

Malta

ASYLUM

A training was held by UNHCR in collaboration with the SOGIGESC Unit for cultural mediators on the needs of LGBTQI asylum seekers.

BIAS-MOTIVATED SPEECH

The continued discussion on the draft Equality Act (see under **Equality and non-discrimination**) attracted severe homophobic discourse by religious figures, including on TV and in printed media. The second parliamentary hearing on the topic featured interventions from anti-gender movement speakers, and professional associations.

Trans public figure, Angela Colerio filed a police report after being targeted by hate speech on social media. Another trans person, also a public figure, reported similar harassment online.

BIAS-MOTIVATED VIOLENCE

The FRA LGBTI Survey II found that LGBTQI respondents in Malta had the lowest reported rate of threats and violence in the EU. In the first six months of 2020, two cases were reported.

Nonetheless, MGRM's online survey found that over 50% of LGBTQI people felt unsafe in Paceville, Malta's main nightclub hub, and reported being entry into clubs or harassment. 19% have faced aggression from bouncers.

DATA COLLECTION

Several presentations at the 2019 LGBTIQ Research Symposium were published in "Mapping the Rainbow" on IDAHOT in May.

EDUCATION

Past studies revealed that the majority of LGBTQI students did not feel represented in the curriculum and felt unsafe at school. The Malta LGBTQI Rights Movement (MGRM) launched a range of tools for educators in May.

EQUALITY AND NON-DISCRIMINATION

The Equality Act, which would further strengthen rights protections for LGBTI people, continued to be pending. Two objections were formulated about the bill in 2020. First, the Medical Council suggested an amendment allowing healthcare workers to refuse conducting procedures or administer treatments against their conscience. Fourteen medical associations supported a conscientious objection clause. The scope of the clause has been left open, but abortion, euthanasia,

and services for LGBTQI people were all mentioned in the parliamentary hearings. In a statement on the issue, the Medical Association of Malta specifically mentioned abortion and euthanasia. Civil society also documented a case of IVF denial in the past, to a same-sex couple. Second, Catholic schools wanted to maintain their right to refuse hiring someone who does not practice their respective religion.

In October, the Minister for Justice and Equality said he was considering the claim of religious schools, but not conscientious objection in healthcare.

The SOGIGESC Unit of the Maltese government published its annual report in September.

FREEDOM OF ASSEMBLY

Due to the COVID-19 pandemic, this year's Pride march was cancelled. Instead, a symbolic flag waving event took place in September, joined by the new Prime Minister. Organisers commended Malta for championing LGBTQI rights in Europe, but highlighted remaining issues affecting people living with HIV, migrants, trans people, and people of colour.

HEALTH

The national sexual health screening services and the gender well-being clinic were closed in the beginning of the COVID-19 pandemic. Both reopened mid-June, with a backlog of appointments.

In June, LGBTI organisations found the replies from the Minister of Health vague and insufficient to HIV-related questions at a parliamentary session. In July, the Minister of Health affirmed that new HIV medications would be launched by the end of year. Civil society is not aware that they were disseminated. The Ministry said preventive PEP and PREP were "not a priority at the moment". In early December, several people living with HIV started reporting that they had been without medication for a few days. On 11 December, NGOs jointly called this a "public health crisis" and launched crowdfunding to meet the needs. On 16 December, the Ministry of Health stated that the shortage was due to Brexit. NGOs had warned of the outdated medication for years.

HUMAN RIGHTS DEFENDERS

Social work support services as part of the Rainbow Support Service (see under Institutional support) were moved online this year, due to the COVID-19 pandemic. MGRM reported cases where trans and HIV-positive persons, who were non-residents, had trouble accessing medication.

The closure of the sexual health clinic, caused a notable increase in purchases of HIV self-test kits, which HIV Malta made available during the pandemic.

INSTITUTIONAL SUPPORT

The Public Social Partnership between the Ministry of the Family, Children's Rights and Social Solidarity and MGRM was renewed for another three years, allowing MGRM's Rainbow Support Service to continue.

The government endorsed Malta's bid to host EuroPride 2023 and announced that it would provide financial support.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Following the resignation of Prime Minister Joseph Muscat (Labour Party), Robert Abela has filled this role since January. MGRM asked Abela during his candidacy about his stance on LGBTQI rights. The LGBTQI Consultative Council met the Prime Minister in February, where he reiterated the government's commitment to continue its civil rights agenda.

POLICE AND LAW ENFORCEMENT

The FRA LGBTI Survey II found that only 13% of victims of physical or sexual attacks reported the case to the police in Malta.

For the first time, during Pride month, the police force added rainbow colours to its emblem on social media.

In October, the Police Commissioner approved the participation of a police officer in a campaign promoting positive representations of trans workers.

SEXUAL AND REPRODUCTIVE RIGHTS

In March, Parliamentary Secretary for Equality and Reforms, Rosianne Cutajar announced that Malta would not follow the Nordic model, and will instead decriminalise sex work. In August, a report by the Prostitution Reform Technical Committee was being finalised to be presented to the Cabinet.

Lesbian couples and single persons have been able to access IUI, IVF, and third party gamete donation since April, thanks to new protocols in place. Eight lesbian couples used the service in 2020. Trans people, prior to gender affirming healthcare that may influence their fertility, can also access preservation of gametes services from 2020 on, for free.

SOCIAL SECURITY AND SOCIAL PROTECTION

A study evaluating domestic violence shelters in Malta (see under **Data collection**) found that staff is unprepared to accommodate victims who live in same-sex relationships and recommended training, cooperation between LGBTQI organisations and shelters, and the hiring of male staff to encourage gay victims of partnership violence. One male staff member has since been hired to the Domestic Violence Unit.

The COVID-19 pandemic has had a grave impact on the LGBTQI community. LGBTQI organisations have reported an increase in messages from people who feel unsafe at home during lockdown, and people unable to pay rent. MGRM launched a community call to offer housing to those worst affected.

In November, MGRM was one of four organisations allocated an old government-owned property by the National Housing Authority and the Ministry for Social Accommodation, through the Specialised Housing Programme. Dar il-Qawsalla (Rainbow House) will support and empower people.



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