

MALTA

CCPR

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Reservations:

- "1. Article 13 - The Government of Malta endorses the principles laid down in article 13. However, in the present circumstances it cannot comply entirely with the provisions of this article;
2. Article 14 (2) - The Government of Malta declares that it interprets paragraph 2 of article 14 of the Covenant in the sense that it does not preclude any particular law from imposing upon any person charged under such law the burden of proving particular facts;
3. Article 14 (6) - While the Government of Malta accepts the principle of compensation for wrongful imprisonment, it is not possible at this time to implement such a principle in accordance with article 14, paragraph 6, of the Covenant;
4. Article 19 - The Government of Malta desiring to avoid any uncertainty as regards the application of article 19 of the Covenant declares that the Constitution of Malta allow such restrictions to be imposed upon public officers in regard to their freedom of expression as are reasonably justifiable in a democratic society. The code of Conduct of public officers in Malta precludes them from taking an active part in political discussions or other political activity during working hours or on the premises.

The Government of Malta also reserves the right not to apply article 19 to the extent that this may be fully compatible with Act 1 of 1987 entitled "An act to regulate the limitations on the political activities of aliens", and this in accordance with Article 16 of the Convention of Rome (1950) for the protection of Human Rights and Fundamental Freedoms or with Section 41 (2) (a) (ii) of the Constitution of Malta;

5. Article 20 - The Government of Malta interprets article 20 consistently with the rights conferred by Articles 19 and 21 of the Covenant but reserves the right not to introduce any legislation for the purposes of article 20;
6. Article 22 - the Government of Malta reserves the right not to apply article 22 to the extent that existing legislative measures may not be fully compatible with this article."

DECLARATION RE: ARTICLE 41

(Unless otherwise indicated, the declarations were made upon ratification, accession or succession)

"The Government of Malta declares that under article 41 of this Covenant it recognises the competence of the Human Rights Committee to receive and consider communications submitted by another State Party, provided that such other State Party has, not less than twelve months prior to the submission by it of a communication relating to Malta, made a declaration under article 41 recognising the competence of the Committee to receive and consider communications relating to itself."