

MALTA

Population: 3,7 Mio

Area: 65.300 km²

Part 1: Laws concerning Homosexuality

Forbidden by law: No

Age of consent: Equal

Registered partnership/marriage: No

Differences to heterosexual marriages: For all intents and purposes gay and lesbian couples are considered as strangers before the law, even if they live together. They do not enjoy next-of-kin status, are not each other's heirs in intestate successions, and do not enjoy tax benefits and cannot apply as a couple for certain social benefits, such as housing. They can't adopt either. Just to mention some of the differences.

Anti-discrimination law, protecting lesbians/gays (L/G) against discrimination: Yes, since 2003

At work: Yes

On the housing market: No

In other areas: No

Comments: In 2002 a general anti-discrimination ban at the workplace was enacted, and in 2003 a ministerial order was issued mentioning sexual orientation explicitly as a ground of discrimination under that law, in accordance with EU Council Directive 2000/78/EC.

Other groups in the society protected through such a law: Yes, see above.

Incidents that briefly describe the situation of L/G in society:

In the national values study, commissioned by the Office of the Prime Minister in 1991 to Gallup (Malta) and in 1995 and 1999 to Misco International, the percentages of respondents who did not want to have homosexuals as neighbours were about 45, 47 and 40 respectively. In a survey carried out by the Malta Gay Rights Movement in 2002, documenting discrimination, violence and harassment against gay men, lesbians and bisexuals, 11.5% of respondents claimed that they had experienced at least one incident of physical violence due to their sexual orientation and 50.5% reported some form of harassment.

Part 2: Situation in the Church(es)

Open L/G welcome to

Eucharist: No

Comments: Officially, cohabiting gay and lesbian couples are considered by the Catholic Church (the dominant church in the country) as living in a perpetual state of sin, because even though being gay or lesbian in itself is not a sin, the sexual act is. So you cannot confess that sin, and therefore be welcome to the Eucharist, if you have the intention of committing that sin again. In practice, however, some friendly priests do take confession and celebrate the Eucharist for gays and lesbians in relationships.

Do volunteer work: No

Comments: There is no official directive as far as I know although I doubt that they would be allowed, especially since two years ago two church-run charities declined a donation from the Malta Gay Rights Movement. This reflects the attitude of non-acceptance

Work as ordained ministers: Yes

Comments: Only if they're non-practising. Although as far as I know, following the sexual abuse scandals in the Catholic Church, the Vatican is supposed to crack down on gay men in the Church. However, there are plenty of gay priests in the Church who do not speak openly of their sexual orientation, even though some of them practice it.

Other employment in church(es): No

Comments: It has been alleged that there is a specific clause in employment contracts with the Church that does not allow this, although we have not yet been able to check this. However, cases of gay and lesbian staff in church schools being fired are common.

Partnership blessing possible: No

Comment: The reasoning for not blessing same-sex couples is the same as above, i.e. that the homosexual act is sinful. We don't know of any cases where same-sex couples were blessed. We doubt that this has ever happened in Malta.

Incidents/outspoken attitudes that briefly describe the situation of L/G in the churches:

The Catholic bishops have on various occasions spoken out against gay and lesbian couples, describing homosexuality as unnatural and a sin. The most recent example was summer 2003, when they issued a press release backing the Vatican's document against the legal recognition of gay and lesbian partnerships. In the survey carried out by the Malta Gay Rights Movement, incidents of discrimination by priests/other adherents of religion against gays and lesbians were quite common, with 29.5% of respondents claiming they had experienced discrimination by people of religious institutions. Specific cases included, where access to confession was denied, and lesbians/gays called "animals" by priests.

Part 3: Christian Lesbian/Gay Networks

No specific Christian lesbian/gay networks.

Network name: Malta Gay Rights Movement
(the only gay and lesbian organisation in Malta)

Number of members: 89

Year of foundation: 2001

Web page/contact address: www.maltagayrights.com

Questionnaire filled in by Christian from the Malta Gay Right's Movement