



PALAIS DES NATIONS – 1211, GENEVA 10, SWITZERLAND

9 October 2024

Sir,

I have the honour to refer to the fourth cycle review of Malta by the Universal Periodic Review (UPR) Working Group at its 45th session in January-February 2024. As the final outcome report on the review of Malta was recently adopted by the Human Rights Council at its 56th session, I have taken note of the efforts of your Government to implement specific recommendations since the previous review.

A matrix of thematically clustered recommendations, starting with those supported by your Government, is available at OHCHR's website (<https://www.ohchr.org/en/hr-bodies/upr/mt-index>) and should be considered as part of this letter. The matrix indicates the recommending State and links each recommendation to relevant Sustainable Development Goals (SDGs).

In annex, I have also attached my Office's observations in light of the outcome of the fourth cycle of the UPR. In line with previous practice, I will be sending similar observations to all Member States once their fourth cycle UPR outcome is adopted by the Human Rights Council, with a view to follow-up action in close cooperation with national entities and other stakeholders.

I take this opportunity to draw your attention to the support available through the Voluntary Fund for UPR Implementation, which may be activated at the request and with the consent of a concerned State, along with tools such as the "UPR practical guidance" and the "UN good practices" repository on how the UPR process supports sustainable development, available at <https://www.ohchr.org/en/hr-bodies/upr/upr-main>, with a view to facilitating efforts to implement UPR recommendations in line with the SDGs.

Please accept, Sir, the assurances of my highest consideration.

Volker Türk

His Excellency
Mr. Ian Borg
Minister for Foreign and European
Affairs and Trade of Malta



Observations in light of the outcome of the fourth cycle of the Universal Periodic Review

Malta has made notable strides in gender equality through legislative and policy frameworks. The 2022 Gender Equality and Mainstreaming Strategy and Action Plan and the gender mainstreaming strategy within public administration have led to significant achievements in economic participation, laying the groundwork for further future action. The decriminalization of abortion when the life of the woman is at immediate risk marks an important step in ensuring the right to health for all women, and Malta is encouraged to take further steps to decriminalize abortion and to ensure that safe and legal abortion services and post-abortion care are made available.

Progress in protecting the rights of members of the LGBTIQ+ community is noteworthy, including a strengthened legislative framework and related guidelines for officials. The third LGBTIQ+ Equality Strategy and Action Plan (2023–2027) represents a significant step forward, and its full implementation is highly encouraged.

Efforts are encouraged to advance legislative and institutional reforms to ensure that the human rights of migrants, refugees and asylum-seekers are respected and protected. Key areas include preventing arbitrary detention, ensuring adherence with the prohibition of refoulement, facilitating prompt search and rescue, ensuring safe and prompt disembarkation, and supporting humanitarian rescue operations. Adopting a comprehensive national strategy that addresses all forms of discrimination, especially racism, racial discrimination, xenophobia, and related forms of intolerance would also address related concerns.

In light of the pledge made by Malta on the seventy-fifth anniversary of the Universal Declaration of Human Rights to establish a National Human Rights Institution by 31 December 2025 in alignment with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), it is also hoped that related processes be completed within this timeframe.

Malta is also encouraged to develop an implementation plan in follow up to the UPR outcome, in close consultation and cooperation with all stakeholders, in particular the Parliament, the judiciary, local and regional governments, and civil society organizations. The matrix may be of use in the development of such an implementation plan. The Government is encouraged to explicitly link each UPR recommendation to corresponding recommendations from other international and regional human rights mechanisms and to the relevant SDG and its targets. This will, in turn, facilitate the creation of synergies between UPR implementation and SDG-related actions and reporting within the context of the Voluntary National Review (VNR).



The Government is encouraged to establish a national mechanism for implementation, reporting and follow-up, with the aim of ensuring a coordinated and effective approach to reporting to international human rights mechanisms, and to implementing the recommendations, in line with the guidance provided by OHCHR following regional consultations and the High Commissioner's report to the Human Rights Council ([A/HRC/50/64](#)).

Further, an important measure that could positively contribute to follow-up action is voluntary mid-term UPR reporting. All Member States are encouraged to submit a voluntary mid-term UPR report in about two years after the adoption of the UPR outcome. In this regard, the Government of Malta may wish to continue with the practice of submitting a mid-term report on follow-up to the fourth cycle UPR recommendations by 2026, detailing both implementation efforts as well as challenges to implementation, including the possible need for technical or capacity-building assistance.

OHCHR
9 October 2024