



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Concluding observations on the fourth periodic report
of Malta**

Addendum

**Information provided by Malta in follow-up to the
concluding observations***

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Note: The present document is being circulated in English, French and Spanish only.

* The present document is being issued without formal editing.

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“13. The Committee urges the State party to expedite its efforts towards the withdrawal, within a concrete time frame, of its declaration to article 11, and its reservations to articles 13, 15 and 16, paragraph 1(e), of the Convention. The Committee recalls its position that reservations to article 16 are incompatible with the Convention and therefore impermissible.”

- Malta’s reservations in relation to CEDAW Articles 11 and 15 can be removed.
- Malta’s reservation in relation to CEDAW Article 13 cannot be lifted. Malta reserves the right to continue to apply its present legislation until such time as the law is reformed or completely superseded. Given that Malta is still in the process of reforming the Social Security legislation in particular through the Task Force and the work has not yet been completed.
- Malta’s reservation in relation to CEDAW Article 16 cannot be lifted. According to articles 241 to 244 of the Maltese Criminal Code, Malta considers the termination of pregnancy through induced abortion as illegal. Malta can only accept language that does not carry any implication that a State is required to legitimise abortion or that abortion is a legitimate form of birth control.

“37. The Committee urges the State party to introduce and to vigorously support legislation which permits divorce, allows women to remarry after divorce, and grants women and men the same rights to administer property during marriage and equal rights to property on divorce. It also recommends that women and men be granted equal rights to initiate divorce proceedings. The Committee encourages the State party to review its current legal system governing marriage and family relations with a view to extending existing legal provisions to couples living in de facto unions.”

- Divorce Legislation (CIVIL CODE AMENDMENT ACT, 2011 (ACT XIV OF 2011) Divorce - Adaption of Various Laws Order, 2012) and Civil Union Legislation (CHAPTER 530 CIVIL UNIONS ACT) has been enacted. The Cohabitation Act is also in discussion.
