

MALTA

January 2018

MALTA COUNTRY OPERATION

Background information:

The Republic of Malta is an archipelago situated in the centre of the Mediterranean, 80 km south of Sicily and 284 km east of Tunisia. It is a member of the European Union and the Eurozone. Malta is a signatory to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol since 1971. It officially lifted its geographical reservation on 13 December 2001.

The Refugees Act in Malta was approved by the Maltese Parliament on 25 July 2000 and entered into force on 1 October 2001 and all relevant subsidiary regulations on 26 October 2001. Since then Malta has made a number of significant changes to its policies and reception system.

Malta is not yet a signatory to any of the UN Statelessness Conventions.

UNHCR overall objectives in Malta:

UNHCR's overall objective in Malta is to advocate for access to protection on appropriate terms, and promote durable solutions for all persons of concern.

The engagement of the office is built on the premise that Malta - a developed country and an EU member state - is primarily responsible for managing asylum and refugee affairs in the country. On this understanding, UNHCR's main areas of activity can be categorized as follows:

- Monitoring the access to protection and conditions of asylum in Malta.
- Advocating for a protection sensitive asylum system and related policies.
- Strengthening the capacities of government and partner agencies.
- Improving the availability of durable solutions, specifically social inclusion.
- Increasing the general awareness about asylum issues in the country.

UNHCR works closely with the Maltese government, social partners and a number of local organizations and NGOs to find durable solutions for refugees and beneficiaries of protection in Malta and to advocate towards improved access to protection and conditions of asylum in Malta.

Protection

In Malta, UNHCR's legal protection activities are aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law, namely human rights law, international humanitarian law and refugee law.

UNHCR works together with the Government of Malta, local agencies and civil society organisations in order to ensure that asylum seekers and refugees have access to their basic rights in terms of international, European and national law.

Advocacy is a key element in UNHCR's activities to protect refugees, asylum seekers, and stateless persons. It is a cornerstone of protection strategies, used in combination with activities such as information dissemination, monitoring and negotiation.

These can help transform policies and services on national levels to better protect persons of concern to UNHCR.

Key highlights of Protection activities in Malta:**Monitoring**

- Reception conditions, access to protection in the open centres and the Initial Reception Centre. UNHCR protection staff regularly visit open centres and the IRC to provide information on the asylum system, Dublin regulation, rights and obligations of asylum seekers in Malta.
- Reception conditions in Detention centres. UNHCR conducts monthly visits to the Safi detention centre to monitor conditions.
- Refugee Appeals Board decisions: UNHCR monitors and assesses the decisions made by the RAB and provides support on certain cases.
- Child Protection and SGBV prevention: UNHCR focusses on data collection and management.
- Implementation of the relocation and resettlement programs, by providing support and recommendations to the government when required.

Advocacy

- For the implementation of alternatives to detention. UNHCR continuously explores ways of promoting alternatives to detention in Malta. UNHCR Malta is currently taking part to the Global Detention Strategy to support governments to end the detention of asylum-seekers, refugees and children.
- For the improvement of the reception conditions of applicants for international protection by reporting observations and recommendations on regular basis. UNHCR uses the observations and information collected during visits to advocate for better conditions and fairer processes for persons of concern to UNHCR.
- For the RAB reform and for improved quality of decision making.
- For increased safe and legal pathways available for refugees and monitoring of the implementation of the EU responsibility sharing mechanisms of the Relocation and Resettlement programs. In 2016 and 2017 the government of Malta has positively fulfilled its commitment by relocating to Malta 168 asylum seekers from Greece and Italy under the relocation program. In 2017, Malta has also resettled 17 Syrian nationals under the EU-Turkey agreement who have been granted with Local Subsidiary Protection.
- For the Identification and referral of Person of Concern (PoC) with special needs with the aim of providing support and establish and maintain contacts with all relevant actors involved on specific issues related to PoCs with special needs.
- For the provision of information by the authorities during outreaches and individual counselling:
- For improving the legal framework, access to protection and services available for PoCs: The Protection Unit cooperates with the Durable Solutions unit and Public Information Unit through a variety of activities, workshops, meetings with stakeholders, trainings, drafting of documents outlining our recommendations and media campaigns.

Cooperation with the authorities

- On capacity building, including training with Government agencies and PoCs community: UNHCR has, over the years, developed a positive working relationship with the Government of Malta and generally works collaboratively on key issues in order to improve access to protection for all persons of concern. Recently refugee-led community organizations have also been put in contact with key state entities and have made positive contributions to the improvement of the situation for refugees and other beneficiaries of protection in Malta.
- On training of interpreters working with refugees in Government agencies, police, courts, NGOs etc. UNHCR provide regular training for all interested interpreters working with different

government agencies. This training focusses on how to be an effective and professional interpreter.

- On the Refugee Appeals Board's decisions: UNHCR assesses the decisions made by the RAB and provides support when appropriate.
- On Child Protection and SGBV prevention: UNHCR focusses on data management, capacity-building, partnerships and coordination, and promotes sharing of training resources.
- On the improvements of reception conditions of applicants for international protection. UNHCR reports observations and recommendations to the authorities on a regular basis. UNHCR uses the observations and information collected during visits to advocate for better conditions and fairer processes for persons of concern to UNHCR, by drafting policy documents and recommendations, and by administering trainings and supporting the government to develop better practices and stronger monitoring systems.

Durable Solutions

People granted International Protection in Malta enjoy freedom of movement and access to the labour market, education and health services. Nevertheless, social inclusion prospects remain problematic for many. This is due to destitution, high rental market, limited social support, as well as restrictive family reunification and citizenship opportunities.

The authorities are in principle in agreement with the need to pursue new approaches to facilitate social inclusion, including through facilitation of settlement in the community. In December 2017, a Migrant Integration Strategy & Action Plan was published with different measures to facilitate refugees' and migrants' integration in Malta. UNHCR will continue to provide inputs and guidance in this regard and work closely with the authorities and NGOs in its implementation.

There have also been improvements in recent years as regards to access to social services and promotion of access to the regular labour market for all beneficiaries of protection.

Since 2016 UNHCR has developed two further projects to facilitate the social inclusion of refugees and beneficiaries of protection in Malta:

- **Project Integrated:** A project is implemented through our partner the Jesuit Refugee Service (in collaboration with other NGOs), with the aim that beneficiaries of international protection are fully integrated in Maltese society, effectively enjoy their rights, and achieve true independence and self-sufficiency. This is achieved through service provision (counselling, information sharing and in-depth support), capacity building of mainstream service providers to facilitate easier access to such services, and monitoring integration gaps and advocating for the development of better integration services and programs.
- **Integration Priority Track (IPT):** UNHCR has developed a framework to provide individual support for refugees who are focusing on their integration prospects. This is being implemented through the same project with our partner JRS. The IPT provides more tailor-made support for refugees to facilitate their integration, including access to tertiary education, skills & employability, and entrepreneurship. Support is provided through an individualized action plan for settlement in Malta.

Other Key highlights of Durable Solutions activities in Malta:

- Conducting home visits ('Meet the Other') to beneficiaries of international protection
- Counselling and support with integration and family reunification
- Advocacy and support for the implementation of the Migrant Integration Strategy & Action Plan

- Advocacy for access to facilitated Family Reunification to all beneficiaries of protection and access to naturalization pathways
- Organization of periodic Integration Roundtable meetings to get together all NGOs, including refugee-led organizations, working on integration matters in the country
- Facilitation of networking, exchange of information, training support and referral mechanisms between public/private sectors and refugees
- Organizing Refugee Consultation Group sessions with refugees and refugee led organisations in order to gain feedback on the work of UNHCR with regard to integration and other areas of interest
- Conducting outreach visits in open centers, community centers, and social places on a regular basis
- Organizing information sessions about the UNHCR registration system, integration initiatives, the Dublin system and other general questions
- Engaging with refugees in Gozo to map gaps in service provision and creating a system of Refugee Focal Points to assist the refugee community together with various Government and non-Government stakeholders who are involved to improve access to rights and social inclusion
- Maintaining and sharing up to date information on a wide variety of services to facilitate advice or guidance to any refugee on a number of social services
- Assisting the Government of Malta in resettling a number of refugees from third countries as pledged in international fora.

As of April 2017, the US Government informed UNHCR that it is ending its resettlement program from Malta. UNHCR will therefore no longer interview refugees for resettlement. Around 3,000 beneficiaries of protection have been resettled from Malta to the US between 2007 – 2017.

Statelessness

Statelessness refers to the condition of an individual who is not considered to be a citizen of any state. Although stateless people may sometimes also be refugees, the two categories are distinct and both groups are of concern to UNHCR.

There are an estimated 12 million people worldwide who are stateless. UNHCR has been given a mandate to work with governments to prevent statelessness from occurring, to resolve those cases that do occur and to protect the rights of stateless persons. A first step is for states to ratify and implement the 1954 Convention Relating to the Status of Stateless Persons. Another important convention is the 1961 Convention on the Reduction of Statelessness.

In the European Union, only four countries are not yet party to any of the Statelessness conventions: Cyprus, Estonia, Poland and Malta.

In February 2017, the Maltese Government issued a Press Release saying that it is “is considering the adoption of further measures, in addition to those already provided for by the national legislative framework, intended to address situations of statelessness.”

In particular, the Government is actively considering the possibility to accede to the 1954 Statelessness Convention.”

UNHCR continues to engage with Government officials and is urging Malta to become party to these conventions in order to protect stateless persons, and prevent and reduce statelessness.

Public Information

UNHCR’s main aim for public information in Malta is to raise awareness on a number of refugee related issues. The PI unit works closely with the Protection and Durable Solution units in providing visibility, research and advocacy. PI is also utilized to counter misinformation, provide information on the asylum system and raise awareness on refugees’ issue

The Public Information unit is also responsible for UNHCR’s public image. It is also tasked with developing campaigns to tell the human story of refugees and to promote support for UNHCR’s mission to protect the vulnerable.

UNHCR is always looking for new and inventive ways to communicate. Indeed, in the past years it has developed numerous campaigns on TV, Radio, Cinema, Social media as well as producing numerous tools such as Animations and publications while also developing collaborations such as that with the Valletta Film Festivals for World Refugee Day.

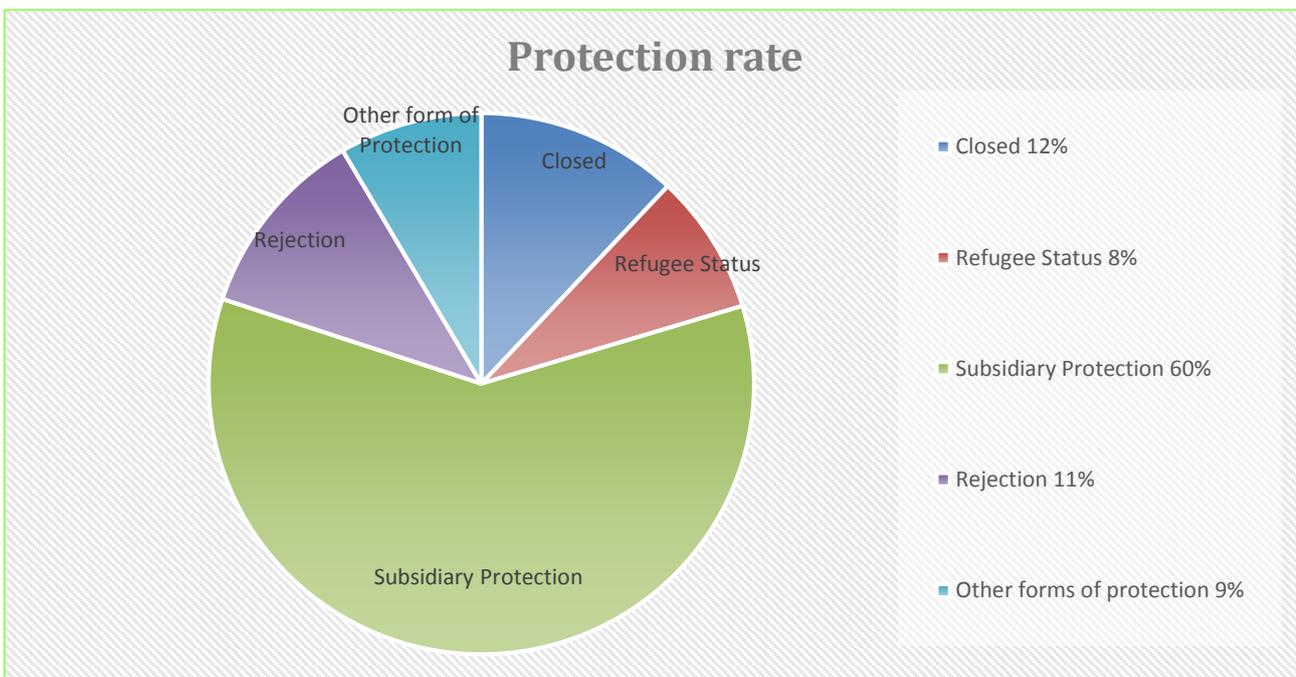
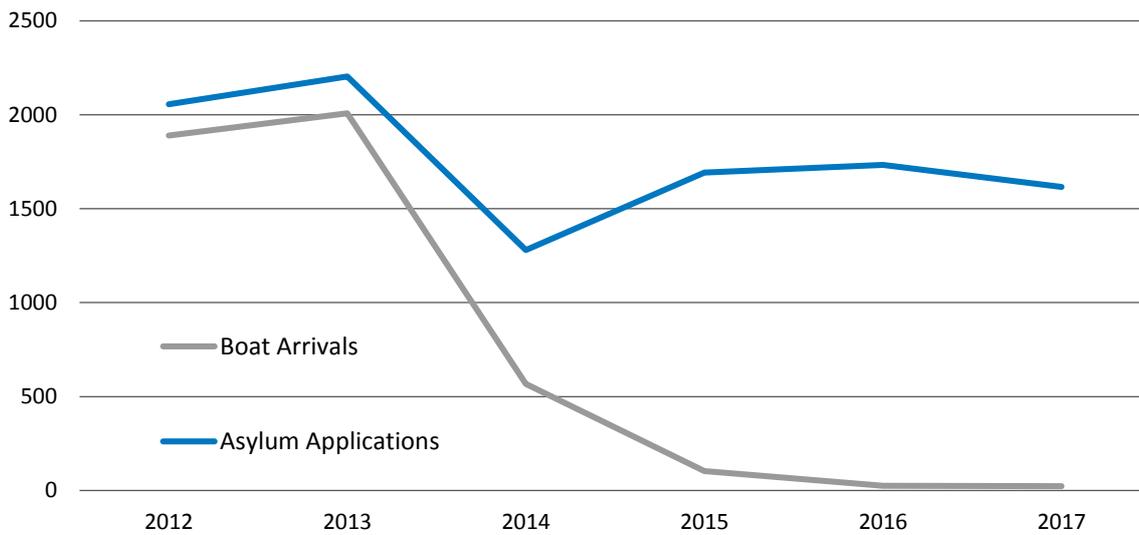
Key highlights of Public Information activities in Malta:

- Support Protection and Durable Solutions strategies
- Establish and maintain contact with media outlets
- Maintain information and analysis on sea arrivals, asylum applications, protection rate through the gathering of statistics from different sources
- Raise awareness on social inclusion in Malta through Public Campaigns – part of these campaigns have been on TV, Cinema, Radio and social media
- Increase UNHCR visibility through the running of campaigns such as World Refugee Day
- Conduct regular studies on public perception
- Engage with and support partners and refugee led organizations.

MALTA TRENDS IN BRIEF

- The vast majority of asylum seekers are today arriving through regular means as all disembarkations are happening in Italy.
- Top asylum applications: Somalia, Libya, Syria and Eritrea.
- Majority of individuals with international protection are from Libya, Syria and Somalia
- Around 3,500 beneficiary of protection were resettled to the US or relocated to the EU between 2008-2016. A further 470 individual were returned home through voluntary repatriation programs since 2009.
- Relocation to Malta: 168 (2016-2017); Resettlement to Malta from outside the EU: 17 (2017)
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ARRIVALS



% rounded up

January – April 2018:

Asylum applications: 515

Protection rate:

Closed: 47%

Refugee Status: 8%

Rejected: 10%

Subsidiary Protection: 32%

THP: 3%

Top asylum applications:

Syria: 145

Somalia: 142

Libya: 85

Top Protection:

Libya: 85

Syria: 84

Eritrea: 41

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