

FRA

Thematic Legal Study on National
Human Rights Institutions and Human
Rights Organisations
Malta

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Executive summary

- [1]. Malta does not have a National Human Rights Institution (NHRI), it does however have a small amount of public independent bodies which monitor the administrative departments and other areas so as to prevent any form of violation of human rights.
- [2]. Most of these bodies have a sectoral mandate, indeed the **Office of the Commissioner for Children, National Commission for the Promotion of Equality for Men and Women; the National Commission Persons with Disability** are bodies aimed at reducing discrimination vis-à-vis particular sectors of society; the **Data Protection Commissioner** protects the rights of privacy for individuals, the **Employment Commission** has wide powers to ensure that no discrimination takes place on the work place while the **Broadcasting Authority** protects the freedom of expression. However, these last two bodies only come into their own upon receiving complaints from injured parties requesting their assistance.
- [3]. The only body that operates as a general human rights body is the **Ombudsman**. The Ombudsman is an investigatory body which while empowered to carry out investigations and produced reports of its own motion, mainly focuses on investigating complaints being made by injured parties.
- [4]. Indeed, it will be noted that with regards to the **monitoring** of Human Rights violations, it is the Office of the Commissioner for Children, the National Commission for the Promotion of Equality for Men and Women, and the National Commission Persons with Disability that takes the more pro-active approach: conducting surveys and reaching out to their intended audience in order to identify any issues arising. The other bodies: the Ombudsman, the Data Protection Commissioner, and the Employment Commission are generally reactive, acting when a report alleging a violation of human rights is presented to them. That said, all the bodies have wide powers to summon witnesses, obtain documents, and consult with any expert they deem necessary.
- [5]. These institutions **report** on their activities and the results achieved at least once annually to the House of Representatives, presenting it with detailed reports which also contain summaries on the cases investigated together with statistics on the types of cases that were examined. These reports are also used to identify issues that need be tackled by legislation and also to propose new legislation. Again, however, it is the Commissioner for Children, the National Commission for the Promotion of Equality for Men and Women, and the National Commission Persons with Disability that have the greatest **advisory** function being able to provide opinions on legislative proposals of their own motion. The other bodies on the other hand will only provide the Government input either when consulted or in investigating breaches.

- [6]. Similarly, it is to be noted that the Commissioner for Children, the National Commission for the Promotion of Equality for Men and Women, and the National Commission Persons with Disability are the most involved in education, **raising awareness of human rights** and **promoting the adoption of international treaties**. They are also the most effective at cooperating with **Civil Society**, carrying out projects together with other sectors of society and lobbying with them for the implementation of human rights legislation. At the same time, however, these bodies are less independent than bodies like the Ombudsman and the Broadcasting Authority. This assertion is made because unlike the Ombudsman and Broadcasting Authority, not only may the Government appoint those representatives it deems fit on the Commissions, but also because the law does not provide for the structural safeguards that are integral to the Broadcasting Authority and the Ombudsman (such as the fact that the funds of the Commissions are allocated directly out of the responsible Ministry's budget while the Ombudsman has funds approved directly by the House of Representatives).
- [7]. The Data Protection Commissioner keeps contact with the Government and Industry to ensure that all data processing that takes place respects the individual's right to privacy. The Commissioner also provides a mechanism for individuals to raise complaints and obtain remedies for any violation. Unfortunately, the incumbent Commissioner passed away earlier this year, and no new Commissioner has as yet been appointed.
- [8]. All the above mentioned bodies have **complaint handling mechanisms** in order to investigate allegations by individuals that their rights have been violated. The mechanism for handling complaints and for enforcing recommendations is different for each body. Thus, for example, the National Commission for the Promotion of Equality for Men and Women actually assists individuals in putting down their complaint in writing, while the Ombudsman carries out his investigations in strict privacy limiting himself to interviewing the complainant and allowing them to make submissions in writing. The same variety is found in the enforcement of rulings: thus, while the Ombudsman's rulings are not directly enforceable the National Commission for the Promotion of Equality for Men and Women may report matters to the police in order to prosecute violations and the Data Protection Commissioner may impose fines for failure to comply with rulings.

A. Overview

- [9]. No NHRI has been established in Malta. Despite being expressly encouraged to do so in 2004 by the Committee on Economic, Social and Cultural Rights,¹ the Government has not made public any plans to establish such an institution. Indeed, as will be apparent from this study, none of the current Independent Human Rights Organisations would meet the requirements of an NHRI. One of the main factors for this being the limited scope of each organisation: the organisations are each limited to cover only specific areas within the spectrum of human rights. Thus although the **Ombudsman** is the only body empowered to act and provide remedies for the violation of any fundamental right it is limited to having an investigative role. On the other hand those organisations which have a more educational role, especially the more recently established Commissions, are limited to considered specific rights.
- [10]. One could in fact identify four different groups of Human Rights Organisations: (a) those established under the Constitution, being the oldest organisations; (b) the Ombudsman; (c) the Data Protection Commissioner; (d) and the Equality Commissions.
- [11]. Amongst those bodies established under the Constitution, two have a direct function with regards to human rights protection: the **Employment Commission** and the **Broadcasting Authority**. The role of these two authorities is mainly investigative, in that they seek to provide remedies to persons whose right to, respectively, non-discrimination in employment and access to media and freedom of speech, has been compromised.
- [12]. The **Ombudsman** is possibly the main body for the protection of Human Rights since it has the authority to investigate practically all Government actions and ensure that no fundamental right is violated as a result of these actions. Of the above bodies, raising human rights awareness is secondary to their function of investigating and providing a remedy for violations that take place.
- [13]. The **Data Protection Commissioner** safeguards the individual's right to privacy by overseeing the processing of personal data and prosecuting all violations that take place. The Commissioner here has a more pro-active role and the task of investigating and remedying violations is secondary to working with the industry and ensuring that persons entrusted with the processing of personal data, have policies and terms of reference to guide them and safeguard individuals. Unfortunately, the **Data Protection Commissioner** passed away earlier this year and to date the position remains vacant.

¹ National Human Rights Institutions Forum (2008), *Table Of Treaty Body Recommendations Relating To National Human Rights Institutions*, available at: http://www.nhri.net/2008/COs_Europe_Mar2008.pdf (30.09.2008).

- [14]. The more recent bodies can be grouped under the common title of Equality Commissions. These are the **Commissioner for Children**, the **National Commission Persons with Disability** and the **National Commission for the Promotion of Equality for Men and Women**. Their task is to ensure equality of treatment amongst the various sectors in society. While they do have an investigative function (being also able to investigate actions by private persons and not just public authorities) their role is more strongly educational with the aim of generating equality within society. Their investigative function and authority to provide remedies is more limited than the other organisations in that these Commissions generally depend on the cooperation of the Police in enforcing any remedial action they deem necessary.

B. Mandate and human rights areas covered

- [15]. Malta does not have a NHRI, instead a number of independent public bodies have been constituted in order to cover various human rights areas. In reality, however only the Ombudsman covers the whole spectrum of human rights and this only with respect to violations arising from Governmental activity. While the other institutions have the remit to also investigate the actions of private persons, however their investigations are limited to specific rights (viz. non-discrimination and equality of treatment; protection of privacy; and access to media).
- [16]. **The Commissioner for Children** aims at promoting the consideration of the best interest of children at all policy making levels, including society in general; protecting family unity;² and protecting and promoting children's health. It is interesting to note that the Commissioner's mandate emphasises the need "*to promote the highest standards of health ... including adequate legal protection, for children both before and after birth;*"³ This is in line with the general trend of the Maltese government to consider even an unborn child as a human entity with a right to life from conception. Furthermore, the Commissioner ensures compliance with international treaties, conventions and agreements ratified by Malta with regards to children, and may even enforce compliance from private persons.
- [17]. One limitation to the Commissioner's mandate is that all decisions are non-enforceable, indeed, while it is empowered to issue a compliance notice on anyone, persons intending to disregard it are solely required to send a written statement containing the reasons for rejecting the Commissioner's recommendations. The law does not provide any mechanism for identifying and enforcing action or for finding that the reasons stated are insufficient. The Commissioner is only empowered to seek public opinion in enforcing recommendations since it is allowed to publish such refusal.
- [18]. **The National Commission Persons with Disability** has been established to identify the needs of persons with a disability and their families, and to suggest how these needs can best be addressed by Maltese Society. It ensures coordination between government departments and agencies, also liaises between government entities and other non-governmental organisations working in this sector. This Commission also ensures, within the provisions of the Equal Opportunities (Persons with Disabilities) Act⁴ and within the bounds

² Malta, Chapter 462 of the Laws of Malta, s9(c)

³ Malta, Chapter 462 of the Laws of Malta, s9(k)

⁴ Malta, Chapter 413 of the Laws of Malta

of reasonableness, that no discrimination takes place against persons with disabilities, and takes all necessary action to stop such acts of discrimination, if and when they happen. While the Commission operates on a general level the enabling Act focuses particularly on the sectors of (a) Employment, (b) Education, (c) Access to Premises, (d) the provision of goods, facilities or services, and (e) Accommodation. The Commission further investigates discrimination against disabled persons, however when suggesting remedial action it must ensure that the remedies do not *create unjustifiable hardship*.⁵ In certain instances, the Minister is allowed to exempt any person from the prohibition from discrimination. However this exemption may only be given for a specified period of time (which is extendible) and may only be done after consulting with the Commission. Furthermore the enabling Act and regulations,⁶ do not empower the Commission to enforce the remedial action it suggests after an investigation. Indeed, where a person fails to take the remedial action, the Commission must proceed to obtain enforcement through the Courts of Justice. This entails filing a judicial action which can take a number of years, (Indeed the few cases where an application to the Courts was filed show that it has taken between 3 to 5 years to obtain a judgement at first instance).⁷

[19]. The main aim of the **National Commission for the Promotion of Equality for Men and Women** was originally to work towards the elimination of discrimination between men and women. Its mandate was extended by the Equal Treatment of Persons Order, 2007⁸ issued under the European Union Act to cover all situations of discrimination based on racial or ethnic origin. It ensures that people are not disadvantaged by reason of their sex. It monitors the implementation of national policies on the promotion of equality and helps in the co-ordination of government departments and agencies in implementing initiatives and measures. It further carries out investigation to ensure non-discrimination both at a general level and on an individual level, and assists persons suffering from discrimination in enforcing their rights. However its recommendations are not directly enforceable, and rather, when it identifies a situation of sexual harassment or unlawful discrimination, it must report the situation to the Commissioner of Police who will then proceed to prosecute the report according to law.

[20]. The **Data Protection Commissioner** is appointed by the Prime Minister in consultation with the Leader of Opposition. The tasks assigned to this office include: maintaining a public register of all processing operations as notified; ensuring that all data processing is carried out in accordance with the law; receiving and investigating reports over any violations; ordering remedial action for such violations; encouraging the drawing up of codes of conduct by various

⁵ Malta, Chapter 413 of the Laws of Malta, s20.

⁶ Malta, Legal Notice 13/2001 as amended by Legal Notice 3/2002

⁷ By way of example the case “Il-Kummissjoni Nazzjonali Persuni b’ Dizabilita’ v. Michele Peresso Limited” was finally decided by the Court of Appeal on the 28 September 2007, when proceedings had commenced in 2001.

⁸ Malta, Legal Notice 85/2007

sectors of the industry, advising the government, and keeping the public informed with regards to Data Protection issues.⁹ In practice, the Data Protection Commissioner has been more focused on working with industry to ensure that data processing is done in a manner consonant with the Law and the human rights of data subjects. Indeed before the Commissioner may take a decision which ‘*may significantly impact the operation of any government department or of any public or private enterprise*’ all interested parties must be consulted.¹⁰

- [21]. Furthermore, in the current Freedom of Information Bill¹¹ it has been proposed to make the Data Protection Commissioner responsible for the application of rights emanating under that Bill.
- [22]. The **Employment Commission** was first established under the Constitution and is presently regulated in terms of the Employment Commission Act.¹² Its aim is to protect the right of individuals not to be unduly discriminated against in employment matters.
- [23]. The **Broadcasting Authority** is an independent Authority established under the Constitution. Its remit is not only to ensure the preservation of impartiality ‘in respect of matters of political or industrial controversy or relating to current public policy’ but has with time also developed the power to ensure the right to freedom of opinion. While not solely tasked with protecting fundamental rights, the Authority does monitor broadcasts in Malta and produces annual public reports indicating the state of broadcasting and noting issues that it tackles, including all violations of human rights it comes across.
- [24]. The **Ombudsman** is a Commissioner for Administrative Investigations, whose role is specifically aimed at ensuring that administrative actions do not violate fundamental human rights. The Ombudsman has a remit to investigate actions taken by all public authorities, statutory bodies, local councils, and commercial partnerships and companies where the Government has a controlling interest or effective control, and although the Ombudsman’s decisions are not binding on those subjected to the investigation, the decisions are generally promptly complied with by the authorities. The Ombudsman has a very wide remit in verifying that Governmental action does not violate fundamental rights, extending also to scrutinize the fairness of the action. However the Ombudsman operates as a mechanism of last resort, being involved only where all other attempts at obtaining a remedy have failed. The other authorities, while having much narrower remits, do not generally impose a strict time limit within which the complaint must be raised. Furthermore, unlike the other authorities, the enabling Act specifically lists a number of administrative actions that are not

⁹ Malta, Chapter 440 of the Laws of Malta, s40.

¹⁰ Malta, Chapter 440 of the Laws of Malta, s44,

¹¹ Malta, Bill entitled the Freedom of Information Act, 2008 (20.06.2008)

¹² Malta, Chapter 267 of the Laws of Malta.

subject to review by the Ombudsman,¹³ the most noteworthy being all those matters certified by the Prime Minister to affect the security of Malta, and those acts taken by the Minister responsible for justice under the Extradition Act. It is further noted that a number of independent authorities may not be subject to an investigation of the Ombudsman these include the President, Parliament, the Cabinet, The Electoral Commission, the Broadcasting Authority, the Employment Commission, the Commission for the Investigation of Injustices, the Security Service, and Legal Advisers to the Government acting in that capacity.¹⁴

[25]. The proceedings of the Ombudsman are privileged and no criminal or civil action may be taken against the Ombudsman or his staff for anything done, reported or said in the exercise of their functions unless bad faith can be shown. Nor may they be called upon to give evidence in court or in any judicial proceedings with respect to the exercise of their functions.¹⁵

¹³ Malta, Chapter 385 of the Laws of Malta, Second Schedule.

¹⁴ Malta, Chapter 385 of the Laws of Malta, First Schedule.

¹⁵ Malta, Chapter 385 of the Laws of Malta, s25.

C. Monitoring human rights violations

- [26]. Only the equality commissions take a pro-active role in monitoring human rights violations and this by carrying out surveys and commissioning studies to identify issues as they arise. On the other hand the other bodies, and in particular the Ombudsman and the Employment Commission, will usually only react once they receive a complaint from an injured person. However the Ombudsman and the Data Protection Commissioner may also commence investigations of their own motion. Furthermore it should be noted that although the enabling laws of each organisation are different, all are given a number of powers to obtain and verify all the information they deem necessary, including by subpoenaing witnesses.
- [27]. The Ombudsman Act¹⁶ provides that the **Ombudsman** is responsible for the investigation of complaints made on any Governmental decision or action, or lack of action. The Ombudsman may investigate matters either (a) of his/her own motion; (b) on the complaint of any person who, having an interest, feels aggrieved by any Governmental decision or action; (c) or at the request of any Committee of the House of Representatives. (d) Furthermore the Prime Minister may also request the Ombudsman to carry out an investigation, in which case the matter will be reported directly to the Prime Minister.¹⁷ In the latter two cases the Ombudsman is obliged to investigate the matter in so far as it falls within his jurisdiction.
- [28]. When investigating any matter the Ombudsman is not subject to any direction or control of any other person or authority, and the investigation will be carried out in private. The Ombudsman is empowered to make those enquiries and hear and obtain information from any person he/she deems fit and, when carrying out an investigation, is specifically empowered to consult any Minister, Chief Executive and Head of Department and even to may engage any person whose expertise is deemed essential to the effectiveness of an investigation in a consultative capacity.¹⁸ The Ombudsman may also demand the production of any document or information from any person and can summon witnesses and administer oaths. However the Prime Minister may prohibit information and documents from being disclosed in the interest of national security or which would disclose Cabinet deliberations. Furthermore before commencing an investigation, the Ombudsman will inform the head of the Authority concerned of the investigation and cannot make any adverse report or recommendation without first obtaining the views of the Governmental Authority concerned.

¹⁶ Malta, Chapter 385 of the Laws of Malta

¹⁷ Malta, Chapter 385 of the Laws of Malta, s13.

¹⁸ Malta, Chapter 385 of the Laws of Malta, s10(2).

- [29]. The **Data Protection Commissioner** investigates the processing of data either out of his/her own motion or at the request of any affected person. The Commissioner is empowered to inspect personal data processed and to request information on the manner in which it is processed and kept secure. The Commissioner has the power both to prohibit a person from processing data and to order rectification measures where the Commissioner is not satisfied that the processing procedure is fully compliant with the law. Persons refusing to comply with the Commissioner's order will be guilty of a criminal offence.¹⁹
- [30]. The **Commissioner of Children** aims at being accessible and approachable to children. Information about the office is available clearly and regularly through media directed at children. Whilst it is much easier to act on adult assumptions regarding the needs of children, the task of the Commissioner in promoting children's rights must be informed directly by the experience of children themselves. For this purpose, the Commissioner also conducts research in conjunction with academic institutions, such as the University.²⁰ The Commissioner is empowered to investigate potential violations of a child's rights either of its own motion or upon a written complaint by any person, the Commissioner will also investigate in a number of social cases (such as issues arising after separation proceedings, bullying, etc) however only after all other remedies (including judicial ones) have been exhausted. The Commissioner also assists by pointing out complainants to other remedies they may pursue.²¹ Upon carrying out its investigations it will proceed to make all those recommendations deemed expedient. The Commissioner is specifically empowered to investigate and ensure that the provisions of the United Nations Convention on the Rights of the Child as ratified by Malta are complied with, and may also establish deadlines by when the compliance is to be effected.
- [31]. **The National Commission Persons with Disability** is empowered to investigate any matter involving discrimination either of (a) its own motion or (b) on a written complaint by any aggrieved person or by the guardian or a family member of an aggrieved person suffering from a mental disability. When carrying out its investigations, the Commission must first notify all parties concerned giving them time to make their submissions. The Commission is further empowered to demand that any person appear before it to provide (even verbally) any information requested and to produce documents. On verifying matters it will then issue a report stating all remedial action required.
- [32]. The Commission however has no power of enforcement. It cannot enforce its requests on persons to appear before it, and it cannot enforce the remedial action it declares necessary. Enforcement is through the Civil Courts with the

¹⁹ Malta, Chapter 440 of the Laws of Malta, s41(2).

²⁰ http://www.msp.gov.mt/services/subpages/content_index.asp?id=children§ion=archives (30.09.2008).

²¹ Commissioner for Children, *Report for ENOC Annual Meeting Developments and Achievements September 2006 - August 2007*, available at: www.crin.org/docs/ENOC%20Report.pdf (30.09.2008)

Commissioner being required to apply for the necessary decrees from the First Hall Civil Court. Requests to produce evidence will be granted as a matter of course and the Court will also issue any decree it deems appropriate in the circumstances. On the other hand an application to enforce remedial action will take the form of a contentious proceeding.

- [33]. The **National Commissioner for the Promotion of Equality for Men and Women** may carry out, of its own motion, general investigations with a view that the provisions of the law are complied with. Moreover, the Commissioner will also carry out investigations following complaints from injured individuals. Although the enabling Act states that the Minister is to establish, by means of a regulation, the procedure to be used whereby the Commissioner can demand information and documents from any person and the manner in which it may coerce such production,²² it does not appear that any Regulation to this effect has in fact been made. Furthermore, the Commission cooperates with other entities in order to gather information on the various sectors, it should be noted that Equality Committees have been set up in all government ministries and departments which work closely and liaise with the Commission on all issues relating to gender.²³

²² Malta, Chapter 456 of the Laws of Malta, s18.

²³ National Commission for the Promotion of Equality, *Annual Report 2007*, available at: http://www.equality.gov.mt/filebank/AR2007_EN.pdf (30.09.2008)

D. Reporting

- [34]. The Ombudsman Act specifically requires an annual report to be produced by the **Ombudsman** and presented to the House of Representatives. This report will generally include a statement regarding the manner in which the Ombudsman's functions have been exercised together with a report on the cases reported to the body. These reports are available from <http://www.ombudsman.org.mt/index.asp?pg=annualreports>. The reports include both an exposition of the Ombudsman's institutional structure and systems, case summaries, a review of the investigations carried out, and any proposals for strengthening the Ombudsman's structure. The Ombudsman also publishes summaries of a selection of cases investigated twice a year, in April and October. These case reports respect the anonymity of the complainants.
- [35]. The **Commissioner for Children** reports to the Social Affairs Committee of Parliament, presenting the responsible Minister for Family Affairs with an annual activity report which includes a survey of the situation of children in Malta and recommendations regarding the need for further legislation as well as any responses made by the Commissioner regarding investigations, the Minister will then table this report before the House of Representatives.²⁴ The latest annual report is available online, at http://www.msp.gov.mt/documents/family/annual_report_cfc_2006_en.pdf. Furthermore the Commission is also required to keep a public Register of Compliance Notices,²⁵ and while the Commissioner must report on all investigations carried out, these need not be published.²⁶
- [36]. The **National Commission Persons with Disability** submits an annual activity report to the Minister. This annual report is presented not later than the end of March of every year²⁷ and includes a general report on the developments that took place during the period as well as initiatives undertaken to identify and, provide for the different needs of children, women and men with disabilities. This report will also be presented to the House of Representatives. The reports are available on http://www.knpd.org/rpts_ann.shtml.
- [37]. The **National Commissioner for the Promotion of Equality for Men and Women** publishes an annual report every year by the end of March. The report includes a statement on the activities, investigations and initiatives undertaken to suppress discrimination and to promote equality for men and women. This is submitted to the Minister who will later table the report before the House of Representatives. The annual reports are available on the Commission's website,

²⁴ Malta, Chapter 462 of the Laws of Malta, s19(1).

²⁵ Malta, Chapter 462 of the Laws of Malta, s17(5).

²⁶ Malta, Chapter 462 of the Laws of Malta, s14.

²⁷ Malta, Chapter 413 of the Laws of Malta, s30.

<http://www.equality.gov.mt>²⁸ and tend to include a detailed exposition of the Commission's work together with statistics and details on surveys carried out.

- [38]. The **Data Protection Commissioner** is required to draw up annual activity reports at least once a year. The reports up to the year 2005 are available on the website at <http://www.dataprotection.gov.mt/article.aspx?art=117>.

²⁸ <http://www.equality.gov.mt/page.asp?p=8655&l=1> (30.09.2008)

E. Advisory function

- [39]. The office of the **Ombudsman** is principally an investigative body. Its advice generally takes the form of a recommendation given after identifying a violation of Human Rights. These reports and recommendations are copied to the Minister concerned. While the Ombudsman does not provide any specific input in the legislative process, Committees of the House of Representatives or the Prime Minister may request the Ombudsman to investigate particular issues and the recommendations may eventually lead to the enactment of a law. It must be pointed out that the Ombudsman has used the annual reports to bring forward cases for the amendment of legislation. Thus for example in the latest report the case is made for the appointment of a Commissioner of Health and a Commissioner for Further and Higher Education.²⁹ Furthermore the Ombudsman has also pushed for the implementation of a Freedom of Information Act, to increase transparency in governance.³⁰
- [40]. The **Data Protection Commissioner** is consulted by the Government when issuing Data Protection guidelines and other regulations under the Data Protection Act.
- [41]. The **Commissioner for Children** advises the Government and proposes measures that may be required in order to safeguard the rights and interests of children. Specifically the Commission is empowered to issue and, if deems fit, publish so called Child Impact Statements setting out the probable impact any decision or proposal on policy made by the Government may have on children. In the run-up to the general elections, the Commissioner for Children prepared a Manifesto of Children's Rights with the specific aim of increasing *awareness amongst the political parties of matters requiring urgent attention with regards to children*, and based on principles declared in the United Nations Convention on the Rights of the Child.³¹
- [42]. The **National Commission Persons with Disability** is tasked with (a) advising the Government on issues of discrimination; (b) ensuring the proper implementation of government programmes, services, and initiatives; (c) inquiring in matters referred to it by the Minister; (d) suggesting any amendments that may be necessary to the Equal Opportunity Act; (e) and examining whether 'enactments' are inconsistent with the objects of this Act.

²⁹ Office of the Ombudsman, Malta, *Annual Report 2006*, pp30-33 available at <http://www.ombudsman.org.mt/pdf/Annual%20Report%202006%20English.pdf> (30.09.2008).

³⁰ Office of the Ombudsman, Malta, *Annual Report 2006*, pp33-35 available at <http://www.ombudsman.org.mt/pdf/Annual%20Report%202006%20English.pdf> (30.09.2008).

³¹ <http://www.crin.org/enoc/resources/infodetail.asp?id=16386> (30.09.2008).

[43]. Over the past year, a number of Parliamentary Questions have been referred to the **National Commission for the Promotion of Equality for Men and Women**.³² This Commission also inquires into matters referred to it by the Government and reviews the working of Equality legislation and where it deems necessary will suggest amendments to legislation.

³² National Commission for the Promotion of Equality, *Annual Report 2007*, available at: http://www.equality.gov.mt/filebank/AR2007_EN.pdf (30.09.2008).

F. Cooperation with Civil Society

- [44]. The **Commissioner for Children**³³ is an independent non-political person responsible to the Parliament but housed and contained under the auspices of the Ministry for the Family and Social Solidarity. The Commissioner has organised a number of consultations with children and young people and has also organised educational courses on Children's rights. Furthermore the Commission has also commissioned researchers and also cooperated with other institutions (such as the National Statistics Office) in order to carry out specific studies and surveys.
- [45]. The **National Commission for the Promotion of Equality for Men and Women** is vocal in society, issuing a number of press releases and advertising campaigns to highlight equality issues. It also organises and attends a good number of conferences and seminars, wherein its members can exchange knowledge on equality issues. Two of the main projects it organised over the past year were *Taking Gender Equality to Local Communities* and *Mosaic – One in Diversity*.³⁴ Both of which were organised with a number of other partners. The Commission maintains its contacts and consults civil society on all developments in its field.
- [46]. The **National Commission Persons with Disability** is composed of persons appointed by various Ministries, and institutions (namely the University of Malta and the Archdiocese of Malta) and disabled persons or their family members to represent the interests of the disabled.³⁵ With one of its main tasks being to provide material assistance and support services to the disabled, it has strong links to that Community and works with a large number of NGOs active in this sector.
- [47]. The **Ombudsman** focuses more on the investigation of complaints and does not generally consult with civil society except as part of an investigation.
- [48]. All persons and organisations processing personal data held in electronic form are to be registered with the **Data Protection Commissioner**. The Commissioner has consulted with the players in various sectors (such as banks and telecommunications operators) and developed guidelines for the processing of data in such sectors. Unfortunately in developing the guidelines the Commissioner has not generally consulted with users and consumers of these services.

³³ <http://www.msp.gov.mt/services/subpages/content.asp?id=1410> (30.09.2008).

³⁴ National Commission for the Promotion of Equality, *Annual Report 2007*, available at: http://www.equality.gov.mt/filebank/AR2007_EN.pdf (30.09.2008).

³⁵ National Commission Persons with Disability, *Annual Report 2007*, available at: http://www.knpd.org/pubs/pdf/07annualreport_e.pdf (30.09.2008) .

G. Promotion of International Treaties

- [49]. The **Data Protection Commissioner** collaborates with supervisory authorities. This collaboration generally takes the form of information exchange according to Malta's international obligations however the Commissioner is not an active lobbyist (at least not publicly) with regards to the adoption of new international instruments.
- [50]. While the **National Commission for the Promotion of Equality for Men and Women** has recently had its remit extended to include other obligations imposed by the European Race Directive (2000/43/EC). It does not appear to be an active lobbyist for the ratification and adoption of other international treaties.
- [51]. The **Commissioner for Children** is specifically tasked with promoting *compliance with the United Nations Convention on the Rights of the Child as ratified by Malta and with such other international treaties, conventions or agreements relating to children as are or may be ratified or otherwise acceded to by Malta*,³⁶ and may even issue compliance notices stating what action, a person should take to be compliant with these treaties and by when. The enabling legislation is such as to give the Commissioner the power to send such notices to *any person or body*.³⁷ The Commissioner keeps a public register of these notices.
- [52]. The **Ombudsman** is not active in the Promotion of International Treaties.
- [53]. The **National Commissioner with Disabilities** (KNPD) gave its contribution in the drafting of the United Nations Convention on the Rights of Persons with Disability. In March Malta was one of the first Member States to sign this Convention and the non-Obligatory Protocol. KNPD informed persons with disability about this Convention and even created a Maltese translation of this Convention to facilitate its use in Malta.

³⁶ Malta, Chapter 462 of the Laws of Malta, s9(1).

³⁷ Malta, Chapter 462 of the Laws of Malta, s17.

H. Human Rights Education and Awareness

- [54]. **The Commissioner for Children** collects data, conducts and encourages research in matters relevant to services for children. The Commissioner tries to ensure that services provided to children are (i) accessible, (ii) community-based, (iii) co-ordinated and integrated, (iv) inclusive of gender, culture and language, and (v) responsive to individual needs. It is also present in schools and the media and provides information on children's rights. It has organised educational courses for children such as Rights4U a course on the UN Convention and has also developed games to raise awareness amongst children as young as three years old.³⁸ Furthermore the Commissioner is in process of setting up a new website (www.tfal.org.mt).
- [55]. The **National Commission for the Promotion of the Equality for Men and Women** carries out a number of projects including seminars and annual conferences aimed at promoting equality both on a national and a local level. These include providing training: on gender equality to women entering and returning to work; on xenophobia to police recruits; on the European Structural Funds available in this sector to NGOs; and on sexual harassment to employees of different organisations including the army. Other projects the Commission has conducted include the Mosaic – One in Diversity project which was financed by the European Commission and the Government of Malta, and included both train the trainer events and interactive activities for secondary school students and for which copious material was produced.³⁹ The Commission also issued a number of press releases and articles.
- [56]. **The National Commission Persons with Disability** has established a programme aimed at providing limited financial support for projects concerning continuous education, training and research within the disability field. It also organises short training courses for disabled activists and parents of persons with mental disabilities and financially supports research undertaken in this field. In 2007 it organised a number of lectures on disability issues with an attendance of over 800 persons,⁴⁰ it also maintains a resource centre, publishes a bi-annual newsletter, and other educational material, much of which is available from its website: www.knpd.org.

³⁸ Commissioner for Children, *Report for ENOC Annual Meeting Developments and Achievements September 2006 - August 2007*, available at: www.crin.org/docs/ENOC%20Report.pdf (30.09.2008).

³⁹ National Commission for the Promotion of Equality, *Annual Report 2007*, p60 available at: http://www.equality.gov.mt/filebank/AR2007_EN.pdf (30.09.2008)

⁴⁰ National Commission Persons with Disability, *Annual Report 2007*, available at: http://www.knpd.org/pubs/pdf/07annualreport_e.pdf (30.09.2008)

- [57]. The **Data Protection Commissioner**, has not held a very public profile preferring to work with persons and organisations processing data directly. The website (www.dataprotection.gov.mt) only contains some basic information on the principles of data protection.
- [58]. Raising the awareness of Human Rights does not fall within the remit of the **Ombudsman**, however the office does provide people with assistance as to the functions carried out by the Ombudsman, and in bringing forth their complaints for investigation. In any case the Ombudsman is, at this point, a well established institution in Malta.

I. Individual Complaints Procedures

- [59]. Any aggrieved person wishing to bring forth a complaint to **the Ombudsman** must do so within 6 months from the date when the person first got to know of the action complained of. However the Ombudsman is empowered to consider even complaints made after this period if in his/her opinion special circumstances of so warrant.⁴¹ Upon receiving a complaint, the Ombudsman will first rule upon its admissibility and will proceed to investigate all claims found to be admissible. The Ombudsman may also refuse to investigate a complaint found to be trivial, vexatious, not made in good faith or where the complainant does not have a sufficiently personal interest.⁴²
- [60]. When investigating any matter the Ombudsman is not subject to any direction or control of any other person or authority, and the investigation will be carried out in private. The Ombudsman is empowered to make those enquiries and hear and obtain information from any person he/she deems fit and, when carrying out an investigation, is specifically empowered to consult any Minister, Chief Executive and Head of Department and even to may engage any person whose expertise is deemed essential to the effectiveness of an investigation in a consultative capacity.⁴³ The Ombudsman may also demand the production of any document or information from any person and can summon witnesses and administer oaths. However the Prime Minister may prohibit information and documents from being disclosed in the interest of national security or which would disclose Cabinet deliberations. Furthermore before commencing an investigation, the Ombudsman will inform the head of the Authority concerned of the investigation and cannot make any adverse report or recommendation without first obtaining the views of the Governmental Authority concerned.
- [61]. The Ombudsman's recommendations are not binding on the Government Authorities. However the Ombudsman will inform the complainant of the results of the investigation and may, when he/she deems fit, even reveal the recommendation made. Where no action is taken the Ombudsman may send a copy of the report and recommendations to the Prime Minister and thereafter to the House of Representatives,⁴⁴ effectively using the power publicity to shame the Government into taking the necessary action.
- [62]. Persons feeling aggrieved by the processing of personal data regarding them can file a report with the **Data Protection Commissioner** who will investigate the matter. In investigating the matter the Commissioner may request the production of information and documents from any person. Failure to cooperate with such requests would result in an offence under the Data Protection Act.

⁴¹ Malta, Chapter 385 of the Laws of Malta, s15.

⁴² Malta, Chapter 385 of the Laws of Malta, s17.

⁴³ Malta, Chapter 385 of the Laws of Malta, s10(2).

⁴⁴ Malta, Chapter 385 of the Laws of Malta, s22.

The Commissioner also has the same powers to enter and search premises as are vested in the Police. Once a violation is established the Commissioner may order the rectification of the matter and prohibit persons from processing the personal data on pain of paying an administrative fine for failure to comply. Where a person still refuses to comply with an order it will have to be enforced by the Courts following the institution of judicial proceedings by the Commissioner.⁴⁵ Any person (presumably whether a complainant or a person processing data) feeling aggrieved by any decision of the Commissioner may appeal in writing to the Data Protection Tribunal within 30 days from receiving the Commissioner's decision on the grounds of an error of law, a material error of fact or procedure, or on the basis of unreasonableness or lack of proportionality.⁴⁶ In fact to date, no appeal has been filed with regards to the Commissioner's finding of a violation. The Commissioner may also demand, in writing, that personal data unlawfully processed be erased, however the person to whom this order is addressed may appeal from it to the Court of Appeal within 15 days.⁴⁷

[63]. The **Commissioner for Children** is empowered to investigate potential violations of a child's rights either of its own motion or upon a written complaint by any person. Although the Commissioner *does not have the power to investigate complaints regarding individual conflicts between a child and its parents or guardians including matters of parental responsibility*,⁴⁸ the Commissioner does investigate a number of social cases (such as issues arising after separation proceedings, bullying, etc) once all other remedies (including judicial ones) have been exhausted. Where it does not, the Commissioner, will assist by pointing out complainants to other remedies they may pursue.⁴⁹ After completing its investigations the Commissioner will proceed to make all those recommendations deemed expedient. The Commissioner is also empowered to investigate and ensure that the provisions of the United Nations Convention on the Rights of the Child as ratified by Malta are complied with, and may also establish deadlines by when compliance is to be effected. In carrying out its investigations, the Commissioner is specifically empowered to subpoena witnesses and demand the production of documents. However the Commissioner cannot enforce compliance with its recommendations, indeed *where any person or body to whom a recommendation is directed intends not to comply with it, they shall furnish the Commissioner with reasons for not doing so*.⁵⁰ In such cases the Commissioner may make such refusal public and bring public opinion to bear on the person refusing to comply. This system has generally proved effective with regards to the Ombudsman.

⁴⁵ Malta, Chapter 440 of the Laws of Malta, s42.

⁴⁶ Malta, Chapter 440 of the Laws of Malta, s49.

⁴⁷ Malta, Chapter 440 of the Laws of Malta, s43.

⁴⁸ Malta, Chapter 462 of the Laws of Malta, s14(2).

⁴⁹ Commissioner for Children, *Report for ENOC Annual Meeting Developments and Achievements September 2006 - August 2007*, available at: www.crin.org/docs/ENOC%20Report.pdf (30.09.2008).

⁵⁰ Malta, Chapter 462 of the Laws of Malta, s17(3).

- [64]. The Commissioner for Children is assisted by the Council for Children. Together they establish the standards applied by ministries, departments and Government agencies in ensuring that their internal review processes can respond effectively to complaints concerning the provision of services to children. Moreover the Commissioner monitors whether ministries, government departments and agencies are indeed meeting these standards.
- [65]. The **National Commissioner for the Promotion of Equality of Men and Women**⁵¹ handles and investigates complaints received by persons suffering from discrimination or harassment. It is also empowered to assist injured persons in drawing up their complaints. Once a complaint is received it is discussed by a separate sub-committee within the Commission (the Complaints Sub-Committee) which will examine the complaint and determine the best way to resolve the issue according to Law. Where the persons or organisations complained of do not cooperate the Commission may report the matter to the Commissioner of Police for prosecution, and may also refer the matter to the competent Civil Court or to the Industrial Tribunal for redress.⁵² Where the action complained of does not constitute an offence, the Commissioner may mediate between the parties. The Commission maintains summaries of the cases it considers.
- [66]. The **National Commission Persons with Disabilities** is empowered to investigate any matter involving discrimination either of (a) its own motion or (b) on a written complaint by any aggrieved person or by that person's guardian or any family member if the aggrieved person suffers from a mental disability. These investigations are carried out by the Equal Opportunities Compliance Unit. When investigating complaints the Commission acts as a first point of reference to aggrieved parties, identifying potential issues and obtaining the relevant information from all persons involved. However its recommendations are not enforceable and where it identifies a discriminatory situation its recommendations may only be enforced by the Courts. This requires the Commission to take action before the First Hall Civil Court. Individual complainants may also, independently from the Commission, proceed to make their own judicial claim for damages and compensation (including compensation for pain and suffering caused up to a maximum of 465.87€).⁵³
- [67]. The **Employment Commission** is empowered to hear and determine applications and complaints made by individuals that 'in respect of employment, a distinction, exclusion or preference that is not justifiable in a democratic society has been made or given to his prejudice by reason of his political opinions.'⁵⁴ Upon determining a breach, the Commission has the power to order either the employment or the dismissal from employment as it deems

⁵¹ <http://www.equality.gov.mt/page.asp?p=8534&l=1> (30.09.2008).

⁵² National Commission for the Promotion of Equality, *Annual Report 2007*, pp47,48 available at: http://www.equality.gov.mt/filebank/AR2007_EN.pdf (30.09.2008).

⁵³ Malta, Chapter 413 of the Laws of Malta, s34.

⁵⁴ Malta, Chapter 267 of the Laws of Malta, s3(1).

fit, as well as the modification of any condition in the employment and the rank or position occupied.

- [68]. The **Broadcasting Authority** is particularly tasked with investigating and providing a remedy to any ‘unwarranted infringement of privacy in, or in connection with the obtaining of material included in, sound or television programmes so broadcast’⁵⁵. In these instances it acts on the complaint of any person who was either the subject of the invasion of privacy or had a direct interest in the matter. In handling such issues, the Authority follows a quasi-judicial procedure in that all parties concerned are given an adequate opportunity to make any submissions they deem fit in assisting the Authority to reach its decision.

⁵⁵ Malta, Chapter 350 of the Laws of Malta, s34(1)(b).

J. Miscellaneous

[69]. no information available.

K. Good practices

- [70]. The **Commissioner for Children** marries its educational activities with its consultation process by first educating children as to their human rights and then consulting the same children and carrying out discussions with them as regards to the implementation of various rights.⁵⁶
- [71]. The **National Commission for Persons with Disabilities** maintain its strong links with this sector of society by providing support services and material assistance in acquiring essential equipment and by having people from that sector on the .

⁵⁶ Commissioner for Children, *Report for ENOC Annual Meeting Developments and Achievements September 2005 - August 2006*, available at: http://www.crin.org/docs/2006_CFC%20_ENOC_Report.pdf (30.09.2008).

A. Annexes

Annex 1 – Mapping of NHRIs and other Independent **Public** Human Rights Bodies

Please complete for bodies active in fundamental rights issues falling under the scope of the Agency's **Multi-Annual Framework**⁵⁷ only

Name	The Ombudsman
Acronym	
Address , Tel, Fax, email, website	Office of the Ombudsman, 11, S. Paul Street, Valletta VLT 07. Malta Tel: +356 21247944 /45 /46 Fax: +356 21247924 E-mail: office@ombudsman.org.mt Website: www.ombudsman.org.mt
Type of Organisation (please tick, as applicable)	<input type="checkbox"/> National Human Rights Institution <input type="checkbox"/> Equality Body <input type="checkbox"/> Data Protection Authority <input checked="" type="checkbox"/> Ombudsman <input type="checkbox"/> Commission <input type="checkbox"/> Tribunal <input type="checkbox"/> Other (please specify)
Description (max. 100 words)	The office of the Ombudsman is an independent and impartial institution which was created to investigate and resolve citizen's grievances about government departments and public bodies within jurisdiction with fairness and in a timely and effective manner. It is there to promote the right to good public administration and the right to complain against maladministration as fundamental rights of all Maltese citizens.

⁵⁷ More information at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:063:0014:0015:EN:PDF>

<p>Target groups (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Women <input type="checkbox"/> Children <input type="checkbox"/> Disabled <input type="checkbox"/> LGBT <input type="checkbox"/> Refugees / asylum seekers <input type="checkbox"/> Immigrants <input type="checkbox"/> Roma <input type="checkbox"/> National / ethnic minorities <input type="checkbox"/> Other (the Ombudsman protects the rights of ALL persons vis-à-vis Government actions)
<p>Activities (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Collection/recording of complaints <input type="checkbox"/> Investigation and processing of complaints <input type="checkbox"/> Arbitration/mediation/facilitation services, assistance in resolving cases <input type="checkbox"/> Legal aid, representation in court <input type="checkbox"/> Individual legal advice, legal consultation <input type="checkbox"/> Strategic litigation <input type="checkbox"/> General information about rights and legislation <input type="checkbox"/> Documents on human rights situation (reports, opinions) (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Collection of statistics on human rights situation (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Monitoring of human rights violations <input type="checkbox"/> Formal decision-making body⁵⁸ <input type="checkbox"/> Psychological/social counselling services <input type="checkbox"/> Policy advice (national parliament, government) <input type="checkbox"/> Awareness raising <input type="checkbox"/> Human rights education <input type="checkbox"/> Consultative status with international organisations (please specify <input type="checkbox"/> UN, <input type="checkbox"/> Council of Europe, <input type="checkbox"/> other) <input type="checkbox"/> Promotion of international human rights treaties

⁵⁸ Please tick if the organisation is legally mandated to make decision upon complaints received.

	<ul style="list-style-type: none"> <input type="checkbox"/> Cooperation with civil society <input type="checkbox"/> Media work <input type="checkbox"/> Other practical support
Current staff (number)	The Ombudsman is assisted by a staff of 14
Annual budget	The Budget allocated by Government in 2006 was equivalent to 419,287.21 Euro

Name	The Commissioner for Children
Acronym	CfC
Address , Tel, Fax, email, website	Office of the Commissioner for Children, 469, St. Joseph High Road, Santa Venera, SVR 1012, Malta Tel: +356 21485180, +356 21441311 Fax: +356 21497999 E-mail: cfc@gov.mt
Type of Organisation (please tick, as applicable)	<input type="checkbox"/> National Human Rights Institution <input type="checkbox"/> Equality Body <input type="checkbox"/> Data Protection Authority <input type="checkbox"/> Ombudsman <input type="checkbox"/> Commission <input type="checkbox"/> Tribunal <input type="checkbox"/> Other (please specify)
Description (max. 100 words)	The commissioner for Children is an independent human rights institution which promotes children’s rights and gives them a voice. The Commissioner for Children is accessible to the children to acquire their confidence. The Main objectives of the Commissioner for Children is to promote the welfare of children; promote a child-friendly society and to safeguard the rights and promoted the interests of children in keeping with the UN Convention on the Rights of the Child and the European Convention on the Exercise of Children’s rights.

<p>Target groups (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Women <input type="checkbox"/> Children <input type="checkbox"/> Disabled <input type="checkbox"/> LGBT <input type="checkbox"/> Refugees / asylum seekers <input type="checkbox"/> Immigrants <input type="checkbox"/> Roma <input type="checkbox"/> National / ethnic minorities <input type="checkbox"/> Other (please specify)
<p>Activities (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Collection/recording of complaints <input type="checkbox"/> Investigation and processing of complaints <input type="checkbox"/> Arbitration/mediation/facilitation services, assistance in resolving cases <input type="checkbox"/> Legal aid, representation in court <input type="checkbox"/> Individual legal advice, legal consultation <input type="checkbox"/> Strategic litigation <input type="checkbox"/> General information about rights and legislation <input type="checkbox"/> Documents on human rights situation (reports, opinions) (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Collection of statistics on human rights situation (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Monitoring of human rights violations <input type="checkbox"/> Formal decision-making body⁵⁹ <input type="checkbox"/> Psychological/social counselling services <input type="checkbox"/> Policy advice (national parliament, government) <input type="checkbox"/> Awareness raising <input type="checkbox"/> Human rights education <input type="checkbox"/> Consultative status with international organisations (please specify <input type="checkbox"/> UN, <input type="checkbox"/> Council of Europe, <input type="checkbox"/> other) <input type="checkbox"/> Promotion of international human rights treaties

⁵⁹ Please tick if the organisation is legally mandated to make decision upon complaints received.

	<ul style="list-style-type: none"> <input type="checkbox"/> Cooperation with civil society <input type="checkbox"/> Media work <input type="checkbox"/> Other practical support
Current staff (number)	<p>The Commissioner for Children is supported by a Full-time Manager (Research & Policy) and Office Secretary and a Part time Legal Consultant. The office was also assisted by a couple of volunteers. Furthermore the Commissioner is assisted by a Council composed of upto 14 members.</p>
Annual budget	<p>The budget for the year 2006 was increased to roughly 60,000 Euro, however the bulk of this increase had to cover the increase employee expenses.</p>

Name	National Commissioner Persons with Disabilities
Acronym	KNPD
Address , Tel, Fax, email, website	National Commissioner for Persons with Disabilities , Istituto Vincenzo Bugeja, Centru Hidma Socjali, Triq Braille, Sta. Venera. HMR 18 Tel: +356 21487789 Fax: +356 21484609 E-mail: helpdesk@knpd.org Website: www.knpd.org
Type of Organisation (please tick, as applicable)	<input type="checkbox"/> National Human Rights Institution <input type="checkbox"/> Equality Body <input type="checkbox"/> Data Protection Authority <input type="checkbox"/> Ombudsman <input type="checkbox"/> Commission <input type="checkbox"/> Tribunal <input type="checkbox"/> Other (please specify)
Description (max. 100 words)	The National Commission Persons with Disability commits itself to make Maltese Society more inclusive so that persons with disability enjoy a high quality of life by means of equal opportunities in all sections of Society. In order to implement this commitment, the Commission engages itself to ensure society eliminates all forms of direct or indirect discrimination against persons with disability or their families while providing them with the necessary help and support.

<p>Target groups (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Women <input type="checkbox"/> Children <input type="checkbox"/> Disabled <input type="checkbox"/> LGBT <input type="checkbox"/> Refugees / asylum seekers <input type="checkbox"/> Immigrants <input type="checkbox"/> Roma <input type="checkbox"/> National / ethnic minorities <input type="checkbox"/> Other (please specify)
<p>Activities (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Collection/recording of complaints <input type="checkbox"/> Investigation and processing of complaints <input type="checkbox"/> Arbitration/mediation/facilitation services, assistance in resolving cases <input type="checkbox"/> Legal aid, representation in court <input type="checkbox"/> Individual legal advice, legal consultation <input type="checkbox"/> Strategic litigation <input type="checkbox"/> General information about rights and legislation <input type="checkbox"/> Documents on human rights situation (reports, opinions) (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Collection of statistics on human rights situation (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Monitoring of human rights violations <input type="checkbox"/> Formal decision-making body⁶⁰ <input type="checkbox"/> Psychological/social counselling services <input type="checkbox"/> Policy advice (national parliament, government) <input type="checkbox"/> Awareness raising <input type="checkbox"/> Human rights education <input type="checkbox"/> Consultative status with international organisations (please specify <input type="checkbox"/> UN, <input type="checkbox"/> Council of Europe, <input type="checkbox"/> other) <input type="checkbox"/> Promotion of international human rights treaties

⁶⁰ Please tick if the organisation is legally mandated to make decision upon complaints received.

	<ul style="list-style-type: none"> <input type="checkbox"/> Cooperation with civil society <input type="checkbox"/> Media work <input type="checkbox"/> Other practical support
Current staff (number)	The Commission is composed of 18 members supported by an administrative staff.
Annual budget	No information on the annual budget was available

Name	Office of the Data Protection Commissioner
Acronym	
Address , Tel, Fax, email, website	Office of the Data Protection Commissioner, 2, Airways house, High Street, Sliema SLM 16, Malta Tel: +356 23287100 Fax: +356 23287198 E-mail: commissioner.dataprotection@gov.mt Website: www.dataprotection.gov.mt
Type of Organisation (please tick, as applicable)	<input type="checkbox"/> National Human Rights Institution <input type="checkbox"/> Equality Body <input checked="" type="checkbox"/> Data Protection Authority <input type="checkbox"/> Ombudsman <input type="checkbox"/> Commission <input type="checkbox"/> Tribunal <input type="checkbox"/> Other (please specify)
Description (max. 100 words)	The right to privacy is a fundamental human right, which is safeguarded and enshrined in the Constitution of Malta. The enforcement of the right to privacy is facilitated by the protection of personal data from abuse. The Data Protection Act of 2001 provides for the protection of individuals against the violation of their privacy by the processing of personal data and for matters connected therewith or ancillary thereto.

<p>Target groups (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Women <input type="checkbox"/> Children <input type="checkbox"/> Disabled <input type="checkbox"/> LGBT <input type="checkbox"/> Refugees / asylum seekers <input type="checkbox"/> Immigrants <input type="checkbox"/> Roma <input type="checkbox"/> National / ethnic minorities <input type="checkbox"/> Other: all persons in general
<p>Activities (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Collection/recording of complaints <input type="checkbox"/> Investigation and processing of complaints <input type="checkbox"/> Arbitration/mediation/facilitation services, assistance in resolving cases <input type="checkbox"/> Legal aid, representation in court <input type="checkbox"/> Individual legal advice, legal consultation <input type="checkbox"/> Strategic litigation <input type="checkbox"/> General information about rights and legislation <input type="checkbox"/> Documents on human rights situation (reports, opinions) (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Collection of statistics on human rights situation (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Monitoring of human rights violations <input type="checkbox"/> Formal decision-making body⁶¹ <input type="checkbox"/> Psychological/social counselling services <input type="checkbox"/> Policy advice (national parliament, government) <input type="checkbox"/> Awareness raising <input type="checkbox"/> Human rights education <input type="checkbox"/> Consultative status with international organisations (please specify <input type="checkbox"/> UN, <input type="checkbox"/> Council of Europe, <input type="checkbox"/> other) <input type="checkbox"/> Promotion of international human rights treaties

⁶¹ Please tick if the organisation is legally mandated to make decision upon complaints received.

	<ul style="list-style-type: none"> <input type="checkbox"/> Cooperation with civil society <input type="checkbox"/> Media work <input type="checkbox"/> Other practical support
Current staff (number)	No information on the staff of the organisation was available
Annual budget	In 2005 the income of this office was 295,830.42 Euro

Name	National Commission for the Promotion of Equality
Acronym	NCPE
Address , Tel, Fax, email, website	National Commission for the Promotion of Equality, flat 4, Gattard House, National road, Blata l-Bajda HMR 02 Tel: +35625903850 Fax: +356 25903851 E-mail: equality@gov.mt Website: www.equality.gov.mt
Type of Organisation (please tick, as applicable)	<input type="checkbox"/> National Human Rights Institution <input type="checkbox"/> Equality Body <input type="checkbox"/> Data Protection Authority <input type="checkbox"/> Ombudsman <input type="checkbox"/> Commission <input type="checkbox"/> Tribunal <input type="checkbox"/> Other (please specify)
Description (max. 100 words)	The NCPE is an autonomous body that was set up to monitor the implementation of chapter 345 being the Act to Promote Equality for Men and Women. The commission works to ensure that Maltese society is a society free from any form of discrimination based on sex, family responsibilities in all sectors and at all levels with respect of training and employment, and the provision of services and benefits. The Commission also works to ensure that there is no racial and/or ethnic origin discrimination in the provision of goods and services.

<p>Target groups (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Women <input type="checkbox"/> Children <input type="checkbox"/> Disabled <input type="checkbox"/> LGBT <input type="checkbox"/> Refugees / asylum seekers <input type="checkbox"/> Immigrants <input type="checkbox"/> Roma <input type="checkbox"/> National / ethnic minorities <input type="checkbox"/> Other (please specify)
<p>Activities (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Collection/recording of complaints <input type="checkbox"/> Investigation and processing of complaints <input type="checkbox"/> Arbitration/mediation/facilitation services, assistance in resolving cases <input type="checkbox"/> Legal aid, representation in court <input type="checkbox"/> Individual legal advice, legal consultation <input type="checkbox"/> Strategic litigation <input type="checkbox"/> General information about rights and legislation <input type="checkbox"/> Documents on human rights situation (reports, opinions) (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Collection of statistics on human rights situation (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Monitoring of human rights violations <input type="checkbox"/> Formal decision-making body⁶² <input type="checkbox"/> Psychological/social counselling services <input type="checkbox"/> Policy advice (national parliament, government) <input type="checkbox"/> Awareness raising <input type="checkbox"/> Human rights education <input type="checkbox"/> Consultative status with international organisations (please specify <input type="checkbox"/> UN, <input type="checkbox"/> Council of Europe, <input type="checkbox"/> other) <input type="checkbox"/> Promotion of international human rights treaties

⁶² Please tick if the organisation is legally mandated to make decision upon complaints received.

	<ul style="list-style-type: none"> <input type="checkbox"/> Cooperation with civil society <input type="checkbox"/> Media work <input type="checkbox"/> Other practical support
Current staff (number)	No information on the staff of the organisation was available
Annual budget	In 2007, the NCPE was allocated the sum of €256,231.07; 79% of which went to Staff salaries and Honoraria and 21% was for maintenance and operational expenses

Name	Kummissjoni dwar l-Impjiegi / Employment Commission
Acronym	
Address , Tel, Fax, email, website	Employment Commission 46, Archbishop Street, Valletta Tel: 21 249 886 Fax: 21 248 583
Type of Organisation (please tick, as applicable)	<input type="checkbox"/> National Human Rights Institution <input type="checkbox"/> Equality Body <input type="checkbox"/> Data Protection Authority <input type="checkbox"/> Ombudsman <input type="checkbox"/> Commission <input type="checkbox"/> Tribunal <input type="checkbox"/> Other (please specify)
Description (max. 100 words)	The Employment Commission is established by the Constitution of Malta (Article 120). The function of the Commission is to ensure that, in respect of employment, no distinction, exclusion or preference that is not justifiable in a democratic society is made or given in favour or against any person by reason of his or her political opinions. The commission can award compensation to victims.

<p>Target groups (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Women <input type="checkbox"/> Children <input type="checkbox"/> Disabled <input type="checkbox"/> LGBT <input type="checkbox"/> Refugees / asylum seekers <input type="checkbox"/> Immigrants <input type="checkbox"/> Roma <input type="checkbox"/> National / ethnic minorities <input type="checkbox"/> Other Employees
<p>Activities (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Collection/recording of complaints <input type="checkbox"/> Investigation and processing of complaints <input type="checkbox"/> Arbitration/mediation/facilitation services, assistance in resolving cases <input type="checkbox"/> Legal aid, representation in court <input type="checkbox"/> Individual legal advice, legal consultation <input type="checkbox"/> Strategic litigation <input type="checkbox"/> General information about rights and legislation <input type="checkbox"/> Documents on human rights situation (reports, opinions) (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Collection of statistics on human rights situation (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Monitoring of human rights violations <input type="checkbox"/> Formal decision-making body⁶³ <input type="checkbox"/> Psychological/social counselling services <input type="checkbox"/> Policy advice (national parliament, government) <input type="checkbox"/> Awareness raising <input type="checkbox"/> Human rights education <input type="checkbox"/> Consultative status with international organisations (please specify <input type="checkbox"/> UN, <input type="checkbox"/> Council of Europe, <input type="checkbox"/> other) <input type="checkbox"/> Promotion of international human rights treaties

⁶³ Please tick if the organisation is legally mandated to make decision upon complaints received.

	<ul style="list-style-type: none"> <input type="checkbox"/> Cooperation with civil society <input type="checkbox"/> Media work <input type="checkbox"/> Other practical support
Current staff (number)	No information on the staff of the organisation was available
Annual budget	Information on the annual budget was not available

Name	Awtorita tax-Xandir / Broadcasting Authority
Acronym	BA
Address , Tel, Fax, email, website	Broadcasting Authority Malta 7, Mile End Road Hamrun HMR 1719 Tel: (+356) 2122 1281 - (+356) 2124 7908 Fax: (+356) 2124 0855 Email: info@ba-malta.org Website: http://www.ba-malta.org/home
Type of Organisation (please tick, as applicable)	<input type="checkbox"/> National Human Rights Institution <input type="checkbox"/> Equality Body <input type="checkbox"/> Data Protection Authority <input type="checkbox"/> Ombudsman <input type="checkbox"/> Commission <input type="checkbox"/> Tribunal <input type="checkbox"/> Other Human Rights Monitor
Description (max. 100 words)	The Broadcasting Authority regulates broadcasting in general, ensuring that all media stations act in accordance with the Law. It is an independent Authority established under the Constitution, which also ensures the preservation of impartiality ‘in respect of matters of political or industrial controversy or relating to current public policy’ and carries out regular surveys on the state of broadcasting in Malta. It also works together with Civil Society and the other institutions in order to issue broadcasting guidelines (such as with respect to the disabled, and to children).

<p>Target groups (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Women <input type="checkbox"/> Children <input type="checkbox"/> Disabled <input type="checkbox"/> LGBT <input type="checkbox"/> Refugees / asylum seekers <input type="checkbox"/> Immigrants <input type="checkbox"/> Roma <input type="checkbox"/> National / ethnic minorities <input type="checkbox"/> Other Broadcasting in general
<p>Activities (please tick, as applicable)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Collection/recording of complaints <input type="checkbox"/> Investigation and processing of complaints <input type="checkbox"/> Arbitration/mediation/facilitation services, assistance in resolving cases <input type="checkbox"/> Legal aid, representation in court <input type="checkbox"/> Individual legal advice, legal consultation <input type="checkbox"/> Strategic litigation <input type="checkbox"/> General information about rights and legislation <input type="checkbox"/> Documents on human rights situation (reports, opinions) (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Collection of statistics on human rights situation (please specify <input type="checkbox"/> public, <input type="checkbox"/> restricted, <input type="checkbox"/> available on request) <input type="checkbox"/> Monitoring of human rights violations <input type="checkbox"/> Formal decision-making body⁶⁴ <input type="checkbox"/> Psychological/social counselling services <input type="checkbox"/> Policy advice (national parliament, government) <input type="checkbox"/> Awareness raising <input type="checkbox"/> Human rights education <input type="checkbox"/> Consultative status with international organisations (please specify <input type="checkbox"/> UN, <input type="checkbox"/> Council of Europe, <input type="checkbox"/> other) <input type="checkbox"/> Promotion of international human rights treaties

⁶⁴ Please tick if the organisation is legally mandated to make decision upon complaints received.

	<ul style="list-style-type: none"> <input type="checkbox"/> Cooperation with civil society <input type="checkbox"/> Media work <input type="checkbox"/> Other practical support
Current staff (number)	No information on the staff of the organisation was available
Annual budget	In 2007 the BA's income was 1 million Euro.

Annex 2 – Mapping Human Rights NGOs

Please complete the table below with the information requested on the most significant NGOs active in issues of fundamental rights falling under the scope of the Agency's **Multi-Annual Framework**⁶⁵ (please do not include NGOs dealing exclusively with third countries). This is not meant to be an exclusive list; following the online publication of this information NGOs will be able to propose their inclusion. Please consider the following issues for the selection:

- (1) Visibility or representativeness at the national level
- (2) Broad constituency operating at the national rather than local or regional level
- (3) Coverage of fundamental rights issues falling under the scope of the Agency's Multi-Annual Framework
- (4) Broad range of activities

Name	National Council of Women of Malta
Acronym	NCW
Address	National Council of Women, Pope Pius XII Flats, Mountbatten Street, Blata l-Bajda, Malta
Telephone	
Fax	
E-mail	
Website	http://www.ncwmalta.com/
Brief description – including information on staff and resources, if available (approximately 100 words)	This NGO was founded in 1964 and is composed both of individual members and national organisations. It is non-partisan and non-sectarian and operates as a co-ordinating body, presenting a broad and comprehensive view of women's opinions on matters of public interest.

⁶⁵ More information at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:063:0014:0015:EN:PDF>

<p>Human rights issues covered (approximately 100 words)</p>	<p>The Council aims at improving the status of women and reducing instances of discrimination. Indeed one of its publicly stated aims is to secure the removal of all disabilities of women, legal, economic or social and to promote the effective participation of women in the life of the nation. It also aims to increase awareness of human rights by presenting a broad and comprehensive view of women's opinions on matters of national interest and cultural traditions based on human rights; and to make women more aware not only of their rights but also of their civic, moral, political and social responsibilities to society as a whole.</p>
<p>Main activities (approximately 100 words)</p>	<p>The Council acts mainly as a co-ordinating body and forum for organisations which work for any of its objectives. It publishes news letters and issues press releases in order to raise awareness on the issues covered. It is also affiliated with the International Council of Women.</p>

Name	People for Change Foundation
Acronym	PFC
Address	The People for Change Foundation 176, St. Julians Street, San Gwann SGN2803
Telephone	00356 2744 5954
Fax	
E-mail	info@pfcmalta.org
Website	
Brief description – including information on staff and resources, if available (approximately 100 words)	“People for change” is a new NGO whose mission is to undertake research, advocacy and proactive action to promote social cohesion, respect for Human Rights and empowerment that is structured into six specialized institutes which each take on various projects and initiatives
Human rights issues covered (approximately 100 words)	People for Change actively aims at promoting equality, it is especially active in the field of children and the media, children’s participation, national youth policy, racism, health of asylum seekers, human rights education within formal education, and civil society involvement in national for a.
Main activities (approximately 100 words)	<p>The projects of People for Change cover a wide spectrum: With regards to asylum seekers it organised a project to provide them with adequate material to be able to acquire assistance and healthcare within Maltese society; in the area of racism it worked as the national European Network Against Racism coordinating body; in the area of youth capacity building it is a partner in an e-learning project funded by the Council of Europe; on Overseas Development Aid People for Change work within the National Platform for Non-Governmental Development Organizations; and in human rights and citizenship education it provides resources and support on a national level on these topics.</p> <p>The People for Change also works on policy recommendations in the various human right's it covers and is the National Coordinating Organisation for the Civil Society Index in Malta,</p>

Name	Diocesan Commission “Ejjev Ghandi” / Diocesan Commission for Children’s homes, Central Office
Acronym	
Address	65, Triq Zekka, Valetta VLT 1518 Malta
Telephone	+356 21 221615; +356 21 220551; +356 21 240541
Fax	+356 21 246900
E-mail	ejjewghandi@euroweb.net.mt
Website	http://www.maltadiocese.org/link
Brief description – including information on staff and resources, if available (approximately 100 words)	This Catholic Church Institution was established in 1956 to coordinate the activities of the various Children’s Homes existing in the island and to promote the welfare of the children living in these homes and Day across Malta. It collaborates closely with State Agencies for adoptions and “fostering”. These Homes were generally administered and managed by religious institutions that accepted that the ethos of their Congregation matched with the social needs. Presently the staff at Central Office is composed of the Director, Assistant Director, Secretary, Accountant, and four residential social workers. Another ten resident/residential social workers form part of the team. 32 religious work as Housemothers and Housefathers while some 24 lay persons offer their services as full-time or part-time carers. The Central Office works with the support from State Agencies. Currently about 260 boys and girls live in twelve Homes including the two Domestic Violence Shelters and St. Patrick’s School. Their age varies from 0 to 18. Some 120 new cases are referred to Central Office every year.
Human rights issues covered (approximately 100 words)	The aim of the NGO’s is to provide shelter for children who roam the streets, neglected by their families. It aims at improving the quality of life of children and their families and also supports battered wives. The Church gave due importance to the formal education needs of the children, and eventually arrangements with Church schools to start accepting children from Children’s Homes were made.
Main activities (approximately 100 words)	The office organises a continuous education programme for its personnel increasing awareness of the wide spectrum of needs children under their care have. Furthermore it also organises entertainment activities (such as Carnival parties and outings) for children under its care. The Central office also offers four other areas of assistance: Preventive Care, Respite Services for Battered Wives, Day Centres and Fostering.

Name	Solidarjeta u koperazzjoni [Solidarity and Cooperation]
Acronym	SKOP
Address	
Telephone	
Fax	
E-mail	info@ngdomalta.org
Website	http://skopmalta.org
Brief description – including information on staff and resources, if available (approximately 100 words)	SKOP is the National Platform of NGDOs and is Malta's broadest network of voluntary and non-governmental organisations working in international development and humanitarian aid. The Platform was founded in 2001, on the initiative of Kopin, and now has 10 members. It is officially recognised by the Maltese Ministry of Foreign Affairs.
Human rights issues covered (approximately 100 words)	The Platform aims to improve Malta's contribution to international development by promoting the exchange of experience, ideas and information amongst its members, between networks of NGOs in Malta and internationally, with the Maltese Government, and between its members and other Maltese bodies with an interest in international development and humanitarian aid; that EC development policy is prioritised over political considerations; that an increasing share of EC aid goes to least developed countries and that EU external policies are consistent with development objectives and integrated with poverty reduction targets.
Main activities (approximately 100 words)	To support this work, the Platform manages training, advocacy and information services. Its activities have included work on the Maltese government's draft of the National Development Policy. It is also an active founder-member of the pan-European NGDO confederation CONCORD. The Platform provides its members with information on EU-related issues made available by CONCORD and Trialog. It also carries out regular research on the Maltese NGDO activities. It also provides access to organisations and individuals seeking information from or about the Maltese NGDO community.

Name	Malta Emigrants Commission
Acronym	MEC
Address	Dar l-Emigrant, Castille Place Valletta VLT 01, Malta
Telephone	(+356) 222644, 232545, 240255
Fax	(+356) 240022
E-mail	mec@maltamigration.com
Website	http://www.maltamigration.com/
Brief description – including information on staff and resources, if available (approximately 100 words)	Emigrants Commission is a non-governmental, non-profitable, voluntary organisation, which is established to help and protect people in need by offering them free services, counselling and protection. Its services cover all those affected by migration including immigrants, refugees and tourists. The Commission also supports other NGO's working with immigrants and refugees.
Human rights issues covered (approximately 100 words)	The Commission provides both social support and aims at increasing awareness of the rights of immigrants and refugees. It also supports Maltese migrants leaving from or returning to Malta and their families.
Main activities (approximately 100 words)	The Commission's activities include providing social assistance, maintaining a media and research centre, and supporting other organisations. It also organises voluntary work in depressed countries, such as Albania.

Name	Moviment Graffiti [Graffiti Movement]
Acronym	
Address	Moviment Graffiti, 60A Strait Street, Valletta, Malta
Telephone	
Fax	
E-mail	info@movimentgraffitti.org
Website	http://www.movimentgraffitti.org/
Brief description – including information on staff and resources, if available (approximately 100 words)	Moviment Graffiti is active against oppression and exploitation of people, environment and animals; with a vision of freedom and radical democracy. Moviment Graffiti is autonomous from any political, economic and social force and practices radical democracy within its structures.
Human rights issues covered (approximately 100 words)	Moviment Graffiti seeks at raising public awareness on equality amongst citizens.
Main activities (approximately 100 words)	Moviment Graffiti's activities weekly meetings for members and the organisation of subcommittees. It is active in various areas such as social justice and protection of the environment including participation in demonstrations by progressive trade unions and activities against the visit of warships. It also acts on public awareness by issuing press statements, and articles and organises and participates in seminars, discussions and civil society meetings. The Movement also organises cultural activities such as music, exhibitions, films and theatre.

Name	Malta Gay Rights Movement
Acronym	MGRM
Address	32, Parish Street - Mosta MST 2021 - Malta
Telephone	+356 2143 0009 ; +356 9925 5559
Fax	+356 2143 0009
E-mail	mgrm@maltagayrights.org.
Website	http://www.maltagayrights.org/
Brief description – including information on staff and resources, if available (approximately 100 words)	The Malta Gay Rights Movement (MGRM) was set up in June of 2001. MGRM is a socio-political non-governmental organisation which has as its central focus the challenges and rights of the Maltese lesbian, gay, bisexual and transgender (LGBT) community. It has strong links with other European and international groups. Since its inception, MGRM focused on the correct transposition of the European Union (EU) Directive, Council Directive 2000/78/EC within the Employment and Industrial Relations Act a process that has been concluded.
Human rights issues covered (approximately 100 words)	MGRM is mainly an equality body, aimed at preventing and removing discrimination on the basis of sexual orientation working both as a support group and as a lobby group for change in society.
Main activities (approximately 100 words)	<p>MGRM offers various support services to individuals as well as their families and friends who are encountering difficulties relating to their sexuality or same sex-relationships. These include the National Gay Helpline, face-to-face meetings and on-line support. This office is also responsible for delivering talks and training to raise awareness on LGBT issues among professional bodies, employers and the general public. Research on Transgender issues is also currently underway through ESF funding. Other research currently being carried out is a survey on LGBT discrimination in Malta. The International Office networks with other organisations and entities on an international level. MGRM will be hosting the ILGA-Europe 2009 annual conference.</p> <p>Events and activities are organised regularly to reach out to the LGBT community but also as a way of fund-raising. Parties and cultural events – such as art exhibitions, a film festival, forum theatre and music festival – are amongst the activities held annually as part of Diverscity Week which also included the Pride March. Other activities include Pink Sundays which are monthly social events aimed at the LGBT community and which</p>

	provide an alternative to parties and clubs.
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Name	Organisation for the Promotion of Human Rights (Malta)
Acronym	OPHR
Address	80, Apart. 2, St Monica Street, G'Mangia, PTA 1117 Malta
Telephone	+356 21225397
Fax	+356 21221099
E-mail	tcomodinicachia@gmail.com
Website	Still under construction
Brief description – including information on staff and resources, if available (approximately 100 words)	The Organisation for the Promotion of Human Rights (Malta) is an association set up by public deed published on the 23 rd August 2007. Its main aims are to advance measures and organise activities as are necessary for the defence, promotion, protection and enforcement of human rights and fundamental freedoms in Malta. OPHR works on two different levels; it carries out research and education in the field of human rights thereby assessing and analysing Malta's position on issues related to Human Rights and on the other hand it organises awareness raising campaigns and activities. OPHR also participates in a number of calls issued by International or European Agencies for research and activities related to human rights.
Human rights issues covered (approximately 100 words)	The Charter of the Organisation authorises its Board of Directors to set a framework within which activities are carried out over a period of time. While since its inception OPHR has worked heavily on issues related to discrimination on the six grounds identified by the European Directives, yet it is not restricted to such field. It is currently planning its next priority area which will very likely focus on privacy and data protection.
Main activities (approximately 100 words)	OPHR has since August 2007 carried out activities related to legal research, information gathering and analysis of data indicating Malta's position in relation to certain issues, advised other NGOs on projects related to human rights on which these NGOs focus and offered training to different target groups. Moreover as part of a different project, it is currently preparing a questionnaire assessing the current situation with regard to discrimination.

Name	Koperazzjoni Internazzjonali Malta (International Cooperation Malta)
Acronym	KOPIN
Address	Kopin Malta Office, No. 82 National Pool Complex, Tal-Qroqq, Msida.
Telephone	(+356) 21315562
Fax	(+356) 21315562
E-mail	kopin@maltaforum.org
Website	http://www.kopin.org/
Brief description – including information on staff and resources, if available (approximately 100 words)	Kopin (Koperazzjoni Internazzjonali) is a voluntary organization based in Malta which works in the field of North-South cooperation. Kopin was launched in public during a seminar on "The Policies of the European Union with regards to North South Cooperation" held on 24 June, 2000. Although Kopin is not bound to any other organization it has good relations with a number of Maltese and foreign organizations. Kopin is a member of the Forum for Justice and Cooperation together with the Third World Group, Koperattiva Kummerc Gust (Fair Trade Cooperative) and Inizjamed. Its guiding principle is that of redressing social imbalances.
Human rights issues covered (approximately 100 words)	The aims of the Koperazzjoni Internazzjonali (Malta) include promoting social and economic emancipation; combating environmental degradation and promoting sustainable society; raising awareness in society; organizing training events and working in partnership with other associations, social groups and Development NGOs such as CRIC to achieve these objectives
Main activities (approximately 100 words)	Amongst its activities KOPIN has organized a campaign to promote diversity as a factor of development which is currently being implemented by a consortium of NGOs and is financed by the European Union and which aims at presenting and promoting new approaches to development cooperation. The project includes a communication campaign aimed at raising awareness in the general public, workshops allowing for the exchange of ideas; and increasing awareness amongst institutions. KOPIN also enters into partnership with other organisations in projects proposed by other trusted organisations such as CRIC

Name	Jesuit Centre for Faith and Justice
Acronym	
Address	Faith and Justice Centre, 227, Triq il-Merkanti,, VALLETTA
Telephone	2125 1536
Fax	2144 2752
E-mail	cfjjesuit.org.mt
Website	www.jesuit.org.mt/justice/
Brief description – including information on staff and resources, if available (approximately 100 words)	The Jesuit Centre for Faith and Justice is committed to social justice was established after an international call for national focal points to monitor racism and xenophobia. The Centre is the national focal point in Malta of the European Monitoring Centre on Racism and Xenophobia, (EUMC). It is also a member of the Non-Governmental Development Organizations (NGDO) Platform, participating in the creation of the European Anti Poverty Network (EAPN) in Malta. The centre is run by a central team made up of three persons.
Human rights issues covered (approximately 100 words)	The Centre focuses on the fundamental right to life and the necessities for a good life – food, shelter, family, capacity to express ideas, medical care, education and work. It also monitors racism and xenophobia and attempts to tackle the issues they give rise to.
Main activities (approximately 100 words)	This year the Centre conducted a study on the issue of racism in the sectors of education, work , housing and legislation. On this part a network of organisations and individuals expert in these different sectors was created, including the Malta Union of Teachers and the General Workers Union. The centre has also organised together with the Diocesan Commission for Justice and Peace a series of public lectures on the Social Doctrine of the Church regarding solidarity among all men and women in an increasingly intolerant and violent world.

Name	Malta Confederation of Women's Organizations (MCWO)
Acronym	MCWO
Address	Malta Confederation of Women's organizations (MCWO),c/o 35/1, South Street, Valletta, Malta,VLT1100
Telephone	00356- 99435761
Fax	
E-mail	mail@mcwo.net
Website	http://www.mcwo.net/default.htm
Brief description – including information on staff and resources, if available (approximately 100 words)	The Malta Confederation of Women's Organisations represents the concerns, needs and interests of women from all walks of life through dialogue and networking at a national, European and international level. It brings together 14 organisations. Its purpose is to integrate and unify all national women's NGO's and individual members in order to represent Malta at the European Women's Lobby group in Brussels as a full member.
Human rights issues covered (approximately 100 words)	MCWO's vision is to act as an informed and strong lobby group in order to ensure that women and men have equal rights and equal access to their personal integrity and choice and to social, cultural and economic resources, political decision making and caring and family roles. It also aims at linking and raising awareness of women's organisations on European issues; working directly with European institutions to ensure that women's needs and perspective become an equal and integral part of European policies; keeping MCWO members updated on all national and EU directives, regulations and legislation regarding women's issues and gender mainstreaming.
Main activities (approximately 100 words)	The Confederation's activities include monitoring the media and giving timely and informed replies on issues of relevance to gender equality as well as monitoring and making visible the actions /inactions of the national government in relation to matters that affect gender equality; advocating and campaigning for laws and policies that advance and protect women's rights; and engaging with other civil society organisations in order to mainstream gender equality into a broad range of policy activities. It also provides a forum for discussion for members on key issues related to gender equality and organises fund raising activities.

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Name	National Council for the Elderly
Acronym	
Address	76 Triq il-Kapuccini, Floriana VLT15,Malta
Telephone	+356 21243860
Fax	+356 21249098
E-mail	kna@onvol.net
Website	http://www.sahha.gov.mt/pages.aspx?page=88
Brief description – including information on staff and resources, if available (approximately 100 words)	Although the National Council for the Elderly was established by Government in 1993 and falls under the Ministry of Health, The Elderly and Community Care, it is considered an NGO since all its members are volunteers. Essentially the Council brings together Non-Government Associations / Organisations that work on a voluntary basis to promote and safeguard the interests of Elderly persons. At present, there are 18 such Associations affiliated.
Human rights issues covered (approximately 100 words)	The National Council for the Elderly serves as a bridge between the Elderly - whether organised or not - and the Government as well as other International Organisations for the Elderly. The purpose is always that of promoting and safeguarding the interests of the Elderly.
Main activities (approximately 100 words)	It is mainly a forum coordinating and assisting the activities of the various NGOs working in this sector.

Name	Kunzill Nazjonali taz-Zghazagh / The National Youth Council
Acronym	KNZ
Address	36, Triq Zekka, Valletta VLT 1514
Telephone	21 245 375
Fax	21 245 376
E-mail	
Website	www.knz.org.mt
Brief description – including information on staff and resources, if available (approximately 100 words)	The National Youth Council was established in December 1991 as an autonomous entity enjoying a wide national representation of Youth Organisations. Its membership is strictly Youth Organisations and is formally recognised by the Maltese government as the highest youth representative body in Malta. It acts as a forum for dialogue for young people, and represents young people's interests
Human rights issues covered (approximately 100 words)	KNZ aims to Promote a cross-sectoral youth policy; Influence youth policy at a regional and international level; Increase the participation of young people and youth organizations in society as well as the decision-making process; Promote the exchange of ideas and experiences, mutual understanding and equal rights and opportunities amongst young people
Main activities (approximately 100 words)	KNZ provides a democratic platform uniting Maltese Youth, thereby encouraging discussion. KNZ has an influence on youth policies at regional and international level. Its activities evolve not only around advocacy work but also organizing seminars, and has recently also organized a youth parliament

Name	Razzett tal-Hbiberija
Acronym	
Address	Razzett tal-Hbiberija, Zinzell Street, M'Scala MSK4070 Malta.
Telephone	(+356) 21 636 526 (+356) 21 634 412
Fax	(+356) 21 636 525
E-mail	
Website	http://www.razzett.org/
Brief description – including information on staff and resources, if available (approximately 100 words)	The Razzett tal-Hbiberija is a non-profit foundation based in Malta that offers an array of health and leisure services, free of charge, to over 1000 persons with a disability. The Charity is run by a highly qualified management team under the watchful eye of a local Board of Governors, whose president is appointed by the Janatha Stubbs Foundation UK. The charity is self-governed and independent from the state or other entity. It generates some revenues through quasi-commercial activities as there is presently little or no financial support from the government. The charity depends on the generosity of the general public, corporate sponsors and its ability to organise or benefit from regular fundraising activities.
Human rights issues covered (approximately 100 words)	The Razzett Tal-Hbiberija is a caring organization believing in improving the quality of live of disabled persons by providing educational, leisure and therapeutic services free of charge and by helping them develop through creative play and movement. It is committed to supporting government and other organizations to improve services and opportunities available for the disabled.
Main activities (approximately 100 words)	It maintains the largest rehabilitation facility on the island. It organises activities all year round thus, for example including summer schools and winter programmes providing children with the opportunity to participate in activities such as Arts & Crafts, Pottery, Human Animal Interaction, Games, Horse Riding, Singing, Movement to Music, Drama, Swimming and ICT all aimed at improving their quality of life.

Name	Eden Foundation
Acronym	
Address	Bulebel, Zejtun ZTN08 Malta
Telephone	+356 21 807708
Fax	+356 21 807708
E-mail	edenfm@maltanet.net
Website	http://www.theedenfoundation.com/
Brief description – including information on staff and resources, if available (approximately 100 words)	The Eden Foundation is a non-government organisation that works in partnership with people with developmental disabilities to enable them to achieve full inclusion to the best of their abilities by gaining access to mainstream education, employment and leisure activities leading to an independent life. It presently has 343 students and employs around 150 employees including Psychologists, Speech and Language Pathologists, Physiotherapists, Occupational therapists, tutors, facilitators as well as other auxiliaries. It has an annual expenditure of 1.9m Euro, 40% of which is generally covered by the government subsidy; 10% is covered by the parents' tuition fees and the remaining 50% are covered by donations and fund-raising activities.
Human rights issues covered (approximately 100 words)	The purpose of the foundation is to provide partnership to people in Malta and Gozo with learning disabilities, in order to help them, achieve full inclusion to the best of their abilities by gaining access to mainstream education, employment and leisure activities - leading them to an independent life. Furthermore the foundation also aims at helping parents learn to both accept and guide their child on the way forward to a more socially integrated life.
Main activities (approximately 100 words)	The foundation is an institution providing various educational and therapeutic services through a series of professional programmes for children, young adults and families allowing them to integrate and function in places of education, employment or social circumstances. It is prohibited by its statute from turning children away because parents are unable to contribute towards the costs. It also organizes various fundraising and educational activities (such as courses for facilitators).

Name	St. Patrick's Home
Acronym	
Address	St. Patrick's School, St. John Bosco Street, Sliema, Malta. SLM 1925
Telephone	+356 21 336600
Fax	+356 21 314026
E-mail	spsw@povol.net
Website	http://www.salesiansmalta.org/index.php
Brief description – including information on staff and resources, if available (approximately 100 words)	<p>St. Patrick's home is a Salesian institution for young people in need providing a care and school section. It is composed of various separate entities including the Don Bosco Voluntary Service (DBVS) and Dar Osanna Pia (a hostelling service).</p> <p>DBVS lies within the care section and provides boys between the ages of 9 to 16 with an adequate and healthy environment. These boys come from families who have various social problems and therefore find it difficult to provide adequate care and assistance to their children. DBVS is composed of around 60 volunteers the majority of whom are young University students who give their time to help our boys in various tasks on a daily basis. Dar Osanna Pia on the otherhand offers shelter to young men who need a head start in society. The hostel accepts young men from 18 years onwards with particular needs, or going through situations that require immediate intervention and shelter. It provides a family type environment where a person is helped to feel welcomed and accepted. Residents are challenged to acquire the necessary social skills to understand who they are, what crises they are facing, what their strengths are and empower them to plan their future with tranquility and the required professional help.</p>
Human rights issues covered	This NGO provides shelter and support services to children boys and young men in need.
Main activities (approximately 100 words)	The main activity of this group is to support children attending this particular home and co-ordination is done with other outside professionals who work with the boys and their families, such as, Field Social Workers, Psychologists and teachers. Most volunteers support and help the boys in their homework and studies while others accompany boys to outside activities and follow them in their progress. Occasionally, volunteers organise educational and leisure activities for the boys, especially during the school holidays.

Name	DRACHMA
Acronym	
Address	
Telephone	
Fax	
E-mail	Drachmalgbt@gmail.com
Website	http://drachmalgbt.blogspot.com/2007/09/gods-love-for-transgender-people.html
Brief description – including information on staff and resources, if available (approximately 100 words)	Drachma is a group of gay, lesbian, bi-sexual and transgender people who meet to pray. It was established in 2004 as a space to dialogue about one's own faith and sexual orientation, as a safe place where one can focus on the love of God and search for what brings us together rather than divides us. Drachma recently became a member of the European Forum of Lesbian and Gay Christian Groups
Human rights issues covered (approximately 100 words)	Drachma is an equality group aimed at increasing awareness and equality for LGBT people especially within the religious sphere. And focuses on bringing dialogue and raising awareness of the issue.
Main activities (approximately 100 words)	The group organises meetings and lobbies for the inclusion of LGBT people within the Roman Catholic Church. It has organised lectures on religious and sexual issues by Gay theologians that have been used to bring dialogue on these issues within society. It will be hosting the European Forum of Lesbian and Gay Christian Groups in 2012

Annex 3 - Tables and Statistics

