

MEMORANDUM FOR CABINETBY THE HON. MINISTER OF COMMONWEALTH AND FOREIGN AFFAIRSANDBY THE HON. MINISTER OF LABOUR, EMPLOYMENT AND WELFARE.International Labour OrganisationConvention No. 111 - Discrimination (Employment and Occupation).

The United Nations Economic and Social Council adopted a resolution on the 30th July, 1964 prepared by the Committee of the International Year for Human Rights (1968 has been so designated) calling on all United Nations Member States to ratify certain Conventions including Convention No.111. At its 50th Session last year (June 1966) the International Labour Conference adopted a similar resolution appealing to Member States to implement fully the Conventions concerning human rights and invited those Members who had not ratified them yet to do so before 1968.

Malta has not ratified Convention No.111 - Discrimination in respect of employment and occupation - for the reason given below.

While there appears to be no discrimination with regard to recruitment in Government Service as also recruitment through the Employment Office, neither the provision of the Constitution nor any other Malta law prohibits the employers in private industry from making discrimination in the employment of their personnel.

There appeared to be a difference in concept too between discrimination as defined in sub-paragraph 3 of Section 46 of the Malta Constitution and in Article (1) of the Convention. The Convention implied moreover that there should be no discrimination with regard to male and female workers doing work of equal value.

Further close study to the Convention has been given both in Geneva and in Malta, and following the exchange of notes between the Ministry of Labour, Employment and Welfare, and the Crown Advocate General, the conclusion has been reached that Malta may adhere to the Convention because of certain recent developments.

Once Government itself practises non- discrimination and the Employment Service Act prohibits discrimination against any

applicants for/.....

applicants for employment on the grounds of his party- .
political beliefs or associations, the fact that Government
expresses a desire that employers should not discriminate in
respect of employment would be enough to satisfy the Government's
obligations vis-a-vis the Convention.

The Crown Advocate General is satisfied that the difference
in concept of discrimination in the Constitution and the Convention
does not hinder ratification particularly in view of the new
developments with regard to wages to female employees in Government
Service which should be on a par with male rates in 5 years' time.

Government's declared policy of parity between male and
female rates of pay for work of equal value was brought to the
notice of the Chairman of all Wages Councils.

Honourable Ministers are invited to agree that Convention
No.111 - Discrimination in Employment and Occupation - should be
ratified by Malta.

16th October, 1967.

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