

2024 Trafficking in Persons Report: Malta

Main reasons for downgrade to Tier 2 Watch List

Report acknowledges positive developments, including the establishment of a specialised trafficking investigation unit within the Police Force, a specialised anti-trafficking working group to guide coordination, as well as an additional hotline for victims to receive referrals to services.

However, the report also sets out that 'government did not demonstrate overall increasing efforts compared with the previous reporting period'. In particular, the report highlights the investigation of fewer trafficking cases and the initiation of fewer prosecutions against suspected traffickers.

Moreover, Maltese authorities failed to identify trafficking among Maltese nationals, asylum seekers, or undocumented migrants. The report also notes that, for the third consecutive year, Malta did not identify any child trafficking victims.

The report also highlights the lack of anti-trafficking training for judges (Justice), gaps in victim identification and a lack of coordination across Ministries, and lack of concrete efforts 'to increase oversight and regulation of massage parlours.'

Report recommendations

Increased efforts to investigate and prosecute trafficking crimes **(Police/AG)**

Increased efforts to convict traffickers **(Police/AG/Law Courts)**

Measures to ensure that staff and officials are able to identify trafficking, including among Maltese nationals, vulnerable persons, migrants and asylum seekers, and children **(across Government/Coordination by HRD)**

Adoption of a victim-centred and trauma-informed approach on the part of police officers, prosecutors, and judges **(Police, AG, Law Courts)**

Increased cooperation with civil society in relation to, inter alia, victim identification and support **(across Government/Coordination by HRD)**

Launching of mandatory trafficking training for judges **(Law Courts)**

Allowing formal victim identification without the requirement to cooperate with the Police, and formal identification by labour inspectors, asylum case workers, health care professionals etc...

Enacting a legal provision to ensure that victims are not inappropriately penalised solely for unlawful acts committed as a direct result of being trafficked

Stronger regulation and oversight of labour recruitment companies

Implementation of licence controls and oversight of massage parlours

Increased use of interpreters when engaging with potential victims **(this provision is already being implemented in full)**

Improving efforts to inform foreign workers of their rights in their native languages

Ensuring access to free legal aid **(Justice)**

Increasing awareness of compensation avenues **(Justice, VSA, Police);**

Ensuring that prosecutors request restitution for victims/survivors in criminal trials **(Police, AG);**

Removing limits for compensation and damages and allowing confiscated assets from traffickers to be awarded to victims **(Justice; a similar recommendation was made by GRETA).**

Observations on report and improvements registered in 2024

Most of the entities falling under MHSE have procedures in place for the identification and referral of possible cases of THB.

IPA – all asylum seekers are screened when lodging their application for international protection for possible indicators of vulnerability, including any indications of THB. Issues related to THB might also appear during the personal interview. Competent personnel have been trained on trafficking in human beings through training courses delivered by the EUAA. Staff follows internal guidance notes highlighting key red flags and definitions of THB, including elements of fraud and coercion. When indicators of trafficking are identified, referrals are made to Agenzija Appogg under the national referral mechanism, to the Vice Squad, if a police report is sought, and to AWAS for psycho-social support, provided that the person concerned gives his/her consent.

AWAS – Dedicated Assessment Team screens asylum seekers for vulnerability, including indicators of human trafficking. Assessments are voluntary and are carried out in reception centres, detention facilities, and within the community. A central referral system allows AWAS staff, NGOs, international organisations, or other entities to refer vulnerable individuals to a contact point where their service needs are identified. When indicators of human trafficking are observed, AWAS professionals follow a formal referral protocol to notify the appropriate authorities. AWAS maintains regular coordination with relevant agencies to facilitate timely assistance. Staff receive continuous training on identifying and referring victims of trafficking, and protocols are regularly reviewed and updated.

DSA – All detainees are screened by the Migrant Health Service immediately upon admission. If during the admission process, any indicators relating to THB are highlighted, these are flagged to the medical doctors for an urgent review and referrals to the relevant specialists, as required. More in-depth information is normally obtained through follow-up assessments. If these assessments by professionals indicate THB, a recommendation for an alternative to detention is normally sent to the PIO.

Immigration police – Border control officers are trained and attend refresher courses to identify potential indicators of trafficking. Identification procedure includes visual and behavioural screening,