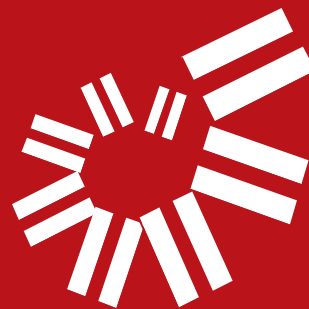


ANNUAL REPORT 2010



NCPE

National Commission
for the Promotion of Equality

www.equality.gov.mt

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A STEP BY STEP GUIDE TO NCPE

1

IF YOU ARE A MEMBER OF THE GENERAL PUBLIC, AN NGO, AN EMPLOYER, OR A GOVERNMENT ENTITY, AND YOU FEEL THAT YOU ARE BEING DISCRIMINATED AGAINST ON THE BASIS OF GENDER IN EMPLOYMENT, TRAINING, GOODS OR SERVICES OR ON THE BASIS OF RACE IN GOODS OR SERVICES OR HAVE ANY QUESTION/S RELATED TO DISCRIMINATION...



RACE



GENDER

2

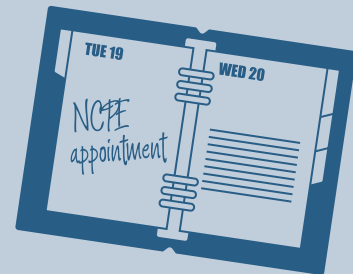
...THEN CONTACT US AT NCPE



TELEPHONE



EMAIL



APPOINTMENT

3

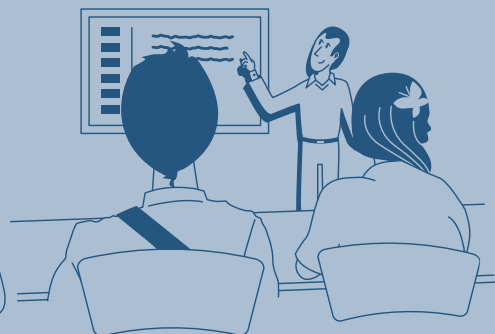
AND THROUGH TRAINING, INFORMATION, LIBRARY, ASSISTANCE & INVESTIGATIONS IN COMPLAINTS, POLICY REVIEWS & RESEARCH - LET US HELP YOU.



MEDIATION



LIBRARY



TRAINING

WHO IS NCPE?

The National Commission for the Promotion of Equality was established as a National Equality Body in 2004, by virtue of Chapter 456, Equality for Men and Women Act. In 2004, NCPE's remit was limited to equality based on gender and family responsibilities at the place of work, in training and guidance. NCPE worked solely on this remit until 2007, with the issuing of Legal Notice 85/2007 Equal Treatment of Persons Order, which extended NCPE's remit to also cover equality on the basis of race and ethnic origin in the access to and provision of goods and services. In 2008, NCPE's remit was further extended to include Legal Notice 181/2008, Access to Goods and Services and their Supply Regulations, which delineates equality based on gender and family responsibilities in the access to and provision of goods and services.

As a Commission, NCPE carries out various tasks in order to promote equality, raise awareness about pertinent issues, research issues related to equality, implement projects with specific aims in relation to equality, support complainants and investigate complaints all in relation to its remit.

How does NCPE live up to its obligations?

NCPE promotes equality and also raises awareness about pertinent issues via different measures and mediums. NCPE works to ensure that individuals know about their rights and responsibilities which emanate from the anti discrimination legislation by providing training to various groups throughout society and also through media campaigns which tackle specific issues as well as promote diversity and non-discrimination.

NCPE believes that research is an indispensable tool which is needed to understand equality related phenomena in society. In 2010, various research tasks have commenced and some of which also finalised via two projects, Unlocking the Female Potential and Strengthening Equality beyond Legislation. Projects are an important part of NCPE's work as, through EU co-funding, NCPE is able to focus on specific issues, specific training and specific research, which are identified as important for Maltese society.

NCPE also contributes to national and international documents. In 2010, NCPE gave feedback on local documents such as the pre-budget as well as the pension reform, amongst others. At an international level, NCPE was consulted about and gave its contribution to a wide array of documents.

NCPE also receives and investigates complaints in relation to its remit. Where needed, the complaints section also provides assistance to complainants.

Apart from what has been outlined above, NCPE also believes in continuous staff development. Throughout 2010, NCPE staff attended both internal, external and international training sessions and also attended seminars, symposia and the like in order to extend their knowledge and expertise in specific areas of antidiscrimination issues as well as to develop their own personal skills. NCPE works on the premise that investing in staff not only benefits the individual on a personal level, but also the entity as a whole.

The following annual report will outline the work NCPE has carried out in 2010.

NCPE works to ensure that individuals know about their rights and responsibilities

NCPE ANNUAL REPORT 2010

NCPE
4th Floor, Gattard House,
National Road, Blata l-Bajda
Tel: 25903850
www.equality.gov.mt

Thanks to Mr. Jason Busuttil
for photos number 5 and 6.

ISBN: 978-99909-89-42-7

MESSAGE FROM THE HON. MINISTER DOLORES CRISTINA

Equal opportunities are a cornerstone of Government's policy. Following the establishment of the National Commission for the Promotion of Equality in 2004 and its valuable work over these years, we have seen significant progress in the promotion of equality in Malta.

NCPE's commitment to embark on national awareness raising campaigns, to carry out continuous research and implement projects on equality and discrimination, particularly to identify the needs of specific groups and specific issues that need to be focused upon according to our local context, to assist different stakeholders in the public and private sector and civil society, to mainstream gender and equal treatment and, last but not least, to serve as a fundamental mechanism to assist individuals and victims of discrimination and unequal treatment are important for the development of an equal opportunities environment.

Gender equality is an important area which shall not be overlooked as further improvement is surely required to ensure that we are addressing the needs of different groups in society who in one way or the other may suffer from inequality based on gender and family responsibilities. Reconciliation of family and work for women and men through the use of family friendly measures, flexible working arrangements and the expansion of child care centres are measures which are crucial to have in a society based on strong family foundations, whilst



ensuring equal treatment to all. During the past year we have seen greater awareness on gender equality, particularly in the area of sexual harassment. The first verbal sexual harassment case paved the way to strengthen information and awareness on this area of discrimination. The NCPE strengthened its work on sexual harassment by providing more information to the general public and communication with employers to minimise such discrimination and to assist victims to come forward and not be

afraid of reporting. It is vital that victims of any form of discrimination report their case to ensure that their rights are being safeguarded and assistance is given accordingly. The issue of under reporting of cases of discrimination is quite high and this comes out from research that the NCPE carried out through its past projects. Therefore, further awareness is necessary to reach out to those who feel vulnerable due to unequal treatment. Another important milestone in the work of NCPE during 2010 was the launch of the 'Equality Mark' Certification. This certification provides incentives to organisations, both in the private and public sector, to ensure an equal opportunities environment, making sure that the opportunities offered to female and male employees are based on individual skills and competencies rather than the sex or marital status or caring responsibilities. I was pleased to give out the first eight awards to different companies and organisations from various sectors showing that employers are putting great effort in adapting their HR practices and policies to be in line with gender equality. It is very good news to learn that not only the Government is promoting family friendly policies but the private sector is also moving ahead in this area. Joint efforts ensure that a society embraces the principle of equal opportunities and non discrimination. The education sector aims to offer equal opportunities to everyone. NCPE focused on this sector during 2010, particularly through the review of the National Minimum Curriculum from an equality perspective, ensuring that the Curriculum is not only inclusive but that it also promotes inclusion as a vital part of the development of a society in which all groups are considered to be equal

and are treated with respect and dignity. Training aimed at secondary and post-secondary students was also fundamental to empower students to enhance and develop their creativity by challenging stereotypes and discrimination. Another important area of equality that falls within NCPE remit is racial equality. This aspect of potential discrimination is very sensitive and more needs to be done to increase awareness to achieve our goal of a more inclusive and tolerant society. This year we have seen the development of a National Action Plan on Racism and Xenophobia which is the first action plan on the subject, aiming to provide direction to anti-racist measures for the next three years. It seeks to build upon and achieve full potential of the legal framework that already exists on racism, as well as the various initiatives that were undertaken by a wide spectrum of stakeholders.

NCPE continues with its investigation of complaints made by persons who feel discriminated against, not only on the basis of gender but also on race and in the supply and provision of goods and services. This mechanism is important as it gives a voice to individuals to ensure that equal treatment and non discrimination prevail.

NCPE's continuous commitment is fundamental to empower citizens with their rights and duties in terms of equality, to ensure that discrimination is minimised with the ultimate aim to achieve a stronger and more inclusive society.

Hon. Minister Dolores Christina

MESSAGE FROM THE COMMISSIONER

Equality is the cornerstone needed to achieve a society where the contribution of every person is equally valued. It is the need to eradicate discrimination which gives the Commission and the executive arm of the NCPE the impetus for its work.

The National Commission for the Promotion of Equality is the Maltese Equality Body which works towards a society free from all forms of discrimination in relation to its remit.

Since its inception in 2004, NCPE has had its remit widened, and now it includes equality between men and women in employment and in education as well as in the provision of goods and services. NCPE's remit also includes non discrimination in the provision of goods and services in relation to race and ethnic origin.

In order to achieve de facto equality, NPCE's work includes not only 'on the ground' measures such as training and awareness raising campaigns, but at a policy and research level by providing feedback to policies and documents as well as conducting research about specific areas which would have been identified. At an individual level, people who feel that they have been discriminated against can also contact NCPE and make a formal complaint. Employers also use NCPE as a point of reference for queries they may have in relation to any equality or discrimination issues.

As an equality body, it is imperative to keep in contact with individuals who may be discriminated against, and for this reason, NCPE gives continuous training and also keeps in contact with NGOs who work in related fields.



The increase of females in the formal labour market in the third quarter of 2010 (according to the Labour Force Survey) to reach 40.7% was a very positive step towards the utilisation of the qualifications and skills of both genders for not only an individual benefit, but also for the benefit of society as a whole.

Yet, there is still a lot which needs to be done in order to ensure de facto equality. It is through further research and keeping in touch with relevant stakeholders that as an equality body we can move towards this de facto equality. Researching specific issues where lacunae are found may lead to a better understanding of specific issues

and through such understanding, will come the ability to specifically target the issues. This is currently being done through an ESF project titled 'Unlocking the Female Potential' which started in 2009 and through which issues related to employment are being researched - the findings will be available towards the end of 2011.

It is also through this same project that NCPE launched the Equality Mark in 2010; this has proven to be a very successful initiative, with 8 awardees in the first ceremony in 2010 and many more currently in different stages of the certification process.

2010 also saw the closure of a PROGRESS funded project titled 'Strengthening Equality Beyond Legislation' through which research and training were the foundations of the project and out of which, NCPE has gathered some very relevant information and data.

It is through such initiatives as well as the everyday working of NCPE that the change needed throughout Maltese society will be seen. The need for individuals, institutions and companies

to equality mainstream the way they think, work and implement initiatives will open the way for there to be real equality which will make a difference in the everyday lives of individuals who are at risk of discrimination. It is towards this aim that NCPE has worked and will continue to work in the coming year.

I would like to thank my predecessors for the work they have done in making NCPE what it is today and hope that this work will continue and come to fruition. Although I am brand new to the position, I am looking forward to working in this field. In the past my experience as a PSD teacher and teacher trainer at the University of Malta has enabled me to promote equality through education and research. School counselling has also brought me face to face with a great deal of suffering when injustice is the result of lack of equality in all areas of the social domain. Consequently I sincerely promise that I shall do my best to satisfy the needs that my position entails.

Ms. Maud Muscat¹

¹ Ms. Maud Muscat was appointed to serve as NCPE Commissioner in February 2011.

MESSAGE FROM EXECUTIVE DIRECTOR

The seventh year since the inception of NCPE has seen many changes, notably a new Commission which has geared up to inject new life in the already prosperous and rewarding past of this entity. Even this Annual Report has been given a facelift!

As an Equality Body, NCPE has many responsibilities to uphold. Our remit covers non-discrimination on the basis of gender in employment as well as in the provision of goods and access to services and non-discrimination on the basis of race in the provision of goods and access to services.

Our aim is to reach out as much as we can in order to maximise our potential. Raising awareness, training and disseminating information on equality empowers our society giving it the necessary tools to achieve better conditions both at work and in their private life.

The past year has seen the implementation of a Progress funded project entitled “Strengthening Equality Beyond Legislation” (SEBL) which trained students, social partners, parents, educators, media persons, the armed forces, the police corps and other bodies which implement equality laws and are in direct contact with potential victims of discrimination.

The training and research which resulted from this project also helps NCPE become more aware of the necessary actions that need to be taken in order to further strengthen this area of legislation and ensure proper implementation and enforcement. The cross-organisational training which formed part of this component also enabled NCPE and



other organisations involved in this training, exchange best practices and establish new working relations.

The research on the preferred media for minorities, which also formed part of the SEBL project, showed that the best way to communicate with migrants about their rights is through meetings. To this end, meetings were held in two open centres with the aid of translators and cultural mediators. Such meetings serve as a springboard for further meetings and more direct involvement with potential victims of discrimination.

The ongoing ESF Project “Unlocking the Female Potential” is also spurring on companies to upgrade their family friendly measures thus ensuring a better work-life balance for men and women in our labour market while the ongoing research shall surely shed more light into the barriers faced by women to access and progress in employment and entrepreneurship in Malta and in Gozo.

The Equality Mark has indeed become a coveted certification among employers who compete for qualified and valid workers – an asset which helps the competitiveness of enterprises and ensures their success.

We now look ahead towards the implementation of two new Projects funded by the Progress Programme. “Think Equal” shall reach out to youths and target all the grounds of discrimination through leaflets, booklets, an art and photo exhibition, a symposium among other activities whereas “Gender Mainstreaming in Practice” shall focus on policies implemented in the Public Sector in order to gender mainstream them. The activities will include a symposium on good practices; two mapping studies; a gender impact assessment study of not more than four policies, preferably ones that cut across a number of Ministries; bilateral meetings; train the trainer workshop; training workshops for public employees and stakeholders; and a final conference. Tools produced will include a gender mainstreaming checklist in infrastructure projects; a

step-by-step guide for gender impact assessments; a checklist for gender impact assessment of government action; and a factsheet on gender mainstreaming.

NCPE is continuously inundated with requests for information on various issues touching on equality and complaints are lodged on a regular basis. The more awareness we raise the more conscious of its rights our society gets. This spurs us to be more visible on the media – a mission we are slowly but surely accomplishing.

With a dedicated and energetic team of women and men whose life ambition is to make equality happen, I am convinced that NCPE will reach its ambitious plan – that of putting equality at the highest possible level.

There are many barriers to overcome such as issues of culture, which are difficult and at times impossible to eradicate completely. However, together with all the stakeholders involved we shall make it our mission to strengthen our message and reach out to all and try to make a difference.

Thanks are due to my predecessors who ensured that their succession included an enthusiastic, qualified and trained staff and a wealth of projects. Thus armed, the winding road ahead looks brighter and somewhat more promising.

Dr. Romina Bartolo

THE COMMISSION MEMBERS

NCPE's Commission had a change of members in 2010, Ms. Grace Attard, and Dr. Myriam Spiteri Debono have moved on to new endeavours, and NCPE would like to thank them for all their time and input which contributed to bringing NCPE to where it is today.

IN 2010, NCPE'S COMMISSION WAS MADE UP OF THE FOLLOWING MEMBERS:

Ms. Andrea Dibben graduated as a social worker from the University of Malta in 2002 and went on to read for an M.A. in Creativity and Innovation with the same University. From 2002 – 2004, she was the coordinator of YMCA's Social Work Programme which included both generic services and a homeless shelter for women and children. She then went on to work on a freelance basis with various organisations focusing mainly on training, research and project management. She further carried out group and community work with socially disadvantaged mothers, asylum seekers and persons experiencing housing problems.

Ms. Dibben also worked with the Department of Social Work and Social Policy as a visiting lecturer and as a project officer on two consecutive EU Leonardo Projects that aimed to facilitate access to tertiary education for non-traditional students. Since 2008, she has been appointed as an assistant lecturer with the same Department on a full-time basis and is currently reading for a PhD in Social Policy at the University of Bristol, UK. She is focusing her empirical research on the subject of teenage pregnancy and parenting in Malta.

Mr. Joseph Farrugia joined the Malta Employers' Association as Director General in November 2001. He was previously employed at the University of Malta where he used to lecture in marketing related subjects to Junior College, B.Comm and MBA students. He has also conducted courses in sales and sales management for the Malta University Services.

Mr. Farrugia has extensive experience in marketing consultancy and was employed as a Human Resources executive with the Gasan Group of Companies between the years 1988 and 1995. His main responsibilities at the Gasan group were industrial relations, collective bargaining, training, and organisational design and development.

Since 1998, Mr. Farrugia has also occupied the post of Chief Executive of the Sense Group, an organisation formed by producers and importers of alcoholic beverages to promote moderate drinking. TSG has conducted numerous campaigns over the years to prevent alcohol related abuse.

For the past eight years, Mr. Farrugia has sat on the board of directors of the Employment and Training Corporation, and of the Employment Relations Board. He also represents the MEA on the Malta Council for Economic and Social Development.

Mr. Farrugia is known in cultural circles as an artist. He has organised numerous exhibitions of his paintings in various venues in Malta, amongst them the National Museum of fine Arts and the National Museum of Archaeology.

Dr. Monica Galea's areas of practice include Financial Services & Banking Law, Trusts & Estate Planning, Company law, Family Mediation. Monica Galea is a lawyer graduated from the University of Malta who has furthered her studies in the fields of financial services, trusts law and family mediation. She has obtained a Diploma in Matrimonial Canon Law and Jurisprudence, an M.A Degree in Financial Services from the University of Malta as well as completed a training course in Family Mediation, accredited by the European Forum for Training and Research in Family Mediation.

Monica Galea worked as a court appointed Family Mediator at the Family Court, Law Courts in Malta between 2004 and 2006.

She is currently practising in her areas of specialisation as a senior associate with Fenech & Fenech Advocates in Valletta, Malta including providing family mediation services.

Monica Galea is currently a member of the Malta Chamber of Advocates, the Maltese Institute of Financial Practitioners, the German-Maltese Circle and the Society of Trust and Estate Practitioners.

Mr. Mario Mallia Graduated B.Ed (Hons) and M.Ed. and holds a Postgraduate Diploma in Educational Administration and Management and a Diploma in Environmental Science. A teacher for twelve years before becoming a deputy head of Senior School at St Albert the Great College for 4 years. Currently a Head of School at St Albert the Great College with responsibilities for both the Primary and the Secondary Sectors. Elected as teacher and parent representative on a number of school councils. Active for many years in a

number of NGO's. Occupied various posts of responsibility on the executive committee of Alternattiva Demokratika. An elected member of the Birkirkara Local Council 2003-2006 on behalf of Alternattiva Demokratika. Co-founder of Union Haddiema Hwienet. Elected representative on the University Students' Council (KSU) for a number of years, serving as vice-president. Was responsible for editorial commentaries on national radios for a number of years. Contributor to a number of publications in the educational and political sphere. Member of the National Commission for the Promotion of Equality since its inception in December 2003 and vice-chairperson on the FES board since 2009. Married to Josephine and has a son Samuel.

Dr. Mariosa Vella Cardona is a practicing lawyer with 13 years of experience. After obtaining a doctorate degree in Law at the University of Malta, she continued to specialize in European Law and Comparative studies by obtaining a Masters degree from the same University.

After serving as a legal officer within the public service assigned to the Maltese Law Courts, she joined Ganado Sammut Advocates, a leading Maltese law firm, as an Associate in 1999. Within the firm, Dr. Vella Cardona dealt mainly with European Law, Competition Law and Intellectual Property. In the period leading to Malta's accession to the European Union, she was also actively involved in the screening process of Maltese laws in order to ensure that the same are in compliance with the EU acquis. Dr. Vella Cardona also conducted lobbying exercises with Maltese and European authorities on behalf of clients.



She compiled a number of reports entailing in-depth analysis of various EU policies including the social and employment policy. She also served as Director and Head Researcher for ERCS Ltd, focusing on research in EU developments and policies and undertaking projects for local authorities and private clients. In 2007, Dr. Vella Cardona moved on to set up her own legal consultancy firm and currently provides legal consultancy services within her areas of specialisation.

Apart from her activity as a local practicing lawyer, she has held various roles over the past years, namely:

- Legal Consultant to Hon. Dr. Simon Busutil, MEP
- European and Comparative Competition law lecturer at the University of Malta
- Lead expert on consumer collective

redress to a national member of the European Economic and Social Committee

- Assistant Secretary General of the Malta Bankers' Association
- Executive member of the National Council of Women

Dr. Vanni Xuereb is currently the Head of the Malta-EU Steering & Action Committee.

MEUSAC's functions are threefold: consultation on EU policies and legislation, dissemination of EU-related information, and providing assistance to local councils and NGOs on EU funds. As an organisation, MEUSAC is committed to ensure that issues raised at the EU level in relation to the promotion of equality are properly debated by civil society.

THE COMMISSION MEMBERS

(LEFT TO RIGHT)

1. Ms. Andrea Dibben
2. Mr. Joseph Farrugia
3. Dr. Monica Galea
4. Mr. Mario Mallia
5. Dr. Mariosa Vella Cardona
6. Dr. Vanni Xuereb



NCPE'S STAFF



The executive arm of NCPE is led and administered by the Executive Director, Dr. Romina Bartolo, who acts in accordance with such policies established by the Commission and such instructions as may be given by the Commissioner. NCPE is set up in the following way:

NCPE staff members (from left):
 Ms. Francesca Dayal, Ms. Amanda Catania, Ms. Lara Bezzina, Ms. Maria Theresa Portelli, Dr. Romina Bartolo, Mr. Brian Galea, Ms. Maria Filletti, Ms. Antoniella Gatt, Mr. Edmond Apap, Ms. Natasha Buha-giar, Ms. Carmen Li Destri, Dr. Matthew Zarb, Ms. Therese Spiteri, Ms. Davinia Vella.
 In absentia Ms. Elaine Dutton.

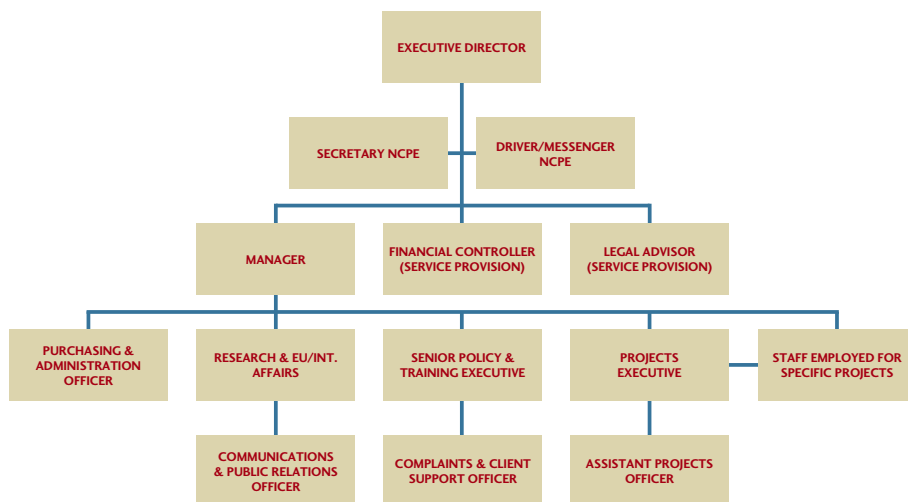


Figure 1: NCPE's structure

HOW CAN YOU BENEFIT FROM NCPE'S SERVICES?

There are various ways in which the public can make use of NCPE's services. Such services include consultation on policy drafting, provision of training, assisting complainants and investigating complaints, access to NCPE's library and documentation centre which is open to the public, information about discriminatory adverts, receiving and answering requests for information and the Equality Mark Certification.

CONSULTATION ON POLICY DRAFTING

NCPE is often consulted by private and public entities for assistance in drafting equality and sexual harassment policies. NCPE provides individuals and organisations who make such requests with two sets of guidelines written by NCPE on how to draft both a sexual harassment policy as well as an equality policy. Furthermore, NCPE may also meet with the organisation in order to assist in drafting of such policies which are specifically relevant to the organisation.

TRAINING

NCPE offers training to various groups in society. Requests for training are discussed with the organisation/ group who request it in order to ensure that the topic is relevant to NCPE's remit as well as to the needs of the organisation/ group. NCPE's training includes various media including music, videos, presentations, discussions and working groups which are used depending on the needs of the organisation/ group. Such requests are made by the private and public sector as well as NGO's, Civil Society Organisations and Educational Institutions. More information on specific training given throughout 2010 will be described in the coming sections. In 2010, a total of 66 training sessions were delivered by NCPE.

COMPLAINTS PROCEDURE

Complaints Form

As per Chapter 456 Equality for Men and Women Act, complaints put forward to NCPE must be in writing. In view of this, NCPE provides a complaints form (in English and in Maltese) for both gender and race respectively. The Complaints Form may be collected from NCPE's offices or downloaded from NCPE's website: www.equality.gov.mt. Complainants may also be assisted by a member of the Complaints Section to fill in the form if support is needed, such as if the complainant is unable to read or write, or has some questions about the form. This is done in the presence of a witness, to ensure an accurate record of the facts stated by the complainant. Complainants are encouraged to present all relevant documentation they may possess in order to support their claim. It is worth noting that the filling in of the complaints form does not bind the person to open a complaint; an investigation will only be initiated with the complainant's go ahead, as pointed out in the complaints form itself.

Investigations

Once in receipt of a written Complaints Form, the case is analysed by the Commissioner who will consequently proceed with the investigation as deemed necessary. Each complaint is acknowledged within one working day from receipt and a case file is opened containing all relevant documentation in relation to the complaint. Once an investigation is initiated, as stated in Article 5 of Chapter 456 Equality for Men and Women Act, a report is requested from the employer/ service provider outlining their position vis-à-vis the complaint which has been put forward. Such report must be sent within ten working days from receipt of the request as also stipulated by law.



What should I expect from an investigation?

As stipulated in Article 18(5) of the Equality for Men and Women Act, all information provided during an investigation is considered to be confidential and can only be divulged in the course of a prosecution or actions for redress. The Commissioner may invite the complainant and the alleged harasser for a hearing to obtain a faithful and clear picture of the facts. Both the complainant and alleged harasser/ discriminator are urged to provide a list of witnesses to further support their case. NCPE is bound by confidentiality and in this respect cannot divulge any information to third parties in relation to the investigation.

Once an investigation is concluded, the Commissioner delivers an opinion about the case. Depending on the outcome of the opinion, the parties involved may be called upon for mediation or to redress the situation and to consider proposals for remedial action to be taken.

LIBRARY AND DOCUMENTATION CENTRE

The library and documentation centre, situated at NCPE's premises in Blata l-Bajda, includes a wide range of books, periodicals, journals and newspaper cuttings that are available to the general public who may need to do research. The majority of the resources available are linked to themes related to equality

on the basis of gender and race in employment and education in addition to politics, the media, health and religion, European Union issues, and sexual harassment, to mention a few. NCPE's library also holds publications on other subjects which are not directly related to its remit, among these those dealing with childcare, sexual orientation, disability and the elderly. Throughout 2010, NCPE continued to expand its library resources with new books and publications bringing the total number of publications to more than 6,500.

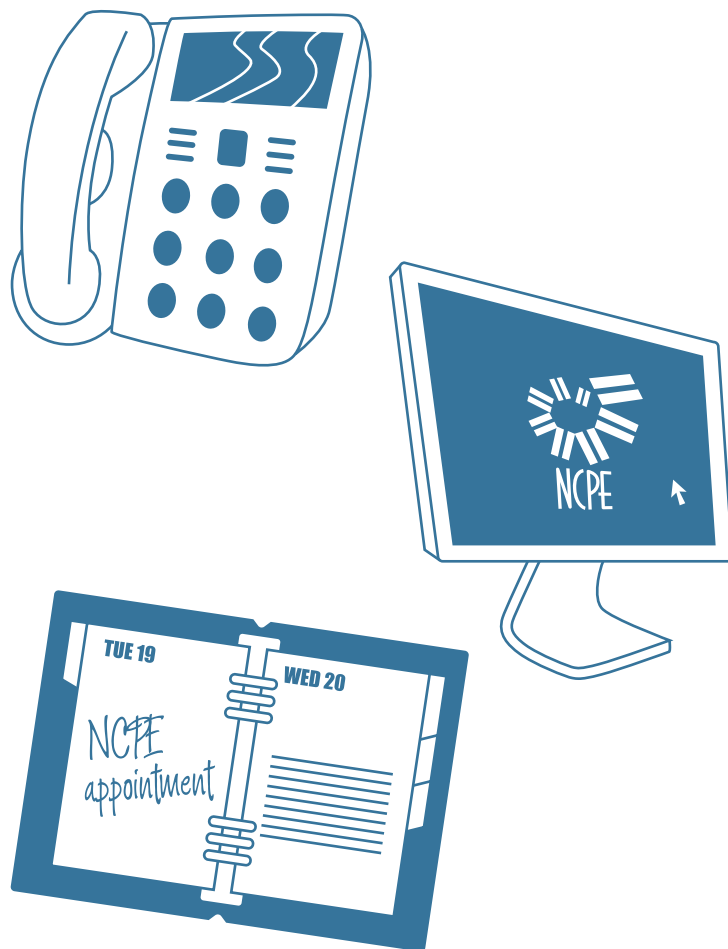
The library also hosts a database of local newspaper articles that are related to equality and the six grounds of discrimination. This archive serves both as a tool for NCPE's staff to use in their work and the general public who may be interested to acquire local information.

NCPE ON THE WEB

The internet, with its vast capabilities of delivering information in fast and creative ways, is an integral part of NCPE's contact with the public both locally and at an international level.

Throughout 2010, NCPE embarked on an initiative to further develop the website so that it is more user-friendly and approachable. NCPE's website features various sections, mainly with NCPE's latest news and events, information about the rights and obligations of the general public, employers and service providers and the procedure of how to report a complaint on discrimination.

Information on all the EU co-financed projects that were undertaken by NCPE are covered in a separate section of the website, which also includes all project-related documents and publications that can be downloaded.



NCPE's new website will retain its current address www.equality.gov.mt

NCPE has also extended its presence on the internet by having two project-related facebook groups available online. The project titled Unlocking the Female Potential has a facebook profile which is regularly updated with news about the equality mark and the project titled Strengthening Equality beyond Legislation (SEBL) has a facebook group in order to promote the project as well as to promote all SEBL activities, but especially those aimed at youths.

DISCRIMINATORY ADVERTS

The Equality for Men and Women Act (Cap.456) delineates that no advertisement relating to any job vacancy, course, training or vocational guidance, as well as the provision of financial services should be discriminatory. This legislation is not limited to text in advertisements but also holds true for any pictures and/or illustrations used.

For equal opportunities to be truly offered to all in society, it is important that advertisements published in newspapers and other media, use gender-inclusive language that in no way indicate that the participation of either gender will be excluded from employment, training or services advertised. Hence, if the heading of the advert of the designation of the post advertised indicates only the male or only female gender, for example, Vacancy for a Waitress, readers may understand that this position is closed to males, thus discriminating against persons of the male gender. To avoid this situation and any possible misunderstanding, headings, titles, designations, etc. should be inclusive and/or neutral when it comes to gender. To this end, the advert should be re-worded, for example: Vacancy for Waiter/Waitress.

In the text of the advert, it is advised not to use 'he' or 'she' as a generic pronoun; and not to use the 'man' to refer to both men and women. Acceptable ways of avoiding the use of male only or female only pronouns are to use 'he/she', 's/he' or preferably

the plural they, their and thereafter altering the structure of the sentences. In the same way that the language used in the advertisement must be gender-inclusive, the same is expected from the images and illustrations which, if showing people, should be representative of both genders. This is because when readers see job-related adverts, they often associate the image with the opportunity. For example, advertising a vacancy for a driver and showing a picture of a man could be interpreted as an opportunity open only to male candidates, irrespective of what is said in the text. Therefore it is important that each picture used has a balanced gender representation and the images should always at least feature one man and one woman.

During 2010, NCPE intervened in 78 cases of gender discriminatory adverts, where publishers/advertising agencies were contacted and informed about the breach of the law. Out of these, there were 60 cases which were contacted for discriminatory text while 18 were contacted for non-balanced gender images that were published as part of the advert. The adverts mentioned above were related to employment as well as to educational opportunities and were published in local newspapers, magazines and also on electronic news websites.

The guidelines issued by NCPE for authors and/or publishers of adverts serve as a guide on what is construed as discriminatory when it comes to job vacancies, services, opportunities and/or training. These can be accessed and downloaded from NCPE's website.

Anyone who would like to make use of any of NCPE's services or who notices discriminatory adverts on local media, should contact NCPE on 2590 3850, equality@gov.mt or by filling the General Contact Form on www.equality.gov.mt

REQUESTS FOR INFORMATION (RFI)

What type of assistance should I expect?

Part of the work carried out by NCPE includes responding to requests for information related to NCPE's remit made by the general public or organisations seeking assistance and information on discrimination and equality issues. In 2010, NCPE received 171 requests for information.

RFIs are acknowledged within 3 days from receipt of the request and when possible, a reply is sent within 5 working days; should it not be possible to provide a definite reply within this time-frame, a provisional reply is sent indicating when the information asked for is to be expected. When NCPE is in receipt of requests for information which are not pertinent to its remit, the person making the request is notified within 5 working days and directed to other relevant bodies working in the field pertinent to the request; information from third parties on behalf of the person making the request may also be obtained when feasible.

If a request is made over the phone, NCPE encourages the individual making the request to pose such request in writing. In view of this, whenever possible, both requests and feedback to/from NCPE are made in writing in order to provide clear and efficient responses. In addition to this, the requests for information also help NCPE to identify topics which need clarification for the general public.

THE EQUALITY MARK CERTIFICATION

Any organisation can apply for the Equality Mark² and the process starts

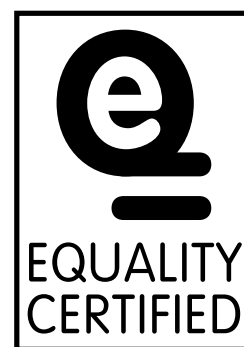
by contacting NCPE, where the Equality Mark Promoter will assist the organisation with the application, including documents that need to be submitted to attest to one's eligibility. These documents are then verified and assessed by the Equality Mark Promoter, which are sometimes followed by visits to the organisation's facilities as well as meetings. The meetings held with employers are a constructive exercise, during which organisations are aided by NCPE to fulfil their obligations according to the law, and implement Human Resources practices which are in line with gender equality principles.

The certification is based on a set of criteria that are split in six (6) main principles that organisations need to show a commitment to, namely:

- Policies and initiatives
- Recruitment and employment
- Employee Equality Representatives or Equality Committee
- Equality in career and personal development opportunities
- Family friendly measures for men and women with caring responsibilities
- Gender Equality in the access to and supply of goods and services

The criteria for certification were developed by NCPE in collaboration with employers and its partners in the project.

When the application is complete and organisations together with the Equality Mark Promoter feel they have reached the desired standard, the application is put forward to the Equality Mark Committee. The final decision will be taken by the vote of the Commission members, who will also formulate any recommendations to the employer if the awarding of the Equality Mark is deemed to be still pending.



NCPE

² The aim of the Equality Mark committee is to assess and formally award the Equality Mark to an organization. The certification process is based on evidence that is collected by the Equality Mark Promoter during meetings with applicants. The Committee is composed of the Executive Director of NCPE, two commission members, Project Leader (or his/her representative as approved by Executive Director), the UFP project coordinator and the Equality Mark Promoter.

WORKING TOWARDS A SOCIETY FREE FROM DISCRIMINATION

From a general standpoint, NCPE works towards a society free from discrimination. This is done through various aspects of NCPE's work, namely projects, requests for information, giving feedback, attending seminars, forwarding complaints, training, and equality mainstreaming.

REQUESTS FOR INFORMATION AND COMPLAINTS

Through 2010, NCPE was in receipt of various requests for information a number of which, although not falling within its remit, were related to discrimination in general. The following are some examples of enquiries received by NCPE on potential situations of discrimination on various grounds not falling within NCPE's remit:

- Alleged discrimination during a job interview due to speech impairment
- Alleged discrimination in advertising due to nationality
- Alleged discrimination in access to employment on immigrants
- Alleged discrimination in access to employment due to nationality
- Alleged discrimination in employment on the grounds of age

The Complaints Department sees to such requests by outlining NCPE's remit and directing the individual to the relevant authority.

NCPE has also received complaints not directly related to its remit. A meeting with a member from the Complaints Section may be requested prior to lodging a complaint with NCPE. This is usually done so that the complainant can clarify any issues or seek advice. If a case put forward to NCPE does not fall within its remit, a complainant is either directed



to the competent authority, or given as much assistance as possible within NCPE's remit. Should a meeting be requested, a member of the Complaints Section outlines NCPE's remit and explains in which way NCPE can be of assistance to the complainant.

NCPE'S CONTRIBUTION TO DOCUMENTS

NCPE also gave feedback to various documents throughout 2010. Such contribution is given with the aim of mainstreaming equality, even if not specifically related to NCPE's remit. Two such documents were:

Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation

The European Commission is proposing a Directive with the aim of implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation outside the labour market.

In fact, this proposed Directive prohibits discrimination by both the public and private sectors in social protection, including social security and health care; social advantages; education; and the access to and supply of goods and services which are available to the public, including housing.

The Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation will:

- Enhance your right to equal treatment on the grounds of religion/belief, disability, age or sexual orientation in areas outside employment;
- Increase protection from discrimination on multiple grounds;
- Enable victims of discrimination to seek assistance and pursue any discriminatory incident by lodging a complaint with responsible bodies; and
- Enhance social inclusion and promote full participation of all groups in society.

In 2010, NCPE gave its contribution on various facets of this proposed Directive, including the scope of the proposed Directive; the concepts of discrimination covered; the definitions and implications of various notions, and so on. NCPE also gave feedback and participated in debates on the protection against discrimination in financial services, as well as on equal treatment in the sphere of housing.

EUROPE 2020 – A European Strategy for Smart, Sustainable and Inclusive Growth

Throughout 2010, NCPE also contributed to the promotion of equality and social inclusion in the Europe 2020 Strategy – A European Strategy for



Smart, Sustainable and Inclusive Growth. NCPE gave feedback on the policies and strategies that increase women's activity rates and improve the quality of their employments; that empower women's contribution towards sustainable economic growth and participation in decision-making areas; and that promote the balanced participation of women and men in family and working life.

In order to reach the objectives set out in the Europe 2020 Strategy, Member States set out their targets in their respective National Reform Programmes.

TRAINING

NCPE offers training to companies, entities, organisations and groups on varying topics, depending on the needs of each specific group. One such topic presented to numerous groups in 2010 includes information about NCPE's role and remit, where information is given on pertinent legislation as well as how NCPE fulfils its duties which emanate from such legislation, including also a description and discussion about the definitions of discrimination and some examples of specific topics such as sexual harassment.

CONFERENCES AND MEETINGS

NCPE also attends conferences and meetings both locally and abroad. Some of the meetings and conferences attended by an NCPE representative in 2010 are the following:

In January 2010, NCPE attended a conference organised by MSOC titled *Il-Familja... Il-bierah, illum u ghada* (The family... yesterday, today and tomorrow) The Conference discussed the differences between yesterday's and today's families. It tackled the changes in roles within families, balancing of work and life and difficulties encountered. In May of 2010, NCPE also attended various activities, including a conference organised by the Spanish Embassy on the Roadmap for Equality after 2010, where NCPE's executive director gave a presentation on NCPE's remit and role in relation to violence against women, and sexual harassment issues. The National Commission for Persons with a Disability (KNPD) also organised a conference in May, about fighting poverty through anti discrimination, which NCPE was represented by the Executive Director, who gave a presentation on the barriers to equality.

At an international level, NCPE attended various training, conferences and seminars organised by different organisations such as EQUINET, the Fundamental Rights Agency (FRA) and the European Commission. Some such sessions held by EQUINET included:

Policy training, held in Belfast;
A high-level legal seminar held in Brussels; Legal training held in Bratislava; and the Annual General Meeting, held in Brussels.

The European Commission held a Legal Seminar on Equality and Anti-discrimination, in Brussels and the 4th Equality Summit held by the Belgian Presidency, was also held in Brussels. FRA organised a Round Table on addressing stereotypes and intolerance towards LGBT persons, which was held in Naples.

NCPE IN THE MEDIA

NCPE believes in the importance of reaching all members of society by means of the various media that are available. The Commission's presence in the media enhances its focus on informing, educating, raising awareness and building collaborative relationships. To this end, throughout 2010, NCPE ensured to make use of today's communication channels to spread its message and promote equality. NCPE would like to thank all the individuals involved in the programmes which featured NCPE in 2010, it is through such cooperation that NCPE's message can be further disseminated.

Over the past year, NCPE has worked to promote equality via interviews and appearances on television and radio. Various topics related to NCPE's remit were covered during a whole Winter schedule (January – March 2010) on Education Channel during the Programme 'Perspettiva' presented by Ms. Joyce Grech. Staff from NCPE informed the viewers about a myriad of subjects that varied from discrimination and equality at the workplace, family-friendly measures, stereotypes and equality between races. NCPE's constant media appearances continued later on during the year on other television stations with the aim being to educate and inform the audience on topics such as sexual harassment, gender stereotypes in children, the gender pay gap and the extension of maternity leave.

NCPE featured in a number of articles in the local print media, namely on the subject of discrimination, on matters related to equality in general and the procedure of complaints lodged with NCPE. NCPE issued press releases for its various events held throughout the year which were given coverage by the main local media. Such press releases included those which detailed the events of the 6th Annual Conference; the Launch of Equality Mark and its First Award Ceremony to eight organisations; the Launch of another co-financed EU project VS/2009/0405 Strengthening Equality Beyond Legislation and its Final Conference held in the last quarter of 2010.

Further to these, NCPE contributed to various articles and news stories written by journalists from local print, television and radio stations on current issues related mainly to gender equality and family responsibilities. Two particular current events related to this subject matter made the headlines during last year – the proposed extension of maternity leave in the EU countries and the first verbal sexual harassment case in which the victim was awarded €2,000 by the Industrial Tribunal. In its media contributions about the proposed extension of maternity leave, NCPE acknowledged the importance of an extension through an adequate implementation period. The Commission emphasised that the economic implications of such a measure cannot be taken in isolation and the social impact needs to be taken into account for the benefit of both the family and society. Through the contributions on sexual harassment to various media entities, NCPE highlighted that sexual harassment at the workplace is a prohibited form of gender discrimination and is unlawful,

even after one instance. NCPE took the opportunity to raise awareness on what sexual harassment may involve and what action one can take in case of discrimination.

NCPE was also requested to contribute to media interviews and articles on its remit, the low female participation rate in employment and the gender pay gap. NCPE also gave its reactions to the National Budget 2011 in a press release distributed to all media.

In addition to these, NCPE deemed it important to reply to certain media reports by outlining its reaction on the subject matter in a press release distributed to all media. NCPE reacted to a study carried out by the Malta Business Bureau (MBB) on the economic impact of an extended maternity leave.

While acknowledging the importance of its presence in the media, NCPE continues its work to strengthen the relationships it has with the means of communication in Malta.

All media contributions mentioned can be accessed on NCPE's website www.equality.gov.mt. In 2010, the project which touched upon aspects of discrimination not only specifically related to NCPE's remit was the PROGRESS 2007-2013 co-funded project: 'Strengthening Equality beyond Legislation' (SEBL).

VS/2009/0405 STRENGTHENING EQUALITY BEYOND LEGISLATION PROJECT

Strengthening Equality beyond Legislation is a PROGRESS co-funded project, which was implemented by NCPE throughout 2010. This project was designed to reach out to specific

target groups to sensitise and stimulate specific action by stakeholders as their contribution towards de facto equality. The expected long-term outcomes of this project are good practices in anti-discrimination and diversity in different sectors throughout Maltese society. The project was based on all six grounds of discrimination; gender (which was treated horizontally throughout), age, disability, sexual orientation, race and ethnicity, religion/belief. This project was made up of three main components: Research, Training and Awareness Raising.

Research:

The first research study involved the analysis of Under-reporting of Discrimination, and it sought the reasons that inhibit people from reporting cases of discrimination to responsible bodies. There were several research questions being investigated, including determining which public bodies are responsible for receiving such reports to, and whether these are effective. The research also endeavoured to establish whether persons are aware of their rights and whether persons who have suffered discrimination are aware of the fact that the treatment they received was, in fact, discriminatory. The results showed that most people do not report cases of discrimination. The most common reasons for not reporting include a lack of knowledge about reporting, embarrassment or fear of further persecution, lack of faith in authorities and feelings of powerlessness. The most effective means to encourage people to report was determined as being better education, media attention and retraining of staff in several entities.

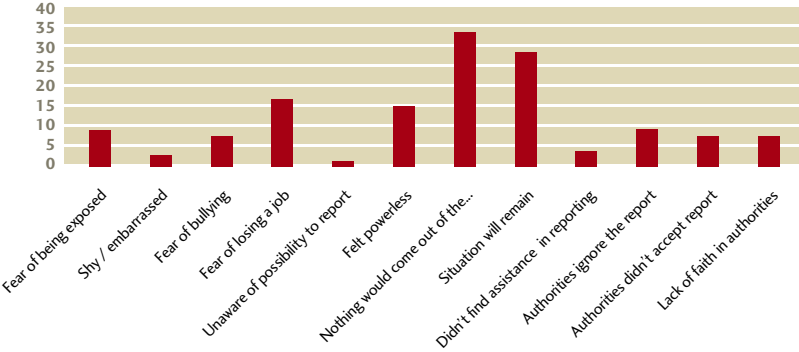


Figure 2: Why people do not report

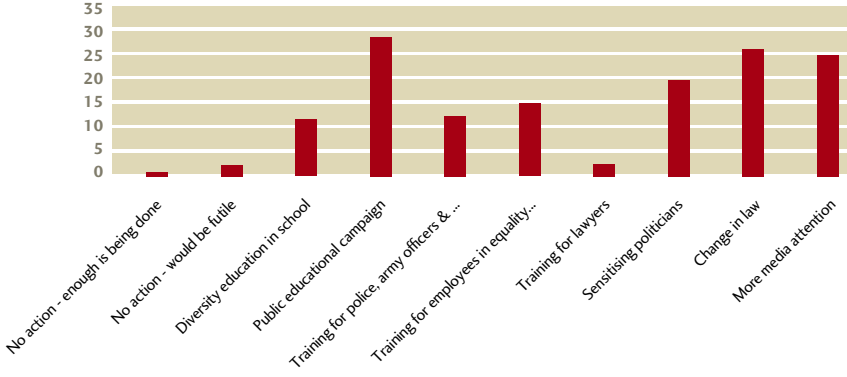


Figure 3: Measures to encourage reporting



Photo 1: NCPE at work

The second research study undertaken was an Equality Review of the National Minimum Curriculum (NMC). The main aim was to analyse the NMC from an equality perspective on all six grounds of discrimination and put forward any suggestions/recommendations as to how equality can be mainstreamed throughout the NMC. The main recommendations put forward were made in relation to four areas: Research; Policy and Institutional Framework; Monitoring and Review; and Awareness Raising and Tool Development.

A Pilot Study on the Preferred Media of Minorities was the third research element undertaken as part of this project. This research focused on identifying the media preferred by minorities in Malta, focusing on the African minority. This research was carried out with the aim of organising campaigns on relevant issues targeted at the African minority in Malta. The results and the short-term campaign that ensued are elaborated on page 40.

The fourth research component, the development of a National Action Plan on Racism and Xenophobia, will also be further elaborated on in page 41.

Training:

The training sessions which were held as part of this project were wide-ranging in their targets as well as in their audience. Many training sessions had as their starting point, a cross organisational philosophy; meaning that both the organisations present at the training session explained the way they work and also identified possible areas of cooperation between the two entities. The scope here was to create a synergy between NCPE and the various stakeholders in order to facilitate networking and possibly also future collaboration.



Photo 2: Cross Organisational training

The training sessions also focused on how non-discrimination legislation could be better implemented and on how a national policy to combat discrimination as well as to promote equality beyond legislation could be developed. This project reached out to specific target groups to sensitise and stimulate specific action by stakeholders to contribute towards promoting and safeguarding equal treatment. Key stakeholders that were involved included: the Ombudsman, the Attorney General, Mediators and Arbitrators, Equality Bodies and Equality Committees, the Police Force, the Armed Forces of Malta, the Data Protection Commissioner, the Public Service Commission; while the Broadcasting Authority and the Institute of Journalism were addressed through a Media Seminar. One-to-one training was also offered to various newsrooms in Malta and Gozo. Direct training was also given to Non-Governmental Organisations, Trade Unions, HR Managers and Employers, Educators, Guidance and PSD Teachers, as well as Parents/Guardians.

“Each person is individually and equally important,”

The training sessions presented statistics and research on the discrimination experienced by the six (6) groups which have been identified as being at risk of discrimination, a presentation on the EU and national anti-discrimination legislative framework where key stakeholders were able to discuss issues, opinions, judgments, various case studies and video clips which focused on instances of discrimination.

Forum theatre sessions, which were aimed at secondary and post-secondary students aged up to 17 years, included a number of exercises, games and short plays which aimed at empowering students to enhance and develop their creativity by challenging stereotypes and discrimination. Forum Theatre was chosen as it gives students an opportunity to have an active role in the training session. This specific role of participation, allows students to learn while they are enjoying themselves. These training sessions were designed to be informative, educational, challenging and entertaining. The events focused on the six grounds of discrimination, however, the themes of bullying; labelling, stereotyping and misconceptions at school had a recurring presence throughout all sessions. A main feature of the forum theatre sessions were various short plays depicting discriminatory instances, where the students could stop the actors and enter the play themselves, either replacing the actors or else being added on as other actors, rectifying the discriminatory situation. Judging by both teachers' and students' comments, students thoroughly enjoyed these sessions and benefited from them. Some of the students' comments about the forum theatre sessions included: "I learned that everyone should be treated equal"; "I wish to keep on studying in this field and hopefully build my career"; and "Each person is individually and equally important".



Photo 3: Forum theatre



Photo 4: Inter-diversity seminar

Another part of training took the form of an inter diversity seminar for youths. The main aim of this seminar was to create a shared understanding of issues relating to discrimination on all grounds whilst facilitating networking between different NGOs. The training also sought to stimulate interest on equality issues relevant in the Maltese Scenario and finally promote good case practices in relation to equality. The final result of the seminar was very positive. A very good learning environment was created and all the participants were challenged through discussions and presentations.

Awareness Raising:

The awareness raising element of the project was mainly based on an online awareness campaign and a newspaper article campaign. The slogan Make Equality Happen was coupled together with the image of the pebble, which was chosen because of its strength and solidity as well as its individuality.

The online awareness campaign, which was featured on the top five Maltese news websites, included a game where the user would have to connect the pebbles in a glowing circle, demonstrating that unity in diversity is the way forward.

The newspaper campaign was comprised of seven (7) media Articles that were printed on all the Sunday newspapers. The main aim of these articles was to shed light and spread awareness of issues surrounding discrimination and sexual harassment at the place of work.

External Evaluation, Equality in Schools Competition & Final Conference:

The project's final event was the Final Conference, during which the final outcomes of the research, the training and the campaigns were presented to the general public and representatives of organisations. The findings of the external evaluator, who evaluated the project throughout its duration, were also presented. During the final conference, NCPE also presented a prize to the winner of the Equality in Schools Competition. The aim of this competition was to promote and reward educational responsibility towards equality by inviting all secondary schools in Malta and Gozo to highlight any initiatives taken with the aim of increasing equal opportunities, creating a more inclusive environment, promoting diversity and enhancing

dialogue in order to improve the quality of life of students at an educational and personal level. This competition gave secondary schools the possibility to present and describe the steps and measures taken/planned in order to promote and implement equality within their school.



Photo 5: Final conference



Figure 4: Online awareness campaign

WORKING TOWARDS A SOCIETY FREE FROM GENDER DISCRIMINATION

GENDER OVERVIEW

Although much more needs to be done to achieve de facto gender equality in Maltese society, various developments were evident in 2010 in this regards. In particular, although the majority of females who are working in paid employment have a full time job (74.9% of females in employment have a full time job)³, women are still under represented in the labour market. In actual fact, the female employment rate is 37.5%, in comparison to 73.5%⁴ for men. Nonetheless, in order to motivate women to remain or return to the labour market, fiscal measures are available to female employees and inactive women. Indeed, fiscal advantages are available to more families, in particular mothers who return to the labour market after a five-year absence can benefit from a one-year exemption from income tax, for every child under the age of 16; and mothers already in employment or who have not been absent for five years, and who return to work after childbirth, benefit from a one-year exemption from income tax, for all children born from 2007 onwards.

In order to enhance equality of opportunities to men and women in the economic and social spheres, the reconciliation of work and private life is crucial. To this end, the commitment to safeguard family friendly measures was further enhanced in 2010. In effect, MPO Circular 36, 'Procedure for facilitating requests for family-friendly measures' reiterates the applicability, eligibility and procedure for the uptake of family-friendly measures by employees within the Public Administration. Also, MPO Circular 18 of 2010 also clarified that work on reduced hours is also applicable to officers who are engaged in the top management category.

Moreover, more childcare facilities are available to assist parents who have child caring responsibilities and participate in paid employment or in vocational training. These child care services are located either within specifically designed facilities or within private homes through Government regulated standards aimed at stimulating and safeguarding the emotional, social and educational development of children⁵.

To this end, in 2010 NCPE continued working by raising awareness on gender equality through training as well as through other initiatives undertaken as part of EU co-funded projects. In effect, NPCE sought to disseminate further information on policy and legislative updates and on related rights and responsibilities in relation to gender equality. Moreover, NCPE continued to assist persons who feel discriminated against on the grounds of gender and family responsibilities in employment, education, by financial facilities and in the access to and supply of goods and services. In effect, NCPE continued to investigate complaints lodged by the general public or by other entities in this regard.

REQUESTS FOR INFORMATION AND COMPLAINTS

Throughout 2010, NCPE was contacted on many occasions via its request for information system. Below is a list of request topics made by the general public, organisations, researchers and entities as well as questions regarding situations which may potentially be discriminatory:

Family Friendly Measures

- Access to and granting of Family Friendly Measures (including maternity leave, teleworking, reduced hours, parental leave, etc.).

³ NSO, 2010. Labour Force Survey Q2/2010

⁴ NSO, 2010.

⁵ Labour Force Survey Q2/2010
Further information on Child Day Care Services is available on:
<http://www.msp.gov.mt/services/subpages/content.asp?id=1809>

At the workplace

- Alleged discrimination at the workplace due to availing of maternity leave;
- Unfair treatment at the place of work against working mothers;
- Rights for pregnant women during probation;
- Working conditions;
- Employers' clarifications as to whether policies adopted were discriminatory;
- Unfair treatment at the workplace;
- Alleged sexual harassment at the workplace;
- Requesting training about sexual harassment at the workplace;
- Alleged discrimination on the ground of gender in the access to employment.

Information on laws and guidelines

- Information on Equality for Men and Women Act;
- Guidelines on implementing an equality policy;
- Guidelines on implementing a sexual harassment policy;
- Information on equality issues in Malta.

Education

- Information on equality for dissertations and assignments.

Sometimes, the requests for information lead to a complaint being opened. However, complaints may also be opened via direct contact with NCPE or through an ex-officio investigation. The investigation of complaints is an important aspect of NCPE's work. All complaints submitted to NCPE are dealt with by the Complaints Section which is responsible for processing complaints, assisting complainants, gathering information vis-à-vis complaints and answering requests for information.

GENDER COMPLAINTS RECEIVED BY NCPE IN 2010

Type of alleged discrimination cases received	Male	Female	Initiated by NCPE	Total
Alleged Gender discrimination in employment	1	9	-	10
Alleged Gender discrimination in access and supply of goods and services	-	1	-	1
Alleged Gender discriminatory procedures by government departments	-	2	1	3

Table 1: Number and subject of complaints based on gender in 2010

Below is a list of complaints lodged with NCPE, from both the private and public sector, in 2010, highlighting some issues related to gender:

Gender discrimination in the provision and/or supply of goods and services:

- Alleged discrimination in education;

Gender discrimination in employment:

- Alleged discriminatory application form;
- Alleged discrimination in employment against breastfeeding mothers;
- Alleged unfair treatment at work due to family responsibilities;
- Allegations of sexual harassment between employers and employees;
- Allegations of dismissal from work due to being pregnant;
- Alleged unfair distribution of shifts based on gender.

NCPE'S CONTRIBUTION TO DOCUMENTS

In relation to NCPE's contribution to documents about gender equality, in 2010, NCPE gave its contribution to the following documents:

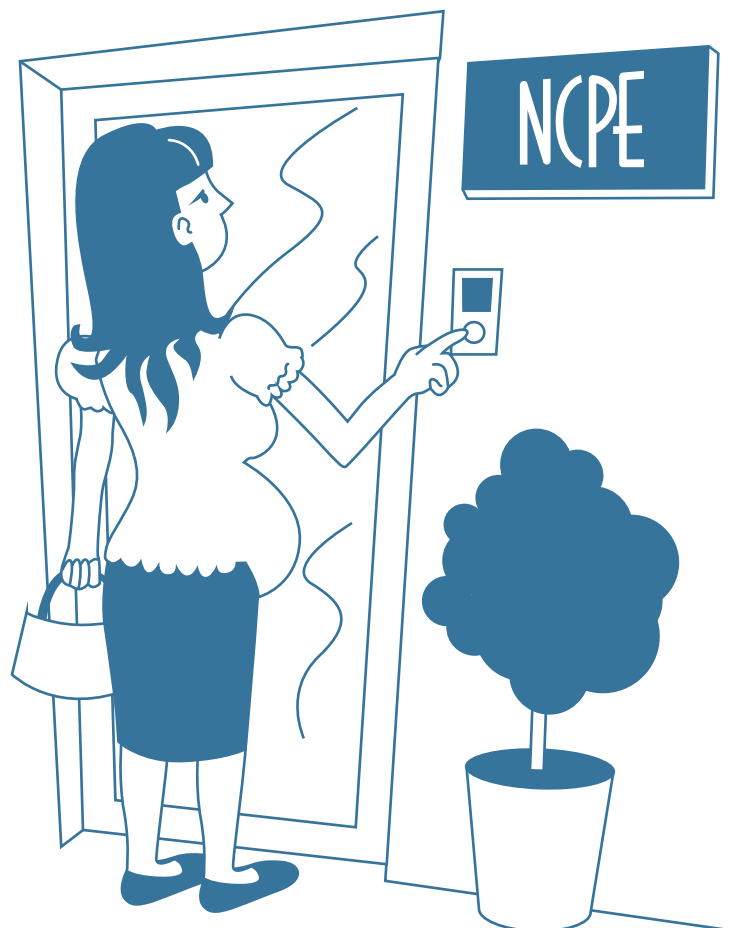
European Commission's Strategy for Equality between Women and Men 2010-2015

In 2010, NCPE gave its contribution on the follow-up strategy of the Roadmap for Equality between women and men 2006-2010. In effect, the new 'Strategy for Equality between Women and Men 2010-2015' aims at addressing the remaining inequalities and other challenges that emerged. In effect, progress is sought to be achieved in five priority areas and a priority addressing cross-cutting issues, through specific actions that stimulate change. Indeed, the actions proposed follow the dual approach of gender mainstreaming and specific measures.

The priority areas covered in the Strategy for Equality between Women and Men 2010-2015 are:

- Equal Economic Independence;
- Equal Pay for Equal Work and Work of Equal Value;
- Equality in Decision-Making;
- Dignity, Integrity and an End to Gender-Based Violence;
- Gender Equality in External Actions; and
- Horizontal Issues.

In 2010, NCPE raised awareness with stakeholders on the new Strategy for Equality between Women and Men 2010-2015 by delivering a presentation and participating in discussion and participating in discussion on this subject matter both during a MEUSAC Core Group meeting and during a MEUSAC



Employment, Social Policy & Health Sectoral Committee meeting.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

Main aims and actions that are highlighted in the articles of CEDAW include the elimination of discrimination and the protection of equal rights of men and women in:

- Political and public life (to participate in the formulation and implementation of government policy and to hold public office);
- Education (same access to studies and curricula, and the elimination of gender stereotypes);
- Employment (same employment opportunities and working conditions, and prevention of discrimination on grounds of marriage and maternity);
- Health (equal access to health care services);
- Economic & Social Benefits (same right to family benefits and financial credit);
- Law (legal capacity identical to both men and women); and
- Marriage and family life (same rights in marriage and as parents).

In 2010, a working group of the Committee on the Elimination of Discrimination against Women examined the fourth CEDAW periodic report of Malta, which developed a list of issues and questions in relation to this periodic report, which NCPE was also consulted about.

The fourth CEDAW periodic report of Malta was then considered by the Committee on the Elimination of Discrimination against Women during a session that took place in October. To this end, NCPE was consulted about the introductory statement for this session. NCPE also compiled additional information and statistical data for the perusal of the Maltese delegation during this inter-active session with the Committee through further consultation with various entities.

Strengthening the Commitment and Stepping Up Action to Tackle the Gender Pay Gap

In 2010, the Council of the European Union discussed the Council Conclusions on strengthening the commitment and stepping up action to tackle the gender pay gap. NCPE acknowledges the importance of the elimination of the gender pay gap to enhance equality between men and women, not only in their working conditions but also to strengthen their economic independence throughout their lives. To this end, NCPE contributed in the discussions by giving its contribution on the subject matter. Besides, in 2010, the Belgian Presidency compiled the report 'The gender pay gap in the Member States of the European Union: quantitative and qualitative indicators' to evaluate the progress made towards the elimination of the gender pay gap. In order to obtain information necessary for analysing the qualitative indicators of the gender pay gap in the European Union, a questionnaire was sent to the Member States and the European social partners. To this end, NCPE compiled information on its endeavours aimed at addressing the gender pay gap, namely research, training and awareness raising on this subject matter. In addition, NCPE also sought to compile data from respective stakeholders that work in this field.

Furthermore, the Belgian Presidency also sought to elaborate a booklet of good practices compiling Member States' and social partners' targeted strategies and successful measures aimed at eliminating the gender pay gap. NCPE answered a questionnaire that gathered such good practices. NCPE delineated how awareness was raised on the gender pay gap through various public service announcements that were aired on local media as part of a past EU co-funded project.

The European Commission launched an information campaign in all EU countries about the gender pay gap. Through the Gender Pay Gap 2010 Campaign, NCPE sought to raise further awareness on the gender pay gap by distributing to interested stakeholders a number of toolboxes (comprising a leaflet, poster and map of the average Gender Pay Gap in different EU Member States) that were developed as part of this campaign.

The Gender Pay Gap:

- is the average difference between men's and women's hourly earnings within the economy as a whole;
- is the consequence of ongoing discrimination and inequalities in the labour market;
- has an important impact on lifetime earnings and on pensions;
- has to be closed for the benefit of employers and workers; and
- has to be closed to equally value both women's and men's work and skills and to create a more equal and cohesive society.

The Eradication of Violence against Women in the European Union

The Council of the European Union drafted Council Conclusions on 'The Eradication of Violence against Women in the European Union', to which NCPE gave its contribution in 2010. These Council Conclusions were then adopted with the aim of addressing all forms of violence against women.

The Council conclusions on the Eradication of Violence Against Women in the European Union adopted in March 2010 state that violence against women:

- seriously violate the enjoyment by women of their human rights (more specifically, the fundamental rights to life, security, freedom, dignity and physical and emotional integrity);
- is a manifestation of the historically unequal power relations between men and women and adversely affects not only women but society as a whole;
- results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, whether occurring in public or in private life; and
- has to be eradicated with the active involvement of men, and of civil society.

In this regard, the European Commission is committed to pursuing a more active policy in the fight against violence against women. In fact, the European Commission is seeking to adopt an EU-wide strategy on combating violence against women, supported by a Europe-wide awareness raising campaign on violence against women. NCPE also gave its contribution to this opinion in relation to the eradication of violence against women and girls.

In relation to violence against women, NCPE also participated in an analytical study by the Council of Europe by gathering and compiling information from relevant stakeholders. This study monitors the implementation of Recommendation Rec (2002)5 of the Committee of Ministers to member states on the protection of women against violence in the Council of Europe member states.

The Beijing Declaration and Platform for Action +15

In 1995, the United Nations convened the Fourth World Conference on Women during which an official document was adopted with the aim of empowering women: the Beijing Declaration and Platform for Action. This Platform for Action is an agenda for women's empowerment that reaffirms the fundamental principle that the human rights of women and girls are an inalienable, integral and indivisible part of universal human rights.

The Beijing Platform for Action calls for strategic action to enhance gender equality in 12 Critical Areas:

- Women and Poverty;
- Education and Training of Women;
- Women and Health;
- Violence against Women;
- Women and Armed Conflict;
- Women and the Economy;
- Women in Power and Decision-making;
- Institutional Mechanism for the Advancement of Women;
- Human Rights of Women;
- Women and the Media;
- Women and the Environment; and
- The Girl-child.

Throughout the years, sets of quantitative and qualitative indicators have been developed in 9 of the 12 critical areas of concern in the Beijing Platform for Action. Moreover, in 2009, the Swedish Presidency of the Council of the European Union carried out the third review of development at the EU-level in relation to the 12 critical areas of concern of the Beijing Platform for Action, with the aim of highlighting the progress and difficulties in attaining equality. This analysis was particularly useful to the discussions that

took place in 2010, 15 years after the adoption of the Beijing Platform for Action. In effect, NCPE contributed to the discussion on the analysis and evaluation of the achievement of the objectives and of the measures established within the critical areas of the Platform for Action by compiling feedback on the main areas that were tackled, namely the economy, health and violence, education and the media, decision making, and future challenges for the European Union.

TRAINING

NCPE also offers training in relation to gender issues, and NCPE's remit. In fact, one of the training sessions given in 2010 included training given for the Staff Development Organisation (SDO) titled Gender Issues. This training session included an introduction to NCPE and its remit, an overview of the pertinent legislation, definitions of discrimination followed by discussions on some of the issues raised and also what tools can be used to ensure gender mainstreaming. A similarly outlined training session was given to ETC clients seeking employment, with an emphasis being made on gender equality at the place of work. Another such training session included training to students at Giovanni Curmi Higher Secondary School, where gender issues were discussed in detail, with examples of cases and tools which can be used which are relevant to the audience.

CONFERENCES & MEETINGS

NCPE also attends numerous meetings and conferences in relation to gender issues, organised by various institutions. In March, NCPE attended a video conference Mrs Viviane Reding, Vice-President of the European Commission responsible for Justice, Fundamental Rights and Citizenship, organised by the European Commission Representation

in Malta. During this video conference, Ms. Reding presented the results of a Eurobarometer survey on Gender Equality and on this opportunity launched the Gender Pay Gap campaign. NCPE also attended two seminars organised by different departments within the University of Malta. The Public Policy Department organised a seminar titled Women and Politics: Presence and Participation in the European Union and the Department of International Relations organised a seminar titled National Responses to European & Global Issues: The role of gender in International Relations. The symposium mainly discussed the issue on how to raise gender issues in Malta's international agenda.

ESF 3.47 UNLOCKING THE FEMALE POTENTIAL PROJECT

NCPE is currently implementing Unlocking the Female Potential, a project part-financed by the European Social Fund (ESF) and co-financed by the Government of Malta. The partners involved in this project are the Employment and Training Corporation (ETC), the Malta Employers' Association (MEA), the Foundation for Human Resources Development (FHRD), the General Workers' Union (GWU) and the Union Haddiema Maghqudin (UHM).

The overall objective of this project is that of increasing the overall female participation in the labour market, by investigating the reasons behind the low female employment rate in Malta and Gozo, while at the same time promoting a culture of equality within the business sector in order to address labour market distortions. As outlined in national policy documents and the EU Lisbon objectives, this is necessary for the economic competitiveness of the state and sustainability of the welfare state.



Therefore, the project seeks to provide indirect incentives for work and provide policy makers with vital information through the research which will be carried out as part of this project.

The specific objectives of the project aim towards the direct benefit of the respective target groups:

- To understand the jobs/skills match for the inactive population, in order to ensure employability;
- To create a need for businesses to become 'certified equal opportunities employers', and to have a family-friendly environment at the work place;
- To incentivise the inactive to the labour market through better work arrangements available; and
- To further promote the need for a work/life balance both for men and women

There are two (2) main components in the project:

1) Research

The research which is being carried out as part of this project includes:

- (a) Identifying, understanding and validating the reasons underlying the inactivity of the female segment in the Maltese population as a follow up research to the studies carried out by the Employment and Training Corporation (ETC) and the EQUAL 4 – ‘Promoting Equal Opportunities through Empowerment’: a past project carried out by NCPE;
- (b) Seeking the factors affecting Gozitan women, in order to identify their perception and needs vis-à-vis employment;
- (c) Analysing what produces the ‘glass ceiling’ and the ‘glass cliff’ in Maltese society;
- (d) A quantitative and qualitative study which seeks to identify whether economic independence is relevant to the Maltese female;
- (e) A comparative study focusing on both male and female entrepreneurs, exploring why such choices were made, and also looking at what their expectations are will be central to the study;
- (f) Understanding the reality of self-employed/contract workers in the tourist industry/cleaning/language schools, and what makes their situation vulnerable
- (g) The effects of social security benefits on the decision whether or not to take up employment; and
- (h) The life prospects of teenage parents with regards to further education prospects, job prospects, pattern of roles, and use of support structures.

It is planned that, following completion of the research, a conference will be

organised to present the research results to policymakers and key stakeholders.

2) The Equality Mark

The second component of the project is the Equality Mark; a certification which is being awarded to companies that make gender equality one of their values and whose management recognises and promotes the potential of all employees irrespective of their gender and caring responsibilities. NCPE is identifying and awarding such organisations by certifying them as true equal opportunities employers.

A pilot study was carried out towards the beginning of the implementation of the project to test the ground in relation to what organisations currently have in place with regards to gender equality as well as to gauge their response to a possible Equality Mark Certification. Whilst gender equality should be implemented in all political, economic and social spheres, the equality mark certification is being targeted towards places of work, with the aim of incentivising and supporting employers to make the most of all the human resource potential available. The equality mark certification also extends to the goods and services offered by the organisation with the aim of ensuring that the service users of that organisation may benefit from the same rights given to employees.

Training sessions

A crucial part in the awarding of the Equality Mark lies with training at least one individual from every organisation as an Equality Representative. NCPE trainers hold information sessions that inform interested entities of the procedure to apply for the Equality Mark, its value in the work place, as well as a basic knowledge of the laws and practices for good Human

The Equality Mark logo has been designed to distinguish the certified equal opportunity employers. Certified organisations are able to use this logo on all outgoing correspondence, including recruitment advertising and press releases. Additionally, certified organisations are promoted locally such that their practices are showcased as a standard for other employers to emulate and for job seekers to look out for.

AWARDEES

Until the end December 2010, ten organisations were certified with the Equality Mark: Betsson, European School of English (ESE), Foundation for Social Welfare Services (FSWS), FTIAS co Ltd, HSBC Bank Malta, Medavia co ltd, Melita plc, National Audit Office Malta, National Statistics Office Malta and Vodafone Malta.

Resource Management and gender equality. Apart from being a compulsory part of the process in obtaining the Equality Mark, such sessions are valuable equality training. Until the end of December 2010, forty-seven (47) persons had been trained as Equality Representatives for their work place. The rationale behind these sessions is that the more persons involved and trained, the better equality is mainstreamed. Additionally, persons placed in strategic positions within organisations who have been in contact with NCPE are more likely to seek information and advice from the Commission on equality issues, when required.

Events and Publicity

The Unlocking the Female Potential Project hosted two (2) major events during 2010. On the 6th July 2010, the project officially launched the Equality Mark certification and opened applications through a press conference. This press conference was held at the Mediterranean Conference Centre and served both as a launch for the project as well as a launch for the Equality Mark. Media professionals and NCPE stakeholders attended the event and the media attention that followed verified the impact the conference had.

On the 15th October 2010, NCPE hosted the first Equality Mark Award Ceremony. Eight (8) organisations were given their certificates and award packs by Hon Minister Dolores Cristina during the event, which attracted approximately sixty (60) persons. TV and radio adverts together with various interviews, billboards, adverts on bus shelters and an online awareness campaign also coincided with the award ceremony to create further awareness about the Equality Mark. Previous to the ceremony newspaper adverts were published to inform the public.



Photo 6: Equality Mark award ceremony



Photo 7: The awarded organisations



Photo 8: Unlocking the Female Potential press conference

WORKING TOWARDS A SOCIETY FREE FROM RACIAL DISCRIMINATION

RACE OVERVIEW

In 2010, the European Union Agency for Fundamental Rights (FRA) published the EU-MIDIS European Union Minorities and Discrimination Survey which analysed the experiences of discrimination and criminal victimisation in the everyday life of immigrant and ethnic minority groups in EU Member States. To this end, a sample of immigrants from Africa was surveyed in Malta. Throughout this study, Malta features as one of the 'top ten' Member States experiencing the highest levels of racial discrimination over a 12 month period. In effect, about half of the respondents claimed to have been discriminated against when looking for work in the past 5 years, and one in three when at work. Discrimination at a café/restaurant was also common (39%) in the last five years, and about one in five respondents also mentioned discrimination by healthcare personnel. Moreover, reporting of discriminatory cases in Malta was extremely low, since only 18% of the persons surveyed officially reported incidents of discrimination. Similarly, a large majority of Africans in Malta have not heard of any Equality Bodies or equivalent organisations in Malta. These results may be due to the fact that 92% of respondents had been living in Malta for 1-4 years only. Although NCPE has continued raising awareness on racial equality with the aim of empowering more persons on their rights and responsibilities vis-à-vis discrimination in various economic and social spheres, the rate of complaints coming in to NCPE is very low. In order to study the reasons for this under reporting, a study was carried out by the Strengthening Equality beyond Legislation project which looked into the reasons why people do not report incidents of discrimination to relevant authorities.

COMPLAINTS

In 2010, NCPE received the following complaints, from both the private and the public sector, in relation to allegations of discrimination on the basis of race/ethnic origin in the provision and supply of goods and services:

- Allegations of racial discrimination in access to visa.
- Allegations of racial discrimination in access to bars and clubs

RACE COMPLAINTS RECEIVED BY NCPE IN 2010

Type of alleged discrimination cases received	Male	Female	Initiated by NCPE	Total
Racial discrimination in access and supply of goods and services	2	-	-	2
Others which were referred to competent authority	1	-	-	1

Table 2 - Number and subject of complaints based on race/ethnic origin in 2010



NCPE'S CONTRIBUTION TO DOCUMENTS

As is done with documents related to gender equality, NCPE provides its contribution to documents which deal with the topic of discrimination on the basis of race and ethnic origin. Some such documents which NCPE provided its feedback on in 2010 were the following:

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

The United Nations' International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) promotes equality in the enjoyment of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life irrespective of race and ethnic origin.

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) calls for the condemnation and eradication of:

- Racial discrimination in all acts, practices and policies;
- Racial segregation;
- Incitement to racial discrimination, and ideas based on racial superiority or hatred;
- Racial discrimination in political rights, civil rights (marriage, owning property etc.), economic, social and cultural rights (work, housing, health, social security, education and training, cultural activities) and the right of access to any place or service intended for use by the general public (hotels, restaurants etc.); and
- Prejudice which may lead to racial discrimination, particularly in teaching education, culture and information.

In 2010, NCPE contributed to the compilation of the combined 'fifteenth to twentieth periodic reports' by Malta submitted to the Committee on the Elimination of Racial Discrimination. To this end, NCPE, alongside other entities, compiled relevant information in relation to its work and responsibilities on the promotion of racial equality. In effect, NCPE delineated its endeavours in raising awareness, investigating complaints, researching and disseminating information on this subject matter.

Research network on Racism, Xenophobia and related intolerances (RAXEN)

Since 2000, the European Union Agency for Fundamental Rights (FRA) collects data on issues regarding racism, xenophobia and related intolerances through various National Focal Points covering all EU Member States.

NCPE gives its contribution on the developments and initiatives undertaken to enhance equality on the grounds of race and ethnic origin on a regular basis. In particular, NCPE delineates the awareness raising campaigns, training and research carried out with the aim of disseminating more information on racial equality. Besides, NCPE also assists and empowers people who feel discriminated against on the grounds of race or ethnic origin in the access to and supply of goods and services by investigating their complaints.

As done in previous years, NCPE provided training to police recruits on the topic of racism and xenophobia. Such training begins with an introduction to NCPE and its remit then moves on to the relevant legislation put in a context relevant to the audience. Case studies are also presented to the audience in order for certain issues to be raised and discussed.

NCPE also attended a seminar organised by the Euro-Mediterranean Centre of Educational Research, titled Young Migrant Women in Secondary Education. The aim of the seminar was to discuss the findings of a research project entitled Young Migrant Women in Secondary Education, so as to explore ways through which young migrant women's experiences in school can be enhanced.

VS/2009/0405 STRENGTHENING EQUALITY BEYOND LEGISLATION (SEBL)PROJECT

The project SEBL, as described in the previous section, tackled all grounds of discrimination. To this effect, race/ethnic origin was one of the topics covered throughout this project.

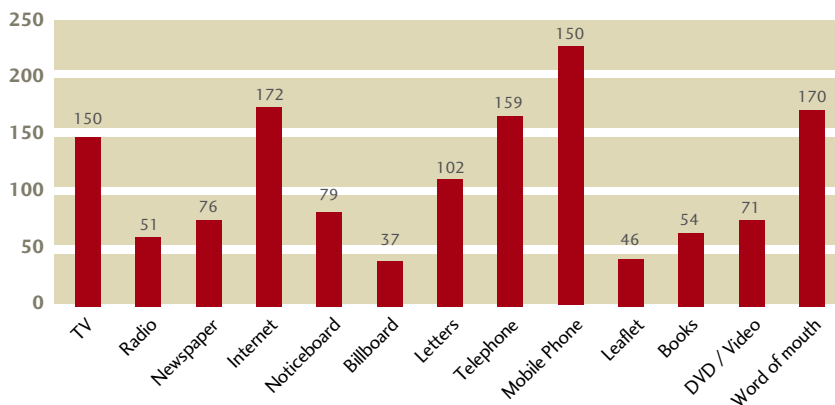


Figure 5 - Preferred Media

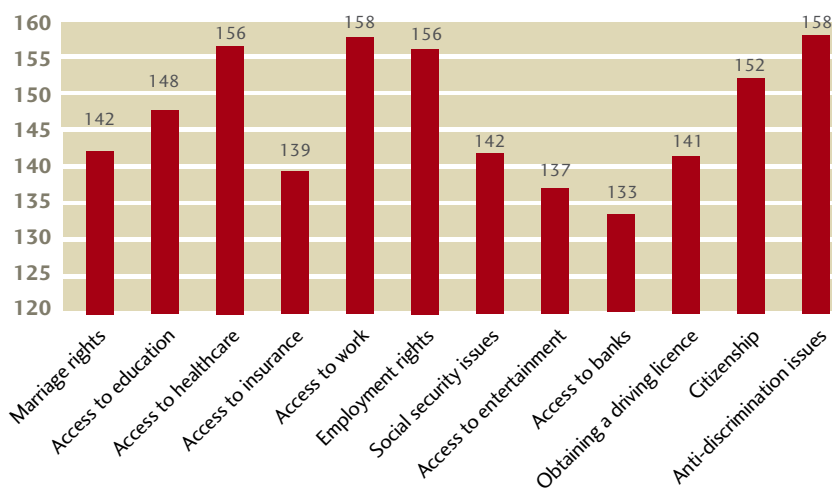


Figure 6 - Issues respondents would like to know more about

Two particular components of the project which dealt directly with race/ethnic origin were the following: research on the Preferred Media of Minorities; a short term awareness raising campaign targeted at the African minority in Malta; and the writing of a National Action plan against Racism and Xenophobia. These will be outlined in more detail below.

Research on Preferred Media of Minorities and short-term Campaign

The research on the preferred media of minorities focused on the African minority given that it is the largest minority in Malta. A total of 250 men, women and children living in open centres and in private residences all around Malta were interviewed. The results of the study can be found in the project's final report or on NCPE's website www.equality.gov.mt. The research delved into what was the preferred media of reaching the minority and it showed that the most popular medium were mobile phones, with 221 (i.e. 88.4% of the sample population) choosing this option. The internet, word of mouth, telephone, and television were also used by the majority of respondents (n=172 i.e. 68.8%, n=170 i.e. 68%, 159 i.e. 63.6% and 150 i.e. 60% respectively) as shown in figure 5 on page 39.

The majority of respondents expressed an interest in receiving information on their rights. The main areas of interest were anti-discrimination issues; namely access to work (n=158 i.e. 63.2%), access to healthcare and employment rights (n=156 i.e. 62.4%).

The results also made it clear that the vast majority preferred a meeting so as to learn more about their rights. As a result, NCPE took on the recommendations put forward by the research and embarked



Photo 9: NCPE at work



Photo 10: NCPE at work

on a short term campaign with the aim of disseminating information on the above mentioned issues through a series of training/information sessions with the aid of cultural mediators speaking Tigrinian and Somali. The said events took place at the Marsa Open Centre and at the Hal far Tent Village respectively. Both the sessions were well attended with some 50 participants in total.

The National Action Plan against Racism and Xenophobia (NAPARX)

Discrimination on the basis of race and ethnic origin remains a widespread reality in Malta, despite the existing legal framework and efforts by various stakeholders. The NAPARX has a number of strategic objectives, as well as specific initiatives to be achieved and implemented over a three-year period. The plan seeks to take into account the different forms of racism experienced by the various minorities, as well as the different levels of racism at both an individual and institutional/systemic level. The NAPARX addresses various minority groups including ethnic, linguistic and religious minorities.

The overarching aims of the plan are:

1. To provide strategic direction to combat racism and xenophobia
2. To develop a more equal, inclusive and intercultural society

The aims are made operational through a number of overarching objectives as well as targeted objectives and initiatives in the fields of:

1. Employment
2. Education and Training
3. Health and Social Services
4. Housing and Accommodation
5. Racist violence and crime
6. Media
7. Policing & the Criminal Justice system

It also addresses a number of overarching issues most notably:

1. Awareness raising
2. Mainstreaming
3. Data Collection and Analysis
4. Empowerment and Capacity Building
5. Reporting of discriminatory incidents



Photo 1 1: Campaign targeted at African Minority

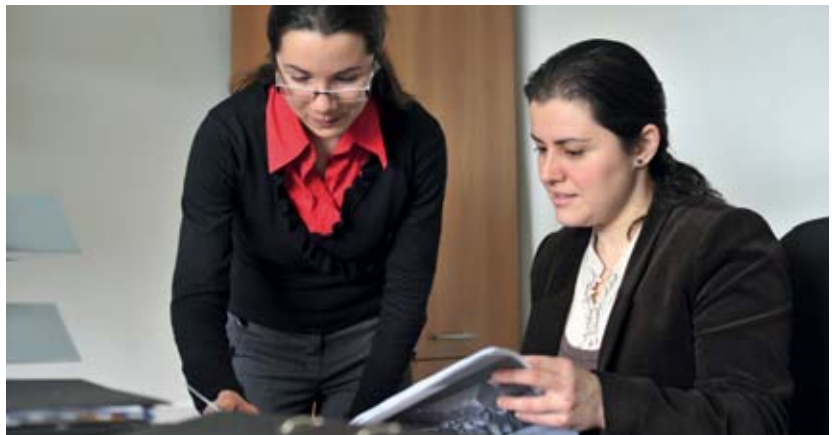


Photo 1 2: NCPE at work

A NAPARX will only be successful if it is implemented with the full cooperation of all relevant stakeholders in a partnership approach. This plan seeks not only to engage the 'traditional' anti-racism partners, but also to delve into new areas and partnerships, expanding its reach and scope of impact.

WORKING WITH STAKEHOLDERS

NCPE believes that in order for equality to be mainstreamed throughout Maltese society, the needs of all stakeholders need to be taken into consideration and the strength of all stakeholders needs to be tapped in to.

Different organisations have different expertise and it is only by working together across organisations and spheres that equality can be truly mainstreamed, and that the needs of the groups which are vulnerable to discrimination will be identified.

NCPE has worked with various organisations to ensure that the needs of all stakeholders are taken into consideration. Some such examples of cooperation include 'working a network of experts' which was set up through a project in previous years which worked to ensure that the issues of all six grounds of discrimination were taken into consideration in the implementation of the project. The idea of the network was then used as a basis to get into contact with varying NGO's, Civil Society Organisations and other organizations such as trade unions and employers' associations, governmental agencies and other social partners.

In 2010, such work included consultation meetings and partnerships in projects, namely the Unlocking the Female Potential (UFP) project, which was outlined on page 34.

Consultation meetings were held on various occasions in 2010 with social partners. One such consultation meeting was held with bankers, insurance providers, NGO's, KNPD and banking and insurance associations which had the aim of providing NCPE with its

contribution on the effect the coming into force of the Proposed Council Directive on Implementing the Principle of Equal Treatment between persons irrespective of religion or belief, disability, age and sexual orientation would have on them. This meeting came into effect because of a questionnaire on the use of age, disability, sex, religion/belief, race/ethnic origin and sexual orientation in financial services which took place in all member states and the results of which eventually fed in to the drafting of the abovementioned Directive. In March of 2010, insurance service providers were also invited to an information meeting on the NCPE guidelines implementing Article 5 of LN 181/2008 and Directive 2004/113/EC and to discuss the effects this article has on the responsibilities of the service providers.

There was also further collaboration with social partners when NCPE held a meeting with various NGOs and Intergovernmental Organisations (IGOs) working in the field of race, ethnicity and migration, as well as trade unions, employers' associations and equality bodies who come in contact with issues of race, ethnicity and migration in their work. Entities participating in this meeting included the Jesuit Refugee Services (JRS), Migrants' Network for Equality, Malta Emigrants Commission, Jesuit Centre for Faith and Justice, People for Change Foundation, United Nations High Commissioner for Refugees (UNHCR) Malta, International Organisation for Migration (IOM), Solidarity Overseas Service (SOS) Malta, Agency for the Welfare of Asylum Seekers (AWAS), Malta Employers' Association (MEA), General Workers' Union (GWU), Union Haddiema Maghqudin (UHM) and the Department of Industrial and Employment Relations (DIER).

This meeting was held in order to discuss the major issues that need to be addressed concerning the current situation in Malta with regards to race, ethnicity and migration. Discussions ensued on what each of the entities is currently working on as well as if, and how, NCPE can collaborate with these organisations to ensure that the work being carried out in this field continues to build on what has been done so far and aims at achieving the results needed.

It is intended that other such meetings towards collaboration in this field are held to continue working towards the way forward, not only in order for there to be support for various actions, but also to ensure that work is not duplicated.

NCPE also has the role of mainstreaming equality by giving assistance in the EU project writing stage. This is done by providing a checklist as well as by giving individual feedback to potential project beneficiaries, to ensure that potential projects have a role in mainstreaming equality that goes beyond the provisions laid out in legislation, in fact, NCPE works towards equality having a horizontal role in each potential project.

Committees

NCPE also sits on various Committees, where it ensures that not only is equality mainstreamed into the work of each Committee, but on committees at a European Level, NCPE also ensures that the specific circumstances of Malta in relation to equality are taken into consideration.



Photo 13: NCPE at work

At a European level, NCPE sits on various Committees and/or is a member of:

European Network of Equality Bodies (EQUINET)

Equinet develops co-operation and facilitates information exchange between Equality Bodies across Europe to support the uniform implementation of EU anti-discrimination law and the levelling-up of legal protection for victims of discrimination. The aim of Equinet is to help Equality Bodies fulfil their mandates by establishing a sustainable network and resource base for the exchange of legal expertise, enforcement strategies, training and best practice as well as a platform for dialogue with the European institutions.

Informal Council of Europe Network on Gender Mainstreaming

The Informal Council of Europe Network on Gender Mainstreaming is aimed at creating a forum where gender mainstreaming specialists meet once a year with experts from other disciplines to discuss ways of promoting this strategy in their activities.

These meetings provide an opportunity for Member States to exchange good practices and discuss ways of overcoming the obstacles to implementing the strategy. One of the aims is to provide an impetus to develop networks at national, regional and international levels.

At a local level, NCPE sits on a number of Committees, including:

For Diversity Against Discrimination National Working Group

Launched by the European Commission's Directorate General for Employment, Social Affairs and Equal Opportunities in 2003, the "For Diversity. Against Discrimination." information campaign informs people in Europe of their rights and responsibilities under EU legislation.

The campaign is organised in all 27 EU Member States to raise awareness of discrimination and the legislation which exists to combat it as well as to highlight the benefits of diversity within the workplace and to society at large. It sets out to combat any discrimination based on a person's racial or ethnic origin in all areas of life and any discrimination in the workplace based on age, disability, sexual orientation, religion or belief.

To adequately implement the campaign at national level, National Working Groups have been set up which bring together discrimination experts from different sectors and organisations in all 27 EU Member States. By bringing together representatives from NGOs, business organisations, employer and employee associations, trade unions, and national ministries, the campaign is benefiting from the expertise of a wide range of people working across the EU. NCPE is a member on this working group.

European Agricultural Fund for Rural Development (EAFRD) Monitoring Committee

NCPE was nominated to sit on the European Agricultural Fund for Rural Development (EAFRD) Monitoring Committee. The Monitoring Committee includes 16 representatives from economic and social partners, local and public authorities, and other bodies representing civil societies and NGOs. The tasks of the Monitoring Committee include: the assessment of the selection criteria for operations that will be financed through the programme; scrutinising implementation results by monitoring utilisation of financial allocations to the respective measures and progress in achievement of programme targets; consideration and approval of the annual progress reports before onward submission to the Commission by the Managing Authority; proposing to the Managing Authority any adjustments or reviews to the Plan as may be necessary to achieve the objectives of EAFRD or to improve the implementation and/ or financial management of the plan; as well as considering and improving any proposal to amend the content of the programme prior to submission to the Commission.

European Fisheries Fund Monitoring Committee

The European Fisheries Fund (EFF) 2007-2013 contributes to realising the Common Fisheries Policy (CFP)

objectives, which specifically consist of ensuring the conservation and sustainable use of marine resources. The EFF focuses on five (5) priorities: measures to adapt the EU fishing fleet; aquaculture, inland fishing, processing and marketing; collective action; sustainable development of fishing areas; and technical assistance. NCPE sits on the Monitoring Committee, whose roles include assessing progress in reaching the objectives of the operational programme for Malta, and analysing and approving the selection criteria for the financed operations. NCPE's role is to give horizontal feedback on issues related to equality.



Photo 14: NCPE at work

FINANCIAL OVERVIEW

The total recurrent cost for the year ending 2010 amounts to €281,331. 80% (€225,680) of the total cost related to Staff salaries and Honoraria and 20% (€55,651) was for maintenance and operational expenses. An analysis of the operational expenses is better explained by the figure to the right.

The figure clearly shows that more than a quarter (41%)⁶ of the operational expenses accounted to repair and upkeep (€23,219). This expense mainly included utilities and maintenance costs for the running of the premises.

During the financial year under review the Commission also succeeded in making use of EU funds. The following is a table highlighting the various projects which the Commission participated in and their respective budgets for year ending 2010.

The expenditure reported for the operational period under review was in line with what had been budgeted. This was only attainable through continuous monitoring and review when needed by all staff concerned.

⁶ Repairs and Upkeep include general repairs & maintenance, IT repairs & maintenance and office machine maintenance.

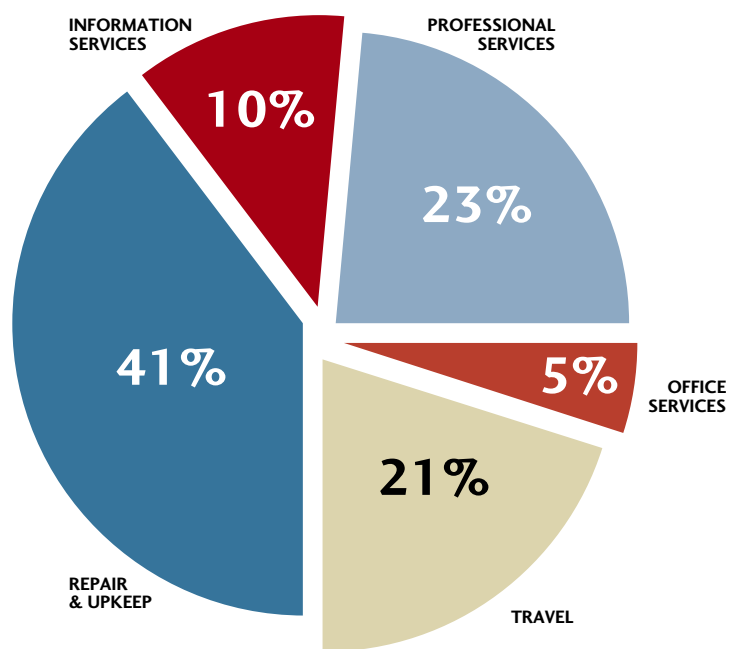


Figure 7: Operational & Maintenance Expenses

Name of Project	Budget (€)
Establishment of a Network of socio-economic experts in the field of anti-discrimination – Conference organisers	€2,392
ESF 3.47: Unlocking the Female Potential	€189,716
VS/2009/0405 Strengthening Equality Beyond Legislation	€178,515
TOTAL	€370,623

Table 3: Projects' Expenditure for 2010

LOOKING AHEAD

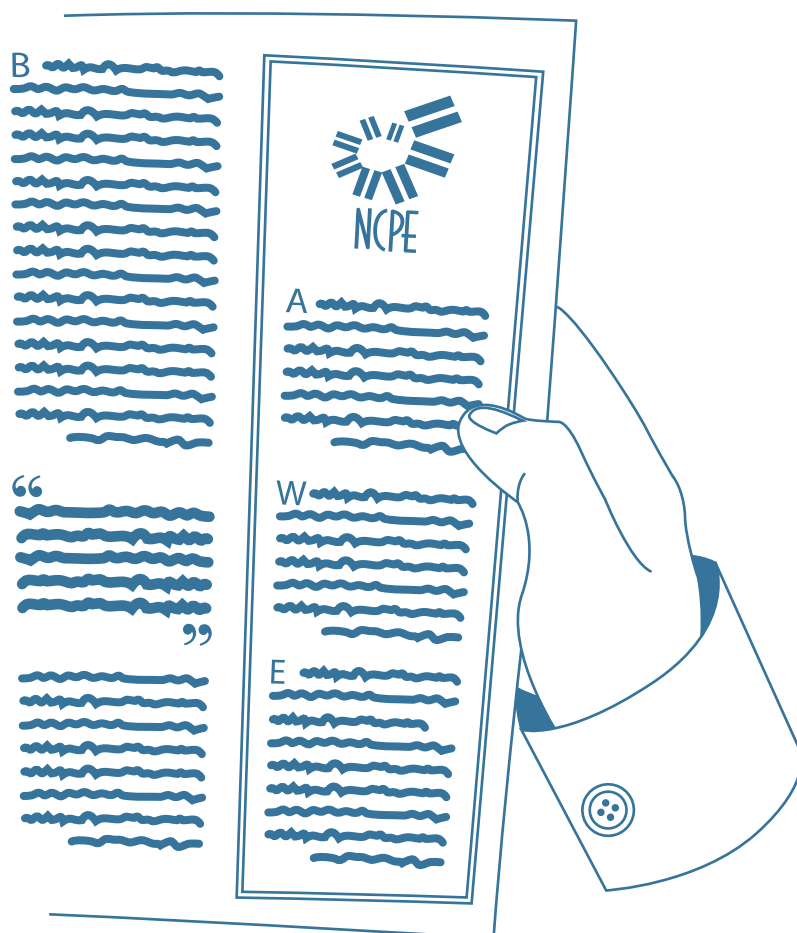
In the coming year, NCPE plans to continue working on its awareness raising and training, with the aim of reaching as many people as possible. Reaching out to the public, especially those who feel discriminated against, is one of the main tasks of NCPE, this deems it necessary for NCPE to strengthen its presence in the media by making the best use of all means available.

NCPE also recognises the importance not only of the media, but also of training individuals and groups throughout society on their rights and responsibilities in relation to equality and also about means of redress if an individual has been discriminated against. To this end, NCPE will also continue training groups and individuals who request such training.

Both the media and training are imperative in giving individuals information not only on equality but also on NCPE, and specifically on NCPE's complaints procedure which has been explained on page 15.

In the coming year, NCPE looks at building on what it has already achieved. Opportunities for funding specific actions such as through EU co-funding will be continuously sought to further take steps towards there being both de jure and de facto equality. Projects can be used as part of the means to reach this end, serving to campaign and promote effective legislation as well as to raise awareness and educate on these issues (including equality mainstreaming).

NCPE has in 2010 applied for another two projects, for which it has also received approval in the fourth quarter of 2010. These PROGRESS projects will be implemented during 2011, Think Equal and Gender Mainstreaming-in Practice.



VS/2010/0569: Think Equal

The objectives of this project are to enhance and promote a shared understanding of equality, non-discrimination and diversity; stimulate debate on equality, diversity and multiple discrimination within sections of society that have a multiplier effect; train and empower youths to live diversity; compile data on the perception of, and readiness towards, diversity of youths and of public employees; compile data on the extent, nature and areas within which discrimination is experienced by LGBT persons and racial groups; and provide data upon which legislation, policy and action plans may be designed.

These targets will be reached through a symposium; a training seminar involving persons who have experienced discrimination as some of the speakers; an 'Equality in Arts' and photo exhibition and competitions; as well as a 'Diversity through Music' concert. The project will also include qualitative and quantitative research studies, as well as the publication of leaflets for youths; an information booklet to empower professionals working with victims and potential victims; and the compilation of relevant case law, including FAQs.

VS/2010/0819: Gender Mainstreaming – in Practice

The overall objectives of this project are to strengthen knowledge, understanding and implementation of gender mainstreaming. These objectives will be reached through various actions. The action being proposed for this

project is multi-fold. It seeks to strengthen the network of persons within National Ministries who are empowered in implementing effective gender mainstreaming and also a network whose members support each other in this task. Throughout the project, the focus is on providing 'on the job' training, thereby capitalising on the knowledge that the target groups have of relevant concepts. At the same time, tools will be designed to ensure the creation of policies that address the needs of men and women. Trainees will be supported by a mentoring facility through the setting up of a Consulting Team, the members of which will be available to assist public employees with difficulties they encounter in their gender mainstreaming exercise. Throughout the project, the Consulting Team will also be holding bilateral meetings with high level officials, thereby sensitising them further to the need and benefits of gender mainstreaming, and providing one-to-one information and advice. Other activities include a symposium on good practices; two mapping studies; a gender impact assessment study of not more than four policies, preferably ones that cut across a number of Ministries; bilateral meetings; a train the trainer workshop; training workshops for public employees and stakeholders; and a final conference. Tools produced will include a gender mainstreaming checklist in infrastructure projects, a step-by-step guide, a checklist for gender impact assessment of government action; and a factsheet on gender mainstreaming.



ANNUAL REPORT 2010
National Commission for the Promotion of Equality

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