

■ MALTA

Low participation of women in the formal economy



Women in Malta still lag behind in gender empowerment and economic participation. Only 32% are economically active and in general work in traditionally female jobs. Women are also poorly represented in the power structure. Although new laws have been enacted to protect women's rights, the country has no specific legislation on domestic violence.

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Malta is an archipelago in the heart of the Mediterranean Sea just south of Sicily. The country is one of the smallest in Europe, with a population of almost 400,000 and a high population density of 1,249 people per square kilometre. It gained independence from Britain in 1964 and became a Republic in 1974. In May 2004 Malta joined the European Union. Roman Catholicism is the official religion taught in all schools. Divorce is not permitted but can be obtained abroad and recognized in the country. Abortion is illegal.

The Constitution of Malta guarantees equal access to housing, employment, education and cultural, civil and political rights for men and women. Successive governments have ratified the different UN conventions relating to these themes, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1991. Reservations were entered to Articles 11, 13, 15 and 16 of the CEDAW at the time of ratification but they were later superseded by subsequent legislative changes. Yet the CEDAW was not incorporated into domestic law and the Maltese Courts cannot directly enforce its provisions. However the European Convention on the Protection of Human Rights and Fundamental Freedoms was integrated into domestic law in 1987, giving citizens the right to individually petition the European Court of Human Rights once domestic remedies had been exhausted.

Changes after Beijing

In 1995, the Government participated in the Fourth World Conference of Women in Beijing and committed itself to implementing the Beijing Platform for Action. A number of laws were enacted to protect the rights of women and give support to articles in the Convention, including the Employment and Industrial Relations Act of 2002 and the Equality for Men and Women Act of 2003. Family legislation was amended in 1993 to grant both spouses equal rights and responsibilities in marriage, including joint responsibility for children and the right to jointly administer property acquired during the marriage. Legislation regulating jury service, passport regulations, citizenship, income tax and social security have been amended to remove discriminatory provisions al-

though social security remains discriminatory towards women. The Constitutional Court - the final appellate court of the land - was instrumental in providing redress for human rights grievances. The Family Court was established in 2003.

The State machinery for the advancement of women is comprised of the Ministry for the Family and Social Solidarity and the National Commission for the Promotion of Equality for Men and Women. The first is responsible for equality, social, family and child policies, social security, and social housing. The National Commission and related departments play an active role in developing and monitoring policies and raising public awareness on gender equality, and collaborate and consult with various bodies including trade unions and women's non-governmental organizations. Women are equal in family matters and the Government has taken steps to provide gender-neutral legislation and redress in the courts for sexual discrimination. Lack of personnel makes it very difficult to follow all the cases brought forward. The Commission is also supposed to start its own initiative investigations in certain fields to identify direct and indirect discriminatory practices and policies, but it needs full-time personnel and adequate funding to do so.

The gender gap

In the last decade women in Malta have begun to dominate the educational sphere. Today, female students outnumber their male counterparts at university and there was an increase in the number of female graduates in traditionally male professions such as law, medicine, information technologies, engineering, and management. Although women outnumber men in academic qualifications, they are still under-represented in managerial and decision-making positions. Cultural and traditional employment patterns often direct women to traditional female jobs such as teaching or nursing, into jobs in family-owned businesses, or into selected professions such as academia or medicine. In general women earn less than their male counterparts.

Although equality improved considerably with regards to human, civil and social rights between both sexes, women still lag behind in gender-related issues such as gender empowerment and economic participation. Women represent 50.45% of the population, but they are poorly represented in the power structure and in the economic sphere:

- Women comprise 9.2% of members of Parliament. Three women are in the Cabinet, two are ministers and the one is the Secretary of Parliament. In regional government, women comprise up to 16% of Local Councils (70 out of 438 councillors in 2005).¹
- Positions in the Judiciary are overwhelmingly held by men. The Chief Justice and judges (17) are all men. In the Judiciary in 2005 there are only 3 women represented at the magistrate level from a bench of 17 magistrates.
- Women make up 13.55% of the total number of officers in the top five levels of the Public Service (90 out of 664 officers). In 2003, the highest 30 positions were occupied solely by men.² The first and only female Permanent Secretary was appointed during 2004.
- Women are a minority on government boards and committees. They hold 348 (18%) positions out of a total of 1,934. The highest gender balance in the composition of these boards and committees lies within the Ministry of Health (37.4%), the Ministry of Social Policy (25.9%) and the Ministry of Education (25.8). The lowest is found within the Ministry of Transport and Communication (4.2%) and Resources and Infrastructure (6.0%). The gender composition of board and committee membership tends to reflect the gender segregation of the labour market whereby women are concentrated in caregiving professions.³
- Women constitute 36.7% of gainfully occupied workers and 13.29% of the self-employed. In 2004, registered unemployed women represented 10.2% of the labour force. Between 55% and 60% of unemployed women and around 38% of unemployed men are under the age of 30.⁴

¹ Local Council Elections in three different phases covering all localities in Malta: 2003 - M: 125, F: 34; 2004 - M: 121, F: 19; 2005 - M: 122, F: 17.

² Management and Personnel Office (MPO). *Annual Report 2003*. Malta, December 2003; Department for Women in Society Ministry for Social Policy. *Annual Report 2003*.

³ *Ibid.*

⁴ National Statistics Office (NSO). *Labour Force Survey*, July-September 2004.



- Women in part-time employment as their main occupation amount to 67.63% of the workers in this category. Married women comprise 77.5% of workers in part-time employment, compared to 22.5% of married men. In 2003, single women constituted 47% of single part-time workers.⁵
- Women are overtaking men in education. In 2003, the overall university population was made up of 56% women and 44% men.⁶ The female students are more likely to be found in courses which will lead to pink-collar occupations,⁷ which are the lowest paid jobs in the professions.
- In 2003-2004, women made up 1.9% of university professors, 6.8% of associate professors and 15.0% of senior lecturers at the University of Malta.⁸

Only 32% of women are economically active, compared to 76% of men.

The female unemployment rate is 7.6% compared to 6.4% for men and Maltese women earn 80.08% of what men earn on an hourly basis.⁹

The narrowing of the gender gap in education among young adults is yet to be accompanied by overall equal participation in the labour market, equal access to professional and managerial jobs and the corresponding equality of income levels between the sexes. Maltese society is overwhelmingly Roman Catholic. The Church strongly promotes the role of motherhood and prioritizes the upbringing of the children. As a result, women leave the labour force to have children. This situation is likely to change, however, with a younger and more educated generation of females. Nevertheless, there is a need for childcare facilities and better fiscal measures to encourage women's participation in the formal economy.¹⁰

The *Human Development Report 2004* of the United Nations Development Programme ranks Malta 31st on the Human Development Index and 53rd (out of 147 nations) according to the Gender Empowerment Measure.¹¹ The latter ranking reflects the lack of economic and political participation by women and their resulting exclusion from decision-making in these areas.

⁵ *Ibid.*

⁶ NSO. "Official Statistics of Malta. Education Statistics 2003", 2005, www.nso.gov.mt/statdoc/document_file.aspx?id=641

⁷ Generally low status occupations such as clerical jobs.

⁸ NSO (2005), *op cit.*

⁹ NSO. "Structural, poverty and social exclusion indicators", December 2003, www.nso.gov.mt/statdoc/document_file.aspx?id=426

¹⁰ Baldacchino, G. et al. *Factors affecting Women's Formal Participation in the Malta Labour Market: Results of a Research Project*. Workers' Participation Development Centre, University of Malta, 2003.

¹¹ United Nations Development Programme (UNDP). *Human Development Report 2004*, 2004.

Malta has no specific laws addressing domestic violence and this crime falls under the criminal code requiring complaint from the injured party. A new bill circulating since March 2000 has not been enacted. In the last seven years, more than 96% of the users of the Domestic Violence Service were female. Statistics on domestic violence may only be the tip of the iceberg. According to the Criminal Code rape is considered a crime under the title of "Crimes against the Peace and Honour of Families and against Morals" and not under the title of "Crimes of Violence". Domestic violence is dealt with in the Family Court. A special police unit and several voluntary organizations provide support to victims of domestic violence. Counselling and legal assistance and shelter is provided through governmental social welfare agencies. The Government and the Maltese Church, through its different agencies and voluntary organizations, collaborate to shelter women and children who might have become homeless for a variety of reasons.

Poverty and social exclusion of women

The richest 20% of the population earns 4.5 times more than the poorest 20%¹² It is estimated that 14.9% of the population lives below the at-risk-of-poverty line. Lower educational achievement puts individuals at higher risk of falling below the line. More women (15.1%) than men (14.7%) live below the at-risk-of-poverty line in almost all age groups.¹³ Single female households have less access to economic and other resources.

Social security in the form of universal social benefits ensures a decent standard of living for all citizens, even though people on social security lack indispensable household amenities. The family institution is still deeply rooted and closely knit in society. The family of origin is the main source of help for those who are sick or under stress, and to a lesser extent for those with mental health problems, financial difficulties, long-term illnesses, physical disabilities or alcohol abuse problems.

Malta has gone through rapid economic growth and social transition which has brought new forms of poverty primarily concerned with non-economic and the social dimensions of exclusion. The new poverty context is found in persistent structural inequalities in employment, environment, housing, and education, for example. It is also evident in the break-up of family networks and the social exclusion of minorities who do not conform to the predominant culture and behaviour for reasons of substance abuse, domestic violence, stress, or special needs.

¹² NSO. *Poverty and Social Inequality*. News Release No 84/2003, 9 June 2003.

¹³ NSO (2003), *op cit.*

Action is needed

The past decades have seen a number of social and legal achievements for women, which have contributed to greater female participation in society and the labour market. However many issues are yet to be resolved to achieve the full potential of female employment. The female activity rate is still low by European standards and women's employment is concentrated in specific sectors and levels. Women do not always enjoy comparable working conditions to men and they participate less in vocational training.

- Women are severely under-represented in the labour market in general and in senior and decision-making positions in particular. There is strong vertical and horizontal occupational segregation. Women are concentrated in part-time jobs and the wage gap between women and men is persistent. Part-time workers are less protected and have access to fewer entitlements. The Government must evaluate the situation and provide legal protection and entitlement to social benefits.
- The State must sustain measures to increase the representation of women in elected and appointed bodies in all areas of the public sector and in the Judiciary. It needs to empower women to achieve balanced representation of women and men in general and at high levels of decision-making in particular. There is a need to carry out leadership training programmes and raise awareness on women's participation in decision-making.
- It is necessary to provide better working opportunities for women so that they reach high paying jobs and it is necessary to work towards gender equality in pay, training, career development and childcare facilities. There is a lack of after-school care, which is a factor that discourages women from continuing their career in the labour market.
- The Government must research the current and future potential of women wanting to re-enter the labour market and design a policy for this purpose.
- The Government must adopt legislation on domestic violence and start prosecuting offences.
- Changes in the Social Security Act are needed to ensure that women are not excluded from pension benefits for having to carry out family responsibilities.

Although Malta has seen significant progress towards greater women's emancipation, statistics show that the journey towards equality between the sexes is still a long one. Women cannot truly participate on an equal footing with men as long as they remain the sole or primary childcare givers and homemakers. Family responsibilities must be shared between the two sexes. Making gender equity a women's issue is doing a disservice to women. This issue should be portrayed as a human rights matter and one of social justice. ■