

UN CRC	Ratification Date	Care-Related Concluding Observations
	30 Sep 1990	<p>CRC/C/MLT/CO/3-6 26 June 2019</p> <p>https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMLT%2fCO%2f3-6&Lang=en</p> <p>III. Main areas of concern and recommendations</p> <p>E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)</p> <p>Corporal punishment</p> <p>25. Welcoming the amendment to article 339 of the Criminal Code that explicitly prohibits all forms of corporal punishment, the Committee recommends, with reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, that the State party:</p> <ul style="list-style-type: none"> (a) Ensure that the prohibition of corporal punishment is enforced in all settings, namely in the home, schools, childcare institutions, including early childhood care institutions, and alternative care settings, and in the administration of justice; (b) Strengthen and expand its efforts to raise the awareness of parents, professionals working with and for children, and the public in general, about the harm caused by corporal punishment; (c) Promote positive, non-violent and participatory forms of child-rearing and discipline. <p>Abuse and neglect</p> <p>26. While recognizing the prevention and intervention measures and training programmes undertaken to combat abuse and neglect of children, in particular under the Respect for All Framework (2014), and the</p>

		<p>Safe School Programmes, the Committee, with reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and taking note of target 16.2 of the Sustainable Development Goals, recommends that the State party:</p> <ul style="list-style-type: none">(a) Expedite the coming into force of the Minor Protection (Alternative Care) Bill and enforce its child protection measures against violence, abuse and neglect;(b) Formulate and implement a comprehensive strategy for preventing and combating violence against or abuse or neglect of children in all settings, addressing their root causes;(c) Establish a national database on all cases of violence against or abuse or neglect of children, including cases of domestic violence, and undertake a comprehensive assessment of their extent, causes and nature;(d) Take all measures necessary to fully operationalize the Children’s House concept, encourage courts to make use of the child-friendly and multi-agency arrangement for obtaining testimony from children, and provide it with adequate human, technical and financial resources;(e) Ensure the availability of services for the rehabilitation and reintegration of child victims, such as in the Children’s House, as well as appropriate compensation schemes;(f) Ensure the allocation of adequate human, technical and financial resources to the Office of the Director Responsible for Child Protection to enable it to follow up on and investigate reports of children suffering harm. <p>F. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20–21, 25 and 27 (4))</p> <p>Children deprived of a family environment</p> <p>30. The Committee welcomes the State party’s efforts to improve its system of alternative care for children left without parental care, particularly by strengthening the capacity of the Aġenzija Appoġġ and promoting foster care for children who cannot stay with their families. It remains concerned, however, about the number of children still placed in “residential homes”, and that some of these centres accommodate children from a wide age range together, which may exacerbate the vulnerabilities of younger children, including vis-à-vis the older children. It draws the State party’s attention to the</p>
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		<p>Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex), and recommends that the State party:</p> <ul style="list-style-type: none">(a) Continue to review its policies on alternative care for children deprived of their family environment in order to reduce the placement of children in residential care, including residential care run by faith-based organizations;(b) Ensure that children are removed from the family only as a measure of last resort and only after an appropriate assessment of the best interests and the views of the child, and ensure that placement is appropriate to meet the needs of the child, and that younger children are not placed with older children in the same “residential home”;(c) Support and facilitate family-based care for children, and strengthen the foster care system for children who cannot stay with their families;(d) Develop a framework for the reunification of children separated from their families with their families, taking into account the best interests of the child and providing psychosocial and economic support to the families where necessary <p>G. Disability, basic health and welfare (arts. 6, 18 (3), 23–24, 26–27 (1)–(3) and 33)</p> <p>Children with disabilities</p> <p>31. With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights model of disability and:</p> <ul style="list-style-type: none">...(c) Develop and implement a deinstitutionalization strategy ensuring sufficient alternative family- and community-integrated care, including appropriate assistance for parents to care for children with disabilities; <p>I. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)</p> <p>Asylum-seeking, refugee and migrant children</p>
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		<p>children, including by applying a human rights-based, gender- and disability-responsive, and age- and child-sensitive approach;</p> <p>(b) Implement a uniform protocol on age determination methods that is multidisciplinary, that is respectful of children’s rights, and that is used only in cases of serious doubt about the claimed age and takes into consideration documentary or other forms of evidence available, and ensure access to effective appeal mechanisms;</p> <p>(c) Ensure that unaccompanied children are assigned a competent guardian, who has the necessary expertise and is free from any potential conflict of interest, immediately upon their arrival at the border, and ensure that best interest determination procedures are carried out at all stages of the national asylum procedure;</p> <p>(d) Process cases involving asylum-seeking and refugee children, including unaccompanied children, in a positive, humane and expeditious manner as a means of identifying durable solutions, ensuring full respect for the principle of nonrefoulement and facilitating access to the asylum procedures for children in need of international protection in line with articles 6, 22 and 37 of the Convention;</p> <p>(e) Ensure that child protection authorities are promptly informed and assigned to participate in procedures for the determination of the best interests of the child once an unaccompanied or separated child arrives in the State party, in accordance with international law, including by training border officials on the rights of the child and in child-sensitive procedures;</p> <p>(f) Prohibit the immigration detention of migrant, asylum-seeking and refugee children in law and ensure that such legal prohibition is implemented in practice, and ensure effective alternatives to detention so as to allow children to remain with family members and/or guardians in non-custodial, community-based contexts, consistent with their best interests;</p> <p>(g) Prioritize the immediate transfer of asylum-seeking children and their families out of the Initial Reception Facility, and adopt permanent and sustainable resettlement options for refugees, particularly children and their families;</p> <p>(h) Transform the policy of granting temporary humanitarian protection to unaccompanied children into law, so as to ensure that their rights and best interests are protected even if they are not found to be in need of international protection.</p>
<p>Country Report</p>		

		<p>CRC/C/MLT/3-6 4 September 2018</p> <p>https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMLT%2f3-6&Lang=en</p>
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
	28 Sep 2010	
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
	9 May 2002	
ICCPR	Accession Date	Care-Related Concluding Observations
	13 Sep 1990	
ICESCR	Ratification Date	Care-Related Concluding Observations
	27 May 1971	
CEDAW	Accession Date	Care-Related Concluding Observations
	8 Mar 1991	
CRPD	Ratification Date	Care-Related Concluding Observations
CRPD/C/MLT/CO/1	10 Oct 2012	<p>17 October 2018</p> <p>https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fMLT%2fCO%2f1&Lang=en</p>

		<p>III. Principal areas of concern and recommendations</p> <p>B. Specific rights (arts. 5–30)</p> <p>Children with disabilities (art. 7)</p> <p>11. The Committee is concerned about the institutionalization, through care orders issued under the Civil Code (chap. 16), of some children with disabilities whose families have been identified as being “unable” to take care of their children. It is also concerned about the lack of information on the involvement of children with disabilities in measures taken by the Commissioner for Children to hear the views of children on the matters that concern them, such as the Council for Children convened by the Commissioner in accordance with article 12 of the Commissioner for Children Act (chap. 462).</p> <p>12. The Committee recommends that the State party:</p> <ul style="list-style-type: none">(a) Reintegrate children with disabilities who are currently institutionalized (under care orders issued under the Civil Code) into communities as expeditiously as possible, so that they can enjoy living in family settings and gain access to education and other services within the community, on an equal basis with others;(b) Adopt measures to fulfil the right of children with disabilities to be consulted on all matters that affect them, and to guarantee that they have disability and age-appropriate support to realize that right, including in measures taken by the Commissioner for Children. <p>Liberty and security of the person (art. 14)</p> <p>23. The Committee is concerned that some legislation in place is not in line with the Convention, particularly the Mental Health Act (chap. 525), which allows the involuntary detainment and non-consensual psychiatric treatment of persons with disabilities, on the grounds of psychosocial or intellectual disabilities. It also notes with concern the continued hospitalization of persons with psychosocial or intellectual disabilities without their consent.</p>
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		<p>is also concerned at the limited financial support to persons with disabilities to employ personal assistance that would allow them to live independently and the lack of professionals who provide skills training to support persons with disabilities in the community.</p> <p>30. The Committee recommends that the State party take into account its general comment No. 5 (2017) and:</p> <ul style="list-style-type: none"> (a) Ensure that existing residential institutions that contribute to the isolation of persons with disabilities are closed and that the provision of appropriate community-based services is strengthened; (b) Ensure that all projects supported by public funds are carried out in a community setting, do not contribute to isolation of persons with disabilities, are monitored by organizations of persons with disabilities and are provided with sustainable continuous funding; (c) Adopt the legal and other measures, such as the planned bill on personal autonomy and the bill on the Convention, necessary to make article 19 of the Convention justiciable; (d) Ensure that financial and other measures are in place to allow persons with disabilities to be provided with personal assistance and that personnel supporting persons with disabilities in the community are appropriately trained, if necessary.
UPR	Date of Consideration	Link to Page
	14 Nov 2018	https://www.ohchr.org/EN/HRBodies/UPR/Pages/MTIndex.aspx
Hague Intercountry Adoption	Accession Date	Link to Country Profile
	13 Oct 2004	http://www.hcch.net/index_en.php?act=states.details&sid=53

Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review