedings in the Juvenile Court shall reveal the name, address or school, or include any particulars calculated to lead to the identification, of any child or young person concerned in those proceedings.

28. What measures are in place aimed at encouraging the media to protect the private life and identity of victims?

The EU General Data Protection principles and regulations apply across the board, including to victims of THB.

Regulation 3(1)(g) of the Court Practice and Procedure and Good Order (Criminal Code) Rules of Court, S.L. 9.11, also states that any person is prohibited from taking any photograph or film during the hearing of any case in any hall, unless where it has been ordered or authorised by the court or tribunal.

Additionally, Article 10B of the Victims of Crime Act, Cap. 539, provides that the Ministry responsible for the welfare of victims of crime or any other entity or agency which the Minister may designate for that purpose shall take during the criminal proceedings appropriate measures to protect the privacy, including personal characteristics of the victim taken into account in the individual assessment, and images of victims and of their family members.

By virtue of Article 34 of the Broadcasting Act, Cap. 350, the Broadcasting Authority has the power to consider complaints of unjust or unfair treatment in sound or television programmes broadcast by any person providing broadcasting services in Malta or unwarranted infringement of privacy in,

or in connection with the obtaining of material included in, sound or television programmes so broadcast.

Under this Act, there are several pieces of subsidiary legislation which regulate standards and practice applicable to news bulletins and current affairs programmes (S.L. 350.14), media programmes of vulnerable persons (S.L. 350.15), and coverage of tragedies in broadcasting (S.L. 350.16 – this specifically provides for standards regarding victims of crime), amongst others (S.L. 350.17 up to S.L. 350.27). These regulations serve as guidelines/Code of Ethics for journalists and persons working in broadcasting. The Standards are founded on the idea of impartiality when it comes to issues of politics, business, or public policy along with the protection of the rights to one's own privacy and family life, as well as the freedom of speech and information.

29. Have there been cases of diplomatic households (of your country's diplomats abroad and of foreign diplomats in your country) employing domestic staff in conditions which could be forced labour or human trafficking? If yes, how was the issue of diplomatic immunity addressed? How were the victims identified, assisted and protected?

There have been no such cases, either within Malta or at our missions abroad.

30. What specific steps are taken in your country to identify victims of THB amongst persons recruited and exploited by terrorist/armed groups?

Not applicable

31. Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance? Is there a code of conduct for providers? If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

With reference to the first question, Article 337H(1) of Chapter 9 of the Laws of Malta provides that 'The provisions of articles 121D, 208B(5), 248E(4) and 248E(4A) shall apply mutatis mutandis to any offence under this Sub-title.' This means that Article 337H renders the offence of computer misuse applicable to the offence of human trafficking. There is also the offence of aiding, assisting or instigating the offence of THB, in which the aid or assistance or instigation may be done over the internet. The SAO understands that the Court orders the removal of human trafficking internet content and non-adherence amounts to contempt of Court.

The Child Web Alert hotline (BeSmartOnline) which is part of Agenzija Appogg has been given the status of trusted flagger. Trusted flaggers help ensure that online platforms maintain a safe and secure environment for users by actively monitoring and reporting harmful content. Through this collaboration between the Human Trafficking team and the childwebalert hotline (both within Agenzija Appogg) and other stakeholders including law enforcement and online platforms, FSWS contributes to the detection and removal of illegal content, ultimately helping to protect vulnerable individuals online. Once victims are identified, a referral would be passed on to the Human Trafficking service if such victims are found to be in Malta.

III. INVESTIGATION, PROSECUTION, SANCTIONS AND MEASURES (Articles 4, 18, 19, 23, 24, 27, 28 and 30)

32. Is the abuse of a position of vulnerability part of the human trafficking offence in your country's law? How are the concepts of "vulnerability" and "abuse of a position of vulnerability" defined in law? Have they been subject to judicial interpretation? If yes, please provide relevant case-law.

Abuse of power or of a position of vulnerability is considered as one of the means through which human trafficking is committed. Reference is made to Article 248A(2)(e) of Chapter 9 of the Laws of Malta. This reads *'abuse of power or of a position of vulnerability'*:

Provided that in this paragraph "position of vulnerability" means a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved.' A vulnerable person in Article 208AC(2) of Chapter 9 is defined as:

- (a) any person under the age of fifteen years; or
- (b) any person suffering from a physical or mental infirmity; or
- (c) any other person considered by the court to be particularly at risk of being induced into cooperating with the offender or into surrendering to the offender's will when taking into account the person's age, maturity, health, pregnancy, disability, social or other conditions including any situation of dependence, as well as the physical or psychological consequence of the offence on that person.

Principally, the relevant case law is *The Police vs. Bin Han and Jia Liu* (decided by the Court of Criminal Appeal on 6th January 2023), in which vulnerability was interpreted by the Court in a manner consonant with the Explanatory Report to the Convention.

33. Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?

Aggravating factors established in the law which result in an increased punishment are as follows:

- If the offence is accompanied by violence or has resulted in harm to the physical or psychological health of the victim;
- If the offence generates proceeds exceeding €11,646.87;
- If the offence is committed with the involvement of a criminal organisation;
- If the offence is committed by a public officer or servant in the course of the exercise of his duties;
- If the offence is committed against a vulnerable person within the meaning of Article 208AC(2) of the Criminal Code (this being a person under fifteen years of age or a person suffering from physical or mental illness or a person considered by the Court to be at particular risk of persuasion when one considers age, maturity, state of health, pregnancy status, disability, social or other conditions including any situation of dependency, and physical and psychological consequences of the offence on the person);
- If the offender wilfully or recklessly endangers the life of the trafficked person;
- If the offender was previously convicted of a trafficking offence;

Article 248E of Chapter 9 of the Laws of Malta provides for a number of aggravating factors including in Article 248E, if the offender is a member of the trafficked child's family or a person cohabiting with the child or a person who has abused a recognised position of trust or authority.

34. According to national case-law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how the concept of "abuse of a position of vulnerability" is used in practice. What are the challenges in its application? Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or should have known of the victim's vulnerability, and intentionally manipulated the victim on this basis?

There is not enough case-law to be able to carry out a detailed analysis. However, the forms of vulnerability most encountered are:

- Being a non-EU/EEA national;
- Not speaking Maltese or English (which are the most used languages in Malta);
- Prior involvement in prostitution;
- Poverty and other adverse social conditions in the country of origin, which renders a person more susceptible to offers of employment overseas which turn out to be scams;
- Confiscation of identity documents by traffickers (this is a form of vulnerability which is created by the traffickers);
- Immigration status (as it is not unheard of for non-EU nationals to be threatened with deportation by employers should they fail to heed employers' orders);
- State of physical and mental health;
- Dependence on prospective employers for submission of certain applications and documentation to the competent authorities;
- Poverty enforced through compulsion to pay large, unjustified amounts to agencies (or more accurately, traffickers) which render the person penniless.

When examining witnesses, the Prosecution routinely asks victims to describe their economic and social status in their country of origin (to emphasise vulnerability), to describe why they decided to come to Malta and how they were persuaded (to start to prove recruitment) and what was different between what they were promised by the trafficker as opposed to what they actually suffered when they got here (to prove deceit, amongst other things).

35. Is the concept of "abuse of a position of vulnerability" addressed in criminal justice training? Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.

Internally, OAG provides in house training to prosecutors on THB prosecutions.

36. What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?

If a person is identified as a victim (including THB) by at least providing a police report, or court summons, the person would benefit from assistance of legal aid services by specialised legal aid lawyer panels for victims.

Apart from this, the Court Services Agency provides the facility for victims to testify via video conference. This is subject to a request made to the presiding Magistrate or Judge. In case of vulnerable witnesses who have to be present in Court, separate entries are made available in order to ensure that victims do not come into contact with the alleged perpetrators.

Provided that victims have a Maltese and/or EU citizenship, they can benefit from all the initiatives provided by the Housing Authority and the MSAA. The MSAA has also reformed the Housing Authority Act, which allows said authority to increase its day-to-day functions, especially in enforcement measures.

The National Strategy for Active Ageing emphasises the importance of ensuring that human rights protections for older persons, regardless of their victim status, are supported by enforcement processes and remedial relief. Additionally, the strategy addresses socio-cultural, physical, and economic barriers to accessing justice, ensuring older persons have suitable remedies and the right to a fair hearing.

Throughout all the process of criminal proceedings, the HT service users are supported and guided by professional social workers who are usually with them from the first police interview and continue to prepare them for witnessing in court. The service users are also provided with cultural mediators who can better understand their cultural diversity, they are also given protection and safe accommodation and all their basic needs are seen to including food, toiletries, clothes, physical and mental health appointments. Victims are also offered counselling services.

In these cases, Dar Hosea liaises with the services specialising on criminology and other support services, whilst supporting closely through all stages.

37. If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case-law.

In virtue of Article 248F(2) of the Criminal Code, knowingly engaging or using the services or labour of a trafficked person carries a penalty of imprisonment between eighteen months to five years. The OAG is unaware that this provision has ever been used.

38. What technology-based tools and initiatives exist in your country to support investigations and enhance prosecution of THB cases? What training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology?

The Police utilises technological tools to support investigations and enhance THB prosecution cases. Police officers and prosecutors receive specialised training on THB facilitated by information on communication technology to effectively combat this crime.

Video conferencing facilities are available to all victims of THB. Victims testify via videoconference in order to feel safe and not have to face the accused. As for other means of technology, this is

taken on a case-by-case basis and is used where necessary, for instance when an extraction from a mobile phone is required. Regarding training, prosecutors are provided training both locally and abroad on all areas of THB. The same applies for members of the judiciary. For instance, seven members of the judiciary received training in matters related to THB, in 2022.

39. In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB? If not, why is that the case?

Malta is a party to the Budapest Convention. Reference is made to substantive law in the Criminal Code regarding computer misuse. These include Articles 337B to 337H.

Part II – Country-specific follow-up questions

40. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's previous reports:

- screen asylum seekers for indicators of THB and enable specialised NGOs to have regular access to facilities for asylum seekers and detained migrants in order to proactively identify victims of trafficking;

Malta has implemented several measures to screen asylum seekers for indicators of THB and to enable NGOs to access facilities for asylum seekers and detained migrants. The Detention Services Agency has significantly invested in its Welfare Section, employing a mental health professional to detect and assist with issues related to THB. Additionally, the Migrant Health Service collaborates with the GU clinic at Mater Dei Hospital to support the medical needs of detained migrants. State entities are legally responsible for providing information and detecting cases of trafficking. NGOs have access to detention facilities to offer legal services to their clients, and AWAS, through its Psychosocial Team, provides services to asylum seekers in detention facilities. These measures collectively enhance the identification and support of trafficking victims among asylum seekers and detained migrants.

AWAS professionals are always present during boats disembarkations to screen vulnerable migrants and screen for possible indicators of human trafficking. AWAS has its own Assessment Team. This Assessment Team screen asylum seekers for Vulnerability. Part of the assessment is to screen the person for Human Trafficking and professionals have a list of indicators as per hereunder:

- Signs of physical injuries and abuse
- Avoiding any eye contact and social interaction and no communication with others
- Poor living conditions
- Unwilling or uncertain to answer questions about an injury or illness
- Accompanied by person who does not let client speak for themselves
- Evidence of controlling or dominating relationships

- Evidence of being controlled either physically or psychologically or fear of being followed
- Severe fear and anxiety
- Be escorted whenever they go to appointments, work and we have information that is the same when they return from work and other outside activities
- Have clothes that are mostly the kind typically worn for doing sex work
- Long working hours without breaks and controlled, poor working conditions, no salary
- Distrustful to the Professionals and Authority
- No documents available
- If living in the community no address available

Assessments are voluntary and are mainly intended for undocumented migrants, but lately also made in respect of documented migrants who arrive in Malta by other means and register for asylum. Persons found to have been involved in Human Trafficking are referred to the relevant authorities. Besides, a central referral system was created by AWAS. This means that any entity, NGO, AWAS internal services, or international organization, that comes into contact with a vulnerable person or a person in need is referred to the contact point and service needs are identified. Assessments are carried out in the reception centres, closed centres and even with those migrants who are living in the community.

Strategic Goal 4.1 in the National Strategy and Action Plan on Combatting Trafficking in Human Beings 2024-2030 pertains to improving victim identification and protection. This includes enhancement of the identification of victims of trafficking among asylum seekers and irregular migrants by building the capacity of asylum and migration officials, as well as social workers, medical and other staff working at facilities for asylum seekers and detained migrants. Those working with and for third country nationals including children, shall receive training on indicators of human trafficking and the procedures to be followed. This will also be done specifically in relation to unaccompanied and separated children.

FIAU conducts intelligence analysis and produces financial intelligence but does not have an investigative function - this latter function is entrusted to the MPF. The intelligence which is received and obtained both from domestic and international sources, by the FIAU, including the reports that subject persons (obliged entities), file in the circumstance of suspicious transactions or suspicious activities linked to ML and FT, referred to as STRs or SARs, are then analysed and, where the FIAU has a reasonable suspicion of ML/FT, it disseminates the results of its analysis to the Police for any further criminal investigation from their end. The financial intelligence communicated by the FIAU is one of the sources of intelligence that the MPF can use to launch investigations. Apart from the Police, the FIAU may also share such intelligence with other domestic authorities and foreign counterparts, as required. Here, it is to be noted that the FIAU's Intelligence Analysis Section has recently established a specialised operations team to deal with the in-depth analysis of HT/MS cases.

- strengthen the proactive investigation of cases of all forms of THB, allocate specialist financial investigators to THB cases and ensure that the length of court proceedings in THB cases is reasonable;

Efforts have been focused on implementing recommendations to strengthen proactive investigation of all forms of THB, including allocating a specialist investigative team to THB cases, and ensuring reasonable durations of court proceedings.

The Office of the Attorney General (OAG) took over the prosecutions of THB cases from 1st October 2021 and has a team of specific prosecutors who are specialised in THB and receive ongoing training on the topic. Specialist financial investigators are being allocated to THB investigations by the Police. In May 2024, for the first time, the OAG started to prosecute a THB case with money laundering charges too. The OAG has developed its anti-human trafficking strategy document.

As for the length of court proceedings, the prosecution ensures that it deals with all cases in an efficient manner.

- guarantee effective access to compensation for victims of THB, including by reviewing the legislation regulating state compensation;

To ensure effective access to compensation for victims of trafficking in human beings (THB), it is essential to highlight the existing frameworks in place that support this objective. The prosecution of accused individuals includes provisions from Articles 15A and 28H of the Criminal Code, which address compensation following a finding of guilt, thereby securing access to compensation for victims. Additionally, Subsidiary Legislation 9.12 of the Laws of Malta provides for victim compensation regardless of the accused's guilt, clearly acknowledging the right to compensation. However, there is a real need for better training for legal professionals to help their clients access compensation options. Even if the law is in place, victims need to know about their rights and how to claim compensation. The OAG has reported that no one has made a compensation claim since this option became available, showing that more training and awareness are needed to help victims get the support they deserve.

In a research carried out on the experience of identification and support by survivors of trafficking in Malta, access to compensation was discussed. None of the participants had been awarded any compensation for the exploitation they experienced. When asked about what would have made their experience of identification and support more helpful, one participant specifically highlighted that they would have appreciated the salary they were owed in full, to compensate for the work they had done for the whole time they were being exploited. Exploring ways to develop a better mechanism to provide compensation to victims of trafficking in Malta was a recommendation that was derived from the research report.

In light of this, access to compensation is tackled through the National Strategy and Action Plan on Combatting Trafficking in Human Beings in Malta (2024-2027). Strategic goal 1.3 deals with improving the legal and regulatory framework and calls for the evaluation of the possibility of strengthening legislation to use confiscated assets for victim compensation through:

1. Conducting the legislative review of the respective provisions of the Criminal Code.
2. Preparing the draft law with supporting documents (impact assessment, justification to harmonise legislation with international standards).

Strategic Goal 4.5 deals with guaranteeing effective access to compensation through the following actions:

1. Increase the availability of training for judges and lawyers.
2. Envisage the adoption of a procedure through which victims of THB are entitled to obtain a decision on compensation by the offender, for material (including lost earnings) and non-material damage as part of the criminal trial.

3. Build the capacity of lawyers to seek compensation on behalf of the victims, in criminal and civil proceedings and through the state fund in terms of the Criminal Injuries Compensation Scheme Regulations (S.L 9.12).

- ensure that all child victims of THB, including children older than 16, are afforded special protection measures.

MHA Health Professionals are trained to refer all child victims of THB to the Child Protection Services. No consent is required.

The Law provides for safeguards to ensure that all victims of human trafficking, including children, are protected. Reference is made to article 391(3) of the Criminal Code which provides that where the witness is a minor under the age of 18, the witness is examined and cross-examined in one sitting and his testimony is recorded by audio-visual means. This minimises the risk of re-victimisation.

In terms of the second proviso of Article 646(2) of the Criminal Code, where the witness is a minor under 18 years of age and an audio and video-recording of the testimony of the minor is produced in evidence, the minor shall not be produced to be examined viva voce.

The provisions of the Criminal Code and of the Victims of Crime Act are always applied to ensure that all victims, not only children over sixteen, are afforded special protection measures.

For instance, victims are not present in court to testify in front of the accused but testify via videoconference from another location in the court building to ensure that they do not relive their experiences by facing their perpetrator.

Similarly to vulnerable witnesses, Court Services Agency provides the facility for children to testify via video conference. This is subject to a request made to the presiding Magistrate or Judge. In case of children and vulnerable witnesses who have to be present in Court, separate entries are made available in order to ensure that victims do not come into contact with the alleged perpetrators.

Once the Directorate for Child Protection Services receives a report that a minor is at risk, an investigation will be launched. If the minor in question is an unaccompanied minor, the directorate will in collaboration with AWAS issue a protective order to ensure that the child's wellbeing is protected, and the minor is safe.

41. Please provide information on developments in your country since GRETA's third evaluation report concerning:

- emerging trends of trafficking in human beings;

The Vulnerable Victims Unit (VVU) has observed trends in THB, particularly concerning victims from the Far East and South America, coerced into performing sexual services, thus focusing on sexual exploitation. Measures have been intensified to combat these trends through enhanced cross-border cooperation, police operations.

The FIAU has been working hard to bring more awareness on HT/MS which is linked to ML and FT. The strategic analysis and tactical analysis conducted and the publications which were issued afterwards, all provide a wealth of information on the emerging trends of THB.

The FIAU's guidance on '[Human Trafficking and Modern Slavery Guidance and Typology Report for Malta](#)', which was published in May 2024, provides an overview on the present international and national situation connected with HT/MS, it also delves into the importance of financial inclusion in order for HT/MS survivors to start their lives back again, there is also an overview of the financial intelligence analysis section and the benefits of financial investigations, the trafficking profile and the typologies of traffickers in Malta. Additionally, it also includes HT/MS-related ML indicators and red flags, the benefits of an automated transaction monitoring systems and anonymised case studies which show a number of red flags interlinked in each case. Thus, combining AML/CFT knowledge together with practical insights to combat such crimes.

As already mentioned the FIAU, also delved deeper into the types of HT/MS crimes that are happening locally and through its strategic and tactical analysis it also published the factsheet entitled '[Intelligence Factsheet: Strategic Analysis on Maltese Massage Parlours and their possible exposure to the sexual exploitation of women](#)'. The publication provides information on the definition of illicit massage businesses, information on the links to organised crimes and human trafficking victims working in illicit massage businesses (debt bondage and moral/cultural shame), red flags of human trafficking through illicit massage businesses and possible relevant indicators on GoAML and the situation in Malta in the context of illicit massage businesses.

The aforementioned FIAU publications provide for substantial information on the emerging trends and typologies for HT/MS related to ML and FT. Some examples include HT/MS indicators relative to labour exploitation, sexual exploitation and human trafficking in all its forms, such as:

- A property that should accommodate a maximum of 2 or 3 people (*according to a street view search*) is indicated to have a higher number of inhabitants;
- Fictitious contracts of employment or services;
- Multiple customers opening multiple bank accounts and using a common mobile number, address, and employment reference;
- Recurrent payments to individuals or entities connected with the sex industry, escort agencies, model agencies and entertainment agencies;
- Frequent expenses for logistics, transportation or travel agents which is not immediately explained by the customer's profile; and
- Customers appear to regularly travel through, and transact from, different geographic locations

Additionally, the FIAU strives to keep the work on HT/MS related ML and FT ongoing through the PPPs, as already mentioned. Coupled with the work being conducted by our strategic analysis team within our Intelligence Analysis Section, the FIAU will continue strengthening its collaboration efforts with subject persons and concerned authorities in order to gather any emerging trends and typologies that may arise through communication between the same and ensure that a forum exists for the proper information and knowledge-sharing between the relevant stakeholders.

The National Statistics Office (NSO) collects data from the MPF, FSWS and the Law Courts. Such data is processed and used to compile tables requested by the European Commission on the trafficking of human beings in line with Directive 2011/36/EU.

Over the past year, an increase in South American young women who come to Malta and end up victims of human trafficking for the purpose of sexual exploitation has been observed. Initially, in some cases, they would be offered jobs as cleaners but then they are pushed into prostitution

against their will. In a number of cases, it was observed that women who are already involved in prostitution in their country of origin are recruited to come to Malta in order to do the same work but with better conditions and for better payment. Upon the disclosure of a number of these victims, they would explain how eventually their freedom of movement would be restricted, they would be malnourished and mistreated by their trafficker/pimp.

An increase in the number of THB victims coming from Latin America and Asia. Many of these are not officially identified as all though they seek and benefit from help from social services, many do not go as far as officially report to the police.

- the legislation and regulations relevant to action against THB;

Articles 248A to 248G of the Criminal Code (insofar as criminalisation of THB and the articles of the law with which suspects are charged is concerned).

Subsidiary Legislation 217.07 entitled 'Permission to reside for victims of trafficking or illegal immigration who co-operate with the Maltese Authorities Regulations' relates to rights afforded to victims.

Subsidiary Legislation 12.09 relates to compensation to victims, including victims of human trafficking.

- the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);

Co-ordinating bodies: Since 2020, the HRD has been entrusted to lead the reform of the anti-trafficking system and policy and to streamline co-ordination with ministries, national authorities, social partners, non-governmental organisations and other stakeholders.

The IMC, set up in 2022 and chaired by HRD, is composed of focal points from all Ministries with the aim of identifying and implementation of measurable actions within their purview and the collaboration on shared challenges. The committee explores ways how ministries and departments can improve their coordination in the field of THB. It also serves as an essential tool for Malta's efforts to meet its coordination, reporting and monitoring obligations under European and international frameworks.

National rapporteur or equivalent mechanism: Currently, the Human Trafficking Monitoring Committee (HTMC) carries out the role of the national rapporteur/equivalent mechanism by endorsing and overseeing developments in the implementation of the National Action Plan and of other related measures by providing policy direction.

Involvement of civil society: Civil society has also played a vital role in the development of the recently launched National Strategy and Action Plan. The views of civil society have been incorporated through their participation in validation workshops and a specific roundtable for civil society actors. Civil society will continue to play an active role in the decision-making process regarding anti-trafficking actions, as well as for the implementation of the measures envisaged in the National Action Plan, and the monitoring and evaluation of the Strategy.

A close collaboration with civil society has been achieved in relation to raising awareness on THB, indicators and red flags as well as promotion of services for victims of human trafficking. A consultation session was held with civil society in November 2023 in relation to the development

of awareness raising campaign to ensure that the information provided to potential victims matches their needs.

Public-private partnerships: Several measures in the National Strategy and Action Plan aim to enhance public-private partnerships, such as collaborating with tech companies to combat online recruitment and exploitation.

As part of its strategy, the FIAU planned to set up a human trafficking and modern slavery HT/MS Public-Private Partnership (PPP). The FIAU deems that PPPs are valuable means to provide outreach to subject persons (obliged entities). On the 18th and 19th July 2023, FIAU and FAST organised a Roundtable discussion, where various national and international speakers focused on providing insights on the central topics of HT/MS-related ML and FT and how challenges faced, can be tackled. Breakout sessions were also held to receive feedback from the public and private sector to further assist in the draft FIAU-FAST guidance publication on HT/MS-related ML and FT. Subject persons (obliged entities) coming from the credit institutions and financial institutions sector gave their insights and perspectives on the said guidance which were very valuable especially to understand the applicability of the content from a practical perspective. Through this roundtable discussion, public authorities and the private sector representatives all sat together at the same table discussing this crucial matter and possible ways and means how to combat such crimes. The Malta Bankers' Association - the representative body for credit institutions in Malta, together with a number of representatives from local credit and financial institutions that were present at the event, welcomed the initiative and appreciated the efforts made by the FIAU and FAST in organising the same. They reiterated the importance of such initiatives and stated that they would very much welcome any future collaboration in this area, including through PPPs initiatives.

This Roundtable discussion turned out to be a springboard to continue collaborating and working together, so much, that it gave the FIAU momentum to initiate a standing dedicated HT/MS PPP. Internal discussions took place to structure this PPP, with the first stage of it being to hold meetings with concerned authorities, and eventually open this forum to also include the private sector i.e. subject persons (obliged entities).

- the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the implementation, monitoring and evaluation of results);

As previously stated, the National Strategy and Action Plan on Combatting THB in Malta was launched in August 2024. The Strategy will be implemented over a period of seven years (2024 - 2030), with actions of its National Action Plan to be implemented over a time frame of four years (2024 - 2027).

Objectives: The Strategy outlines the Government's vision of ensuring that the rights of every individual are protected, and that perpetrators of this crime are brought to justice. Malta recognises the need for a victim-centred approach in the fight against human trafficking and reiterates the commitment to protecting the most vulnerable in society. Human rights remain at the forefront of the anti-trafficking actions, with the implementation ensuring an overarching and gender-specific, non-discriminatory, and sustainable approach to combatting human trafficking.

Main activities:

- Strengthening the supporting anti-trafficking framework including identifying the National Coordinator and the National Rapporteur and setting up the National Referral Mechanism;
- Ensuring targeted prevention of THB and early identification of potential victims of THB and persons at risk of THB;

- Increasing reporting by victims, effective investigation and prosecution of traffickers;
- Ensuring comprehensive victim protection, access to justice and remedies;
- Enhancing strategic partnerships at national, regional and international levels to tackle human trafficking.

Budget: As previously mentioned, the drafting and part of the implementation of the National Strategy and Action Plan on Combatting Trafficking in Human Beings in Malta (2024-2030) have been supported through a Technical Support Instrument project of the European Union, entitled 'Supporting Malta in the design and implementation of a new national Anti-Trafficking Strategy' which is funded by the European Commission's DG Reform in collaboration with the Council of Europe. Additionally, the implementation of the Strategy and Action Plan measures falling under the responsibility of HRD shall continue to be supported through national funds, with €50,000 allocated to Directorate for the year 2024. A new budget for 2025 will be announced in November 2024.

Bodies responsible for the implementation: The Strategic Framework and the National Action Plan establish which institutions are responsible for each specific objective and related actions according to existing roles in the relevant fields. In cases where the actions fall under the mandate of several authorities, the authority having the prevailing role will assume a leading role while others will be referred to as "supporting" partners.

Monitoring and evaluation of results: The monitoring process of the Strategy will check on the progress of planned activities, identify operational difficulties and recommend actions. This will ensure that adjustments are made according to national developments and that the allocated resources and delivered results are making the intended difference on target groups. The HRD will monitor and present progress results in reports which will be prepared in cooperation with other responsible institutions on the basis of a pre-defined template via Working Groups. The responsible institutions will be required to annually produce information in accordance with the template. Progress in the implementation will also be discussed in meetings summoned by the HRD. The Council of Europe has offered its support, through the project, for the development of a Monitoring and Evaluation framework with tools, processes and guidelines prepared in cooperation with relevant actors for which training and coaching sessions will also be provided.

Two evaluations will take place: a mid-term evaluation of the Strategy at the end of its first National Action Plan and a final evaluation. The evaluation of the Strategy requires the systematic collection and analysis of data to assess the relevance, effectiveness, and impact of actions of the National Action Plan, considering the strategic objectives and the set internal indicators. This will be done using various sources of information, including annual reports as a baseline. Evaluations will enable stakeholders to identify where adjustments are needed on the approach taken to address the specific strategic areas and to decide on future objectives and actions. The evaluation should be outsourced to obtain an independent and objective assessment of the results of the Strategy.

- recent case-law concerning THB for different forms of exploitation.

In the case of *II-Pulizija vs Raymond Mifsud* relating to a prostitution ring, the conviction of human trafficking for the purposes of exploitation in prostitution was confirmed on appeal and the defendant was handed a 4-year prison sentence.¹⁰ It must be highlighted that it is by virtue of Act XIII of 2018 (published 30 April 2018) that the punishment for trafficking was increased from 4-12 years imprisonment to 6-12 years, hence the imprisonment term given in this case. An attempt to quash this judgement was made by the defendant by instituting constitutional proceedings, but to

¹⁰ *II-Pulizija vs Raymond Mifsud*, Court of Criminal Appeal (App. Nr: 128/2012), decided 23 February 2017.

no avail, as the First Hall Civil Court in its Constitutional Jurisdiction found that none of the defendant's rights were breached.¹¹

In the case of *Il-Pulizija vs Harish Daswani*, which related to domestic servitude, the accused was found guilty of human trafficking and sentenced to 2 years' imprisonment.¹² This is because the acts constituting the offence had occurred in 2013 and thus the increase to a minimum of 4 years' imprisonment made by virtue of Act XVIII of 2013 (published 6 December 2013) was not applicable in this case. The punishment applicable was 2-9 years' imprisonment. The defence appealed, arguing that the prosecution alleged that this offence was committed "on the 8th June, 2014 and in the preceding months". Therefore, if the prosecution wanted to charge the applicant with acts committed before that period it should have stated 6 "on the 8th June, 2014 and in the preceding months and years" or similar wording. In this case, as stated, it is evident that the alleged act of trafficking does not fall within the timeframe mentioned in the summons since no reference to the previous year is made. Moreover, no correction to the summons was ever requested by the prosecution. Additionally, regarding the second element of the offence i.e., means mentioned in sub article (2) of article 248A it is made clear that the law provides an exhaustive list. Therefore paragraph (e) of subsection (2) in being applied was applied as a law not into force at the time and therefore violated the principle of *nullum crimen sine lege*. These arguments were upheld at appeal and the Court acquitted the defendant of the charge of human trafficking and the two-year imprisonment term was lifted.¹³

In the first instance case of *Il-Pulizija vs Robert Attila Majlat, Robert Attilane Majlat*, relating to a prostitution ring, the accused were found guilty of human trafficking and sentenced to 12 years' imprisonment each in 2019.¹⁴ However, due to the fact that the defence was not given the opportunity to cross examine some witnesses, the Court annulled the judgement and order that the case is heard anew.¹⁵ When the case was reheard, one of the accused was acquitted whilst the other was found guilty and sentenced to 9 years' imprisonment.¹⁶ The defence appealed this judgement once more and argued that the case should have been tried by the superior courts not the Magistrates' Court. Since there was an aggravating factor, the punishment would have to be increased (in this case to more than 12 years) and therefore would not fall within the competence of the Magistrates Courts as the Magistrates Court only has original and extended competences for offences of less than twelve years.¹⁷ The Criminal Court ultimately found both accused guilty of human trafficking after they both registered a guilty plea and sentenced them to 10 years' and 9 year's imprisonment respectively. Their assets were also confiscated in favour of the Government.¹⁸

¹¹ Raymond Mifsud vs Avukat Generali, FHCC (Const. Juris.) (App. Nr: 29/2017), decided 27 June 2018.

¹² The Police vs Harish Daswani, Court of Magistrates (Malta) as a Court of Criminal Judicature (Comp. No.: 692/2014), decided 11 November 2019.

¹³ The Police vs Harish Daswani, Court of Criminal Appeal (App. No.: 315/2019), decided 16 February 2021.

¹⁴ Il-Pulizija vs Robert Attila Majlat, Robert Attilane Majlat, Court of Magistrates (Malta) as a Court of Criminal Judicature (Comp. No.: 511/2017), decided 22 November 2019.

¹⁵ Il-Pulizija vs Robert Attila Majlat, Robert Attilane Majlat, Court of Criminal Appeal (App. No.: 330/2019), decided 1 September 2020.

¹⁶ Il-Pulizija vs Robert Attila Majlat, Robert Attilane Majlat, Court of Magistrates (Malta) as a Court of Criminal Judicature (Comp. No.: 511/2017), decided 19 January 2021.

¹⁷ Il-Pulizija vs Robert Attila Majlat, Robert Attilane Majlat, Court of Criminal Appeal (App. No.: 511/2017), decided 14 February 2023.

¹⁸ Il-Pulizija vs Robert Attila Majlat, Robert Attilane Majlat, Criminal Court (Amm. No.: 511/2017), decided 1 December 2023.

In *Il-Pulizija vs Winston-Joseph Gera u Tianxia Zhang*, where a massage parlour was used as a brothel, the co-accused were both given an imprisonment term of 7 years.¹⁹ However, the defence appealed this judgement and the Court found that the judgement did not provide sufficient clarity as required by the Criminal Code. Therefore, it was decided that the case is sent back to the Court of Magistrates so that judgement can be given once more in accordance with the law.²⁰

In the case of *Il-Pulizija vs Lin Han*, the accused was charged with human trafficking for the purpose of sexual exploitation by operating a massage parlour in 2013 and forcing the workers to offer sexual services. The workers were threatened to not speak out about their situation when they were arrested and granted bail, even sent a picture of a woman who was beaten up for speaking out. The Court found the defendant guilty of human trafficking and keeping of a brothel and sentenced the accused to 5 years' imprisonment. The Court also ordered the cancellation of the parlour licence and the offender's driving licence.²¹ This judgement was appealed with the defence arguing that the Court made a wrong application of the law, and that the punishment was excessive. At appeal, the Court found that the procedural rules relating to the extended competence of the Court of Magistrates was not followed; the consent of the accused to have her case heard summarily was not acquired at the time of filing of the accusatory document and the argument raised by the prosecution that the accused's participation in the proceedings amounted to tacit acceptance was rejected. Therefore, the Court declared the judgement null and void and transmitted the records of the proceedings back to the Court of Magistrates for proceedings to continue from the date of the filing of the accusatory document.²²

In the case commonly referred to as the Leisure Clothing Case, *The Police vs Bin Han, Jia Liu*, workers were arrested with false documents in 2014 as their passports were kept under lock and key by their employer. Following investigations, the employer was charged with human trafficking, but the Court found that although there was enough evidence of most elements of the crime, there was a lack of evidence that connects the accused personally or as a representative of the company, Leisure Clothing, to the required elements of the means used to lure the victims to Malta. From the evidence presented, the other defendant simply seemed to not have any active role in recruitment of the workers. Therefore, regarding the latter, the Court acquitted him of all charges, and regarding the former, he was acquitted of the charge of human trafficking but found guilty of other charges such as misappropriation.²³ The prosecution appealed the judgement, seeking the revocation of the part of the judgement wherein the accused were acquitted of the charge of human trafficking, *inter alia*.

Han and Jia were both handed six-year jail terms in January 2023 after being convicted on appeal of trafficking and exploiting Vietnamese and Chinese employees at the Bulebel-based factory. They were found guilty of forcing employees to work long days with few to no breaks, in illegal working conditions.²⁴

In an application filed on 1 March before the First Hall of the Civil Court in its constitutional jurisdiction, Han, Jia and the company claim that in their particular circumstances, where their

¹⁹ *Il-Pulizija vs Winston-Joseph Gera u Tianxia Zhang*, Court of Magistrates (Malta) as a Court of Criminal Judicature (Comp. No.: 490/2017), decided 16 December 2020.

²⁰ *Il-Pulizija vs Winston-Joseph Gera u Tianxia Zhang*, Court of Criminal Appeal (App. No.: 490/2017), decided 20 June 2024.

²¹ *The Police vs Lin Han*, Court of Magistrates (Malta) as a Court of Criminal Judicature (Comp. No.: 111/2013), decided 24 September 2020.

²² *The Police vs Lin Han*, Court of Criminal Appeal (App. No.: 193/2020), decided 24 February 2022.

²³ *The Police vs Bin Han, Jia Liu*, Court of Magistrates (Malta) as a Court of Criminal Judicature (Comp. No.: 1128/2014), decided 21 March 2022.

²⁴ *The Police vs Bin Han, Jia Liu*, Court of Criminal Appeal (App. No.: 1128/2014), decided 6 January 2023.

acquittal had been overturned on appeal, the court failed to hear evidence or witnesses or send the acts back to the Court of Magistrates to be heard and evaluated there. They claimed this amounted to a violation to their right to a fair hearing.

In the case *The Police vs Bin Han et.* the court ordered the forfeiture of all property appertaining Bin Han, Jia Liu and Leisure Clothing Company Limited which was the company from where the accused were operating their criminal activities.

Leisure Clothing Company Limited which company was involved in *The Police vs Bin Han et* case was convicted to pay a fine of €200,000.

This week, on 24 July 2024, it was reported in the media that a company director was sentenced to 2 years imprisonment after admitting to human trafficking, following a probe that was triggered after Jobsplus and Identita' flagged a *restaurant-owning company* which had on its records a number of workers that far exceeded the employees actually working at its businesses. Since the defendant registered a very early guilty plea and in view of his cooperation with investigators and his untainted criminal record, the parties suggested a two-year effective jail term as punishment. The publication of the name and personal details of the perpetrator were banned by the Court. No judgement is available online at the time of writing.

Part III - Statistics on THB

42. Please provide the following statistics, per year starting with 2020, where available disaggregated as indicated below:

- Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

Number of victims of human trafficking registered by national authorities by identification, sex, form of exploitation, and citizenship 2020-2023

	Year	2020	2021	2022	2023
Victims¹	Total	12	4	22	6
Status	Presumed	8	4	17	6
	Identified by MPF	4	-	5	-
Gender	Male	-	-	3	-
	Female	12	4	19	6
Type of exploitation	Sexual Exploitation	6	2	12	6
	Forced labour ²	6	2	11	-
	Other Purposes	-	1	2	-
Nationality	Maltese	3	-	-	-
	EU	2	-	2	1
	Non-EU	7	4	20	5

¹A registered victim can include a person who has been formally identified as a victim of human trafficking by the Malta Police Force or has been registered by FSWS and is making use of services provided for victims of human trafficking.

²Includes domestic servitude

Note: Persons may have experienced multiple types of exploitation

Source: Malta Police Force, FSWS

- Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).

No data available.

- Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

No data is available however all presumed and identified victims have received some kind of assistance.

- Number of child victims of THB who were appointed legal guardians.

No data available.

- Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).

No data available.

- Number of victims of THB granted a residence permit, with an indication of the type of the permit (for the purpose of co-operation in the investigation/proceedings, on personal grounds, other) and its duration (disaggregated by sex, age, nationality, form of exploitation).

Information available refers to "First permits issued for the reason of being victims of trafficking in human beings". This information is submitted in line with Regulation (EC) No 862/2007. NSO would not be aware of the grounds on which the permit was provided.

First permits issued for the reason of being victims of THB: 2019-2022

Year	Total
2019	10
2020	2
2021	8
2022	0

Victims of THB that the Vulnerable Victims Unit referred for issuance of a residence permit in terms of SL 217.07, Permission to Reside for Victims of Trafficking or Illegal Immigration who co-operate with the Maltese Authorities Regulations:

Year RP Issued	Total	Female	Male
2020	1	1	-
2021	-	-	-
2022	5	5	-
2023	-	-	-
2024 (till end June)	2	2	-

- Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).

No data available.

- Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).

No THB victims claimed any form of compensation under the Criminal Injuries Compensation Scheme Regulations (S.L. 9.12).

- Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.

No data available.

- Number of victims of THB who received free legal aid.

No readily available data that is disaggregated by this category – ie: THB.

- Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).

No data available.

- Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).

Year	Investigated Cases	No. of victims	Nationality	Type of Exploitation
2018	4	35	14 Filipinos / 1 Nepalese / 19 Ukrainians / 1 Maltese	Sexual / Labour Exploitation
2019	NIL	NIL	NIL	NIL
2020	2	4	3 Maltese / 1 Filipinos	Sexual / Labour Exploitation
2021	NIL	NIL	NIL	NIL
2022	2	5	2 Colombians / 3 Venezuelans	Sexual / Labour exploitation
2023	NIL	NIL	NIL	NIL
2024	1	2	2 Brazilians	Sexual / Labour exploitation

- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).

Year	Prosecuted Cases	Prosecuted Individuals	Defendants Concerned	No. of victims	Type of Exploitation
2018	4	12	All were individuals (No company or institution)	35	Sexual / Labour Exploitation
2019	NIL	NIL	NIL	NIL	NIL
2020	2	2	All were individuals (No company or institution)	4	Sexual / Labour Exploitation
2021	NIL	NIL	NIL	NIL	NIL
2022	2	6	All were individuals (No company or institution)	5	Sexual / Labour exploitation
2023	NIL	NIL	NIL	NIL	NIL
2024	1	3	All were individuals (No company or institution)	2	Sexual / Labour exploitation

- Case 291/2022 – four perpetrators and three victims – sexual exploitation
- Case 317/2022 – two perpetrators and two victims – sexual exploitation
- Case 247/2023 – two perpetrators and seven victims – labour exploitation
- Case 434/2024 – three perpetrators and two victims – sexual exploitation

- Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).

Data source: Courts Services Agency

Number of persons convicted of human trafficking by age, gender, nationality, and type of exploitation 2020-2023

	Year	2020	2021	2022	2023
Persons convicted	Total	2	2	-	4
Age	Adult (18+)	2	2	-	4
	Child (0-17)	-	-	-	-
Gender	Male	1	1	-	3
	Female	1	1	-	1
Nationality	Maltese	2	-	-	1
	EU	-	2	-	2
	Non-EU	-	-	-	1
Type of exploitation	Sexual Exploitation	1	2	-	2
	Forced labour ¹	1	-	-	2
	Other Purposes	-	-	-	-

¹Including domestic servitude
Source: Courts Services Agency

- Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.

Information available is referred to in the table above 'Number of persons convicted of human trafficking by age, gender, nationality, and type of exploitation 2020-2023'.

06/01/2023: The Police vs Bin Han, Jia Liu. Conviction related to labour trafficking were both Bin Han and Jia Liu were given effective imprisonment for a term of six years.

01/12/2023: The Police vs Robert Attila Majlat, Robert Attilane Majlat. Conviction related to labour trafficking and trafficking for the purposes of sexual exploitation. Upon finding of guilt, the two accused were handed a nine and ten years of effective imprisonment term by the court.

Winston-Joseph Gera and Zhang Tianxia – sent back to the Court of Magistrates for resentencing owing to a procedural defect.

Zia Ul Noor – awaiting appeal judgment.

- Number of judgments in THB cases resulting in the confiscation of assets.

In the case The Police vs Bin Han et. the court ordered the forfeiture of all property appertaining Bin Han, Jia Liu and Leisure Clothing Company Limited which was the company from where the accused were operating their criminal activities.

As for the case The Police vs Robert Attila Majlat, the court also ordered the confiscation of all assets in favour of the Government of Malta.

- Number of convictions of legal entities for THB.

Leisure Clothing Company Limited which company was involved in The Police vs Bin Han et case was convicted to pay a fine of €200,000.