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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

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Item 6 of the provisional agenda

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES IN
ACCORDANCE WITH ARTICLE 16 OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

REPLIES BY THE GOVERNMENT OF **MALTA** TO THE LIST OF ISSUES
(E/C.12/Q/MLT/1) TO BE TAKEN UP IN CONNECTION WITH THE CONSIDERATION
OF THE INITIAL REPORT OF MALTA CONCERNING THE RIGHTS REFERRED TO
IN ARTICLES 1-15 OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS (E/1990/5/Add.58)

HR/CESCR/NONE/2004/4

ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT

General legal framework

1. Please provide detailed information on the status of the Covenant in the domestic legal order, and whether the Covenant provisions can be invoked before the courts.

Malta follows the dualistic concept of International Law, and international agreements per se are not domestically directly enforceable but require implementing legislation.

The provisions of the Convention are introduced into Maltese legislation by the introduction of rules in the legislation relating to the various sectors covered by the Convention that are in conformity with it and which give the rights therein indicated.

2. Please provide an overview of measures taken by the State party with respect to human rights education and awareness raising activities, and in particular on economic, social and cultural rights for all citizens of Malta, especially among State officials in the judiciary.

On the 17th October 2003 the Judicial Studies Committee was established. Its purpose is to provide further training to members of the judiciary. Since its establishment the following meetings were organised:

- 1. 30 lectures of 2 hours each regarding EU legislation*
- 2. 2 day seminar on court case management*
- 3. half day seminar on judicial stress management*
- 4. half day seminar on amendments of the Code of Organisation and Civil Procedure*
- 5. half day seminar regarding the functioning of the Judicial Studies Committee*

The University of Malta also provides short and long term courses on humanitarian issues, including human rights. In July 2003 the Mediterranean Academy of Diplomatic Studies of Malta organised a Summer Training Course on Civil Society and Human Rights: Theory and Practice. The Law Faculty holds a one year full time Master of Arts degree in Human Rights and Democratisation.

Article 2.2.: Non-discrimination

3. Please provide more detailed statistical information on the population disaggregated by age and sex.

Total population (Maltese and foreign) by sex and single years, of age, 31st December 2002, based on the November 1995 Census:

Ages	Male s	Femal es	Total	Ages	Males	Femal es	Total
All Ages	196, 836	200,4 60	397,2 96				
0 - 4	10,7 53	10,27 4	21,02 7	30 - 34	12,832	12,23 7	25,069
0	2,05 5	1,835	3,890	30	2,695	2,650	5,345
1	2,02 3	1,904	3,927	31	2,690	2,534	5,224
2	2,13 7	2,157	4,294	32	2,589	2,438	5,027
3	2,21 3	2,161	4,374	33	2,444	2,279	4,723
4	2,32 5	2,217	4,542	34	2,414	2,336	4,750
5 - 9	12,9 56	11,99 3	24,94 9	35 - 39	12,719	12,53 9	25,258
5	2,58 0	2,327	4,907	35	2,341	2,371	4,712
6	2,58 0	2,429	5,009	36	2,404	2,341	4,745
7	2,53 2	2,324	4,856	37	2,557	2,533	5,090
8	2,53 8	2,384	4,922	38	2,680	2,606	5,286
9	2,72 6	2,529	5,255	39	2,737	2,688	5,425
10 - 14	14,5 28	13,87 5	28,40 3	40 - 44	14,922	14,79 7	29,719
10	2,82 6	2,682	5,508	40	2,936	2,820	5,756
11	2,90 9	2,739	5,648	41	2,956	2,881	5,837
12	2,92 8	2,771	5,699	42	3,064	3,047	6,111
13	2,96 0	2,880	5,840	43	3,002	3,042	6,044
14	2,90 5	2,803	5,708	44	2,964	3,007	5,971
15 - 19	14,8 35	13,75 0	28,58 5	45 - 49	14,964	14,52 4	29,488
15	2,87 1	2,752	5,623	45	3,120	3,026	6,146
16	2,93 0	2,567	5,497	46	3,071	2,979	6,050
17	2,94 4	2,755	5,699	47	3,034	2,873	5,907
18	3,00 5	2,799	5,804	48	2,885	2,860	5,745
19	3,08 5	2,877	5,962	49	2,854	2,786	5,640
20 - 24	15,3 94	14,65 6	30,05 0	50 - 54	14,857	14,87 7	29,734
20	3,09 2	3,021	6,113	50	2,841	2,857	5,698
21	2,98 2	2,875	5,857	51	2,794	2,869	5,663
22	3,08 9	2,909	5,998	52	3,092	2,991	6,083

23	3,187	2,985	6,172	53	3,037	2,999	6,036
24	3,044	2,866	5,910	54	3,093	3,161	6,254
25 - 29	15,031	14,171	29,202	55 - 59	13,802	14,436	28,238
25	3,088	2,918	6,006	55	3,104	3,253	6,357
26	3,128	2,936	6,064	56	2,963	3,046	6,009
27	3,130	2,882	6,012	57	2,811	2,965	5,776
28	2,930	2,699	5,629	58	2,887	2,958	5,845
29	2,755	2,736	5,491	59	2,037	2,214	4,251

Ages	Males	Females	Total	Ages	Males	Females	Total
60 - 64	7,864	8,747	16,611	75 - 79	4,240	6,073	10,313
60	1,386	1,484	2,870	75	918	1,368	2,286
61	1,437	1,624	3,061	76	959	1,282	2,241
62	1,599	1,788	3,387	77	877	1,228	2,105
63	1,773	1,961	3,734	78	826	1,215	2,041
64	1,669	1,890	3,559	79	660	980	1,640
65 - 69	7,573	9,193	16,766	80 - 84	2,584	3,956	6,540
65	1,635	1,956	3,591	80	599	953	1,552
66	1,719	1,961	3,680	81	601	939	1,540
67	1,526	1,842	3,368	82	579	844	1,423
68	1,371	1,675	3,046	83	433	704	1,137
69	1,322	1,759	3,081	84	372	516	888
70 - 74	5,635	7,692	13,327	85 - 89	906	1,704	2,610
70	1,313	1,715	3,028	85	253	397	650
71	1,189	1,679	2,868	86	233	398	631
72	1,144	1,595	2,739	87	121	340	461
73	1,020	1,426	2,446	88	190	279	469
74	969	1,277	2,246	89	109	290	399
				90+	441	966	1,407

4. Please indicate whether the foreigners who are legally residing the country enjoy economic, social and cultural rights to the same extent as the citizens of the State party. Furthermore, please provide information on the situation of undocumented workers and asylum-seekers, who live in the State party.

Immigration is regulated by the Immigration Act, 1970 as amended. Any person entering Malta illegally may be removed from Malta through an Order issued by the Principal Immigration Officer, which may be challenged before the Immigration Appeals Board. Since 1970 the office of Principal Immigration Officer has been occupied by the Commissioner of Police. Foreigners however have the right to appeal before the Immigration Appeals Board within three days from the issue of the removal order, if they are contrary to the decision of the Principal Immigration Officer.

In July 2000, the Malta Government introduced the Refugees Act which came into force on 1st October, 2001. This Act provides all the necessary mechanism for the processing of applications for refugee status and concedes to recognised refugees the permit to work and the same social benefits enjoyed by Maltese people. It also contemplates the granting of humanitarian protection, that is special leave to those who cannot return to their country for the time being to remain in Malta until such time when they can return safely to their country of origin or otherwise resettle safely in a third country. Applications for refugee status are decided by the Commissioner of Refugees, with a right of appeal before the Refugee Appeals Board.

5. Please explain the main reasons why “women in Malta remain largely under-represented in public office and the topmost positions, both within the Civil Service” and in private employment (paragraph 27 of the report).

In Malta the situation of women’s under-representation in public office and the topmost positions, both within the Public Service and in private employment, is changing and the numbers are showing a gradual increase over the years. As from 1980 women were no longer required to resign from the Public Service on marriage. Legislation, introduced in 1981, made provisions for thirteen weeks maternity leave on full pay. However, a high number of women continued to leave the Service to fulfil their caring responsibilities due to the cultural stereotypical roles of women and to the relative absence of other measures to enable officers to reach a work-life balance.

Moreover, it is Public Service policy that no recognition of past service is given to ex-officers (mostly women) rejoining the Service. In order to address this situation, a series of family-friendly measures continue to be introduced to enable public officers to reach a work-life balance and remain in the Service. These include one year unpaid parental leave per new born child, a one-off three year career break, work on a reduced timetable, one year unpaid responsibility leave,

an additional one week unpaid maternity leave, etc. These options aim to encourage women to remain in the Service, thus enhancing their chances of promotion to higher positions and effectively bringing about an increase in the number of women in top positions within the Public Service.

Similar developments are being registered in the private sector. Whilst the Public Service marriage ban influenced practices in the private sector, its abolition, together with the introduction of the thirteen weeks maternity leave in 1981 resulted in positive changes in this sector as well. Moreover, recent provisions in labour legislation covering the private sector provide for an additional one week unpaid maternity leave, three months unpaid parental leave and urgent family leave. These steps are supporting a gradual increase in the number of women in top positions within the private sector.

6. Please provide information on how the “Parity of Wages National Standard Order” of 1974 is being implemented and indicate whether visible inequalities still exist between men and women with regard to equal pay for work of equal value as provided for in Article 7 of the Covenant (paragraph 30).

Rather than direct inequalities in wages any remaining discrepancies are due to differences in the average gross annual salary of men and women that arise from the different occupational categories in which men and women are employed. Thus the gender gap in income (rather than wages) tends to result by default rather than being an issue of direct discrimination. This issue is nonetheless being addressed through various seminars held amongst key stakeholders (unions, employers' associations, industrial and employment organisations etc.) on the matter. The National Commission for the Promotion of Equality for Men and Women (NCPE) is also to undertake a gender pay review in this regard as part of an ESF project to be carried out over the period 2004 - 2006, entitled Studies Related to Measures Aimed at Improving Gender Equality", subsequent to which a media campaign based on a cost/benefit analysis of the situation and targeting these same stakeholders is to be launched as part of the same project.

II. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts.6-15)

Article 6: Right to work

7. Please explain the main reason why the rate of female participation in the labour force is less than half of that of males (paragraph 51), despite the fact that females tends to have higher educational attainments than males (paragraph 40).

Cultural attitudes place responsibility for family care largely on women, and although this inhibits women's participation in the labour force, a gradual increase of 1.8% over the past five years (1997-2002) has been registered. Also, the number of women in self-employment has increased by 1.4% over the same period. This increase may be partly due to cultural changes with regard to tertiary

education for women. In fact, over the past fifteen years (1988-2003), the percentage of females in tertiary education (University) has increased by 18.3%.

Moreover, a series of family-friendly measures has been introduced in the Public Service over the past 20 years, and in the private sector through the enactment of the Employment and Industrial Relations Act (2002).

8. According to paragraph 102, “the government has introduced positive measure that include the introduction of ‘flexible’ initiative in the public service such as the scheme of work on reduced hours and the responsibility leave for full-time workers”. Please indicate the effect this may have on workers’ incomes.

Work on reduced hours and responsibility leave for employees within the public service is regulated by the Public Service Managed Code as follows:

Reduced Hours – Employees who normally work a 40-hour working week, only have the option to work on a reduced timetable of either 20 hours or of 30 hours per week. In the case of employees who are conditioned to an alternative timetable, two optional reduced timetables are allowed equivalent to 50% and 74% of their normal working hours.

While employees are working on a reduced timetable, they are entitled to the salary of their substantive grade on a pro-rata basis, 50% or 75% of the salary depending on the chosen option, and are entitled, on a pro-rata basis, to any allowances linked to their duties and to which they would have been entitled had they been working on a full-timetable. Employees on reduced hours are not entitled to payment for overtime work.

Responsibility Leave – Workers on responsibility leave are not entitled to a wage. Responsibility leave falls within the category of unpaid leave.

9. Please indicate the criteria taken into consideration in the fixing of the minimum wage for fully employed workers on the one hand, and part-time workers, on the other. Please provide statistical data on the evaluation of these wages in relation to the evolution of the cost of living over the past decade.

The minimum wage for fully employed workers is established annually. The rate of inflation is indexed monthly. The rate of inflation for September is used to establish the cost of living adjustment, which is then added on the minimum wage to establish the next year’s minimum wage.

Part-time workers working more than 20 hours a week are paid pro-rata wages.

The following is the statistical data on the evolution of minimum wage in relation to the evaluation of the cost of living over the past decade:

Year		National Minimum Wage LM	Increase LM	Bonus LM
1993		36.63	1.00	116.00
1994		38.13	1.50	116.00
1995		40.38	2.25	116.00
1996		42.38	2.00	116.00
1997	Jan-Mar	43.88	1.50	116.00
	Apr - Dec	44.13	0.25	
1998		45.63	1.50	116.00
1999		47.38	1.75	116.00
2000		48.38	1.00	116.00
2001		49.88	1.50	116.00
2002		51.38	1.50	116.00
2003		53.13	1.75	116.00

Article 7 : The right to just and favourable conditions of work

10. Please explain why, despite the constitutional and other legislative provisions concerning equal pay for work of equal value (paragraphs 30 and 128), there are discrepancies in wages, and there have been no cases before the court (paragraph 125).

No research has been carried out in this field. However, it appears that Malta's segregated labour market, largely due to cultural influences in choice of jobs, may have led to discrepancies in the wages of women and men based on their different occupational categories. Furthermore, lack of awareness concerning concepts of 'equal pay' and 'equal value' may have perpetuated this trend.

This may be due to the low participation of women in the labour market that often translates in a lower status and thus less pay. The higher number of women

compared to men in part-time employment, on a reduced timetable, on unpaid parental leave or who refuse overtime, influences income and may reflect discrepancies in wages.

11. Please provide information on the effective application of the provisions of “Article 4 of the Act to promote equality between men and women” referred to in paragraph 149.

The provisions for the setting up of the National Commission for the Promotion of Equality for Men and Women provide effective application of Article 4 of the Act to Promote Equality for Men and Women, regarding discrimination by an employer in employment or dismissal. Article 12 states that the Commission shall “carry out general investigations with a view to determine whether the provisions of this Act are being complied with” (Art. 12(1)(g)) and “investigate complaints of a more particular or individual character to determine whether the provisions of this Act are being contravened with respect to the complainant and, where deemed appropriate, to mediate with regard to such complaints” (Art. 12 (1)(h)). The Commission may also “provide assistance, where and as appropriate, to persons suffering from discrimination in enforcing their rights under this Act” (Art. 12 (1)(j)).

Moreover, Article 19 makes reference to the issue of ‘discrimination’ in employment and training as covered by the provisions of the Employment and Industrial Relations Act of 2002 (Art 26 (1)). A person who feels that she/he has been discriminated against on the basis of a number of grounds, including gender, may refer a complaint to the Industrial Tribunal set up in terms of the said Act. If the Tribunal is satisfied that the complaint is justified, it may take such measures as it may deem fit including the cancellation of any contract of service or of any clause in a contract or in a collective agreement which is discriminatory and may order the payment of reasonable sums of money as compensation to the aggrieved party.

Article 8 : The right to form or join trade unions

12. Please provide statistical data on the number of strikes, their duration and the number of unions involved in these strikes during the period 1998-2002.

Statistical data on the number of strikes, their duration and the number of unions involved as follows:

1998

Strike Number	Duration of Days	No. of Unions
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		Involved
1	8	1
2	8	1
3	0.25	1
4	0.25	1
5	0.5	1
6	1	1
7	0.25	1
8	0.25	1

1999

Strike Number	Duration of Days	No. of Unions involved
1	2	1
2	0.125	1
3	1	1
4	2	1
5	1	1
6	0.25	1
7	0.125	1
8	0.25	1
9	0.125	2
10	0.125	1
11	0.125	2
12	0.375	1
13	0.25	1
14	0.25	1
15	0.125	1

2000

Strike Number	Duration in days	No. of Unions Involved
1	5.5	1

2	0.125	1
3	0.25	1
4	2	1
5	0.875	1
6	0.6875	1
7	1.25	1
8	1	2
9	5	1
10	2	1
11	0.25	1
12	1	2
13	0.1875	1
14	0.1875	1

2001

Strike Number	Duration in days	No. of Unions Involved
1	1	1
2	0.125	1
3	0.375	1
4	2.5	2
5	1.5	1
6	0.1875	2
7	0.375	1
8	0.125	1
9	0.625	1
10	1.5	1
11	1.5	1

2002

Strike Number	Duration in days	No. of Unions Involved
1	0.25	2

2	0.125	1
3	2	1
4	4	1
5	0.125	1

Article 9 : The right to social security

13. Please provide statistical data on the extent of the coverage under the various social security schemes referred to in paragraph 211 and further of the report.

The following are the relevant statistical data concerning the various social security schemes referred to in paragraph 211 and further of the report:

Contributory Scheme

TYPE OF BENEFIT	
<i>Short Term Benefits</i>	<i>Number of Claims 2002</i>
Sickness Benefit	127,436
Unemployment Benefit	11,239
Special Unemployment Benefit	637
Injury Benefit	4,654
Marriage Grant	3,323
Total	147,289
<i>Contributory Pension</i>	<i>Number of Beneficiaries 2002</i>
Pensions in respect of Retirement	35,983
	13,762

Pensions in respect of Widowhood	7,560
Pensions in respect of Invalidity	415
Pensions in respect of Disability	12
Pensions in respect of Orphans	
Total	57,732
<i>Family Benefits</i>	<i>Number of Families in 2002</i>
Children's Allowance	37,141
Disabled Children's Allowance	597
Maternity Benefit	3,243
Total	40,981

Non-Contributory Scheme

Type of Benefit	Number of Beneficiaries 2002
Age Pension	4,665
Visually Impaired	138
Mentally/Severed Disabled	1,956
Carers Pension	314
Unemployment Assistance	5,812
Social Assistance	8,397
Sickness Allowance	14,583
Supplementary Allowance	29,274
Total	43,857

Expenditure on Social Security Benefits

	LM
Contributory Benefits	154,620,554
Non-Contributory Benefits	36,128,434
Total	190,748,988

Article 10: Protection of the family

14. Please provide information on the legal and other protection and assistance measures in place for victims of domestic violence.

There is as yet no ad hoc legal framework in existence in Malta for the protection and assistance of domestic violence, although in cases of domestic violence, sentences granted reflect an increase in punishment by one or more grade. Criminal proceedings are taken in instances when violence can be proven to constitute grievous bodily harm. Due to the lack of specific legislation, it is a very hard and trying period for a woman to claim her rights and those of her children. A bill on domestic violence is due to be enacted soon.

Due to the above, the woman is often obliged to flee from the matrimonial home to seek safety within a shelter. Fighting for her rights, which includes her safety, can prove to be a very lengthy process.

The Domestic Violence Service within Agency Appogg offers the necessary assistance by working with the woman to help her in her situation. However due to the lack of a legal framework, the help which can be given proves to be quite restricted. The social workers can provide a safety refuge when necessary, continuous support and empowerment and any other social work intervention that the woman and her children may require. The service also provides a programme for perpetrators of domestic violence, family therapy, and psychological services when the need arises. Moreover the agency offers an initial free consultation with a lawyer to explore the victim's rights.

Apart from legal measures, services for victims and perpetrators of domestic violence are also provided. A brief outline of the three Domestic Violence Services provided by Agency Appogg, namely the Domestic Violence Unit, the Men's Services, and the Shelter Service, follows hereunder:

Domestic Violence Unit

Aims and Objectives

The Domestic Violence Unit aims to provide quality social work services to adults and their children suffering abuse in family and intimate relationships. It specialises in support and empowerment of the person being abused, offered shelter when requested and links them to necessary services. The unit is committed to the promotion of a society with zero tolerance to violence.

Service Users

Adults and their children who are victims of Domestic Violence within family and intimate relationships.

(Children who are at risk are referred to the Child Protective Services Unit)

Referral to service:

- *It is the Unit's Policy that, where possible, prospective service users contact the Domestic Violence Unit themselves by phone to be given the first appointment.*
- *Any referrals by professionals will be accepted and the service users are encouraged to make the initial contact themselves with the Domestic Violence Unit.*
- *When a person makes contact with the Domestic Violence Unit, social workers will assess the situation and together with the service user, draw up a care plan to best help the client in her/his particular situation.*

Any other Relevant Information

The Domestic Violence Unit is committed towards providing a quality service to its service users and therefore social work intervention is carried out solely with the victim.

Men's Services

Aims and Objectives

- *Men's Services is committed to work towards the safety of women and children by providing a programme for men who engage in abusive behaviour in intimate relationships.*
- *Men's Services help men address abusive beliefs and behaviours through awareness and responsibility thus developing respectful attitudes towards their partners.*

Referral to Service

- *Referral to the service can be made from other professionals both from and outside the Agency, including the police corps. Unless Court mandated the perpetrator needs to make initial contact with the service him/herself.*
- *Women who are receiving professional support for the Domestic Violence Unit are informed about the Men's Service and are encouraged to pass on the information to their male partners should their partners be willing to work on their abusive behaviour.*

Ghabex Shelter Service

Aims and Objectives

The service is committed to provide quality service to women and their children suffering violence in intimate and family relationships. Respect for the dignity of service users is considered paramount.

Objectives

- *To provide safe refuge to women and children requiring emergency and temporary shelter in a safe environment (women in family violence, woman in difficulty because of usury, women trying to leave prostitution, and others.)*
- *To provide support that includes individual and group work, to women and children leaving abusive relationships thus enabling women and children to deal with the effects of abuse.*

Service Users

Women and their children, including persons with disabilities and elderly persons who need to leave their home due to safety issues.

Referral to Service

- *Women requesting shelter service should contact the Domestic Violence Unit of Agenzija APPOGG for an assessment. The assessment focuses on the client's situation and explores whether the shelter service would best meet the person's needs. During this session, the best interest of any children involved is considered paramount.*
- *The shelter admits women and children directly in cases of emergencies and after office hours.*

Other Relevant Information

The shelter is primarily for emergency purposes. The duration of stay should not exceed three months. It is hoped that during this period, women would receive the necessary help and support to begin to deal with the effects of abuse and violence and slowly develop plans for the future.

15. Paragraph 370 speaks of child abuse but no data or specific information is given with regard to this problem. Please provide specific data and other information, particularly court cases, relating to this problem.

Please refer to Annex 1.

16. Please comment and explain differences in the enjoyment of rights, in any, between married and non-married mothers, in particular with regard to the protection of maternity, as referred to in paragraphs 400 to 411.

There are no differences in the enjoyment of rights with regards to the protection of maternity between married and non-married mothers.

Article 11: The right to an adequate standard of living

17. Please provide information, including statistical data, on the problems relating to forced evictions and the legal protection measures available to those adversely affected by these evictions.

The Department of Social Housing may carry out some eviction orders of illegal tenants from time to time. The keyword here is illegal. This refers to those who have abusively took over government-owned property to the detriment of those on the Department's waiting lists. During 2003 the Department carried out one such eviction.

A number of what may be technically called evictions are carried out in connection with the current programme of slum clearance. Here mainly the persons involved are provided with alternative accommodation before their old accommodation is pulled down. Invariably the evictees are happy to move into the accommodation provided.

There are however a number of forced evictions ordered by the Courts of Justice where tenants are forced out of their residence. The Department for Social Housing has a standing agreement with the Court Marshals (Bailiffs) whereby the

Department is given advance notice of such evictions. In most cases the Department is able to re-house the tenants before the court officers carry out the eviction. During the past 12 months the Department helped in four such cases.

18. Please provide information on the number of persons affected over the period 1992-2002 by the implementation of urban development programmes, and the ways and means by which their situation had been addressed, in particular the compensation schemes.

The main means of compensation in cases of urban development (slum clearance) is re-allocation of tenants to newly constructed units. During the period 1992-2002, 113 newly constructed units were allocated to tenants previously residing in severely substandard housing which was replaced.

Article 12: The right to health

19. Please provide information, including statistical data where possible, on the incidence of abortion in the State Party.

There are no statistical data on abortion in state or private hospitals because it is illegal in Malta to perform abortions.

20. Please provide statistical information on the incidence of sexually transmitted diseases, notably on HIV/AIDS

Reported AIDS Cases in Maltese residents¹ (1986 till end of third quarter 2003)
- Department of Public Health

Table 1: Number of Notified Cases and Deaths due to AIDS in Maltese Residents (data from 1986 till end of third quarter 2003)

Year	Notifications	Deaths
1986	5	4
1987	2	2
1988	7	4

¹ A Maltese resident is defined as a person who has been residing in Malta for at least six months.

1989	0	1
1990	1	2
1991	7	3
1992	4	5
1993	3	3
1994	5	4
1995	3	1
1996	4	8
1997	2	2
1998	4	3
1999	1	1
2000	3	2*
2001	0	0
2002	4	2*
2003	0	0
Unknown	0	1
Total	55	48

* one case occurred in a resident of foreign nationality

Table 1A: Number of reported AIDS Cases in Maltese Residents from 1997 till end of third quarter 2003 by quarter.

Year	Quarter	Number of new notifications	Number of deaths
1997	1 st	1	2
	2 nd	1	0
	3 rd	0	0
	4 th	0	0
	Total	2	2

1998	1 st	3	2
	2 nd	0	1
	3 rd	1	0
	4 th	0	0
	Total	4	3

1999	1 st	1	0
	2 nd	0	0
	3 rd	0	0
	4 th	0	1
	Total	1	1

2000	1 st	0	1*
	2 nd	2	0
	3 rd	0	1
	4 th	1	0

	Total	3	2
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2001	1st	0	0
	2nd	0	0
	3rd	0	0
	4th	0	0
	Total	0	0

2002	1st	1	0
	2nd	1	0
	3rd	1	1*
	4th	1	1
	Total	4	2

2003	1st	0	0
	2nd	0	0
	3rd	0	0
	4th	-	-
	Total	0	0

* case occurred in a resident of foreign nationality

Table 2: Number of Reported AIDS Cases in Maltese Residents by vital status
(data from 1985 till end of third quarter 2003)

Vital status	Persons
Dead	48*
Not known to be dead	7
Total	55

* three cases occurred in residents of foreign nationality

Table 3: Number of AIDS Cases in Maltese Residents by Transmission Category
(data from 1985 till end of third quarter 2003)

Transmission category	Persons
Homo/bisexual man	31
Haemophil/Coagulation disorder	13
Heterosexual contact	6
Homo/bisexual + IDU (abroad)	1
Mother-to-child (abroad)	1
Injecting drug user	0
Other/undetermined	3
Total	55

Disease Surveillance Unit, Department of Public Health

1st October 2003

HIV Positive tests by year

YEAR	No. Of Positive Tests	
1985	13	
1986	13	
1987	5	
1988	13	
1989	16	
1990	9	
1991	18	
1992	8	
1993	13	
1994	10	
1995	17	
1996	7	
1997	7	
1998	8	
1999	6	
2000	15	
2001	11	
2002	12	
2003	9*	

* till 16/12/03

21. Please provide more detailed information on the situation of persons with mental illnesses, and in particular who are responsible for the care of persons with mental illnesses.

Organogram - Administration:***Chief Executive Officer*****Medical/Paramedical Staff*****Director of Psychiatry******Consultant******SHO******MO******SW******Psychologist*****Nursing Staff*****A/Manager Nursing Services******Departmental Nursing Managers******Nursing Officers/Deputy Nursing Officers******Staff Nurses******Enrolled Nurses******Nursing Aides***

OT

<i>Number of beds:</i>	<i>558</i>
<i>Occupancy as on 12/12/03:</i>	<i>437</i>
<i>Number of patients on leave as on 12/12/03:</i>	<i>366</i>

Divided into 5 departments:

- 1. Acute Department*
- 2. Rehabilitation Department*
- 3. Psycho geriatric Department*
- 4. Learning Disabilities Department*
- 5. Child and Adolescent Psychiatric Department*

Nursing Staff:

	<i>Male</i>	<i>Female</i>
<i>Nursing Officers</i>	<i>14</i>	<i>5</i>
<i>Deputy Nursing Officers</i>	<i>1</i>	<i>5</i>
<i>Staff Nurses</i>	<i>19</i>	<i>18</i>
<i>Enrolled Nurses</i>	<i>57</i>	<i>48</i>
<i>Nursing Aides</i>	<i>47</i>	<i>20</i>
<i>Relieving Pool S.N.s</i>		<i>9</i>
<i>Relieving Pool E.N.</i>	<i>6</i>	<i>9</i>
<i>Relieving Pool N. Aides</i>	<i>7</i>	<i>26</i>

Rehabilitation Department

Total number of staff *62*

Acute Department

Total number of staff *59*

Child and Adolescent/ Training Disabilities Department

Total number of staff *44*

Psycho-geriatric Department**Total number of staff 58****Extended services****Child Guidance Clinic****Psychiatric Unit****Psychiatric Out Patients****Health Centres****NGOs – Mental Health Association****Friends of Attard Hospital Society****Article 13: The right to education**

22. Please provide more specific information to which extent private schools, other than Church schools, receive funding from the State party.

The State does not provide any funds to Independent Schools. However as from 2001, tax rebates were introduced for parents whose children attend independent schools.

23. Which measures have been taken by the State party to ensure that the quality of education is of the same standard in both public and private schools, as well as the working conditions, including salaries, of the teaching staff.

Conditions of work of teachers in private schools are regulated by Collective agreements between the Malta Union of Teachers or the Union having majority representation within the schools and the schools themselves.

The conditions of work of teachers within these private schools are modelled on the conditions offered by public schools to their teachers.

Teachers within private schools are not, however, entitled to benefit from the family-friendly measures introduced to all employees in the public sector such as the 3-year unpaid parental leave and the further one year career break.

Moreover, whereas prior to 1 January 2001, private schools offered higher salaries to their teachers than those earned by teachers in the public sector, as a consequence of the increase in pay awarded to all public sector employees at the start of 2001, private schools are finding it hard to keep the trend.

24. Please provide statistical data on dropouts by each type of school system for the period covering the last five years.

School drop-outs fall under three categories: pre-secondary, post secondary vocational, and post secondary tertiary. As current Maltese legislation stipulates a school leaving age of 16 years, no school drop-out records are kept in the pre-secondary sector. The only university in Malta is still processing the required data. Data for post secondary vocational schools is as follows:

**Dropouts in Post-Secondary Non University Education
(16 years+)**

Dropouts are being defined as the students who started but did not finish their course.

Post Secondary Education is not compulsory

	Church	Private	State	Total
	%	%	%	%
1999/2000	1	3	7	4
2000/2001	1	2	5	3
2001/2002	1	2	4	3
2002/2003	2	5	3	3
Average%	1	3	5	3