



10 December 2015

Towards a Robust Human Rights & Equality Framework

CONSULTATION ON BILLS

1. Progress so Far

In its bid to strengthen the human rights and equality framework in Malta, Government embarked on a process to restructure current legislation regulating the sector. The scope is to empower the institution which monitors the implements of the said legislation, and provide individuals with an effective mechanism against discrimination and other human rights breaches.

The national human rights institution is to be modelled on both the United Nations' *Paris Principles*, as well as the European Union's equality body model laid out in EU equality directives.

To this end, the Government launched an initial *Scoping Consultation* during 24th February – 28th March 2014, and followed it up with a *White Paper Consultation* during 10th December 2014 – 10th February 2015, on the setting up of a Human Rights and Equality Commission based on the Paris Principles. Through this White Paper, two legislative initiatives were launched:

1. A Bill towards an *Equality Act* that will aim to meet the highest anti-discrimination and equality standards; and
2. A Bill towards a *Human Rights and Equality Commission Act* that will set up the Commission.

In the meantime, a Human Rights and Integration Directorate was set up within the framework of the Ministry for Social Dialogue, Consumer Affairs and Civil Liberties (MSDC) in November 2015.

Additionally, Malta ratified *Protocol 12 of the European Convention on Human Rights* providing for a general prohibition of discrimination. The Protocol removes the current

limitation in the application of Article 14 (non-discrimination) of the Convention and guarantees that no-one shall be discriminated against on any ground by any public authority.

2. The Bills

On 10 December 2015, International Human Rights Day, MSDC presented drafts of the two aforementioned Bills during a public seminar. These Bills are now open for the last round of public consultation prior to their presentation in Parliament for their 1st reading.

3. Consultation Questions

The Government is asking the general public to reflect on the two Bills and provide input as follows.

- a) Where there is an issue with a specific Article in any one of the Bills, a direct reference to the name of the Bill and the specific Article is made, and comments about what needs to be added or removed are presented as brief and direct as possible.

It will be appreciated if alternative formulations, additions, subtractions, etc., to ensure a correct understanding and the best reflection of the proposal/s being made.

- b) Where there is an issue that the Bills are silent or are too generic about, the concern should first be explained and ideally formulated in terms of a concrete proposal.

4. Submission of Input

Submissions must be sent in through the following channels:

Online form: www.msdc.gov.mt/humanrights

By email: humanrights.msdc@gov.mt

By post: Human Rights & Equality Consultation
Ministry for Social Dialogue, Consumer Affairs and Civil Liberties
Barriera Wharf,
Valletta VLT 1971

All input towards this consultation must be received by **Friday, 31 January 2015**.

We thank you in advance for your input.

Please be informed that all submissions will be published on the webpage of this consultation at the end of the consultation.