*Mr President, Excellencies, distinguished delegates, dear colleagues,*

Good afternoon, it is with great honour and a sense of duty that I address this 31st UPR session.

I shall be presenting you with an update on Malta’s considerable progress on the human rights front since the last review in 2013, which I had presented.

Malta firmly believes in the UPR process and its important function focusing on assessing human rights records of all UN Member States with the aim of improving and protecting them.

We are committed towards the promulgation of human rights and equality across all of Maltese society and beyond.

In view of this we have enhanced social dialogue and transparency, including through the setting up of minority consultative councils, and the inclusion of civil society representatives in processes such as the UN’s Open Governance Partnership, the Malta Council for Economic and Social Development and the Malta-EU Steering Action Committee.

**Malta and the Universal Periodic Review**

The human rights values that Malta upholds within the international *acquis* are deeply enshrined in Maltese society and secured under the Maltese Constitution.

Malta is strongly committed to the UPR mechanism and its national report builds upon the recommendations that emanated from the 2013 review.

Since the 2013 review, Malta has made huge strides ahead in enacting legislation guaranteeing social and political rights across all sectors and strata of society.

This legislation covers family law, gender recognition, marriage equality, women’s rights, gender-based and domestic violence, access to assisted reproductive technology, minority rights and child protection amongst others.

**Freedom of Expression and Rule of Law**

Malta was rocked to the core by the brutal and shocking assassination of journalist Daphne Caruana Galizia in 2017, and a lot has been said and written in this regard.

The Maltese Government remains committed to getting to the bottom of this vile crime.

Investigation on the assassination of journalist Caruana Galizia started immediately in collaboration with key international institutions such as the FBI, Europol, and the Netherlands Forensic Institute.

Indeed, three persons were charged with the execution of this murder within 49 days, and judicial proceedings are underway.

Malta is relentlessly pursuing investigations with the assistance of international institutions to identify who commissioned this murder to ensure that justice is served.

---

Maltese law on libel and slander was updated through the Media and Defamation Act.

This Act strengthens the right to freedom of expression in a substantial manner.

It does so through the abolition of criminal libel in media laws, the introduction of the new civil tort of slander, and the regulation of web-based news and current affairs services.

This Act also provides for the prohibition of the issue of precautionary warrants against journalists.

In 2013, Malta enacted the Whistle-blower Act, which provides for extensive protection to whistle-blower’s in the context of employer-employee or employer-contractor relations.

International NGO *Blueprint for Free Speech* ranked this law as the second best of its kind in the EU.

Furthermore, Malta recently introduced the following:

* the party financing legislation;
* the removal of prescription for elected politicians;
* the office of a commissioner for standards in public life, whose nomination must be approved by two-thirds of the House of Representatives; and,
* the setting up of a parliamentary committee which scrutinises all senior public appointees;

These are all testament to our resolve to strengthen the rule of law. As was our decision to join the European Public Prosecutor’s Office.

The *Justice Sector’s Constitutional Reform* of 2016 significantly strengthened the independence and efficiency of the judiciary.

This was based on 3 pillars:

* transparency in the appointment of magistrates and judges;
* the accountability of the judiciary; and,
* the improvement of working conditions for members of the judiciary.

**Migrants, refugees and asylum-seekers**

Mr President,

By virtue of its geographical position, Malta is no stranger to the challenges relating to protecting the rights of migrants, refugees and asylum seekers.

In 2017 alone, Malta received 1,619 first-time asylum applications.

These numbers are significant in the context of Malta’s size and population density of 1,562 persons per square kilometre.

Despite these challenges, Malta has continued to be on the forefront of protecting the rights of these persons in vulnerable situations.

It enacted legislation barring detention of children while providing the necessary assistance to unaccompanied minors.

It also provides for legal assistance to asylum seekers, regardless of their age.

In 2015, Malta launched a strategy in line with the EU’s Reception Conditions Directive, establishing a reception system based on three different stages of accommodation for asylum-seekers and irregular migrants, namely:

* initial reception centres;
* closed detention centres; and,
* open centres.

The International Centre for Migration Policy Development has since, also opened its regional Coordination Office for the Mediterranean in Malta, where various initiatives and projects are being implemented. These include a traineeship programme on migration governance.

Furthermore, a Human Rights and Integration Directorate was set up in 2015 with the specific mandate of advancing areas concerning civil liberties, foreign communities, integration and minority rights.

Malta launched its first integration strategy in 2017, which was lauded by the UNHCR Malta Office as “a landmark achievement”.

Based on the concept of *integration as belonging*, this Action Plan established an Integration Unit, currently addressing all government services and programmes with the aim of making them as integration-friendly as possible.

This strategy also introduced the possibility of an integration request, which entitles migrants to benefit from language and cultural orientation learning as well as support to access the labour market and other services.

**Women’s Rights**

Last year saw the setting up of a Council for Women’s Rights with the aim of strengthening the dialogue between the government and civil society and mainstream equality in all aspects of government’s processes.

Malta ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the Istanbul Convention which was subsequently transposed into domestic legislation.

This corresponding law strengthened existing definitions, introduced new state obligations, and widened the remit and functions of the Commission on Domestic Violence by transforming it into a Commission on Gender-Based Violence and Domestic Violence.

The Gender-Based Violence and Domestic Violence Strategy was launched as the first national framework with the aim of ensuring that legislation, policies and services address victims’ needs comprehensively.

This strategy does so by focusing on the four pillars of the Istanbul Convention, namely prevention, protection, persecution and integrated policies.

We recognise that both forms of violence are deeply rooted in inequality between genders and therefore, the strategy and its corresponding action plan are a renewed call on members of society, particularly men and boys, to change attitudes towards greater equality between genders and freedom from gender stereotypes.

Two main projects were launched as measures to implement action in line with the Convention.

One aims at the strengthening multi-sectoral and multi-disciplinary cooperation in dealing with violence against women and gender-based violence.

It also introduces training programmes and a manual of procedures for those who are in contact with potential victims, and encourages them to report their cases.

The second ongoing project is being implemented to identify the behaviours and attitudes towards violence against three minority targets, namely migrant women, LBTIQ women and women with disabilities.

----

Women’s employment rate increased by 13% in 4 years, from 47% in 2014 to 60% in 2018.

This is due to Malta’s efforts to combat gender stereotypes, and also through the empowerment of women.

To address the gender-pay gap we are in the process of introducing greater transparency in employment contracts and the setting up of a dedicated mechanism.

With the aim of helping families achieve a better work-life balance, Malta also introduced free-of-charge childcare services to parents or guardians who are in employment or are pursuing their education.

80% of parents who use childcare services in Malta are benefitting from this scheme.

----

In the field of gender-balanced representation in political and public life, Malta is currently discussing the introduction of gender targets in politics to address the current gender imbalance.

These efforts also acknowledge the importance of gender balance during televised debates and on boards within major entities in public administration.

 **Sexual and Reproductive Health Rights**

Malta continues to reaffirm its commitment to the promotion of sexual and reproductive health and to the protection of the right of women to have control over and decide freely on matters related to their sexuality, the timing, number and spacing of children free of coercion, discrimination and violence.

Notwithstanding this, abortion in Malta is illegal.

----

Malta lowered the age of sexual consent form 18 to 16.

16 and 17-year olds now also have the right to request or refuse medical treatment without their parents’ approval.

Important changes were also made to the law regulating IVF so that apart from heterosexual couples, same-sex couples and single women now also have the right to access assisted reproductive technologies.

This Act also offers the possibility of gamete donation, embryo freezing and adoption.

Furthermore, changes to the law regulating employment and industrial relations enabled couples undergoing the process of medically assisted procreation to avail themselves of up to 100 hours of IVF paid leave.

**LGBTIQ Rights**

From marriage equality to gender neutral markers, the progress registered by Malta in the field of LGBTIQ rights are said to be the current global “gold standard” by no other than the OHCHR.

In fact, for the third year running, Malta has retained its place at the top of the ILGA-Europe Rainbow index, which reviews the human rights situation of LGBTIQ persons in 49 countries around Europe.

With an overall rating of 94%, Malta remains the leading European country in protecting LGBTIQ people in areas of equality and non-discrimination, family, hate crime and hate speech, legal gender recognition and bodily integrity, civil society space and asylum.

This development was only possible through a strong partnership between government and civil society, particularly through the input that we receive through the LGBTIQ Consultative Council.

Indeed, from:

* the Civil Unions Act in 2014;
* the Gender Identity Gender Expression and Sex Characteristics Act in 2015;
* the Affirmation of Sexual Orientation, Gender Identity and Gender Expression Act in 2016; and,
* the Marriage Equality Act of 2017;

Parliament has debated the matter extensively.

We are now glad that, in Malta, all couples enjoy the same rights.

No one is barred from adopting a child simply on the basis of their personal characteristics, and all individuals enjoy a right to the recognition of their gender identity.

Our legislation protects the right to bodily integrity and physical autonomy of all persons, and the law protects everyone from ‘conversion practices’ related to one’s sexual orientation, gender identity and gender expression.

In order to ensure an inclusive and safe school environment, a national policy was put in place to cater for trans, gender variant and intersex students.

Similarly, a policy catering for the protection of these groups is being implemented in the national correctional facility, this will shortly be extended to detainees within police lockups.

A number of transgender services are provided by the Gender Wellbeing Clinic which was established thanks to structured dialogue between the health authorities and the LGBTIQ Consultative Council.

Blood donation by gay men will become possible in 2019.

The second LGBTIQ equality strategy was launched earlier this year during Pride Week.

This strategy focuses on the social realities that LGBTIQ people face and the mainstreaming of their rights into society, whilst the previous one focused on changing and modernising legislation related to LGBTIQ rights.

**Children’s Rights**

The rights of the child remain high on Malta’s human rights agenda and the government is placing greater emphasis on the physical and mental wellbeing of children, in particular those in vulnerable realities.

As part of these efforts, Malta has enacted the Child Protection (Alternative Care) Act.

This law caters for a review of the childcare system, and provides for children’s protection during judicial procedures including availability of children’s advocates, among other measures.

Malta is also implementing its National Children’s Policy which is guided by the United Nations’ Convention on the Rights of the Child and consolidates concrete actions towards enhanced children’s rights and wellbeing.

**Disability Rights**

Dear President,

In the area of rights for persons with disability, Malta follows an approach of empowerment along with protection.

This, through the Equal Opportunities (Persons with Disability) Act and other disability-specific legislation, such as the Maltese Sign Language Recognition Act and the Persons within the Autism Spectrum (Empowerment) Act.

As part of a continuous process, changes to legislation over past years ensure that Maltese law is aligned to the UN Convention on the Rights of Persons with Disabilities.

We also launched a National Policy on the Rights of Persons with Disability in 2014, after convening a Fair Society Action Council, composed of members of persons with disability, academics and civil society actors involved in the field.

Malta is now finalising its National Disability Strategy.

Our Autism Advisory Council, considered a best-practice model by entities such as Autism-Europe, is also working on Malta’s first National Autism Strategy.

Additionally, Malta’s Commission for the Rights of Persons with Disability has since been formally designated as an independent monitoring mechanism in terms of the UN CRPD.

This Commission has the mandate, among other functions, to assess that public places are accessible to all, and to vet development planning applications towards this end.

**New Equality Law and Human Rights and Equality Commission**

As I had announced during Malta’s 2013 UPR, Malta intends to set up a national human rights institution.

To this aim, an Equality Bill and a Human Rights and Equality Commission Bill are being finalised.

These proposals are the result of four years’ worth of inclusive dialogue and consultation with all stakeholders, both Governmental and non-Governmental at the international and national level.

I will elaborate further on this during my response to the questions received in advance.

**Conclusion**

Mr President, distinguished delegates,

I now look forward to answering your questions and later to receive your recommendations for further improvement of our human rights framework.

Thank you.