

COUNTRY FACTSHEET: MALTA 2012

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Malta during 2012, including latest statistics. It has been prepared in conjunction with the European Commission's 4th Annual Report on Migration and Asylum (2012).

2. Legal Migration and Mobility

2.1. PROMOTING LEGAL MIGRATION CHANNELS

Relevant information promoting the legal migration channels is regularly updated on the respective Ministry websites, for example the Employment and Training Corporation (ETC) website provides practical information relevant to migrant workers and their families, as well as on employment and training opportunities. Information is also available on the EU Immigration Portal.

2.2. ECONOMIC MIGRATION

During 2011, the ETC increased its efforts to improve the employability of migrants legally living in Malta, while the Agency for the Welfare of Asylum Seekers (AWAS) supported international protection beneficiaries. The ETC's efforts consisted in anticipating the type and extent of skills required in the labour market as well as the shortages experienced in particular sectors, by monitoring the vacancies submitted to the Corporation as well as vacancy adverts in local newspapers. For this purpose, the Corporation also aimed to strengthen its cooperation links with private employment agencies, social partners and Malta Enterprise. Furthermore, ETC also operates employment and training schemes in order to facilitate the integration of jobseekers. One of the purposes of EURES Malta is also to attract highly skilled EU nationals to Malta to cover the existing market shortages. The **EU Blue card Directive**, regarding the conditions of entry and residence of high

qualified workers, was transposed in 2011.¹ Overall, third-country nationals' applications for an Employment License are subject to a test as well as to labour market considerations such as: shortages in the given labour market sector; business investments; employer's situation and history. The third-country nationals' experience and skills are also taken into account, however, in the case of high qualified employment, applications must clearly illustrate the conditions required are met.

2.3. FAMILY REUNIFICATION

No new polices or new developments were envisaged regarding family reunification policy.

2.4. INTEGRATION

Efforts to integrate legal migrants in Malta were also conducted since 2011 by the ETC and AWAS, together with the Ministry of Health, the Elderly and community care who also implemented a number of integration measures. Raise awareness activities were organised, as well as information on equality diversity and non-discrimination was disseminated as part of projects implemented by the National Commission for the Promotion of Equality (NCPE). The NCPE's remit was also extended by the **amendment of the Equality for Men and Women Act**, under Chapter 456 of the Laws of Malta. AWAS also implemented projects for the benefit of international protection beneficiaries under the European Refugee Fund (ERF). Also, there is a continuous implementation of both the ERF and the European Integration Fund (EIF), in order to facilitate the integration of third-country nationals. Several actions focusing on the **implementation of the common basic principles for the immigrants' integration policy in EU** have been proposed within the EIF Annual Programme (AP) 2013. The AP include actions to improve: admission procedures, introduction

¹ The Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, was transposed by Maltese Law- LN 433 of 2011.

programmes for newly arrived third-country nationals, programmes involving the consultation of third-country nationals to create more favourable opportunities for them to use public and private services etc. Other actions also foresee the provision of training for policy makers and public servants working in integration policy areas and measures, as well as the exchange of best practices on integration measures amongst Member States. Overall, between 2009 and 2012 EIF projects have directly targeted 316 third-country nationals. The ERF has also implemented projects targeting the integration of asylum seekers and refugees since 2011. Such projects involved training for public servants within the Ministry of Foreign affairs and Ministry of Education, extra-curricular activities targeting youngsters etc.

2.5 MANAGING MIGRATION AND MOBILITY²

Regarding **border control**, the Armed Forces of Malta (AFM) continue to provide support to the Malta Police, especially on Malta's blue borders. Also, through the External Borders Fund (EBF), improvements and upgrades on aircraft and maritime equipment were achieved. Frontex also provided training regarding the use of the new equipment as well as general training. The **SIS II is on scheduled** with its implementation and expected to go live in the first quarter of 2013.

3. International Protection and Asylum

The year 2012 was ranked as the second highest since 2001 in the number of international protection applications received by the Office of Refugee Commissioner. The latter also continued its efforts during 2012 to achieve a sustainable asylum system, mainly through two main projects funded under the ERF and particularly **to improve the asylum Decision**. Those projects were: The "Document Analysis in the Asylum Determination Process" which provided training to asylum determination staff on preliminary analysis of documents presented by applicants and profiling skills; and the "GDISC Project" which provided training on linguistic analysis.

The Office of the Refugee Commissioner also continued to provide the necessary information to potential asylum-seekers, by visiting the centres and delivering information about the asylum procedure and the asylum application rights. Dissemination of information is provided through different means such as: interpreters, audio-visual presentation and a booklet, both available in eleven different languages.

In 2012 **EUREMA**, the Pilot Project on the **relocation of beneficiaries for international protection** was extended, thus in 2012 more beneficiaries of international protection were relocated to participating Member States. In total between 2011 and 2013 a number of 262 beneficiaries were relocated mainly in Germany, Norway, the Netherlands, Ireland and Switzerland amongst others. Also, under the **United States Resettlement Programme**, which is based on a collaborative partnership between the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organisation for Migration (IOM), the US Department of Homeland Security (DHS), government entities and local non-governmental organisations active in the field of asylum, a total of 307 beneficiaries of international protection were resettled to the United States.

Regarding **EASO activities**, Malta, as a member of the EASO's Management Board participates in the debates that provide direction to ensure that EASO fulfils its remit. Malta's members also act as a national contact point and facilitators for dissemination of information and statistical data between EASO and Member States.

4. Unaccompanied Minors and other Vulnerable Groups

Since 2011 one of AWAS main priorities is the protection of unaccompanied minors. The ERF has also co-funded projects in order to address the social and educational needs of unaccompanied minors. Also through the SPARKLET³ project the family-tracing service for unaccompanied minors has been enhanced. During 2012, a considerable increase in the number of Care Orders (86) in order to protect and support unaccompanied minors was reported. Finally, in order to share good practices and to learn from other Member States, in 2012 Malta also participated in EASO expert meetings on unaccompanied minors.

5. Actions against Trafficking in Human Beings

In 2011 the Anti-Human Trafficking Monitoring Committee approved Malta's first National Action Plan on Combating Trafficking in persons. Under the latter several actions were undertaken during 2012. The IOM for example, has delivered training to professionals working in the field and activities such as vis-à-vis awareness raising campaigns were also organised in 2012. In addition, a Stakeholder Task Force was established, composed of several stakeholders working at the operational level, and a Prostitution and Trafficking in Human Beings Unit was

² "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

³ Supporting Closed and Open Centres through Profiling, Action Research and Knowledge Transfer Project

also established within the Police Vice Squad. All these actions contribute to the further implementation of **Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims**, particularly vis-à-vis victim protection measures and the provision of training.

6. External Dimension of EU Migration Policy

Malta's Development Policy highlights the link between migration and development by including Migration as one of the ten areas of focus of Malta's development work. Development assistance prioritises the Horn of Africa region, since the majority of third country nationals seeking asylum in Malta come from that region. Regarding **remittances**, Malta does not regulate the amount of charges when sending money from Malta. In principle such charges are determined by market forces, nevertheless, services providers are required to be transparent regarding the charging costs. Regarding efforts to mitigate "brain drain" no measures have been implemented or are planned up to date.

7. Irregular Migration

Malta continued to experience an influx of irregular immigrants in 2012 due to the unrest in the North African region, especially from Libya, reporting up to 1,890 irregular immigrants from that country. The top two nationalities for those irregular immigrants detected were Somali and Eritrean. (See table 2 in Statistical Annex). One of the main difficulties faced by the authorities was the high number of undocumented irregular immigrants. This posed a problem regarding the procurement for travel documents for the return process. Thus, a number of **projects have been implemented in order to improve the return process** and authorities have conducted efforts especially regarding voluntary return. For example, the project RESTART II, included re-integration assistance packages, while the COMAM⁴ project enhanced diplomatic relations between Malta and the Countries of origin in Sub Saharan Africa in order to develop sustainable actions on voluntary return. Similarly, the Ministry of Foreign affairs together with the International Centre for Migration Policy Development (ICMPD) have organised the MAREMCA II project. The project aimed to reinforce the Maltese return management capacities and to further strengthen cooperation between the Maltese authorities and the Countries of Origin. The project ECOR⁵ also provided

⁴ Cooperation between Malta and African countries to enhance migration dialogue and development (COMAM)

⁵ Enhancing the Capacities of Return Management project (ECOR)

target training and transfer of knowledge from United Kingdom and the Netherlands experts, on return management. Malta has also **continued to participate in Frontex activities and operations**. For example, Malta co-financed the project MELITA during 2012, which hosted police officers from Ghana, Nigeria and Bangladesh and aimed to interview immigrants from such countries for their successful return and repatriation. As in previous years, Malta has also participated in the Operation Poseidon (Greece) and Indalo (Spain) and it has also participated in five Joint Return Air Operations to Lagos and Accra during 2012. Furthermore, as a result of the conducted efforts to tackle irregular migration, in October 2012 the Malta Police and the Italian Department of Public Safety signed a **Memorandum of Understanding to strengthen police cooperation**, in order to foster cooperation and communication methods in **the fight against trafficking in human beings, illegal immigrants, organised crime and terrorism**. Also during 2012, Malta enhanced its bilateral **cooperation with Kosovo** by signing the **Agreement on the Readmission of Persons Residing without Authorisation** and its Implementing Protocol.

In relation to **legislation**, the Immigration Appeals Board (Division) Regulations, 2011 (LN 246 of 2011) were published. These enable the setting up of a second division of the Immigration Appeals Board with a view to expedite relevant proceedings.⁶

8. Provision and Exchange of Information to support Policy Development

Malta has contributed to the exchange of information mainly through the European Migration Network and through EASO. Through the EMN Malta exchanges information both by reports and replies to ad hoc queries launched by other Member States, while through EASO it cooperates mainly through the review of the pilot project EUREMA.

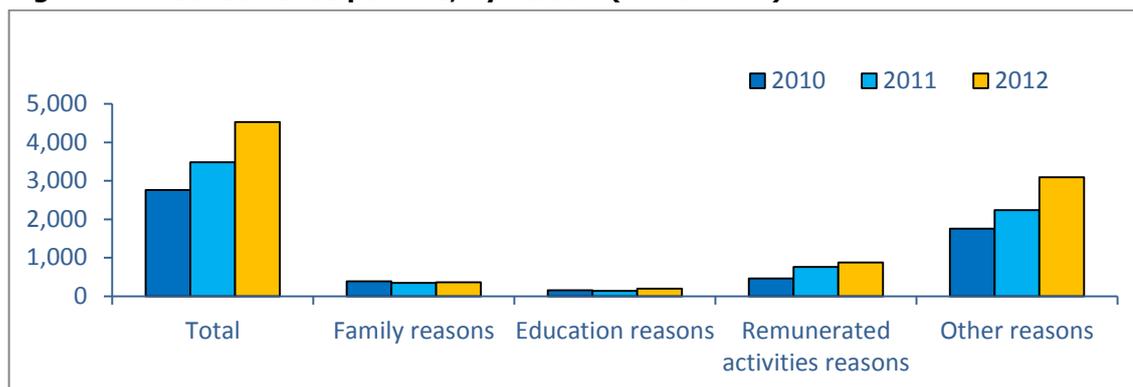
STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Malta on aspects of migration and asylum (2010-2012), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

⁶ The Immigration Appeal Board hears cases related to the continued detention of a person in terms of the Immigration Act (Cap. 217), as well as appeals vis-à-vis custody in virtue of a deportation or removal order.

Statistical Annex: Immigration and Asylum in Malta (2010-2012)

Figure 1: First residence permits, by reason (2010-2012)



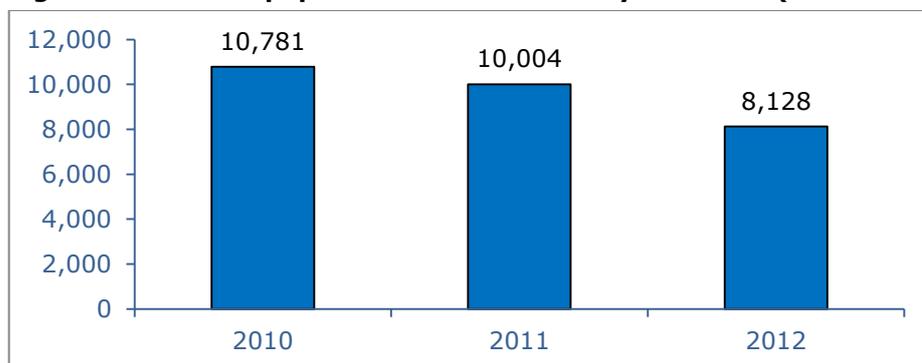
Source: Eurostat migration statistics (migr_resfirst)

Table 1: First residence permits: Top 5 nationalities (2010-2012)

2010	2011	2012
1. Russia – 254	1. Somalia – 418	1. Somalia – 1,092
2. Libya – 184	2. Eritrea – 279	2. Libya – 461
3. Philippines – 145	3. Russia – 266	3. Russia – 330
4. South Korea – 139	4. Philippines – 182	4. Philippines – 248
5. Eritrea – 136	5. China (incl. Hong Kong) – 181	5. Serbia – 240

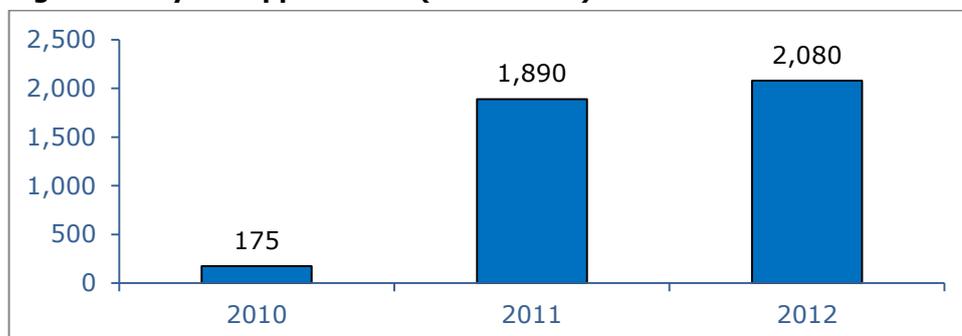
Source: Eurostat migration statistics (migr_resfirst)

Figure 2: Resident population of third-country nationals (2010-2012)



Source: Eurostat migration statistics (migr_pop1ctz)

Figure 3: Asylum applications (2010-2012)



Source: Eurostat migration statistics (migr_asyappctza)

Table 2: Asylum applications: Top 5 nationalities (2010-2012)

2010	2011	2012
1. Somalia – 35	1. Somalia – 455	1. Somalia – 1,250
2. Eritrea – 15	2. Eritrea – 315	2. Eritrea – 435
3. Pakistan – 15	3. Nigeria – 250	3. Syria – 150
4. India – 15	4. Syria – 125	4. Nigeria – 70
5.-8. Nigeria, Syria, Ethiopia, Libya – 10	5. Ethiopia – 115	5. Libya – 60

Source: Eurostat migration statistics (migr_asyappctza)

Table 3: Asylum applications - First instance decisions by outcome (2010-2012)

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	Subsidiary protection	Humanitarian reasons	
2010	350	220	45	165	15	125
2011	1,605	885	70	690	125	720
2012	1,590	1,435	35	1,235	160	155

Source: Eurostat migration statistics (migr_asydcfsta)

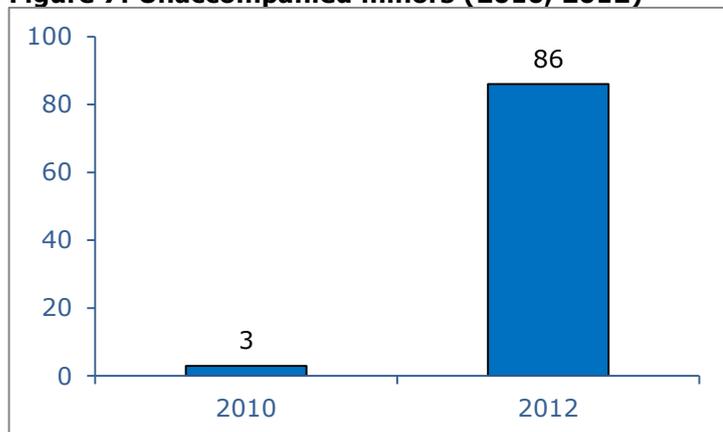
Figures 4-6: Asylum applications - First instance decisions by outcome (2010-2012)

Source: Eurostat migration statistics (migr_asydcfsta)

Table 4: Third-country nationals relocated and resettled (2010-2012)

	2010	2011	2012
Third-country nationals relocated	N/A	N/A	N/A
Third-country nationals resettled	0	0	0

Source: Eurostat migration statistics (migr_asyresa) and National contributions to EMN Annual Policy Report

Figure 7: Unaccompanied minors (2010, 2012)

Source: National contributions to EMN Annual Policy Report; * data provided by MT EMN National Contact Point

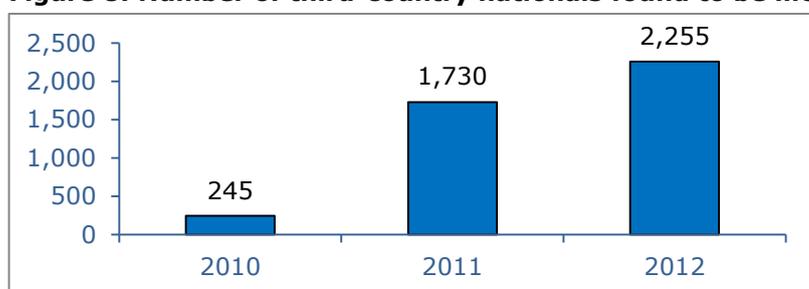
Table 5: Unaccompanied minors (2010-2012)

	2010	2011	2012
Unaccompanied minors (total)	3	N/A	86
Unaccompanied minors not applying for asylum	N/A	N/A	0
Unaccompanied minor asylum applicants	5	25	105*

Table 6: Number of third-country nationals refused entry at external borders (2010-2012)

	2010	2011	2012
Third-country nationals refused entry at external borders	130	80	200

Source: Eurostat migration statistics (migr_eirfs)

Figure 8: Number of third-country nationals found to be illegally present (2010-2012)

Source: Eurostat migration statistics (migr_eipre)

Table 7: Third-country nationals returned (2010-2012)

	Third-country nationals ordered to leave	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2010	245	231	42	N/A
2011	1,730	N/A	N/A	N/A
2012	2,255	266	39	39

Source: Eurostat migration statistics (migr_eiord) and National contributions to EMN Annual Policy Report

Table 8: Number of visas issued by type (2010-2012)

	2010	2011	2012
Total visas	N/A	N/A	N/A
Schengen visa (short-stay visas)	38,447	31,108	49,271
National visa	N/A	N/A	N/A

Source: DG HOME Statistics on Visa Policy website: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm