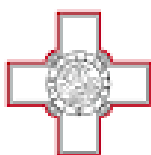




Country report 2024 on anti-discrimination: highlights



Malta



Population and Diversity:

As of 2022, Malta's population was estimated at 542,051, with 25% being foreign nationals. The increase in foreign nationals has led to a rise in incidents of racial intolerance.



Religious Composition:

The 2021 Census revealed that 82.6% of the population identifies as Roman Catholic, with smaller Muslim and Christian Orthodox communities, among others. A growing number of residents (5%) have no religious affiliation.



Government and NGO Efforts:

Various organisations are actively working to combat discrimination on multiple grounds. The government continues to engage in dialogue and consultation with entities focused on combating discrimination.



Proposed Legislative Changes:

In 2019, a new Equality Act was proposed to replace the existing Equality for Men and Women Act, aiming to provide a comprehensive and less fragmented legal framework. The proposed Human Rights and Equality Commission Act is also intended to establish a new national body to address human rights issues.



Legislative Framework:

Malta's Constitution and the European Convention Act provide a general prohibition against discrimination. Several specific legislative acts, such as the Employment and Industrial Relations Act and the Equal Opportunities (Persons with Disability) Act, implement EU anti-discrimination directives.



Legal Definitions and Protections:

Maltese law prohibits all forms of discrimination mentioned in the EU directives. However, there are some instances where national provisions are more restrictive than the EU directives, particularly in areas such as the prohibition of instructions to discriminate and the genuine occupational requirement test.



Enforcement Mechanisms:

Maltese law provides various avenues for individuals to address discrimination, including courts, the Industrial Tribunal, the Commission for the Rights of Persons with Disability (CRPD Malta), and the National Commission for the Promotion of Equality (NCPE). Legal aid is available for those without financial means, although delays in proceedings can be a deterrent.



Equality Bodies:

The NCPE is responsible for promoting equality across various grounds, including gender, race, religion, and age, while CRPD Malta focuses on disability discrimination. These bodies engage in public awareness campaigns and projects to encourage participation in the labor market and other areas.



Key Challenges:

The ETA is rarely used, with only a few cases brought to court since its enactment. This underreporting is a significant issue, with only 50-100 cases involving employment discrimination being reported annually.