

“Discrimination remains a reality” - Interview with Ms Therese Bugeja

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<<Unfair treatment of a person or group on the basis of prejudice>>; this is one of the many definitions of discrimination that a quick search on Google produces. But the truth is that no matter how it is worded, discrimination remains a reality.

This is something the National Commission for the Promotion of Equality works tirelessly to eradicate, Executive Director Therese Bugeja said, and its success is attributable to a hard working and motivated team, who strongly believe in the principle of equality.

Ms Bugeja admitted that although it was not easy to take over from Sina Bugeja who contributed a great deal to the Commission, however, even though Ms. Therese Bugeja formed part of the Commission for the two years previous to her selection as Executive Director, the new post has given her a fresh perspective on matters related to the work of the Commission as well as equality in general.

Her interest in social welfare is a long standing one, she admitted, and it was not only her work as a nurse which gave her the opportunity to take an active role in the protection of the dignity of individuals, all the work she has done previously has always somehow been related to the social field. Her role as an educator also presented a number of opportunities to raise awareness about the negative effects of discrimination, and the positive effects and positive results of inclusion.

This merges well with NCPE’s ultimate aim, she said, as it is all about catalyzing change, leading to *de facto* equality within Maltese society.

Ms Bugeja admits that she has found ample support, both in her personal life and in her new place of work, as she works with a very hard working and diligent team

A frequent reaction when she told people, particularly women, about her new post was “that’s great; you’re going to fight for women’s rights”. However, Ms. Bugeja went on to say that this is a common misconception, as NCPE’s remit is in fact gender equality, which does not only entail women’s rights. In actual fact, NCPE’s remit includes the equality on the basis of gender and family responsibilities in employment and education as well as equality in the provision of goods and services on the basis of race/ethnic origin and gender/family status.

Ms. Bugeja went on to state that although discrimination is unlawful, in some very specific circumstances namely when there is a genuine occupational requirement; one gender may be given preference over another. One example of such genuine occupational requirement would be of security guards who must conduct body searches. In this case, a female security guard is needed to conduct searches on females. However, Ms. Bugeja reiterated that such cases were rare and such genuine occupational requirements must be proven in order for such difference in treatment not to be considered discriminatory.

At their premises in Blata l-Bajda, a library with a wealth of literature on the subject is also available, and if needed the public is welcome to make use of it by contacting NCPE and setting an appointment, she said.

NCPE also works to raise awareness about rights and obligations in relation to equality as well as remedies available in the case of discrimination. This is done via various initiatives such as awareness raising campaigns, training, research and the identification of good practices.

Following any research which takes place, the findings are analysed, and where issues which need to be worked on are identified, they are communicated with the relevant policy makers with the aim of such issues being taken into consideration in the writing and reviewing of relevant policies and documents.

Currently, NCPE is working on two EU co-funded projects; namely ‘Unlocking the Female Potential’ and ‘Strengthening Equality beyond Legislation’.

The project titled ‘Unlocking the Female Potential’ will investigate the reasons underlying the low female employment rate in Malta and Gozo and aims to promote a working culture that is gender mainstreamed.

NCPE has partnered with key organizations namely the Employment and Training Corporation (ETC), the General Workers Union (GWU) and the Union Haddiema Magħqudin(UHM), Foundation of Human Resource Development (FHRD) and Malta Employers Association (MEA) to ensure the consolidated implementation of the project.

The project also involves a large research component from which recommendations and conclusions on the topics will arise, thus enabling a better understanding of factors that could be limiting female employment.

The recently launched ‘equality mark campaign’, which aims to certify those organisations which are committed to gender equality, also falls under this project, she said. This is the first step to standardizing equality practices.

The second project which is titled ‘Strengthening Equality beyond Legislation’ delves into four (4) research elements and aims to train key stakeholders from different areas of industry, such as media, education and policy making. The project is aimed at reaching out to specific target groups to sensitise and stimulate specific action by stakeholders. Furthermore the project has three main objectives, namely the better implementation of non-discrimination legislation, to develop a national policy to combat discrimination and to foster the dissemination of information on EU and national legislation on the grounds of non discrimination. All this is being done on various grounds of discrimination, namely race, age, disability, sexual orientation and religion –gender is a horizontal aspect throughout the project.

The aim for 2010, Ms Bugeja said, is to increase NCPE’s visibility and exposure with target audiences, not only in terms of making people more aware of NCPE and its work but also strengthening access to redress for victims of discrimination.

It also envisages expanding the processes of raising awareness and continuing to provide training at different levels and across different sectors of society.

Commenting on people's awareness of the Commission and its work, Ms Bugeja admitted that although there has been significant progress, there is always the need for more awareness raising in order to ensure that individuals know about the existence of NCPE and the work it carries out.

The principles of equal treatment and non-discrimination were first worked into the Maltese Constitution in 1964, she said, and in 1987 the European Convention Act was passed. This Act made it possible to enforce the protection of human rights and fundamental freedoms as part of the laws of Malta and NCPE was set up in 2004, by virtue of Chapter 456, the Equality for Men and Women Act.

NCPE's vision is that stakeholders and the population at large become increasingly aware of the fact that equality is at the basis of ensuring a more just society.

One way that NCPE works towards this aim is the investigation of complaints. Ms. Bugeja stated that the investigation of complaints is one of NCPE's main areas of work. Complaints are received and investigated by NCPE's Commissioner who then concludes as to whether or not there was a case of discrimination.

There are many issues which emanate from complaints received by the Commission. In relation to gender, these include discrimination in all aspects of employment, from the recruitment process to job descriptions to issues of equal pay, maternity and sexual harassment. NCPE also receives complaints related to discrimination on the basis of race and ethnic origin. Such complaints have mainly included discrimination in the access to housing. Apart from complaints, NCPE is often contacted for information related to various aspects of discrimination on the basis of race and ethnic origin as well as gender and other issues related to equality.

Ms Bugeja stated that the extension of maternity leave to 14 weeks paid leave was a positive step and that the importance of child care facilities in Malta is being realized. Both are steps towards the mainstreaming of gender in all spheres of society.

In relation to race, Ms. Bugeja said the NCPE denounces any form of racist speech and attitude, as well as any form of discriminatory treatment on the grounds of race or ethnic origin.

The new Commission, which was recently appointed, is headed by Dr Romina Bartolo as the Commissioner. The members of the Commission are Dr Mariosa Vella Cardona, Dr Monica Galea, Dr Vanni Xuereb, Mr Joseph Farrugia, Mr Mario Mallia and Ms Andrea Dibben.