

National Report Malta

ASSESS

Integration of Vulnerable
Migrant Groups

The People for Change Foundation



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The People for Change Foundation



Review of Existing Monitoring Mechanisms for the Integration of Migrants in Malta

The People for Change Foundation

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Project Overview

This report is developed in the context of the project *Assessing Integration Measures for Vulnerable Migrant Groups* (ASSESS) which aims to monitor and assess the effectiveness of integration measures for vulnerable migrant groups in ten EU Member States. The three main target groups of the project include migrant women, children and victims of trafficking. The project pursues four main goals: to develop standardized methods for the monitoring of integration of vulnerable migrants, applicable across the EU; to assess the effectiveness of integration policy/ measures for vulnerable migrant groups (women, children and victims of trafficking); to formulate recommendations for enhancement of the integration of vulnerable migrant groups (women, children and VOTs) across the EU, including identification of good practices; and to raise awareness among national stakeholders across the EU of the need to develop vulnerability-sensitive integration processes that address the particular circumstances of vulnerable migrants related to exclusion, exploitation and trafficking.

The present report is the outcome of a study conducted in the first phase of the ASSESS project which is focused on identifying of the existing monitoring and data collection mechanisms in the area of migrant integration in ten EU Member States. The findings of the ten national reports will serve the development of comparative report on the same topic and will aid the development of tailored methodology and specific indicators for monitoring the integration of vulnerable migrant groups in the EU.

Executive Summary

This report presents a review of existing monitoring mechanisms for the integration of migrants in Malta, contextualized within the present migration and integration context. The report was drawn up on the basis of a combination of desk research, information requests, and 11 semi-structured interviews with relevant stakeholders held during March and April 2014. The research is conducted at a time where no national integration policy exists in Malta, and both integration measures and subsequent monitoring remain sparse and/or limited to *ad hoc* projects.

This report highlights how the lack of a coherent and co-ordinated national integration policy renders any subsequent monitoring of integration fragmented. Although existing integration and monitoring efforts feed into lobbying and advocacy efforts, and contribute towards the national narrative on the topic, the lack of ownership of overall responsibility for integration gives rise to a number of gaps and disparate voices in implementing and monitoring such efforts. Aside from restricting the ability to monitor integration efforts (due to a lack of concrete targets to measure integration efforts against), this lacuna subsequently also means that vulnerable migrant subgroups such as women, children and trafficked persons are not fully considered, when a more generic approach to integration in itself is lacking.

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Table of Abbreviations

AWAS	Agency for the Welfare of Asylum Seekers
ENAR	European Network Against Racism
ETC	Employment and Training Corporation
EU	European Union
EU-SILC	European Union Statistics on Income and Living Conditions
GRETA	Group of Experts on Action against Trafficking in Human Beings
ISCO	International Standard Classification of Occupations
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersex
MIPEX	Migrant Integration Policy Index
NGO	Non-governmental organization
NSO	National Statistics Office
PISA	Programme for International Student Assessment
TCN	Third Country National
THP	THP – Temporary Humanitarian Protection
THPN	THPN – Temporary Humanitarian Protection New
UN	United Nations
UNHRC	United Nations Human Rights Council
USA	United States of America

Introduction

This report assesses the monitoring and evaluation of integration measures in Malta with a particular focus on three vulnerable migrant groups – women, children, and trafficked persons. In considering integration in terms of the *Common Basic Principles on Migrant Integration*, this report has looked at the understanding and application of these principles on the ground by those working directly in the area, and analysed the monitoring which is undertaken in working towards integration within these principles. This report addresses a gap as it does not report directly on integration measures *per se*, but rather looks at the monitoring practices and structures in place for the evaluation of such efforts and measures. Furthermore, it evaluates any measures in place to address the nuanced experience of integration for vulnerable migrant groups. Whilst the report outlines national developments in Malta, broader EU policies and developments are also considered insofar as they inform national policy and practice.

Part 1 of this report provides a general overview of migration and integration in Malta, outlining the national and legal context in which migration and integration occur. The section provides statistical and analytical information on the current context in Malta, along with the state of play of Malta's integration framework. Existing legislation, policies and practices involving integration to some degree, along with relevant migration statistics, provide the relevant context for the next section in the report. Part 2 of the report focuses on the monitoring and evaluation of integration in Malta, outlining the present implementation of integration measures, the use of integration indicators, and the evaluation thereof. Limitations in this research were confronted due to the sparse legislation and policy in place to address integration management, meaning that subsequent monitoring and evaluation practices were also limited. Gaps and lacunae in this area have been identified within this research, and formal recommendations are being put forward in order for integration measures to be enhanced by means of clear commitments and goals, benchmarking, and systematic evaluation.

Data for this research was collected through a combination of desk research of various sources, information requests to relevant institutions, and semi-structured interviews with key stakeholders. These stakeholders and institutions include the National Statistics Office, UNHCR Malta, various non-governmental organizations, the Migrant Health Unit, representatives from the Ministry for the Family and Social Solidarity, the Centre for Labour Studies and other academics, the Employment and Training Corporation, the Funds and Programmes Division responsible for the administration of EU funds working towards integration, and Dar Osanna Pia run by the Salesians of Don Bosco. The People for Change Foundation wishes to thank the representatives of these organizations and entities for their participation in this research.

Part I - General Overview of Migration and Integration in Malta

I.1 Migration Context

Malta, as an island state situated between two continents has historically been a country of emigration. It passed through the hands of various colonial rulers over the centuries, before the country gained independence in 1964 and became a Republic in 1974. Economic conditions and hardship in the 19th and 20th Century gave rise to mass emigration from Malta to countries such as Canada, Australia, and the United Kingdom as well as several countries in North Africa, this being presented as a solution to the economic hardships faced by the Maltese in the aftermath of the Second World War. In the years that followed, emigration patterns stabilized, partly due to post-war reconstruction. Immigration to Malta occurred in relatively small numbers in the decades that followed. Following the partitioning of India and Pakistan a small number of Indian migrants settled in Malta. During the 1970s and 1980s, foreign relations with neighbouring Libya were strengthened, resulting in and the formation of a small Libyan and Muslim community. These immigration patterns reached a turning point at the beginning of the new millennium, through EU membership and the onset of irregular immigration from Africa.

Whilst this report is primarily concerned with integration inasmuch as it involves Third Country Nationals, it is worthwhile noting that EU nationals currently make up the majority of immigrants in Malta. In 2013 alone, EU nationals made up 3.05% of the total population of Malta, whilst Third Country Nationals made up 2.28%.¹ However, for the purposes of this report, it is only the latter who shall be considered. According to a Parliamentary Question dated 21st March 2014², there are 11,565 Third Country Nationals residing in Malta without naturalization in the form of Maltese citizenship. The largest numbers hail from Libya (1988), Somalia (1206), Russia (1029), Serbia (790), the Philippines (720), Eritrea (662) and China (602).

A significant migration trend began in 2002 – that of irregular immigration of sub-Saharan Africans arriving by boat from North African shores. Sub-Saharan African migrants fleeing war-torn and impoverished countries such as Somalia, Eritrea, and Ethiopia, who had undertaken journeys along smuggling routes to Libya, then proceeded in seeking passage to Europe by boat. For those who are rescued or make it to Maltese shores, Malta becomes their first entry point into Europe, and the safe country in which they apply for asylum. Within the past 5 years, a total of 6,999 ‘boat people’³ have arrived on Maltese shores, although a number have since been resettled to other countries (mostly to other EU countries or to the USA) under various resettlement programmes. The number of ‘boat people’ arriving in Malta in the past five years is as follows:

Year	2009	2010	2011	2012	2013
No of Arrivals	1475	47	1579	1890	2008

Figure 1: Boat arrivals 2009-2012. Source: UNHCR

¹ Migration profile for Malta, unpublished.

² PQ 8668, XII Legislature, 21st March 2014.

³ This term refers to individuals who have arrived in Malta by boat and sought asylum.

UNHCR Malta estimates that around 30% of the 18,625 individuals who arrived by boat since 2002 remain in Malta, this in itself partly attesting to the statistics in Figure 1 and highlighting the need for meaningful integration measures.

Upon arrival in Malta, asylum-seeking individuals put forward their application for asylum to the Office of the Refugee Commissioner, established by means of the *Refugee Act*⁴. Amongst the potential outcomes for their application, an asylum seeker may be recognised as a refugee or granted subsidiary protection. Maltese law adopts the definitions provided in the Qualification Directive in this regard. Where the Refugee Commissioner considers that an applicant is not eligible for neither refugee status nor subsidiary protection, in accordance with the Procedural Standards in Examining Applications for Refugee Status Regulations, the Commissioner may still recommend granting Temporary Humanitarian Protection status, where an applicant is an unaccompanied minor, or cannot be returned to the country of origin on medical or humanitarian grounds. A similar status referred to as Temporary Humanitarian Protection – New (THPN) may also be granted where a former applicant for asylum whose claim was rejected has not been returned to his country of origin due to factual reasons beyond his control, and who shows prospects of integration in Malta.

The granting of Temporary Humanitarian Protection status is at the discretion of the Refugee Commissioner, and entitles the beneficiary for a one-year special leave to remain in Malta on Temporary Humanitarian Protection grounds. This is renewable on a yearly basis (provided that the applicant satisfies the conditions required for such procedure) and is not subject to appeal. The Temporary Humanitarian protection entitles the beneficiary to the same rights as those granted to beneficiaries of subsidiary protection under Article 14 of Legal Notice 243 of 2008 Procedural Standards in Examining Applications for Refugee Status Regulations.

In the past five years, the following decisions have been taken by the Refugee Commissioner with regards to granting official statuses to irregular migrants:

⁴ Chapter 420, Laws of Malta

Year	2009	2010	2011	2012	2013
Decision Type					
Abandoned/Lost	-	-	-	62	97
Inadmissible	-	-	-	6	47
Provisional	-	-	-	151	17
Refugee	20	46	72	34	59
Rejection	895	132	708	159	301
Subsidiary Protection	1666	166	695	1236	1686
Temporary Humanitarian	10	11	129	15	242
THPN	-	555	318	11	123

Figure 2: Outcome of Applications to the Refugee Commissioner 2009-2013

It is important to note that irregular immigration by means of boat arrivals only forms part of a much broader immigration picture, as illustrated in the figure below once it has been taken into consideration that ‘boat people’ form only one section of the population of Third Country Nationals in Malta.

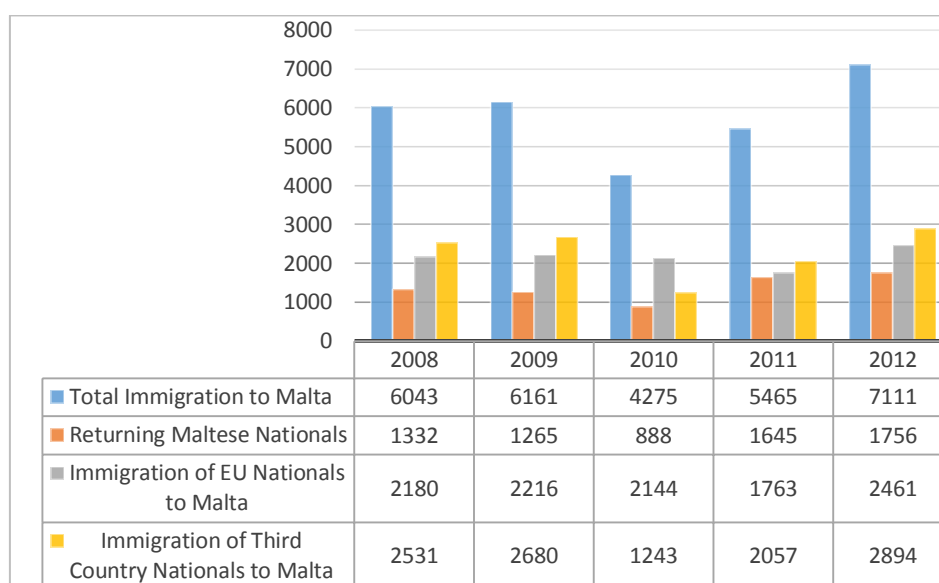


Figure 3: Flow data, Immigration to Malta 2008-2012 [Source: Eurostat]

It is worthwhile to contrast the data above with stock data demonstrating the number of migrants who form part of the Maltese population at any given time. This information is illustrated by means of Figure 4 below.

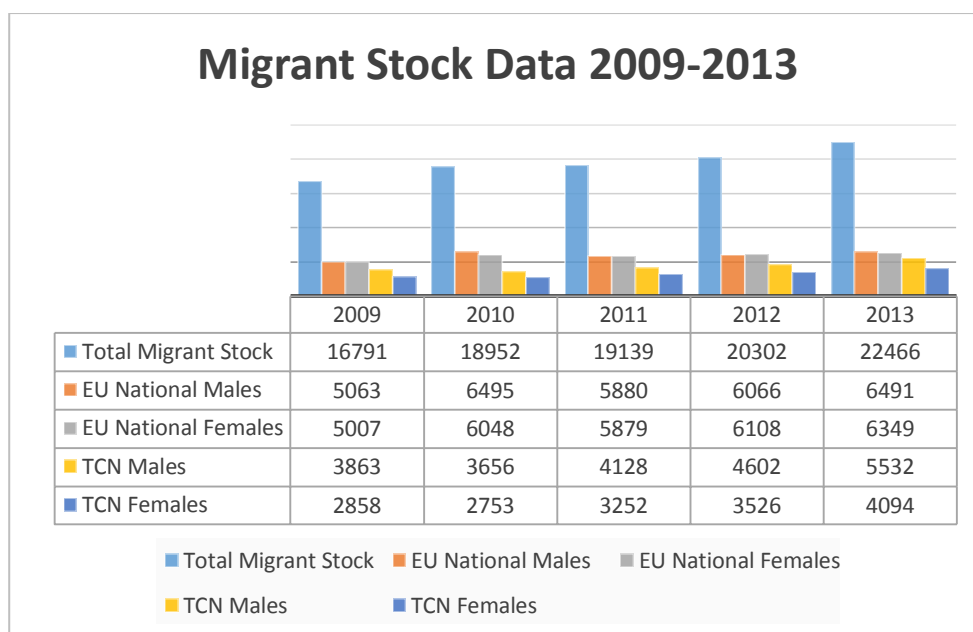


Figure 4: Stock Data, Migrants by Sex and by Broad Category of Citizenship.⁵

The data above demonstrates a breakdown of the migrants residing in Malta by sex and broad category of citizenship. The figure below provides a further breakdown, giving a rough indication of the number of children also forming part of the total migrant stock.⁶

Year	2009	2010	2011	2012	2013
EU Nationals					
Under 15	-	-	-	879	977
Age 15-19	262	442	340	297	339
Age 20+	7,080*	9,094*	8,204*	10,998	11,524
TCNs					
Under 15	-	-	-	895	1004
Age 15-19	285	209	267	328	491
Age 20+	5,601*	5,324*	6,114*	6,905	8,131

Figure 5: Stock Data, Migrants by Age and Broad Category of Citizenship

*Excluding those aged 65 and over due to lack of relevant Eurostat data

The number of identified trafficked persons in Malta has been consistently low, amounting to a total of 25 persons (24 women and 1 man) between 2003 and 2011. According to the latest

⁵ Extracted from the Migration Profile for Malta, unpublished.

⁶ Given that Eurostat figures organize data by age categories of those under the age of 15, and those aged between 15 and 19, it is not possible to provide accurate statistics on the precise number of migrant children in Malta according to the universal definition of a child as provided by the UN CRC (i.e. a person under the age of 18).

GRETA report,⁷ most of these individuals originated from the Russian Federation, the Ukraine and Romania, and most had entered Malta legally. No child victims were identified, and two of the trafficked persons were subject to re-trafficking in Malta. However, it is important to note that given the lack of formalized procedures for identifying trafficked persons, the figures above may not be indicative of the full scale of this issue.

In terms of the acquisition of citizenship by naturalization, the table below indicates the number of Maltese citizenships granted to individuals under the provisions of the *Maltese Citizenship Act*⁸, who were formerly citizens of other EU countries or Third Country Nationals. A small number of former citizenships were unknown, and available data was not disaggregated by age or gender.

	2009	2010	2011	2012	2013
EU	187	176	190	313	N/A
TCN	615	748	861	808	N/A
Unknown	15	19	29	17	N/A
Total	817	943	1,080	1,138	N/A

Figure 6: Acquisition of Maltese citizenship by former broad category of citizenship [Source: Eurostat]

A number of Third Country Nationals have taken up employment in Malta, being granted the work permits to do so in accordance with the table below. However, others remain engaged within the informal labour market, for which statistics are presently unavailable. The volume of occupations listed in the table below do not include occupations taken up by EU citizens. This inclusion would indeed lead to a higher value of occupations taken up by foreigners (according to the National Employment Policy explained later in this report), which is not presently the case with respect to Third Country Nationals.

Occupation (ISCO code)	Female	Male	Total	ISCO
Cleaner (911208)	631	93	724	9
Cleaners and helpers in offices, hotels, and other (911200)	191	334	525	9
Chef (343400)	45	252	297	3
Caster, concrete, products (711402)	0	248	248	7
Labourer (931307)	4	231	235	9
Managing directors and chief executives (112000)	46	167	213	1
Nurse (with degree or diploma) (222101)	82	43	125	2

Figure 7: Work Permits Granted to Third Country Nationals by ISCO Code [Source: The National Employment Policy]

⁷ Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Malta [Group of Experts on Action against Trafficking in Human Beings - GRETA]: January 2013

⁸ Chapter 188, Laws of Malta

I.2 Legal Context for Migration Management

The legal context in which migration is managed has evolved fairly rapidly in the last decade, partly due to Malta's accession into the European Union in 2004, as well as in response to the rise of irregular migration flows. This latter reality in particular necessitated new forms of migration governance, incorporated within legislative, policy, and institutional developments. The *Immigration Act*⁹ is the primary piece of legislation regulating immigration into Malta, as well as the *Refugee Act*,¹⁰ along with corresponding subsidiary legislation of both. Other relevant legal instruments include the *European Union Act*¹¹ and subsidiary legislation issued thereunder, and the *Maltese Citizenship Act*¹², which addresses the issue of naturalization and its corresponding subsidiary legislation.

The *Immigration Act* makes a number of provisions with regards to the management of migration. Aside from outlining the appointment, functions and competences of bodies such as the Principal Immigration Officer and the Immigration Appeals Board, the Act implements EU treaties with regards to the free movement of persons, defines and regulates the situation of prohibited migrants, stipulates the possibility of detention as a migration control measure, and regulates the issuance and conditions of residence permits and visas. The *Refugee Act*, aside from a number of other provisions, incorporates the responsibilities assumed by Malta under the 1951 Convention on the Status relating to Refugees, establishes the office and functions of the Refugee Commissioner and the Refugee Appeals Board, and establishes the parameters by which an individual qualifies for international protection (as well as their entitlements therein). Unaccompanied immigrant minors are entitled to special protection under the provisions of the *Children and Young Persons (Care Orders) Act*¹³, as well as by virtue its subsidiary legislation. Care orders are granted to children in Malta more broadly, including migrant children, on the basis of whether they are deemed to be lacking in care, protection, and guidance.¹⁴ In this regard, care orders are also granted to trafficked children by virtue of Article 4 of the Residence Permit regulations¹⁵ (which are elaborated upon below). These regulations provide that “*a third country national who is a victim of trafficking of human beings [...] and who is found under circumstances which clearly indicate that he is a child or young person in need of care, shall be assisted in terms of the Children and Young Persons (Care Orders) Act as if he were a child or young person under such Act*”.

The *Maltese Citizenship Act*, and the subsidiary legislation thereunder, provides for the acquisition, revocation, and renunciation of Maltese citizenship, and regulates the possibility and conditions for naturalization. The Act does not make any distinction between EU and non-EU Nationals with regards to access to citizenship. Concern has been raised regarding

⁹ Chapter 217, Laws of Malta

¹⁰ Chapter 420, Laws of Malta

¹¹ Chapter 460, Laws of Malta

¹² Chapter 188, Laws of Malta

¹³ Chapter 285, Laws of Malta

¹⁴ A Child Protection Bill (currently in its second reading in Maltese Parliament) proposes a number of further developments with regards to the legal provision of care and protection to minors. These include placing unaccompanied immigrant minors under a care order automatically, as well as providing psycho-social care to such minors in order to reduce trauma.

¹⁵ Legal Notice 175 of 2007

the large margin of discretion vested in the Minister in determining naturalization, along with the lack of opportunity to appeal decisions, as well as the revocation of citizenship in certain instances. In addition, human rights bodies such as the Maltese Commissioner for Children have advocated for the automatic granting of citizenship to the children of asylum seekers who are born at sea (a practice which is not currently undertaken), in addressing potential scenarios of statelessness. A recent development in Maltese Law (the provisions of which are beyond the scope of this report) now provides for the acquisition of Maltese Citizenship against a substantial investment, the provisions of which are laid out in the *Individual Investor Programme of the Republic of Malta Regulations*.¹⁶

Malta is party to a number of international Conventions relating to human trafficking. These include the UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children. Malta is also Party to the UN Convention on the Rights of the Child and its Optional Protocols, and the UN Convention on the Elimination of all forms of Discrimination Against Women. The offence of trafficking in human beings was incorporated into domestic legislation in 2002, through Act III of the Criminal Code entitled ‘Of the Traffic of Persons’. This law was subsequently amended by virtue of Act VII of 2010. Prior to this, a residence permit was introduced by virtue of Legal Notice 175 of 2007, for trafficked persons who collaborate with the authorities under the ‘Permission to Reside for Victims of Trafficking or Illegal Immigration who cooperate with the Maltese Authorities Regulations’. The Regulations allow for a reflection period of up to two months, and for the granting of a residence permit of six months (renewable for as long as required), where the continued stay of the third country national in Malta is useful to the criminal justice process. No such residence permits have however been issued since the adoption of the regulations in 2007.

I.3 Migrant Integration in Malta

Migrant integration is seldom referred to (much less clearly defined) within Maltese legislation. There is no direct reference to integration in the *Immigration Act*, the *Refugee Act*, or the *Maltese Citizenship Act*. However fleeting references are made within Subsidiary Legislation. Within the regulations set out in *Subsidiary Legislation 217.05* (as amended by *Legal Notice 370 of 2010*), entitled the *Status of Long-Term Residents (Third Country Nationals) Regulations*, eligibility for long term resident status is dependent on the provision of evidence which demonstrates that a person has complied with particular conditions for integration. The conditions are follows, by virtue of Article 5(3):

- a) in the last twelve months immediately prior to the application for long term resident status he has attended a course organised by the public employment service or any other competent authority of at least one hundred hours having as its subject matter the social, economic, cultural and democratic history and environment of Malta, and that he provides evidence certifying that he has attended at least one hundred hours of the lessons of these courses with satisfactory attention and that he has achieved an examination pass mark of at least seventy five percent;

¹⁶ Legal Notice 47 of 2014.

- b) has obtained a pass mark of at least seventy five percent after being assessed by the competent authorities to have achieved the equivalent of Malta Qualifications Framework Level 2 in either Maltese or English; and
- c) provides evidence that the necessary fees charged in relation to the courses, examinations and certificates referred to above have been paid.

The language assessment referred to above is presently administered by the Employment and Training Corporation, by means of the project 'IF03-2012 Integrating TCNs in the Maltese Society'. The objective of the project, which was funded by the European Integration Fund, is to facilitate the integration of Third Country Nationals into Maltese society through the delivery of language courses and a specific course dedicated to cultural awareness and employment. The course is thus based on the notion that third country nationals must adapt to Maltese culture and acclimate to local customs. In order to be eligible to apply for long term resident status, sufficient knowledge in the relevant subject matter (which includes Maltese history and knowledge of Malta's economy, environment, and socio-political climate) must be demonstrated. The structure of the course as an integration measure therefore places the onus of integration on to the Third Country National, this indeed reflecting the common practices and predominant sentiment of the Maltese Government with regards to integration. In this respect, integration in practice is often not understood in terms of the *Common Basic Principles for Immigrant Integration in the European Union*, the first principle of which defines integration as a "dynamic, long-term, and continuous two-way process of mutual accommodation" which "demands the participation not only of immigrants and their descendants but of every resident."

Whilst Third Country Nationals are legally granted access to fundamental services in the sectors of health, education, employment, and housing (amongst others), in practice they are often expected to locate these services themselves with limited assistance, and navigate through the relevant institutional structures in order to access these services. Indeed, *Subsidiary Legislation 420.07* (supplementing the Refugees Act) on the *Procedural Standards in Examining Applications for Refugee Status Regulations* grant those with refugee status and subsidiary protection status access to employment (subject to labour market considerations in the case of the latter), social welfare, appropriate accommodation, state education and training, medical care, and integration programmes – though no formal integration programmes on the part of Government (aside from the aforementioned ETC initiative) are known.

The common expectations with regards to migrant integration are that migrants should come to generate the necessary social capital and cultural know-how independently, in order to access relevant services of their own accord. The *Agency for the Welfare of Asylum Seekers Regulations*, which came into force under *Subsidiary Legislation 217.05*, outlines support to be given to asylum seekers as part of the functions of the Agency. These include a responsibility to "provide information programmes to its clients in the areas of employment, housing, education, health and welfare services offered under national schemes"¹⁷ and to "act as a facilitator with all public entities responsible for providing services to ensure that

¹⁷ Article 6 (2c), Subsidiary Legislation 217.11, Laws of Malta.

*national obligations to refugees and asylum seekers are accessible.*¹⁸ The Agency for the Welfare of Asylum Seekers¹⁹, in accordance with the functions outlined within these regulations, thus assumes a ‘pre-integration’ function in its administration of the vast majority of open centres in Malta. In this respect, open centres are often considered as transitory spaces, lying midway between the closed and isolated experience of detention centres, and the experience of living within accommodation in the community (along with the integration implicitly expected to take place therein).

At present, no Ministry within the Government of Malta assumes the overall responsibility for migrant integration in Malta. However, other Ministries indirectly assume responsibility for integration by means of the aspect/s of it which fall within their specific portfolio. Government stakeholders in the field of integration thus include the Ministry for Home Affairs and National Security, the Ministry for Education and Employment, the Ministry for Foreign Affairs, the Ministry for the Family and Social Solidarity, and the Ministry for Social Dialogue, Consumer Affairs, and Civil Liberties. Such an approach means that efforts towards integration are often sparse and fragmented, this inherently affecting the ability to undertake effective monitoring and evaluation.

In 2013, the Minister for Social Dialogue, Consumer Affairs, and Civil Liberties expressed a commitment and intention to develop an immigrant integration policy. Whilst this political will was welcomed by a number of relevant stakeholders, at the time of writing, no such national policy had yet been developed, and thus no official definitions of integration are currently in place on a national level.

A few years prior, in 2011, the Maltese Government launched Malta’s *National Strategy for the Promotion of Cross-Cultural Understanding and Management of Cultural Diversity*²⁰. The Strategy stated that its focus was on four dimensions: those of education, culture, the internal rule of law, and tourism and town-twinning. Correspondingly, the main actors involved in the formulation and execution of this Strategy at that time were the Ministry of Education, Culture, Youth and Sport; the Ministry of Justice and Home Affairs; and the Parliamentary Secretariat for Information, Tourism and Sustainable Development within the Office of the Prime Minister. The Ministry of Foreign Affairs acted as co-ordinator for the strategy, in partnership with the Alliance of Civilizations (as a member of the Group of Friends of the Alliance).

The Strategy, whilst setting out to encourage understanding, tolerance, and co-operation, as well as to foster inter-cultural dialogue, was predicated on the incorporation of already-existing measures, and consolidating them within one document. As a result, no concrete targets or measures were proposed by means of the strategy. Existing initiatives in the education sector were cited, these including pre-service training, in-service training, developing materials to support an intercultural approach, projects on democratic citizenship, and the incorporation of human rights education within the curricula. Within the cultural

¹⁸ Article 6 (2d), Subsidiary Legislation 217.11, Laws of Malta.

¹⁹ Previously known as the Organization for the Integration and Welfare of Asylum Seekers (OIWAS).

²⁰ The National Strategy for the Promotion of Cross-Cultural Understanding and Management of Cultural Diversity may be viewed here: www.unaoc.org/wp-content/uploads/Malta-National-Strategy2.pdf

sector, the Strategy notes that a website named *diversemalta.com* was launched in 2009 with the intention to bringing diverse communities together (however this website was offline at the time of writing this present report). A national commission for cultural diversity was also proposed, however this has never come to fruition.

Within the context of the *National Strategy for the Promotion of Cross-Cultural Understanding and Management of Cultural Diversity*, the Ministry of Justice and Home Affairs is listed as responsible for the integration of asylum seekers and beneficiaries of international protection²¹. The Strategy goes on to state that measures undertaken by the Ministry aim to support the proper integration and equality of asylum seekers, refugees, and beneficiaries of subsidiary protection as participating citizens in Malta. Particularly, it notes that “*The Ministry for Justice and Home Affairs fully supports the European Pact on Immigration and Asylum which was formally endorsed by the European Council in December 2008, specifically: to take account of the priorities, needs and reception capacities and to encourage integration. Moreover, the Pact provides for the voluntary reallocation of beneficiaries of international protection from Member States subject to disproportionate pressures. The implementation of such a measure is important in that it would better enable Malta to properly integrate those beneficiaries of international protection who remain on the island.*”

In relation to the extract above, it should be noted that to this day, integration is still frequently discussed within the proviso of emphasizing Malta’s limited capacities and resources to integrate migrants, due to Malta’s position as a small and densely populated country on the fringes of Europe²². Furthermore, as noted within the ENAR Shadow Report for Malta 2011-2012²³, the term ‘immigrant’ in Malta has become synonymous with the term ‘African illegal migrant,’ used regardless of the legal status or asylum outcome of the individual. Also, Muslim communities in Malta are often homogenized, with ‘Arab,’ ‘North African,’ and ‘illegal immigrant’ frequently taken to mean the same thing. As a result, any national narratives regarding migration and integration often solely focus on a small subset of migrants in Malta.

In returning to the *National Strategy for the Promotion of Cross-Cultural Understanding and Management of Cultural Diversity*, the document highlights recent developments in updating anti-discriminatory legislation covering race, and it also draws attention to initiatives aimed at strengthening the operations of open centres “in order to assist in the crucial first steps in integration once third country nationals arriving in Malta irregularly are released from detention.” Reference is also made to the Organisation for the Integration and Welfare of Asylum Seekers (now AWAS), which according to the Strategy, was set up with a view to assist asylum seekers/beneficiaries of international protection by providing language training, assessment of skills and other services meant to facilitate their integration into mainstream

²¹ It should be noted that the Strategy adopts the term ‘illegal immigration’ in lieu of the legally correct term ‘irregular immigration.’ This terminology in itself may be viewed as a hindrance to effective integration, in making a premature and unfounded association between criminal activity and seeking asylum.

²² ‘Migrant integration possible but limited – Minister’. Times of Malta online, June 19, 2013

²³ Gauci, J.P & Maria Pisani. ENAR Shadow Report: Racism and related discriminatory practices in Malta, European Network Against Racism, 2013

society. The Strategy also highlights that efforts have been made to tackle the particular situation of vulnerable persons, and it illustrates this with reference to residential services set up within the community. The possibility of family reunification, as well as the opportunity for migrants to avail themselves of educational opportunities, were also cited within the Strategy as potential integration measures.

A recently-launched *National Employment Policy* draws attention to data indicating the top 7 occupations taken on by Third Country Nationals according to work permits granted (provided in Section I.1), and also notes that the profiling of immigrants in Malta ranges from low to high skilled immigrants. The policy outlines the duty of the government to respect the dignity of these persons by integrating them into society, along with an argument for the economic feasibility in doing so. The overrepresentation of migrants²⁴ in the black economy is briefly mentioned in the policy document, along with reference to initiatives aimed at training and educating migrants in order to recruit them within the formal labour market. However, the policy document does not then take the idea of such proposed integration measures any further.

As this present report illustrates, policy specifically addressing the integration of third country nationals in Malta is presently sparse, if not totally absent (although the political will to work on this issue has been stated on a number of occasions). An earlier 2012 study on *Satisfying Labour Demand Through Migration in Malta*²⁵ noted that:

None of these policy documents discuss migration as a possible solution to tackling future labour or skills shortages. Usually, migration is mentioned briefly, if not at all, discussed in very generic terms and when reference is made to migration and Malta, it concerns irregular immigration. (p.14)

In a similar vein, the same can be said of other policy documents, such as the draft National Children's Policy, as well as the Green Paper: A Framework for Poverty Reduction and for Social Exclusion. The draft National Children's Policy makes brief references to ethnicity in highlighting the universality of rights under the UN Convention of the Rights of the Child, and also links ethnicity to the issue of absenteeism in schools. The draft policy also touches upon the need for a common strategy and for inclusive communities, and points out that it is unacceptable that minors are placed in detention centres. With regards to the Green Paper aimed at tackling poverty reduction and social exclusion, the framework notes that asylum seekers and immigrants are one of the groups at greater risk of poverty and social exclusion. As part of a 10 year strategy, the framework makes a number of suggestions and recommendations in the areas of income and social benefits, education, health, employment, culture, housing, and social welfare services. However, although noteworthy and well-intentioned, the strategy does not provide clear and concrete time frames and targets by way of indicators, which will ultimately prove problematic in undertaking any form of evaluation

²⁴ Although not explicitly stated in the policy, the implication of the term 'immigrant' in the text is that of reference to sub-Saharan African migrants.

²⁵ Suban, R. & David Zammit. *Satisfying Labour Demand Through Migration – Malta National Report for the European Migration Network*, 2012

and measuring progress brought about by this strategy (as part of a wider comprehensive plan).

This brief analysis of existing policy and legislation reveals that to date, there is little by way of a national understanding of integration, making it problematic to evaluate this comparatively alongside the *Common Basic Principles for Immigrant Integration Policy in the European Union*.

I.4 Integration Framework

The main integration actors within the Government of Malta, as mentioned earlier in this report, include the Ministry for Home Affairs and National Security (incorporating the aforementioned Agency for the Welfare of Asylum Seekers, the Department for Citizenship and Expatriate Affairs, as well as the Office of the Refugee Commissioner); the Ministry for the Family and Social Solidarity (responsible for administering services relating to the care and protection of unaccompanied minors, migrant children and their families), the Ministry for Education and Employment (in providing access and support in education and employment), and the Ministry for Social Dialogue, Consumer Affairs, and Civil Liberties (responsible for promoting equality and social dialogue with civil society). These ministries undertake the role of legislators and policy makers, however as the above overview has already indicated, none of these actors work with a specific focus on integration. Rather, their existing remit and portfolio includes the provision of services which are relevant (though not all-encompassing) to processes of integration, with some initiatives being more directly linked to integration efforts than others. This fragmented approach both reflects and is a result of the lack of an integration policy and strategy for the island. Similarly, trade unions and employer's associations often do not hold integration to be a principle aspect of their work, but nonetheless their work may indirectly bring about positive outcomes in terms of integration.

The Employment and Training Corporation, by means of the project 'IF03-2012 Integrating TCNs in the Maltese Society,' may be regarded as an integration actor to a limited extent. The programme aims to facilitate the integration of Third Country Nationals into Maltese society, particularly through the delivery of language courses and a specific course dedicated to cultural awareness and employment. This course fulfils the requirement of the *Status of Long-Term Residents (Third Country Nationals) Regulations*, particularly in relation to the requirements for eligibility of long term resident status in Malta (as illustrated in greater detail within the previous section). Within the area of integration measures in employment, the Agency for the Welfare of Asylum seekers set up a noteworthy employment support initiative for refugees and beneficiaries of protection in 2010, in developing employment support offices within Marsa Open Centre and Hal Far Tent Village, with the co-operation of the Employment and Training Corporation as well as the Foundation for the Shelter and Support to Migrants. This initiative was one of many others falling under the 'pre-integration' function assumed by AWAS, and implemented by means of funds awarded through the European Refugee Fund. The Ministry for Education and Employment has also established initiatives aimed at supporting employment in general (thus indirectly supporting migrant

integration), through the introduction of a free childcare scheme for which both parents must be working in order to be eligible.

Non-Governmental Organizations hold a key role in the execution of integration projects and measures, although these are often ad hoc given their dependence on external funding in order for projects to be carried out. Otherwise, NGO's which focus on human rights issues (with a particular focus on asylum and migration) largely consider integration efforts to be an integral aspect of their work. Some academics have also explored the issue of integration by means of their research.

A number of third country nationals have organized themselves into NGOs and/or groups and communities, reaching out to other migrants and providing support to one another. The Migrant's Network for Equality is one such NGO, operating as a network which consists of representatives of different immigrant communities in Malta. Groups such as the Filipino community, the Somali community, the Moroccan community, the Indian community, and the Muslim community have also organized themselves into networks of support for those who have joined. Given that a number of these groups are not formal, it is difficult to assess their contribution towards processes of integration, and to provide an accurate account of the representation of women and children within these groups. Informal communication with organizations such as the National Council of Women also revealed that migrant women are not particularly active nor involved within women's organizations.

The main entity with responsibility for children's rights issues in Malta is the Commissioner for Children. The Commissioner has regularly (though not exclusively) engaged with issues of integration within her work. The advocacy work of the Commissioner has included making formal recommendations to the relevant ministries for migrant children not to be held in detention centres, and for children born in international waters and reaching Maltese territory to automatically be granted Maltese citizenship. Safeguarding the best interests of the child is upheld as a central aspect in the official functions of the Office of the Commissioner for Children. With regards to human trafficking, no organization in Malta presently has this issue as their main focus, however some NGOs have developed projects working on this issue (most notably 'Catch & Sustain', a project regarding trafficked children which was implemented by KOPIN, a local NGO). Existing work on human trafficking issues have thus far not engaged with issues of integration.

I.5 Vulnerability within National Migration Law and Integration

Within Maltese Law, 'vulnerability' is defined in such a way as to include (but not be limited to) specific groups of people. The *Reception of Asylum Seekers (Minimum Standards) Regulations*,²⁶ as subsidiary legislation complementing the Refugees Act, considers minors, unaccompanied minors, and pregnant women to be vulnerable, but then extends this definition to include anybody who is found to have special needs after an individual evaluation of their situation (Article 14). The *Procedural Standards in Examining Applications for Refugee Status Regulations*²⁷ defines the term 'vulnerable persons' as

²⁶ Subsidiary Legislation 420.06, Laws of Malta

²⁷ Subsidiary Legislation 420.07, Laws of Malta

including pregnant women, persons with disabilities, persons who have undergone torture, rape or other serious forms of psychological, physical or sexual violence, or minors who have been victims of any form of abuse, neglect, exploitation, torture cruel, inhuman or degrading treatment or who have suffered from armed conflict'.²⁸

Within the Maltese Government, the Ministry for the Family and Social Solidarity takes, as its working definition of vulnerable groups, people who for some reason or other are disadvantaged and are thus at risk of social exclusion and poverty. Malta's National Reports on Strategies for Social Protection and Social Inclusion make reference to a number of vulnerable groups including: children, elderly people, single parents, unemployed (particularly the long-term unemployed), persons with physical or mental health difficulties, persons with addictive behaviour difficulties, asylum seekers, and LGBTI persons. This definition is informed by the DG Employment, Social Affairs and Inclusion, which considers 'vulnerable groups' to broadly include those who experience a higher risk of poverty and social exclusion than the general population. Within this understanding, ethnic minorities, migrants, disabled people, the homeless, those struggling with substance abuse, isolated elderly people and children are all at risk of social exclusion (and are thus more vulnerable).

²⁸ Article 3

Part II – Monitoring and Evaluation of Integration in Malta

II.1 General Information on Monitoring & Evaluations

As noted above, existing policy and legislation currently sets no concrete targets with respect to integration. There are therefore no specific provisions in place within national law or policy to monitor and/or evaluate existing integration practices. The policy documents in themselves have not been subject to evaluation as yet, nor are any imminent plans to do so known. Any form of monitoring or evaluation in the field of integration is largely undertaken on a project-by-project basis, incorporating methods such as questionnaires, focus groups, interviews, and eliciting general feedback. Externally funded projects are generally subject to evaluation requirements from the relevant funding bodies. In the case of projects financed by the European Refugee Fund, as well as the European Fund for the Integration of Third Country Nationals, officials from the Funds and Programmes Division (which is responsible for administering the funds) undertake spot checks at the middle and end of a project in order to monitor the execution of the project. However, these evaluations mainly consider the accountability of project expenditure, and are limited in their ability to analyse the effectiveness of a given project in terms of integration outcomes. An interim report and a final report of the project is also requested, and a final conference communicating the findings of a given project may occasionally also be held.

With regards to externally funded projects, the organization responsible for implementing the project is generally also responsible for evaluating the relative success of their project, according to the targets set within their original funding application. The aforementioned funds administered by the Funds and Programmes Division (within the Ministry for European Affairs and the Implementation of the Electoral Manifesto) in themselves form part of a broader multi-annual programme entitled ‘General Programme Solidarity and Management of Migration Flows (2007-2013)’²⁹. This programme is in itself subject to periodic monitoring and evaluation, and this is externally undertaken by the Management and Efficiency Unit within the Office of the Prime Minister. The Unit adopts their own research methods with regards to their analysis, incorporating (though not limited to) interviews with project leaders and beneficiaries. In this regard, the analysis also aims to consider the effect of the programme on the local community. One evaluation was held for the period 2007-2012, and a second evaluation will later be carried out in order to cover the period from 2012 until 2015.

Ongoing programmes implementing integration measures are also monitored and evaluated, mainly by the programme implementers themselves. Within the Ministry for Education and Employment, the TCN programme works to support third country national children by means of a 6 week intervention programme, which aims to strengthen the linguistic capacity of third country national children, with the ultimate goal of integrating children within mainstream schooling more effectively. The programme is predominantly language-based, and this is reflected in the assessments which are carried out in order to monitor each student’s individual progress. A standardized test is undertaken, following which a statement and

²⁹ This programme has since been extended to 2015.

profile of achievement is communicated to the relevant school in order for the school to continue supporting the child in his or her educational endeavours. In a similar vein, Dar Osanna Pia (a home for young men which is run by the Salesians of Don Bosco) administer a programme for their residents which aims to support them in becoming self-sufficient, and to enable residents to eventually move out of the home and live independently within the community. The programme encourages residents to further pursue their education, facilitates their entry into the labour market, and enables access to basic social, legal, and financial services. By means of individualized care plans, the progress of each resident in acquiring the relevant skills for self-sufficiency is monitored, this in itself facilitating an overall evaluation of the programme implemented at Dar Osanna Pia. Supplementing these services are organizations such as the Migrant Health Unit within the primary health care system, offering support by means of a culturally sensitive approach³⁰, in order to facilitate migrant's access to health services and empower individuals to access and navigate the health care system without any anxiety. Although no female equivalent of the programme run at Dar Osanna Pia is presently available, residential care for young women is provided through other institutions such as Fejda and St Jeanne Antide, catering for young women under a care order, court order, or within voluntary care.

As illustrated in the examples above, existing projects or programmes often hone in on specific aspects of integration (generally linked to the specific remit of the implementing organization), and any evaluation undertaken thereafter will generally focus upon the progress made in reaching the targets of that specific project or programme. The target group of monitoring in this respect will often vary depending on the target group and specific beneficiaries of each individual project or programme.

The concept of integration is frequently tied to that of non-discrimination within national discourse, in that the alleviation of discrimination (as a barrier to integration) is necessary in order for full and effective integration to be possible. Out of all Third Country Nationals, Sub-Saharan African migrants arguably suffer greater degrees of discrimination³¹. However, they are often discussed as a generic group, in that not much distinction is made between subgroups of this migrant population (unless that subset is a target group of a particular project being implemented). Non-discrimination is thus approached in the national narrative as an issue which affects sub-Saharan African migrants collectively, with little distinction between subgroups and with little mention of other Third Country Nationals. The National Commission for the Promotion of Equality as well as the European Union Fundamental Rights Agency have carried out research on the prevalence of racial discrimination in Malta whilst a number of other research initiatives and reports about the issues have been published by organizations including the European Commission on Racism and Related Intolerance and the European Network Against Racism. Some of these include regular assessments.

³⁰ The Migrant Health Unit specifically works upon conducting in-service studies, providing training for cultural mediators, and delivering health education sessions for service users.

³¹ European Union Agency for Fundamental Rights, EU-MIDIS : European Union Minorities and Discrimination Survey, Main Results report, 2009

II.2 The Use of Indicators in Monitoring Migrant Integration

A number of national institutions collect information on various aspects of migration, this in itself often depending on the remit and principle work of each organization. Within the Government of Malta, the Department of Citizenship and Expatriate Affairs holds information on the residence permits of third country nationals (disaggregated according to reason), the Police and Detention Services possess data on the number of irregular migrants arriving in Malta, the Refugee Commissioner holds information on boat arrivals and the outcomes of relevant asylum procedures, both AWAS and the Church hold data on the number of individuals living within their respective residences, the Employment and Training Corporation holds data on the number of employment licenses granted to third country nationals, and the Ministry of Education and Employment is responsible for data regarding the children of migrant families and their attendance and progress in school. Some of these statistics are collectively gathered by the National Statistics Office and communicated via thematic publications, drawing their data from existing registers held by the authorities and detailed above. Some (though not all) of this data is disaggregated by age and gender, varying according to the information collected within the original registers. Other organizations, such as UNHCR, in addition to tapping in to other available statistics in monitoring integration, have also built their own internal databases – including one that addresses various aspects relevant to integration including ethnicity, education, employment, medical needs and general biodata. Some of the data detailed above is internal and thus not always publicly accessible, however it is provided upon request in some instances. It is not always possible to extract data on Third Country Nationals automatically within existing statistics, whilst other data (such as that collected by the Refugee Commissioner and AWAS) exclusively concern individuals who are Third Country Nationals.

Integration policies and measures, should these be put into place more concretely and sustainably, may be evaluated in terms of their effectiveness by accessing different data (though they are similarly not all publicly available, but may be available upon request). Records of absenteeism collected by the Ministry of Education and Employment could potentially give a clear indication of retention rates and statistics regarding school leavers, however there appears to be a lack of systematic monitoring in this respect. Residence statistics at AWAS open centres, particularly in considering the length of stay, may be useful indicators in considering the ease (or otherwise) at which individuals become self-sufficient and feel empowered to go to live within the community. Similarly, statistics on TCN employment licences indicate the number of third country nationals active within the formal economy, along with labour market trends outlining the type of work they generally take on. Although these statistics cannot be comparatively analysed alongside data regarding the informal economy (due to the research limitations involved in collecting data on illicit underground work), they are nonetheless useful in terms of an analysis in and of themselves, in considering the number of third country nationals engaged in sustainable and non-exploitative employment. Although most of the abovementioned data is not publicly disseminated, some may be made available upon request.

The National Statistics Office, as the authority collecting data and statistics on a national level, defines a migrant as a person whose country of origin is not Malta. Third Country Nationals are broadly referred to as ‘foreigners’ within NSO statistics, and statistical data regarding foreigners is collected from two sources – the Department of Citizenship and Expatriate Affairs, and the Office of the Refugee Commissioner. The available registers break down this information according to age and gender, however no statistical data on trafficked persons is publicly available (this information is held by the Ministry for Home Affairs and National Security). It is presently unclear as to whether individuals granted THPN status³² by the Office of the Refugee Commissioner, as well as those whose asylum applications were rejected, are also incorporated within national statistics, under the presumption that such individuals are only in Malta temporarily and will return to their country of origin at the first available opportunity. Individuals were included in the resident population within national statistics (particularly in the 2011 census) if their duration of stay in Malta was, or was expected to be, at least 12 months. However, although rejected asylum seekers in particular do not have leave to remain in Malta, a number generally stay in the country for longer than 12 months due to difficulties in repatriation.

No specific indicators for monitoring integration have been developed on a national level. However, Malta has reported on integration indicators set out by the European Union, by means of feeding in to Eurostat’s pilot study on ‘Indicators of Immigrant Integration’³³. Through compulsory participation in the EU Labour Force Survey, it is possible to monitor the activity rates and employment rates of foreign born persons (both of which form part of the Zaragoza indicators), and specifically groups such as foreign born women. The report also compares the median annual equalised disposable income for the foreign born population in Malta when compared to the population of third country nationals (also included within the Zaragoza indicators). However, reporting on other integration indicators, such as: the over-qualification rate; the low achieving rate of 15 year olds in reading, maths, and science, and the rate of tertiary levels of attainment were not reported on insofar as Malta is concerned. Other statistics, such as those considering highest educational attainment and share of early school leavers lacked disaggregation, and thus did not reveal these statistics for third country nationals in particular. The EU Statistics on Income and Living Conditions (EU-SILC) similarly reported upon indicators such as persons at risk of poverty and social exclusion, health status, and ratio of property owners to non-property owners, although information on some sectors of the population (particularly those over the age of 55) was lacking. By means of the EU-SILC, Eurostat’s pilot study also incorporated statistics on the acquisition of citizenship and the acquisition of long term residence permits for third country nationals. Indicators such as those enshrined in the Zaragoza Declaration, along with the Migrant Integration Policy Index (MIPEX), are cited by organizations such as UNHCR Malta and Maltese human rights organizations as crucial tools in evaluating and monitoring their own work. UNHCR Malta makes reference to the Zaragoza indicators particularly in compiling lists of indicators to be recommended to local authorities in advocating for the monitoring of integration. In addition, NGOs make reference to the Zaragoza and MIPEX indicators in

³² Temporary Humanitarian Protection - New

³³ Eurostat, Indicators of Immigrant Integration: A Pilot Study, 2011

advocating for a national integration policy, particularly with respect to the elements which should be included within the formulation of such a policy. Given that such an integration policy does not yet exist in Malta, nor have monitoring mechanisms been developed on a national level, Maltese NGOs have stressed the necessity of looking towards policies and indicators which are in existence elsewhere in order to guide their own recommendations to Maltese Government.

The lack of such indicators and monitoring in the first instance by inference also translates into a lack of indicators focusing on subgroups such as women, children, and trafficked persons. Although integration monitoring may occur in relation to these subgroups on an ad hoc and individual project basis (according to the aims of the particular project), they are not undertaken in a systemic or on a national level. National statistics which may aid in monitoring integration, in publishing data on the foreign-born population, often do not disaggregate this data according to type of citizenship, and thus there is little distinction made between EU citizens and Third Country Nationals in the reporting of data. This is further reflected in the Eurostat pilot study outlined above, regarding indicators of immigrant integration (particularly in the sector of education).

No specific indicators (nor statistics) are applied or collected with regards to trafficked persons. The 2013 GRETA report³⁴ states that between 2003 and 2011, 25 trafficked persons (24 women and 1 man) were identified in Malta, having entered Malta legally and been subject to trafficking for the purpose of sexual exploitation. No child victims of trafficking have been identified in Malta according to the report. Sources from the Ministry for Justice, although unable to share further statistics, have informally indicated that trafficked persons generally do not seek to integrate in Malta, often being keen to return to their country of origin. This potentially (though not exclusively) contributes to a lack of integration indicators adopted for this particular subgroup.

Apart from the groups identified as vulnerable within the context of this report, integration projects implemented by Maltese NGOs have also targeted other vulnerable categories and subcategories of people, such as LGBTI individuals and failed asylum seekers. However, the general lack of national integration measures similarly applies to such groups, and is only undertaken insofar as evaluations of individual projects are concerned.

The need for further data collection is evident in order to take stock of Malta's progress with regards to integration. In terms of reporting on integration indicators, no national indicators have yet been developed, leading to a reliance upon EU indicators such as those comprised within the Zaragoza Declaration. Although data drawn from sources such as the Labour Force Survey and the EU – SILC allow for some indication of Malta's progress with respect to integration, some gaps in data collection with respect to integration remain unaddressed³⁵. No data is provided in terms of the unemployment rate of Third Country Nationals (although data collection in this area is challenging, not least due to the engagement of a number of third

³⁴ *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Malta [Group of Experts on Action against Trafficking in Human Beings - GRETA]:* January 2013

³⁵ This is partly due to the fact that these statistics were not collected with a specific view to reporting upon integration indicators. Rather, existing data was extracted in order to address as many indicators as possible.

country nationals within the informal economy). Data on the over-qualification, educational attainment, and retention rates of Third Country Nationals is also lacking, this gap also translates into a lack of data on the subcategories contained therein (organized according to age, sex, nationality, and ethnicity).

Whilst such data is lacking, non-governmental organizations have primarily advocated for an integration policy to be formulated first and foremost, insisting this to be the first step before effective monitoring and evaluation of integration measures may take place. Once concrete targets are in place outlining a clear strategy which lists the achievements to be reached both in the short and long term, it will be more feasible to track the progress of integration measures and lobby for their effective monitoring.

II.3 Impact on and of European Standards

European Union standards are a key element of, and influence on Malta's migration and integration law, policies and practices. This is also true with regards to the monitoring and evaluation of integration. The limited monitoring that is carried out is due to the requirements of the European Union including the provision of information relating to the Zaragoza Indicators and participation in the Europe wide Migrant Integration Policy Index. Statistics collected within this context, informs the monitoring carried out by relevant organizations who are not in a position to collect the relevant information themselves. Some gaps presently exist in this data (as highlighted above). Whilst this information allows for some monitoring on progress with respect to integration, national monitoring mechanisms must still be developed in and of themselves.

II.4 Impact of Evaluations

Participants in this research general identify that previous integration measures and projects (and the evaluation thereof) have informed the formulation of further projects, enabling them to further identify obstacles to integration processes, and to tailor their own project planning accordingly. This is all undertaken with a view to contribute to the national narrative, and to be part of any development of concrete integration policies and targets. Unfortunately, there are inherent difficulties in monitoring the extent of these impacts, given the present lack of information in this regard.

Part III – Conclusions and Recommendation

The topic of integration remains one which a number of national actors remain reluctant to openly address, given the sensitivity surrounding immigration as a political issue. Some efforts have still been undertaken regardless, and a non-exhaustive overview has been presented in this report. It is also noted that most stakeholders involved in the field of integration in some way expressed having limited resources with which to implement integration measures, as well as a limited remit with which to do so. With such restrictions placed upon this work, monitoring and evaluation is often given less priority, in order for efforts to be concentrated on delivering and implementing integration measures in the first place.

Actors working in this area have highlighted that, although EU level indicators would be immensely useful in the future evaluation of integration measures, the concept of integration in itself is not exclusively measurable in a quantifiable manner, and must include a consideration of the extent to which third country nationals socialize within Maltese communities and involve themselves in local matters.

Recommendations are being put forward here regarding the monitoring and evaluation of integration efforts:

- An integration policy and strategy should be developed, adopted and implemented at a national level. Such a policy should include concrete targets and monitoring mechanisms to track the progress towards, and achievement of, the policy's objectives.
- Specific goals and indicators should be put in place in relation to potentially vulnerable groups such as women, children, and trafficked persons, as well as other vulnerable groups such as LGBTI individuals, disabled persons and the elderly. This would ensure that future integration monitoring is inclusive in itself.
- Specific resources should be allocated to the monitoring and evaluation of integration measures in order to ensure that lessons are learnt from projects and initiatives.
- Continue to participate in and utilise existing monitoring mechanisms at European Level including the Zaragoza Indicators and the Migrant Integration Policy Index. Other relevant indices should also be considered including the OECD Programme for International Student Assessment (PISA).
- Gaps in data collection should be addressed, including further disaggregation of existing data in some areas to distinguish between EU citizens and Third Country Nationals.
- NGOs should continue to examine national and EU developments in the field of integration, putting forward recommendations to the Maltese authorities for the development, implementation and monitoring of integration measures.

Bibliography

Parliamentary Questions

PQ 8668, XII Legislature, 21st March 2014

National Legislation

Chapter 9, Laws of Malta

Chapter 188, Laws of Malta

Chapter 217, Laws of Malta

Chapter 285, Laws of Malta

Chapter 420, Laws of Malta

Chapter 460, Laws of Malta

Subsidiary Legislation 217.11, Laws of Malta

Subsidiary Legislation 420.06, Laws of Malta

Subsidiary Legislation 420.07, Laws of Malta

Legal Notices

Legal Notice 175 of 2007

Legal Notice 47 of 2014

National Policy

Draft National Children's Policy

Green Paper: A Framework for Poverty Reduction and for Social Exclusion

National Employment Policy

National Strategy for the Promotion of Cross-Cultural Understanding and Management of Cultural Diversity

International Organizations

Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Malta [Group of Experts on Action against Trafficking in Human Beings - GRETA]: January 2013

UN Conventions

UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children

UN Convention on the Rights of the Child

UN Convention on the Elimination of all forms of Discrimination Against Women

National Reports

Gauci, J.P & Maria Pisani. ENAR Shadow Report: Racism and related discriminatory practices in Malta, European Network Against Racism, 2013

Suban, R. & David Zammit. Satisfying Labour Demand Through Migration – Malta National Report for the European Migration Network, 2012

Migration Profile for Malta, unpublished.

European Union

European Union Agency for Fundamental Rights, EU-MIDIS: European Union Minorities and Discrimination Survey, Main Results report, 2009

Eurostat, Indicators of Immigrant Integration: A Pilot Study, 2011

Media Reports

‘Migrant integration possible but limited – Minister’. Times of Malta online, June 19, 2013

Annex 1 – Policy Documents Treating Migrant Integration

Policy Document	Policy Area	Duration	Specific focus
National Strategy for the Promotion of Cross-Cultural Understanding and Management of Cultural Diversity	Education, Culture, the Internal Rule of Law, Tourism and Town-twinning	Unspecified	General
National Employment Policy	Employment	10 years	Working age population
Draft National Children's Policy	Children's Rights and Wellbeing	Unspecified	Children
Green Paper: A Framework for Poverty Reduction and for Social Exclusion	Poverty and Social Exclusion	10 years	General, population at risk of poverty and social exclusion

Annex 2 – Summary Table of Different Monitoring Initiatives

Who?	Migrant Integration Policy Index (MIPEX)
Scope: Project / Policy	Measuring Integration Policy
Indicators Used: Yes/No Overview	Yes Policy indicators are used in monitoring the progress of integration policies in 7 different policy areas: labour market mobility, family reunion for third country nationals, education, political participation, long term residence, access to nationality, and anti-discrimination.
Policy Based / Outcome Based	Policy Based
Focus on Women: Yes / No Overview	No
Focus on Children Yes / No Overview	No
Focus on Trafficked Persons: Yes / No Overview	No



**Review of Existing Monitoring Mechanisms for the
Integration of Migrants in Malta**



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