

MALTA 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Malta is a constitutional republic and parliamentary democracy. The president is the head of state, appointed by a resolution of the unicameral parliament (House of Representatives) for a term of five years. The House of Representatives appointed a new president in 2014. The president names as prime minister the leader of the party winning a majority of seats in parliamentary elections. Early parliamentary elections held in 2017 were considered free and fair.

Civilian authorities maintained effective control over security forces.

Human rights issues included allegations of corruption at senior government levels.

The government took steps to investigate, prosecute, and punish officials who committed violations, whether in security services or elsewhere in the government.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution or law prohibit such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

During the year, there were changes in the management structure at the prison, and reports indicated that conditions for inmates at the facility have improved. Reports

of poor conditions in detention centers for some migrants persisted, with some reporting a shortage of blankets and lack of space. The country suffered from a lack of capacity at its established migrant detention centers.

Physical Conditions: Media reports occasionally highlighted alleged shortcomings, but there were no significant reports regarding prison or detention center conditions or processes that raised human rights concerns.

Administration: Authorities allowed prisoners and detainees to submit uncensored complaints to judicial officials and to request investigation of credible allegations of inhuman conditions. Authorities investigated such complaints and victims sought redress in the courts.

Independent Monitoring: The government permitted visits to detention centers by independent domestic and international human rights observers and the media.

Improvements: The government undertook a major upgrade of prisons, including addressing the treatment of transgender detainees, improved access to potable water, and overcrowding.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

Role of the Police and Security Apparatus

The national police, the intelligence services, and the Armed Forces of Malta fall under the jurisdiction of the Ministry of Home Affairs and National Security. The national police maintain internal security. The armed forces are responsible for external security but also have some domestic security responsibilities.

Civilian authorities maintained effective control over the national police, the intelligence services, and the armed forces, and the government has effective mechanisms to investigate and punish abuse. There were no reports of impunity involving police or security forces during the year.

Arrest Procedures and Treatment of Detainees

A magistrate may issue an arrest warrant to detain a person for questioning based on reasonable suspicion. According to the constitution, police must either file charges or release a suspect within 48 hours. In all cases, authorities must inform detainees of the grounds for their arrest. Police generally respected these requirements. During the 48-hour detention period and prior to initial interrogation, authorities allowed arrested persons access to legal counsel but did not permit visits by family members. The law allows police to delay access to legal counsel for up to 36 hours after arrest in certain circumstances, such as when exercising this right could lead to interference with evidence or harm to other persons. After filing charges authorities granted pretrial detainees access to both counsel and family. A functioning bail system is in place.

Pretrial Detention: Lengthy pretrial detention remained a problem. Authorities occasionally confined foreign suspects for more than two years pending arraignment and trial, normally due to lengthy legal procedures. Approximately 20 percent of the prison population was in pretrial detention. The courts adjudicate applications for bail on a case-by-case basis and normally granted bail for citizens. The courts rarely granted bail to foreigners.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality. There were no reports of instances in which the outcomes of trials appeared predetermined by government or other interference. Authorities respected and enforced court orders.

Trial Procedures

The constitution and law provide for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants enjoy the right to a presumption of innocence, the right to a fair and public trial, and the right to be present at their trial. Defendants have the right to prompt and detailed information of the charges, with free interpretation if necessary, from the moment charged through all appeals. They can communicate with an attorney of their choice, or have one provided at public expense if they are unable to pay. Defendants and their lawyers receive adequate time and facilities to prepare a defense. Defendants may confront prosecution or plaintiff witnesses and present their own witnesses and evidence. They are not compelled to testify to confess guilt and have the right to appeal.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The constitution provides for an independent and impartial court in civil matters, including human rights issues. After exhausting their right of appeal in the national court system, individuals may apply to bring cases covered by the European Convention on Human Rights before the European Court of Human Rights.

Property Restitution

Although the country endorsed the Terezin Declaration, there have been no reports related to Holocaust-era property restitution. The country remained a British colony and Allied naval stronghold throughout World War II. The Nazis never invaded or occupied Malta, and Maltese property was never seized.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

Freedom of Expression: The Media and Defamation Act, passed by parliament during the year, amended the criminal code to eliminate the article that criminalized contempt for the president. The revised code makes incitement to take away the life or liberty of the president or any other minister a criminal offense. It remains a criminal offense to offend public morality, propriety, or

decency. The law criminalizes speech that promotes hatred on grounds of gender, gender identity, sexual orientation, race, color, language, ethnic origin, religion or belief, or political or other opinion. Incitement to religious hatred is punishable by a prison term of six to 18 months.

In September an independent blogger and activist filed an application in court against the minister of justice, local government entities, and the director general for the Division of Cleansing and Maintenance, accusing them of breaching the European Convention on Human Rights by periodically removing makeshift memorials to slain journalist Daphne Caruana Galizia.

Violence and Harassment: In December 2017 police charged three persons with the killing of investigative journalist Daphne Caruana Galizia in a 2017 car bombing near her home. Caruana Galizia had reported on major government corruption, allegedly involving the prime minister and other senior government officials (see section 4, Corruption and Lack of Transparency in Government). Her writing targeted a wide range of individuals, including members of each political party, business leaders, judges, and other prominent individuals. Public mourning for the murdered journalist was the target of censorship by governing party politicians and public officials, who repeatedly ordered the removal of a makeshift memorial in the capital.

Libel/Slander Laws: In September the minister of the economy, Chris Cardona, declined to reinstate libel proceedings, cancelled earlier by the courts, against Daphne Caruana Galizia. Her family had asked the court to continue with the proceedings. In 2017 Cardona sued the journalist for libel after she had alleged that the minister visited a brothel during an official visit to Germany. Cardona sued for 40,000 euros (\$46,000) in damages and asked the court to freeze the assets in the journalist's bank account pending a trial. The court upheld Cardona's request.

Actions to Expand Freedom of Expression, Including for the Media: On April 27, parliament enacted the Media and Defamation Bill. Among other provisions, aimed at strengthening the freedom of the media, it abolished criminal libel and introduced alternative civil remedies for slander.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

Independent online media accused Facebook groups associated with the governing Labor Party of mounting disinformation campaigns aimed at vilifying and intimidating critics. Nongovernmental organizations (NGOs) condemned and called for the dismissal of a leading public official following his online derogatory comments against a civil society activist; the official later apologized.

According to Eurostat in 2017, approximately 85 percent of households had access to the internet.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: In May the Council of Europe's European Commission against Racism and Intolerance noted pervasive

offensive content aimed against migrants on the internet and in social media in the country, reflecting negative attitudes toward immigration.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Safe Country of Origin/Transit: The country denied asylum to applicants who arrived from other EU countries.

Freedom of Movement: The government may legally detain an asylum applicant for up to nine months. By law the detention must serve to verify the applicant's identity or nationality; identify elements on which the asylum application is based; decide on the applicant's legal right to enter the country; facilitate a return procedure, including to another EU country; or protect national security or public order.

In some cases immigration authorities may allow alternatives to detention also limited to nine months' duration, which may include regular reporting to an assigned place, residing at an assigned place, or depositing documents or a surety. Most asylum seekers were allowed one of these alternatives to detention and stayed in detention for no more than two months.

Immigration officers may also legally detain irregular migrants (including failed asylum seekers) who are subject to repatriation. Such detention may have a duration of six months and can be extended by a further 12 months. Most persons detained under these regulations stayed in detention for less than three months prior to their return.

Persons permitted to remain in the country were issued work permits. They were eligible for voluntary repatriation programs, but few chose to participate.

Durable Solutions: Between January and September, 100 persons were granted refugee status. Few refugees were able to naturalize. While persons with refugee status may apply for reunification with family outside the country, those with temporary "subsidiary" protection--the majority of asylum seekers--are not allowed to do so. As of September, 16 migrants had sought assisted voluntary return. According to several NGOs, integration efforts moved slowly, as migrants generally tended to stay close to residential centers, although some moved into the

community. Many migrants found work, mostly in low skilled sectors. Migrants also expressed concerns about access to higher education.

Temporary Protection: The government also provided temporary protection, known as “subsidiary” protection, to individuals who may not qualify as refugees. From January to August, the country granted subsidiary protection to 334 persons.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Observers considered parliamentary elections held in 2017 to be free and fair.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. Cultural and traditional barriers remained an obstacle to increased participation by women.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. Isolated allegations of government corruption continued during the year.

In January, two European Parliament committees concerned with rule of law and money laundering, tax avoidance, and tax evasion issued a joint mission report on the country following a visit in November/December 2017. The report, which included an investigation into the rule of law, expressed serious concerns about corruption in the country.

Corruption: There were developments during the year on allegations of high-level government corruption stemming from international investigations into Pilatus Bank, established in Malta in 2014, and the 2015 leak of the “Panama papers.” The “papers” were a collection of sensitive financial and attorney-client documents from a Panamanian law firm, many concerning shell corporations allegedly used for illegal purposes, including tax evasion and evading international sanctions. In

April 2017 prominent blogger and journalist Daphne Caruana Galizia alleged that the prime minister's wife was the ultimate beneficial owner of a Panamanian offshore account, Egrant Inc., connected to transactions involving Pilatus. Pilatus denied the report and sued Caruana Galizia for libel. In October 2017 Caruana Galizia was killed in a car bomb attack (see section 2.a.).

In July the attorney general published conclusions of a magisterial inquiry convened to examine Caruana Galizia's claims. The full report has not been publicly released. In the conclusions of the report, Magistrate Aaron Bugeja found "no evidence to prove" that shares in Egrant, Inc. belonged to Michelle Muscat or were traceable to her, Prime Minister Muscat, or members of his family. The conclusions also stated that there was "no evidence" to back up allegations by Caruana Galizia that Prime Minister Muscat, his wife, Chief of Staff Keith Schembri, Minister Konrad Mizzi, and others could have been involved in corruption, money laundering, or suspicious financial transactions derived from accounts belonging to politically connected persons from Azerbaijan through bank accounts in Pilatus. Three magisterial inquiries from 2017 into allegations against Muscat and Schembri remained continued at the year's end.

In June the European Bank Authority (EBA) opened an investigation into "shortcomings" in how the Malta Financial Intelligence Analysis Unit (FIAU) enforced anti-money-laundering rules at Pilatus Bank. The probe followed a European Parliament request for clarification on how Pilatus got its license and an EU request for a probe of "alleged incorrect or insufficient application of EU law pertaining to the prevention of money laundering" in the country. On July 11, after establishing the FIAU had breached EU law regarding its supervision of Pilatus, the EBA asked the FIAU take all the necessary actions to comply with the EU's Anti-Money Laundering and Countering Terrorism Finance Directive.

Financial Disclosure: Government officials are subject to financial disclosure laws, and declarations are available to the public. Courts can compel disclosure from officials not complying with the regulation.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their questions and concerns.

Government Human Rights Bodies: The ombudsman is empowered to investigate complaints about the activities of governmental bodies, including activities affecting human rights and problems involving prisoners and detainees. The president appoints the ombudsman with the consent of two-thirds of the House of Representatives. The ombudsman investigates complaints only when administrative or judicial remedies are not available. The ombudsman had adequate resources, operated independently, and was effective. In responding to complaints, the ombudsman submits recommendations to the public entity responsible for addressing the complainant's grievance. The ombudsman has no power to impose or compel a remedy, but relevant public bodies accepted most of the ombudsman's recommendations.

In his annual report for 2017, the ombudsman expressed concern about the government's "outright refusal or extreme reluctance to disclose information" and pointed to a "style of government that is seriously denting the openness and transparency of public administration."

The House of Representatives Standing Committees on Foreign and European Affairs and on Social Affairs were responsible for human rights issues. The committees met regularly and normally held open hearings, except when they closed a hearing for national security reasons. For the most part, the committees had a reputation for independence, integrity, credibility, and effectiveness, with legislation enacted in the areas under their purview enjoying widespread public support.

The National Commission for the Promotion of Equality and the Commission for the Rights of Persons with Disabilities operated effectively and independently with adequate resources and oversaw human rights issues related to gender equality and disabilities. The prime minister, on the advice of or in consultation with the minister responsible for each entity, appoints members of these commissions, who serve for terms of two and three years, respectively. They may be reappointed at the end of their term.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape, including spousal rape, is a criminal offense, and the government effectively prosecuted such crimes. A law passed during the

year broadened the definition of rape and increased the sentence to 12 years with added penalties in aggravated circumstances. Through September, seven persons faced rape charges in the courts.

The law treats domestic violence as an aggravating circumstance of other crimes such as bodily harm, rape, and harassment, and the government generally enforced the laws prohibiting it. Penalties ranged from three months to 20 years in prison. Through August police had brought no new cases related to domestic violence. Several previous cases were pending.

In April parliament enacted a Gender-based Violence and Domestic Violence Act to integrate fully the provisions of the Istanbul Convention into national law.

Authorities provided training on domestic violence awareness to police and social workers. The police and Agenzija Appogg, the social welfare agency, signed an interagency protocol on Adult Victims of Domestic Violence for closer collaboration.

In September, NGOs and activists organized protests after a mother of six was allegedly killed by her partner. The victim was the fourth woman killed in a case involving domestic violence in four months.

A special police unit and several voluntary organizations supported victims of domestic violence and all forms of gender-based violence. A hotline assisted victims of abuse through counseling and shelter referrals. The Ministry for the Family and Social Solidarity was responsible for a government-supported shelter for women and children. The government also provided financial support to other shelters, including those operated by the Roman Catholic Church.

Sexual Harassment: Sexual harassment is unlawful and punishable by a fine of up to 10,000 euros (\$11,500), up to two years imprisonment, or both. As of September the Commission for the Promotion of Equality (NCPE) received one allegation of sexual harassment during the year. In 2017 government women's rights experts stated that workplace sexual harassment at the workplace was "rampant" but rarely reported due to cultural reasons.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women as for men, including in matters related to family, property, nationality, and inheritance. Redress in the courts is available for gender discrimination.

Children

Birth Registration: Citizenship is derived by birth where either parent is a citizen, irrespective of the place of birth. The law allows transmission of citizenship by a grandparent or other relative in certain circumstances. The government registered births immediately.

Child Abuse: In 2017 child abuse referrals to Appogg fell compared with 2016. Between January and August, police vice squad received eight reports of child abuse.

Early and Forced Marriage: The legal minimum age of marriage is 18, although persons between the ages of 16 and 18 may marry with the consent of parents, legal guardians, or courts.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children and child pornography, and authorities generally enforced the law. The production of child pornography is prohibited and punishable by imprisonment of between five and 12 years. Possession of child pornography is punishable by imprisonment of three to four years. The minimum age of consensual sex is 16. Rape of an underage person is punishable by sentences of six to 20 years. As of the end of August, five persons were charged for sexual abuse of minors.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

Anti-Semitism

The Jewish community numbered approximately 120 persons. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law protects the rights of persons with disabilities and prohibits both the public and private sectors from discriminating against persons with physical, sensory, intellectual, and mental disabilities. The government effectively enforced these provisions. Authorities took official action to investigate cases of violence or abuse against persons with disabilities. The law requires accessibility to buildings, information, and communication. While the government made efforts to ensure accessibility, many historical buildings remained inaccessible due to limited structural adaptability.

From January to September, the Commission for the Rights of Persons with Disability opened 161 cases of alleged discrimination related to employment, education, housing, access, provision of goods and services, health, and other areas.

National/Racial/Ethnic Minorities

The population included more than 43,000 registered foreign workers. Of these, 12,407 were nationals of non-EU countries mainly of Arab, African, Asian, and East European origin. The law prohibits discrimination based on race as well as racial hatred. The law is enforced when charges are filed.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The constitution and law prohibit discrimination on the grounds of sexual orientation, gender identity, gender expression, and sex characteristics, including discrimination against lesbian, gay, bisexual, transgender, and intersex persons in housing, employment, nationality laws, and access to government services, including health care. The government enforced the laws.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the rights of most workers to form and join independent unions, bargain collectively, and conduct legal strikes. A trade union can register an industrial dispute with an employer, at which point the trade union enters into negotiations with the employer. In the absence of an agreement, both parties are free to resort to industrial action. The trade union can take industrial actions, which may include slowdowns, wildcat strikes, work-to-rule, strike action for a defined period of time or any other industrial action which the union may deem necessary. The employer may use a “lock-out” to protect its interests.

The law prohibits antiunion discrimination and provides for the reinstatement of unfairly dismissed workers, including for legal, nonviolent union activity. Workers have a right to seek redress for alleged antiunion dismissals, although procedures to seek such redress were unclear for certain categories of public sector workers.

Members of the military and law enforcement personnel may join a registered trade union, but the law prohibits strikes by this category of workers. The law does not explicitly prohibit acts of interference by worker or employer organizations in one another’s activities. According to the International Labor Organization (ILO), compulsory arbitration continues to limit collective bargaining rights. Arbitration did not take place during the year.

The government effectively enforced applicable laws. Penalties ranged from fines to two years’ imprisonment and were sufficient to deter violations. Administrative and judicial procedures were subject to lengthy delays and appeals.

Both the government and employers generally respected these rights, and workers freely exercised them during the year. There were no reports of antiunion discrimination or other forms of employer interference in union activities. Trade unions and employers’ organizations may both refer a dispute to the Industrial Tribunal, but it is customary that until the tribunal decides on an award, both parties generally refrain from taking further industrial action. While trade unions have the right to take the industrial action they deem fit, employers also have the right to impose a lock out as a form of industrial action.

b. Prohibition of Forced or Compulsory Labor

The constitution prohibits all forms of forced or compulsory labor. The government generally took some steps to prevent and eliminate forced labor and acted quickly to investigate and address complaints. The processing of cases

through the courts was slow, however, and the government has not secured a conviction for trafficking since 2012. Three labor trafficking prosecutions initiated in 2014 remained pending. The law prescribes penalties of imprisonment for forced labor violations; such penalties were considered sufficient to deter violations. Nevertheless, there were reports of adult men and women in bonded labor and domestic servitude. Foreign domestic workers as well as African migrant workers were vulnerable to forced labor.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor as well as employment of children younger than 16 in all sectors. The director general for educational services in the Ministry of Education and Employment may grant an exemption for employment only after determining that it would not harm the health or normal development of the minor. While no legal work is specifically restricted for minors, children granted an exemption may work up to 40 hours per week. Children are not allowed, however, to carry out any night duties or perform work that could be regarded as harmful, damaging, or dangerous to a young person. Minors granted an exemption to work in certain areas such as manufacturing, heavy plant machinery, and construction are required to work under supervision.

The government generally enforced the law in most formal sectors of the economy. Jobs Plus, the former Employment Training Corporation, a government entity under the Ministry for Education and Employment, is responsible for labor and employment issues. While Jobs Plus generally enforced the law in most formal sectors of the economy, it allowed summer employment of underage youth in businesses operated by their families. No assessment was available on the effectiveness with which Jobs Plus monitored the unregistered employment of children as domestic employees and restaurant workers. Fines and penalties were sufficient to deter violations.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in any form of employment and occupation. The government effectively enforced the law. Penalties took the form of fines and were sufficient to deter violations. Remedies were available through the civil court system.

From January to September, the NCPE received 18 claims of alleged workplace discrimination, including complaints at the recruitment stage. The NCPE commissioner has the power to investigate such complaints. Following an investigation, the commissioner may either dismiss the complaint or find the complaint warranted. In the latter case if the complaint constitutes an offense, the commissioner must submit a report to the police commissioner for action. In instances where the complaint does not constitute an actionable offense, the NCPE followed the law and undertook steps to investigate the cases and refer them to the police or mediate to ensure provision of redress as appropriate.

While women constituted a growing proportion of graduates of higher education and of the workforce, they remained underrepresented in management and generally earned less than their male counterparts. Eurostat reports showed the gender pay gap in 2016, the most recent period for which data was available, was 11.8 percent. In 2017 the employment rate for women was 58 percent, compared with 84.1 percent for men.

e. Acceptable Conditions of Work

The country has a national weekly minimum wage that was above the poverty income level. The government effectively enforced the minimum wage. Penalties were sufficient to deter violations.

The law mandates a standard workweek of 40 hours, but the norm was 43 or 45 hours in certain occupations such as in health care, airport services, and civil protective services. The law provides for paid annual holidays (i.e., government holidays) and paid annual leave. The law prohibits excessive compulsory overtime, and employers cannot oblige employees to work more than 48 hours per week, inclusive of overtime.

The government sets occupational safety and health standards, and such standards were current and appropriate for the main industries in the country. Workers have the right to remove themselves from situations dangerous to health or safety without jeopardizing their employment.

The Ministry of Education and Employment generally enforced minimum wage and hours of work requirements effectively in the formal economy. The Occupational Health and Safety Authority (OHSA), a government entity composed of representatives of the government, unions, and employers, conducted regular

inspections at worksites and cited a number of offenders. Nevertheless, enforcement of health and safety standards continued to be inconsistent. The number of labor inspectors was unknown. There were media reports, however, that in at least the construction industry, the number fell short of the ILO sufficient standard.

Workers in the informal economy did not have the same protection but were able to file complaints against companies that failed to provide a safe work environment. Authorities did not stringently enforce standards in the informal economy, which consisted of approximately 5 percent of the workforce and encompassed various sectors of working society, including day laborers and self-employed individuals. OHSa imposed fines on companies that did not comply with minimum safety standards in the formal economy and, to a lesser extent, the informal economy.

Industrial accidents remained frequent, particularly in the manufacturing and building and construction sectors, up by nearly 4 percent in the first half of 2018 according to information released by Malta's National Statistics Office. In November the EU and Malta's OHSa sponsored a symposium on improving safety in the construction sector. OHSa was established in 2002, and fatalities from reported incidents were measured at 12 for the first reporting period, falling to four in the latest period in 2018. Although Malta cites progress in improving conditions, they acknowledge that a labor shortage, coupled with language barriers and a lack of required certifications, as a reason for continued unsafe conditions. A builders association recently provided support for standardized training in the industry.

Irregular migrant workers, who made up a small but growing percentage of the workforce, sometimes worked under conditions that did not meet the government's minimum standards for employment. The Agency for the Welfare of Asylum Seekers, in coordination with Jobs Plus, which is administered by the government, organized informational programs to help individuals pursue employment and obtain work permits. The latest economic growth figures require nearly 10,000 new workers annually, so many jobs continued to be filled by regular and irregular migrants.