

Malta

Malta is a Member State of the Council of Europe (COE) and of the United Nations (UN), and has human rights obligations at the regional and universal levels.

Regional: European System



As a Member of the COE, Malta has ratified the European Convention on Human Rights and is subject to the jurisdiction of the [European Court of Human Rights](#). Malta has ratified the Revised European Social Charter, but has not authorized the [European Committee of Social Rights](#) to decide collective complaints against it. Its human rights policies and practices are also monitored by the [COE Commissioner for Human Rights](#), who identifies gaps in human rights protection, conducts country visits, engages in dialogue with States, and prepares thematic reports and advice on human rights obligations.

Individuals and groups have submitted complaints of human rights violations committed by Malta to the European Court of Human Rights. For example, the Court found violations of the rights of access to court and respect for private and family life based on the legal impossibility of seeking review of the State's decision to terminate a mother's parental rights over minor children, based on changed circumstances. See ECtHR, [M.D. and Others v. Malta](#), no. 64791/10, ECHR 2012, Judgment of 17 July 2012. Additionally, the Court may grant [interim measures](#) to protect people in urgent situations of risk in Malta.

As a State party to the Revised European Social Charter, Malta must submit yearly reports to the European Committee of Social Rights on its implementation of the Charter's provisions.

Malta is a [party](#) to the following **regional human rights treaties**:

- European Convention on Human Rights and several of its [protocols](#)
- Revised European Social Charter
- COE Convention on Preventing and Combating Violence against Women and Domestic Violence
- COE Convention on Action against Trafficking in Human Beings
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
- Framework Convention for the Protection of National Minorities

United Nations System

As a UN Member State, Malta is subject to the oversight of various [UN human rights bodies](#), including the [Human Rights Council](#) and its [Universal Periodic Review](#) and thematic [special procedures](#). As a party to specific universal human rights treaties, Malta's policies and practices are monitored by UN [treaty bodies](#). It has accepted the complaints procedure of five treaty bodies.

Malta has ratified the following **UN human rights treaties**:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Convention for the Protection of All Persons from Enforced Disappearance (CED)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention on the Rights of Persons with Disabilities (CRPD)
- Convention on the Rights of the Child (CRC)
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

Malta has submitted a reservation, declaration, or understanding that modifies its obligations under the following treaties: [ICCPR](#), [ICESCR](#), [CEDAW](#), [CRPD](#), and [CERD](#).

Malta has also ratified the Second Optional Protocol to the ICCPR aimed at abolishing the death penalty, and optional protocols to the CRC addressing children in armed conflict and the sale of children, child prostitution, and child pornography. Malta has a duty to submit **State reports** to the UN treaty body associated with each UN human rights treaty Malta has ratified. These reports must be submitted on a periodic basis and describe the steps Malta has taken to implement the treaty provisions.

Malta has also ratified **optional protocols** and made appropriate declarations allowing individuals to submit **complaints** against the State alleging violations of the ICCPR, CAT, CEDAW, CRPD, and CERD. Additionally, certain UN treaties contain **inquiry procedures**, which allow the UN treaty body to consider allegations of grave or systematic human rights violations. Malta has accepted the inquiry procedures of the CAT and CRPD.

In March 2001, Malta extended a **standing invitation** to UN special procedures, which means that any such mandate holders are welcome to conduct visits in Malta. For example, in 2010, the Working Group on Arbitrary Detention published a [report](#) on its 2009 visit to Malta.

For more information on Malta's engagement with [UN human rights bodies](#), visit <http://www.ohchr.org/EN/countries/ENACARegion/Pages/MTIndex.aspx>.

Last updated: February 2020