

204. L-Onor. Karol Aquilina, l-Onor. Claudette Buttigieg u l-Onor. Paula Mifsud Bonnici jipproponu:

L-Ewwel Qari ta' Abbozz ta' Liġi msejjaħ "Att tal-2023 li jemenda l-Att dwar il-Konvenzjoni Ewropea (Kap. 319) sabiex id-dispożizzjonijiet tat-Tnax-il Protokoll għall-Konvenzjoni Ewropea tad-Drittijiet tal-Bniedem u l-Libertajiet Fondamentali li jipprojbixxu kull forma ta' diskriminazzjoni mhux ġustifikata jsiru parti mil-Liġijiet ta' Malta".

14.12.2023

ABBOZZ TA' LIĠI msejjah

ATT li jemenda l-Att dwar il-Konvenzjoni Ewropea, Kap. 319.

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2023 li jemenda l-Att dwar il-Konvenzjoni Ewropea u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar il-Konvenzjoni Ewropea, hawn aktar 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor

Kap. 319

2. L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 2 tal-Att prinċipali.

(a) it-tifsira "Konvenzjoni" għandha tiġi sostitwita b'dan li ġej:

""Konvenzjoni" tfisser il-Konvenzjoni għall-Protezzjoni tad-Drittijiet tal-Bniedem u tal-Libertajiet Fundamentali ffirmata f'Ruma fl-4 ta' Novembru, 1950 u l-Ewwel, it-Tieni, t-Tielet, ir-Raba', l-Hames, is-Sitt, is-Seba' u t-Tnax-il Protokoll li hemm magħha ffirmati f'Parigi fl-20 ta' Marzu 1952, u fi Strasburgu fis-6 ta' Mejju 1963, 6 ta' Mejju 1963, 16 ta' Settembru 1963, 20 ta' Jannar 1966, 18 ta' April 1983 u 22 ta' Novembru 1984, u f'Ruma fl-4 ta' Novembru 2000, rispettivament;" u

(b) it-tifsira "Drittijiet tal-Bniedem u Libertajiet Fundamentali" għandha tiġi sostitwita b'dan li ġej:

""Drittijiet tal-Bniedem u Libertajiet Fundamentali" tfisser dawk id-drittijiet u libertajiet elenkati fl-artikoli 2 sa 18 (inklużi) tal-Konvenzjoni u l-artikoli 1 sa 3 (inklużi) tal-Ewwel Protokoll, l-artikoli 1 sa 4 (inklużi) tar-Raba' Protokoll, l-artikoli 1 u 2 tas-Sitt Protokoll, l-artikoli 1 sa 5 (inklużi) tas-Seba' Protokoll u l-artikolu 1 tat-Tnax-il Protokoll li hemm mal-Konvenzjoni, liema artikoli qegħdin jiġu riprodotti fl-Ewwel Skeda ta' dan l-Att;".

3. L-artikolu 7 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

Sostituzzjoni tal-artikolu 7 tal-Att prinċipali.

Disposizzjoni transitorja.

"7. Ebda ksur tal-Artikoli 2 sa 18 (inklużi) tal-Konvenzjoni jew tal-Artikoli 1 sa 3 (inklużi) tal-Ewwel Protokoll li jsir qabel it-30 ta' April 1987 jew tal-Artikoli 1 sa 4 (inklużi) tar-Raba' Protokoll, l-Artikoli 1 u 2 tas-Sitt Protokoll jew tal-Artikoli 1 sa 5 (inklużi) tas-Seba' Protokoll li jsir qabel l-1 ta' April 2002, jew tal-Artikolu 1 tat-Tnax-il Protokoll li jsir qabel l-1 ta' April 2016 ma għandu jagħti lok għal xi azzjoni taħt l-artikolu 4."

4. Fl-Ewwel Skeda tal-Att prinċipali, minnufih wara l-kliem "fl-interess tal-ulied.", fl-aħħar nett tal-Ewwel Skeda, għandu jizdied dan is-subtitolu ġdid li ġej:

Emenda tal-Ewwel Skeda tal-Att prinċipali.

"Artikolu 1 tat-Tnax-il Protokoll tal-Konvenzjoni għall-Protezzjoni tad-Drittijiet tal-Bniedem u Libertajiet Fundamentali.

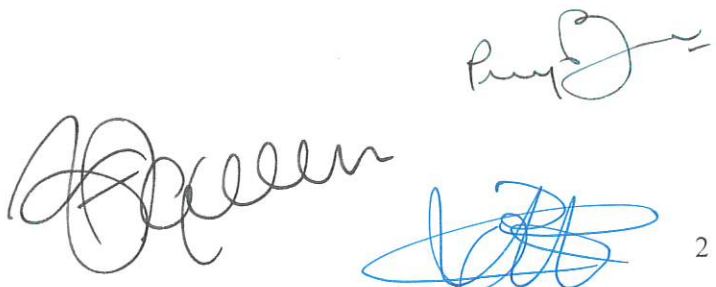
Artikolu 1 - Projbizzjoni generali ta' diskriminazzjoni.

1. It-tgawdija ta' kwalunkwe dritt stipulat bil-liġi għandha tiġi żgurata mingħajr diskriminazzjoni għal kwalunkwe raġuni bħal sess, razza, kulur, lingwa, reliġjon, opinjoni politika jew opinjoni oħra, oriġini nazzjonali jew soċjali, assoċjazzjoni ma' minoranza nazzjonali, proprjetà, twelid jew *status* iehor.

2. Hadd ma għandu jkun iddiskriminat minn kwalunkwe awtorità pubblika għal xi raġuni bħal dawk imsemmija fil-paragrafu 1."

Għanijiet u Raġunijiet

L-Għanijiet u Raġunijiet ta' dan l-Abbozz ta' Liġi huma sabiex id-disposizzjonijiet tat-Tnax-il Protokoll għall-Konvenzjoni Ewropea tad-Drittijiet tal-Bniedem u l-Libertajiet Fondamentali li jipprojbixxu kull forma ta' diskriminazzjoni mhux ġustifikata jsiru parti mill-liġijiet ta' Malta.



**A BILL
entitled**

AN ACT to amend the European Convention Act, Cap. 319.

1. The short title of this Act is the European Convention (Amendment) Act, 2023 and this Act shall be read and construed as one with the European Convention Act, hereinafter referred to as "the principal Act".
2. Article 2 of the principal Act shall be amended as follows:
- (a) the definition "Convention" shall be substituted by the following:
- "Convention" means the Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on the 4th November, 1950 and the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Twelfth Protocols thereto signed in Paris on the 20th March 1952 and in Strasbourg on the 6th May 1963, 6th May 1963, 16th September 1963, 20th January 1966, 18th April 1983, 22nd November 1984 and in Rome on the 4th November 2000, respectively;" and
- (b) the definition "Human Rights and Fundamental Freedoms" shall be substituted by the following:
- "Human Rights and Fundamental Freedoms" means those rights and freedoms as set out in articles 2 to 18 (inclusive) of the Convention and articles 1 to 3 (inclusive) of the First Protocol, articles 1 to 4 (inclusive) of the Fourth Protocol, articles 1 and 2 of the Sixth Protocol, articles 1 to 5 (inclusive) of the Seventh Protocol and article 1 of the Twelfth Protocol to the Convention, which articles are reproduced in the First Schedule to this Act;"
3. Article 7 of the principal Act shall be substituted by the following:
- "7. No contravention of Articles 2 to 18 (inclusive) of the Convention or of Articles 1 to 3 (inclusive) of the First Protocol committed before the 30th April 1987 or of Articles 1 to 4 (inclusive) of the Fourth Protocol, Articles 1 and 2 of the Sixth Protocol or of Articles 1 to 5 (inclusive) of the Seventh Protocol committed before the 1st April 2002 or of Article 1 of the Twelfth Protocol committed before the 1st April 2016, shall give rise to an action under article 4 of this Act."
4. In the First Schedule to the principal Act, immediately after the words "in the interests of the children." at the end of the First Schedule, there shall be added the following new sub-title:

Short title


Cap. 319

Amendment of article 2
of the principal Act.

Substitution of article 7
of the principal Act.

Transitory provision.

Amendment of the First
Schedule to the
principal Act.



**"Article 1 of the Twelfth Protocol to the Convention for
the Protection of Human Rights and Fundamental
Freedoms.**

Article 1 - General prohibition of discrimination.

1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1."

Objects and Reasons

The objects and reasons of this Bill are to incorporate into Maltese law the provisions of the Twelfth Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms which prohibit all forms of unjustified discrimination.

