

WRITTEN QUESTION E-4646/06
by Lilli Gruber (PSE)
to the Commission

Subject: Divorce in Malta

In the Europe of 25, the only country whose laws do not yet provide for divorce is Malta. Its legislation (Article 33 of the marriage laws, chapter 25 of the Laws of Malta) allows entry of a foreign divorce on the public register, provided the decree was issued by the competent jurisdiction of a country in which at least one of the parties is domiciled and of which at least one of the parties is a national.

Does the Commission not take the view that this state of affairs is incompatible with the Charter of Fundamental Rights?

Does the Commission not take the view that this state of affairs constitutes discrimination against Maltese citizens who have married partners of the same nationality as compared to foreigners and Maltese citizens who have married foreigners?

Is the Commission prepared, without prejudice to Malta's sovereignty, to take steps to remedy a situation which is incompatible with the fundamental principles on which the European community of values is based?