

## **LGBTIQ+ equality in Malta**

Discrimination against LGBTIQ+ people undermines the human rights principles outlined in the Universal Declaration of Human Rights. In essence, “*all States are obligated under international human rights law to promote and protect the human rights of all persons without discrimination*”.<sup>1</sup>

Yet in 70 countries<sup>2</sup>, discriminatory laws criminalize private, consensual same-sex relationships whereas other countries, including Malta, have adopted laws that prohibit discrimination based on sexual orientation.

During Malta Pride Month, we cannot but reflect on Malta’s achievements to date. Indeed, the LGBTIQ+ consultative council was set up by government in 2013, when European Commissioner Helena Dalli headed the Ministry of Social Dialogue, Consumer Affairs and Civil Liberties.<sup>3</sup> The aims of the Council are to advise government on those issues which impact LGBTIQ+ persons and to put forward legislation, policies and other measures to advance their rights.

Moreover, “*Civil Union law was enacted in 2014 in order to provide for same-sex couples who wanted to formalize their relationship but were not allowed to get married back then*”.<sup>4</sup> In 2017, marriage laws were changed so that same-sex couples could also get married.

These achievements developed in a context where Malta has consistently been ranking as one of the most LGBTIQ-friendly countries in the world to live in and has ranked top of the ILGA Europe Rainbow Index for the past five years in a row. Furthermore, Malta has made the shortlist to host Europe’s largest annual celebration of Euro Pride in 2023.<sup>5</sup>

While significant achievements in addressing the forms of discrimination that LGBTIQ+ people face have been made, more efforts are needed to ensure that every person is fully respected regardless of their sexual orientation, gender identity, gender expression and sex characteristics. It is important to note that around 20% of the Maltese disagree that gay, lesbian

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<sup>1</sup> <https://www.ohchr.org/EN/Issues/LGBTI/Pages/AboutLGBTIandHR.aspx>

<sup>2</sup> <https://news.un.org/en/story/2020/06/1066532>

<sup>3</sup> [https://meae.gov.mt/en/Documents/LGBTIQ%20Action%20Plan/LGBTIQActionPlan\\_20182022.pdf](https://meae.gov.mt/en/Documents/LGBTIQ%20Action%20Plan/LGBTIQActionPlan_20182022.pdf)

<sup>4</sup> <https://family-law.com.mt/relationships/marriage-civil-unions-and-cohabitation>

<sup>5</sup> [https://www.maltatoday.com.mt/news/national/104071/malta\\_launches\\_bid\\_to\\_host\\_europride\\_2023#.X09a78gzblU](https://www.maltatoday.com.mt/news/national/104071/malta_launches_bid_to_host_europride_2023#.X09a78gzblU)

and bisexual people should have the same rights as heterosexual people, and the same amount disagree that there is nothing wrong in a sexual relationship between two persons of the same sex.<sup>6</sup>

In this context, awareness-raising to challenge stereotypical perceptions and discriminatory attitudes towards LGBTIQ+ persons is vital. In fact, the National Commission for the Promotion of Equality (NCPE) is currently implementing an EU co-funded project entitled ‘Empowerment for Diversity’ (E4D). This project focuses on the grounds of sexual orientation, gender identity, sex characteristics and gender expression and seeks to address the national societal and cultural impacts which have resulted from the recent legislative advancements through awareness-raising initiatives, capacity building and various analytical activities.

Furthermore, the NCPE is empowered by Chapter 456 of the Laws of Malta to investigate complaints of alleged discrimination on the grounds of sexual orientation and gender identity in employment, education and vocational training as well as by banks and financial institutions.

As Michelle Bachelet, UN High Commissioner for Human Rights, said in September 2018 “*The struggle for the rights of LGBTI people is a core part of the human rights struggle*”. As a society, we must stand united against discrimination and for the right of all to live free and equal in dignity and rights.

*The National Commission for the Promotion of Equality (NCPE) can be contacted on: 2295 7850 or [equality@gov.mt](mailto:equality@gov.mt) or our Facebook page.*

**16<sup>th</sup> September 2020**

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<sup>6</sup><https://ec.europa.eu/commfrontoffice/publicopinionmobile/index.cfm/Survey/getSurveyDetail/surveyKy/225>  
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