



Malta

Illegal Migration

A Study of National Policies

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Disclaimer: This report reflects the views of its author(s) and these are not necessarily those of either the European Commission or the Member States. The original language of the report is English.

July 2011



On behalf of the

European Commission

DG Employment, Social Affairs and Equal Opportunities



Executive summary

This report analyses the problems resulting from a recent phenomenon for Malta and the Maltese: the arrival of waves of 'boat people' who leave North African shores, primarily from Libya and Tunisia, in an attempt to reach Europe in search for more opportunities and a better way of life. Although these persons leave Libya and Tunisia, their country of origin is generally one of the sub-Saharan states.

This is a completely new phenomenon for Malta because prior to its onset, Malta was an emigration country, with significant peaks in the post-World War II period, but extending into the 1960s, because of the lack of employment opportunities especially as a result of the rundown of the British Services. 'Illegal migrants', as they are normally referred to locally, pose a perceived threat to the availability of jobs in the first instance, but also to the image of cultural identity enjoyed by the Maltese. This is especially so since the immigrants generally have a dark skin and are easily conspicuous, unlike persons from other countries such as the Baltic States, who also arrive in Malta through other means and settle there, and the many other aliens who, over the years, settled in Malta and gradually integrated with the locals to the extent that nowadays they are considered to be an integral part of Maltese society even though some still carry a label pointing to their ethnic origins (such as the Indian community, commonly referred to as I-Indjani).

Illegal migrants to Malta actually exert very serious strains on Malta's Immigration services, on the Police and the small military forces of the Island, on the health and educational services and on the welfare services. They need to be accommodated, scrutinised for potential health hazards, and categorised in order that their status can be determined. This in addition to their being fed and kept separate for a year, except in special cases, because Malta insists that its miniscule size requires it to maintain a policy of detention as a deterrent. Despite criticism to this policy, both from outside and from local sources, both the Maltese Government and the Opposition agree that detention is necessary, although every attempt should be made for it to be made as comfortable as possible.

A number of agencies are very actively involved with the migrants, ranging from the Refugee Commissioner, to a number of State-run Agencies and a number of NGOs. Considerable resources and efforts are made to provide illegal migrants with opportunities to upgrade their level of education, their skills and their knowledge of European culture and language, especially through language courses. Once in the Open Centres, they are given the opportunity to work through work permits or a licensing regime, depending on their legal status. More recently, systematic attempts are being made to enable those that are able and willing to work to do so through a system of formal registration and job matching, thus reducing the possibility of exploitation and the unsightly conglomeration of migrants in two particular spots, idly waiting for a request for short-term work by passersby. In effect, a good number of migrants are engaged in regular gainful employment and may be deciding to settle in Malta despite the fact that it can be safely said that their Malta landing was never meant to be their last port of call: their primary objective was to reach mainland Europe but they landed in Malta either because of bad weather or difficulties whilst crossing the Mediterranean. Certain categories of immigrants, such as unaccompanied minors receive focused attention.

Despite these extensive efforts to mitigate the ill fate of these migrants, many Maltese are generally very concerned about the phenomenon and xenophobia is on the increase, especially during the summer months when arrivals increase because of the good weather. This is fed by the belief that the

Maltese are being left alone to tackle what they perceive to be a truly pan-European problem. Efforts to convince EU member states to formally adopt a policy of 'burden sharing' has had very little success so far, and many Maltese find themselves caught in between their willingness to express the traditional Maltese hospitality and the hard reality that Malta lacks the resources to sustain the stresses created by this phenomenon.

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1. Introduction

This report will seek to give a general perspective on the recent phenomenon on immigration to the Maltese islands. Its scope will not cover all the immigration process, but only that segment of the immigration phenomenon that is better known as the immigration of the boat people. It covers only the immigration of persons who leave the northern shores of Africa in the hope of reaching Europe in search of a better life and who land in Malta in the process and are commonly grouped as 'illegal migrants'.

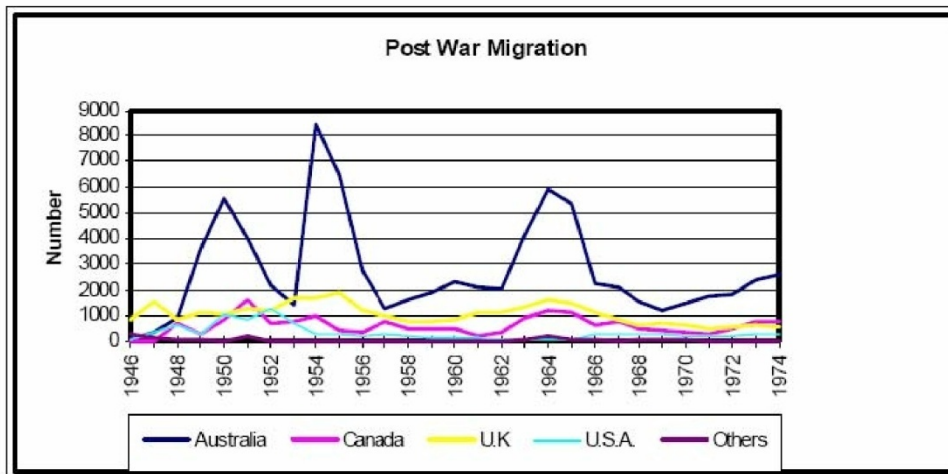
As such, this report will not cover any aspect of legal immigration to Malta that has been quite strong over the years and actually results in the settlement of quite a large number of non-Maltese in Malta. Some of these are still distinctly referred to in terms of their ethnic origin (such as the community of Indians, commonly referred to as I-Indjani). Over the years, foreign settlers or immigrants to Malta have meshed with the local population and are fully integrated and perceived as no different from the Maltese. The plethora of Italian and English surnames of Maltese is testimony to the extent of ethnic diversity that make up the Maltese population that, notwithstanding this immigration, considers itself as definitely 'Maltese'.

This phenomenon of illegal migration however, is quite recent for Malta and this report will focus on its impact and on the discourse that colours public and private debate in Malta whenever this subject is broached. It will be divided into the following sections: a first look at the context in which it happened, then the discussion moves in turn to the socio-political context and the legal issues involved. An analysis of public perceptions, which are quite diverse, will be given. This will be followed by an overview of the efforts undertaken to ensure that the time spent in Malta by the people who arrive, often unexpectedly, is fruitful as it can possibly be within the limits available to the small Maltese community. This paper will conclude with a brief discussion of the main issues that need to be addressed by Malta and its European partners to address this phenomenon.

2. The context

Although, as has already been indicated above, many non-Maltese effectively settled in Malta over the centuries and today comprise an essential feature of the cultural and ethnic fabric of the population, Malta has traditionally been an 'emigration-oriented country'. Because of the growing population in the nineteenth and especially in the twentieth century, many Maltese felt the need to venture beyond their shores to earn a living. Large scale emigration effectively became a feature of Maltese life since the early years of the nineteenth century when, under British colonial rule, early efforts to encourage and assist Maltese to migrate began. Maltese settled in Egypt and in Tunisia, very often in search of work opportunities and with a clear intention to return to the extent that often families were left behind in Malta. The outflow started to develop on a more permanent basis during the two World Wars when the government established the Department of Emigration to manage the emigration flow. Actually emigration reached its peak after the Second World War. The government's efforts to facilitate it were intensified and turned migration into one of the main political answers to the country post-war economic hardship. In fact, in the aftermath of the war the economic conditions of the country had begun to take a downturn and, consequently, many Maltese lost their jobs (i.e. the dockyard, which used to employ about 11,000 people, began to wind down gradually). Furthermore, a baby boom in the immediate post-war period led to a net population growth of about 8,000 people per year thus leading to a density of 1,158 people per

km² and a total population of nearly 350,000. As a consequence, in the late 1940s and 1950s, many Maltese began to leave the country and migrate abroad thereby, opening a new phase of massive and rapid migration. Matters continued to look bleak for the Maltese economy and in the 1960s, when Malta faced huge layoffs, as a result of the British Services rundown, emigration continued to feature very prominently as a safety valve. As a matter of fact, from 1945 to 1979 around 140,000 men, women and children left the Maltese Islands with Australia, the UK, Canada, and the US as their main destinations. Figure 1 below summarises Malta's post-war emigration flows. Figure 1 below gives an indication of the extent to which migration featured prominently in those years.



Source: NSO 2003

Figure 1: Post War Emigration Flows from Malta

Emigration from Malta petered out during the 1970s as the economy started to improve and diversification in tourism and manufacturing started to provide enough jobs to cater for the demand of the Maltese population, to the extent that data after 2003 was barely being kept, as evident from Table 1 below.

Table 1: Nature of Maltese migration patterns 1993-2003

| EMIGRANTS | | | | | | Year | RETURNED MIGRANTS | | | | | |
|---------------------------------------|--------|----------------|--------|-------|-----|------|-------------------------------------|--------|----------------|--------|-------|-------|
| Country of future permanent residence | | | | | | | Country of last permanent residence | | | | | |
| Australia | Canada | United Kingdom | U.S.A. | Total | | | Australia | Canada | United Kingdom | U.S.A. | Other | Total |
| 31 | 8 | 10 | 12 | 5 | 66 | 1993 | 346 | 106 | 249 | 66 | 70 | 837 |
| 54 | 3 | 9 | 35 | 3 | 104 | 1994 | 262 | 108 | 233 | 78 | 80 | 761 |
| 55 | 3 | 10 | 36 | 3 | 107 | 1995 | 191 | 81 | 204 | 61 | 84 | 621 |
| 51 | ... | 43 | ... | ... | 94 | 1996 | 127 | 52 | 124 | 44 | 52 | 399 |
| 10 | ... | 63 | ... | ... | 73 | 1997 | 144 | 46 | 140 | 53 | 70 | 453 |
| 34 | ... | 87 | ... | ... | 121 | 1998 | 96 | 33 | 100 | 73 | 47 | 349 |
| 13 | ... | 54 | ... | ... | 67 | 1999 | 78 | 20 | 118 | 63 | 60 | 339 |
| ... | ... | 67 | ... | ... | 67 | 2000 | 89 | 19 | 147 | 61 | 134 | 450 |
| ... | ... | 73 | ... | ... | 73 | 2001 | 83 | 29 | 162 | 51 | 147 | 472 |
| ... | ... | 96 | ... | ... | 96 | 2002 | 36 | 15 | 152 | 58 | 121 | 382 |
| ... | ... | 40 | ... | ... | 40 | 2003 | 82 | 26 | 196 | 80 | 134 | 518 |

Source: Emigrants: Up to 1995 figures supplied by Department of Labour. From 1996 figures partially supplied by respective embassies i.e. UK and Australia only. From the year 2000 only data from UK Embassy was received.

Returned Emigrants: The Customs Department.

Because of this historical reliance on emigration to cater for the demand for jobs, all of which remains vivid in the minds of many contemporary Maltese, job security became paramount in the minds of the Maltese and an indirect or direct threat to it, through overt or covert immigration of foreign labour was easily perceived as a major one. This explains why, when Malta has experienced a growing influx of migrants in 2002, mainly from the Horn of Africa towards Europe xenophobia started to spread very rapidly and continues to be very strong in 2011.

Table 2 below gives details of arrivals by year since 2002. The figures for 2011 refer only to arrivals up to mid-June of this year.

Table 2: Arrivals, by Nationality and Year – 2002-2011

| Mp nationality | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Grand Total |
|----------------|------|------|------|------|------|------|------|------|------|------|-------------|
| Afghanistan | | | 1 | | 1 | | | | | | 2 |
| Algeria | 1 | | 3 | 3 | 10 | 1 | | 11 | | | 29 |
| Bangladesh | 20 | | 5 | | | | | 25 | | 31 | 81 |
| Benin | | | | 1 | | 5 | 5 | | | 2 | 13 |
| Burkina Faso | 1 | | 4 | 6 | 14 | 25 | 28 | 3 | | 9 | 90 |
| Burma | | | | | | | | | | 1 | 1 |
| Burundi | | | | 1 | | | | | | | 1 |
| Cameroon | 8 | 2 | 4 | | 4 | 1 | 5 | 2 | | 14 | 40 |
| Chad | 15 | 1 | | 14 | 8 | 2 | 6 | | | 12 | 58 |
| Congo | 42 | 46 | 100 | 4 | 6 | 2 | 2 | | | 2 | 204 |
| Egypt | 234 | 218 | 158 | 378 | 302 | 3 | 16 | 36 | | 10 | 1,355 |
| Eritrea | 313 | 1 | 225 | 392 | 373 | 215 | 153 | 153 | | 273 | 2,098 |
| Ethiopia | 52 | | 22 | 78 | 136 | 105 | 29 | 13 | | 110 | 545 |
| Gambia | 3 | | | | 1 | 23 | 35 | 2 | | 8 | 72 |
| Ghana | 55 | | 1 | 23 | 36 | 49 | 94 | 3 | | 73 | 334 |
| Guinea | 4 | | | | 3 | 22 | 35 | 9 | | 2 | 75 |
| Guinea Bissau | | | 1 | | 2 | 13 | | | | | 16 |
| India | 1 | 4 | 8 | 4 | 1 | | 4 | 42 | | | 64 |
| Iraq | 184 | | 7 | 40 | 12 | 3 | 2 | 2 | | | 250 |
| Ivory Coast | 13 | 29 | 55 | 81 | 90 | 180 | 160 | 9 | | 114 | 731 |
| Jamaica | | | | 1 | | | | | | | 1 |
| Kenya | | | | | | | 1 | | | | 1 |
| Kurdistan | 25 | | | | 1 | | | | | | 26 |
| Kurd-Syria | 3 | | | | | | | 8 | | | 11 |
| Kurd-Turkey | 12 | | | | | | | | | | 12 |
| Lebanon | 1 | | 1 | 2 | | | | | | | 4 |
| Liberia | 165 | 2 | 12 | 27 | 12 | 13 | 14 | | | 1 | 246 |

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|--------------------|--------------|------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------|--------------|---------------|
| Libya | 1 | | | | 1 | 1 | | | | 7 | 10 |
| Mali | 5 | 1 | 2 | 2 | 36 | 104 | 211 | 42 | | 90 | 493 |
| Mauretania | 3 | | | 1 | 2 | 2 | 1 | | | 1 | 10 |
| Morocco | 61 | 10 | 5 | 18 | 164 | 2 | 1 | 13 | | 2 | 276 |
| Niger | | | | 45 | 52 | 50 | 60 | | | 16 | 223 |
| Nigeria | 18 | 1 | 6 | 48 | 61 | 140 | 348 | 79 | | 238 | 939 |
| Pakistan | 20 | 59 | 41 | | 1 | 2 | | 5 | | 26 | 154 |
| Palestine | 64 | 4 | 107 | 47 | 11 | 4 | 6 | 7 | | | 250 |
| Senegal | 1 | | | 1 | 1 | 12 | 4 | | | 5 | 24 |
| Sierra Leone | 11 | | | 10 | 17 | 10 | 2 | | | 5 | 55 |
| Somalia | 206 | 87 | 517 | 138 | 300 | 615 | 1443 | 897 | 47 | 412 | 4,662 |
| South African | | | | | 1 | | | | | | 1 |
| Stateless | | | | | | | | 1 | | | 1 |
| Sudan | 42 | 43 | 64 | 409 | 72 | 46 | 60 | 3 | | 54 | 793 |
| Syria | 5 | | | | 1 | 1 | | 3 | | | 10 |
| Tanzania | | | | | 1 | | | | | | 1 |
| Togo | 3 | | 2 | 22 | 38 | 46 | 38 | | | 10 | 159 |
| Tunisia | 3 | 10 | 6 | 21 | 8 | 8 | 9 | 107 | | 1 | 173 |
| Turkey | 1 | | | | | | | | | | 1 |
| Unknown | 85 | 2 | 31 | 5 | 2 | 1 | | | | | 126 |
| Zimbabwe | | | | | 1 | | 2 | | | 1 | 4 |
| Grand Total | 1,681 | 520 | 1,388 | 1,822 | 1,782 | 1,705 | 2,775 | 1,475 | 47 | 1,530 | 14,725 |

Source: AWAS, Agency for the Welfare of Asylum Seekers, Malta 2011.

Even though, in absolute terms, the total number of sea-borne migrants landing on Malta might appear modest, the impact on Malta's community and resources is massive. Malta already has a very high population density, and the sudden and uninvited influx of foreigners in need of help exert an extraordinary and unplanned for burden on local resources, ranging from the medical to subsistence.

Table 2: Arrivals, by Nationality and Gender – 2002-2011

| MP Nationality | MP SEX | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 |
|--------------------|--------------|----|----|----|----|----|----|----|----|----|----|
| AFGHANISTAN | Male | | | 1 | | 1 | | | | | |
| AFGHANISTAN Total | | | | 1 | | 1 | | | | | |
| ALGERIA | Female | | | | | 1 | | | | | |
| | Male | | | 3 | 3 | 9 | 1 | | 11 | | |
| | Unknown | 1 | | | | | | | | | |
| ALGERIA Total | | 1 | | 3 | 3 | 10 | 1 | | 11 | | |
| BANGLADESH | Male | 12 | | 5 | | | | | 25 | | 31 |
| | Unknown | 8 | | | | | | | | | |
| BANGLADESH Total | | 20 | | 5 | | | | | 25 | | 31 |
| BENIN | Female | | | | | | | 1 | | | |
| | Male | | | | 1 | | 5 | 4 | | | 2 |
| BENIN Total | | | | | 1 | | 5 | 5 | | | 2 |
| BURKINA FASO | Female | | | 1 | | | | | | | |
| | Male | 1 | | 3 | 6 | 14 | 25 | 28 | 3 | | 9 |
| BURKINA FASO Total | | 1 | | 4 | 6 | 14 | 25 | 28 | 3 | | 9 |
| BURMA | Male | | | | | | | | | | 1 |
| BURMA Total | | | | | | | | | | | 1 |
| BURUNDI | Male | | | | 1 | | | | | | |
| BURUNDI Total | | | | | 1 | | | | | | |
| CAMEROON | Female | 4 | | 1 | | | | 2 | 1 | | 4 |
| | Female-Minor | | | 1 | | | | 1 | | | |
| | Male | 4 | 2 | 2 | | 4 | 1 | 2 | 1 | | 8 |
| | Male-Minor | | | | | | | | | | 2 |
| CAMEROON Total | | 8 | 2 | 4 | | 4 | 1 | 5 | 2 | | 14 |
| CHAD | Female | | | | 1 | | | | | | |
| | Male | 15 | 1 | | 13 | 8 | 2 | 6 | | | 8 |
| | Male-Minor | | | | | | | | | | 4 |

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|----------------|--------------|-----|-----|-----|-----|-----|-----|-----|-----|--|-----|
| CHAD Total | | 15 | 1 | | 14 | 8 | 2 | 6 | | | 12 |
| CONGO | Female | 9 | 5 | 19 | 2 | | | | | | |
| | Male | 33 | 41 | 81 | 1 | 6 | 2 | 2 | | | 2 |
| | Male-Minor | | | | 1 | | | | | | |
| CONGO Total | | 42 | 46 | 100 | 4 | 6 | 2 | 2 | | | 2 |
| EGYPT | Male | 75 | | 31 | 17 | 277 | | 9 | 26 | | 9 |
| | Male-Minor | | | | | 1 | | 7 | 10 | | 1 |
| | Unknown | 159 | 218 | 127 | 361 | 24 | 3 | | | | |
| EGYPT Total | | 234 | 218 | 158 | 378 | 302 | 3 | 16 | 36 | | 10 |
| ERITREA | Female | 74 | | 40 | 68 | 24 | 30 | 23 | 23 | | 74 |
| | Female-Minor | | | | | 1 | | | 5 | | 5 |
| | Male | 239 | 1 | 185 | 323 | 347 | 185 | 130 | 114 | | 184 |
| | Male-Minor | | | | | 1 | | | 11 | | 10 |
| | Unknown | | | | 1 | | | | | | |
| ERITREA Total | | 313 | 1 | 225 | 392 | 373 | 215 | 153 | 153 | | 273 |
| ETHIOPIA | Female | 15 | | 9 | 24 | 12 | 20 | 8 | 8 | | 43 |
| | Female-Minor | | | 2 | 1 | | | | | | 9 |
| | Male | 37 | | 10 | 51 | 124 | 84 | 21 | 5 | | 53 |
| | Male-Minor | | | 1 | 1 | | 1 | | | | 5 |
| | Unknown | | | | 1 | | | | | | |
| ETHIOPIA Total | | 52 | | 22 | 78 | 136 | 105 | 29 | 13 | | 110 |
| GAMBIA | Male | | | | | 1 | 23 | 35 | 2 | | 8 |
| | Unknown | 3 | | | | | | | | | |
| GAMBIA Total | | 3 | | | | 1 | 23 | 35 | 2 | | 8 |
| GHANA | Female | | | | | 2 | | 1 | | | |
| | Female-Minor | | | | | | | | | | 1 |
| | Male | 5 | | 1 | 23 | 34 | 48 | 93 | 3 | | 69 |
| | Male-Minor | | | | | | | | | | 3 |
| | Unknown | 50 | | | | | 1 | | | | |

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|---------------------|------------|-----|----|----|----|----|-----|-----|----|--|-----|
| GHANA Total | | 55 | | 1 | 23 | 36 | 49 | 94 | 3 | | 73 |
| GUINEA | Male | 4 | | | | 3 | 22 | 35 | 9 | | 2 |
| GUINEA Total | | 4 | | | | 3 | 22 | 35 | 9 | | 2 |
| GUINEA BISSAU | Male | | | 1 | | 2 | 13 | | | | |
| GUINEA BISSAU Total | | | | 1 | | 2 | 13 | | | | |
| INDIA | Male | | | 8 | 4 | 1 | | 4 | 42 | | |
| | Unknown | 1 | 4 | | | | | | | | |
| INDIA Total | | 1 | 4 | 8 | 4 | 1 | | 4 | 42 | | |
| IRAQ | Female | 13 | | | | 1 | | | | | |
| | Male | 117 | | 6 | 40 | 11 | 3 | 2 | 2 | | |
| | Unknown | 54 | | 1 | | | | | | | |
| IRAQ Total | | 184 | | 7 | 40 | 12 | 3 | 2 | 2 | | |
| IVORY COAST | Female | | | | | | | | | | 6 |
| | Male | 13 | 29 | 55 | 80 | 90 | 180 | 160 | 9 | | 105 |
| | Male-Minor | | | | | | | | | | 3 |
| | Unknown | | | | 1 | | | | | | |
| IVORY COAST Total | | 13 | 29 | 55 | 81 | 90 | 180 | 160 | 9 | | 114 |
| JAMAICA | Male | | | | 1 | | | | | | |
| JAMAICA Total | | | | | 1 | | | | | | |
| KENYA | Male | | | | | | | 1 | | | |
| KENYA Total | | | | | | | | 1 | | | |
| KURDISTAN | Female | 12 | | | | | | | | | |
| | Male | 13 | | | | 1 | | | | | |
| KURDISTAN Total | | 25 | | | | 1 | | | | | |
| KURD-SYRIA | Female | | | | | | | | 5 | | |
| | Male | 3 | | | | | | | 3 | | |
| KURD-SYRIA Total | | 3 | | | | | | | 8 | | |
| KURD-TURKEY | Female | 2 | | | | | | | | | |
| | Male | 9 | | | | | | | | | |

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|--------------------------|--------------|-----|----|----|----|-----|-----|-----|----|-----|
| | Male-Minor | 1 | | | | | | | | |
| KURD-TURKEY Total | | 12 | | | | | | | | |
| LEBANON | Male | 1 | | | 2 | | | | | |
| | Unknown | | | 1 | | | | | | |
| LEBANON Total | | 1 | | 1 | 2 | | | | | |
| LIBERIA | Female | 6 | | | 4 | 1 | | | | |
| | Male | 159 | 2 | 12 | 23 | 11 | 13 | 14 | | 1 |
| LIBERIA Total | | 165 | 2 | 12 | 27 | 12 | 13 | 14 | | 1 |
| LIBYA | Female | | | | | | | | | 1 |
| | Female-Minor | | | | | 1 | | | | |
| | Male | 1 | | | | | | 1 | | 5 |
| | Male-Minor | | | | | | | | | 1 |
| LIBYA Total | | 1 | | | | 1 | | 1 | | 7 |
| MALI | Male | 5 | 1 | 2 | 2 | 36 | 104 | 211 | 38 | 86 |
| | Male-Minor | | | | | | | | 4 | 4 |
| MALI Total | | 5 | 1 | 2 | 2 | 36 | 104 | 211 | 42 | 90 |
| MAURITANIA | Male | 3 | | | 1 | 2 | 2 | 1 | | 1 |
| MAURITANIA Total | | 3 | | | 1 | 2 | 2 | 1 | | 1 |
| MOROCCO | Female | | 2 | | 3 | 8 | | | | |
| | Male | 19 | | 2 | 8 | 150 | 2 | 1 | 13 | 2 |
| | Male-Minor | | | | | 6 | | | | |
| | Unknown | 42 | 8 | 3 | 7 | | | | | |
| MOROCCO Total | | 61 | 10 | 5 | 18 | 164 | 2 | 1 | 13 | 2 |
| NIGER | Female | | | | 1 | 1 | 3 | 1 | | |
| | Male | | | | 44 | 51 | 47 | 59 | | 16 |
| NIGER Total | | | | | 45 | 52 | 50 | 60 | | 16 |
| NIGERIA | Female | | | 1 | 5 | 5 | 35 | 90 | 6 | 67 |
| | Female-Minor | | | | | | | 2 | | 6 |
| | Male | 1 | 1 | 5 | 43 | 56 | 103 | 254 | 73 | 156 |

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|----------------------------|--------------|-----|----|-----|-----|-----|-----|-------|-----|----|-----|
| | Male-Minor | | | | | | 2 | | | | 9 |
| | Unknown | 17 | | | | | | 2 | | | |
| NIGERIA Total | | 18 | 1 | 6 | 48 | 61 | 140 | 348 | 79 | | 238 |
| PAKISTAN | Male | 6 | 7 | 41 | | 1 | 2 | | 5 | | 26 |
| | Unknown | 14 | 52 | | | | | | | | |
| PAKISTAN Total | | 20 | 59 | 41 | | 1 | 2 | | 5 | | 26 |
| PALESTINE | Female | | | | | 2 | 1 | | | | |
| | Male | 46 | 4 | 85 | 45 | 9 | 3 | 6 | 7 | | |
| | Unknown | 18 | | 22 | 2 | | | | | | |
| PALESTINE Total | | 64 | 4 | 107 | 47 | 11 | 4 | 6 | 7 | | |
| SENEGAL | Male | 1 | | | 1 | 1 | 12 | 4 | | | 4 |
| | Male-Minor | | | | | | | | | | 1 |
| SENEGAL Total | | 1 | | | 1 | 1 | 12 | 4 | | | 5 |
| SIERRA LEONE | Female | | | | 2 | 4 | 1 | | | | 2 |
| | Male | 11 | | | 8 | 13 | 9 | 2 | | | 3 |
| SIERRA LEONE Total | | 11 | | | 10 | 17 | 10 | 2 | | | 5 |
| SOMALIA | Female | 53 | 11 | 103 | 21 | 86 | 127 | 249 | 178 | 10 | 79 |
| | Female-Minor | 1 | | | | 8 | 11 | | 17 | | 11 |
| | Male | 151 | 76 | 408 | 112 | 193 | 465 | 1,194 | 677 | 32 | 315 |
| | Male-Minor | 1 | | | 5 | 13 | 8 | | 25 | 5 | 7 |
| | Unknown | | | 6 | | | 4 | | | | |
| SOMALIA Total | | 206 | 87 | 517 | 138 | 300 | 615 | 1,443 | 897 | 47 | 412 |
| SOUTH AFRICAN | Male | | | | | 1 | | | | | |
| SOUTH AFRICAN Total | | | | | | 1 | | | | | |
| STATELESS | Male | | | | | | | | 1 | | |
| STATELESS Total | | | | | | | | | 1 | | |
| SUDAN | Female | | | | 5 | 1 | | | | | |
| | Female-Minor | | | | | | | | | | 1 |
| | Male | 42 | 40 | 64 | 403 | 71 | 46 | 60 | 3 | | 53 |

MALTA

| | | | | | | | | | | | |
|-----------------------|---------|--------------|------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------|--------------|
| | Unknown | | 3 | | 1 | | | | | | |
| SUDAN Total | | 42 | 43 | 64 | 409 | 72 | 46 | 60 | 3 | | 54 |
| SYRIA | Female | 1 | | | | | | | | | |
| | Male | 4 | | | | 1 | 1 | | 3 | | |
| SYRIA Total | | 5 | | | | 1 | 1 | | 3 | | |
| TANZANIA | Male | | | | | 1 | | | | | |
| TANZANIA Total | | | | | | 1 | | | | | |
| TOGO | Female | | | | 1 | 1 | 1 | | | | 1 |
| | Male | 3 | | 2 | 21 | 37 | 45 | 38 | | | 9 |
| TOGO Total | | 3 | | 2 | 22 | 38 | 46 | 38 | | | 10 |
| TUNISIA | Male | | 3 | 4 | 10 | 8 | 6 | 9 | 107 | | 1 |
| | Unknown | 3 | 7 | 2 | 11 | | 2 | | | | |
| TUNISIA Total | | 3 | 10 | 6 | 21 | 8 | 8 | 9 | 107 | | 1 |
| TURKEY | Male | 1 | | | | | | | | | |
| TURKEY Total | | 1 | | | | | | | | | |
| UNKNOWN | Female | 38 | 2 | 28 | 2 | | | | | | |
| | Male | 11 | | 3 | 3 | | | | | | |
| | Unknown | 36 | | | | 2 | 1 | | | | |
| UNKNOWN Total | | 85 | 2 | 31 | 5 | 2 | 1 | | | | |
| ZIMBABWE | Male | | | | | 1 | | 2 | | | 1 |
| ZIMBABWE Total | | | | | | 1 | | 2 | | | 1 |
| Grand Total | | 1,681 | 520 | 1,388 | 1,822 | 1,782 | 1,705 | 2,775 | 1,475 | 47 | 1,530 |

Source: AWAS, Agency for the Welfare of Asylum Seekers, Malta 2011.

Table 3 Arrivals, Status by Year – 2002-2011

| Final Status | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | Grand Total |
|---------------|------|-----|------|------|------|------|----------|------|----|----------|-------------|
| ASYLUM SEEKER | 32 | 16 | 68 | 72 | 36 | 253 | 266 | 80 | | 19 | 842 |
| HUMANITARIAN | 277 | 134 | 709 | 627 | 207 | 7 | 4 | 8 | | 6 | 1979 |
| NO DEC LISTED | 1046 | 324 | 319 | 517 | 544 | 72 | 171 | 206 | 19 | 117 8 | 4396 |
| PENDING | 1 | | | | | | | | | | 1 |
| PROVISIONAL | | | | | 1 | | | | | 1 | 2 |
| REFUGEE | 52 | 9 | 5 | 17 | 24 | 9 | 12 | 17 | | 4 | 149 |
| REJECTED | 233 | 27 | 189 | 295 | 288 | 535 | 764 | 214 | | 16 | 2561 |
| SUBSIDIARY | 1 | | 2 | 8 | 407 | 797 | 154 4 | 944 | 28 | 306 | 4037 |
| THPN | 39 | 10 | 96 | 286 | 275 | 32 | 14 | 6 | | | 758 |
| Grand Total | 1681 | 520 | 1388 | 1822 | 1782 | 1705 | 2775 | 1475 | 47 | 1530 | 14725 |

Source: AWAS, Agency for the Welfare of Asylum Seekers, Malta 2011.

Table 4: Arrivals, Gender by Year- 2002-2011

| MP Sex | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | Grand Total |
|--------------|------|-----|----------|----------|----------|----------|----------|----------|----|----------|-------------|
| FEMALE | 227 | 20 | 202 | 139 | 149 | 218 | 375 | 221 | 10 | 277 | 1838 |
| FEMALE-MINOR | 1 | | 3 | 1 | 10 | 11 | 3 | 22 | | 33 | 84 |
| MALE | 1045 | 208 | 102 0 | 129 0 | 157 6 | 145 4 | 238 8 | 118 2 | 32 | 117 0 | 11365 |
| MALE-MINOR | 2 | | 1 | 7 | 21 | 11 | 7 | 50 | 5 | 50 | 154 |
| UNKNOWN | 406 | 292 | 162 | 385 | 26 | 11 | 2 | | | | 1284 |
| Grand Total | 1681 | 520 | 1388 | 1822 | 1782 | 1705 | 2775 | 1475 | 47 | 1530 | 14725 |

Source: AWAS, Agency for the Welfare of Asylum Seekers, Malta 2011.

On arrival, illegal immigrants, whether they are asylum seekers or economic migrants are medically examined and also have to face a one year detention in closed centres. Detention policies in Malta have been harshly criticised for the low standards of treatment of the migrants and, especially, for their duration. As will be indicated later, there is consensus in Malta that in

principle detention is a need, although not everybody agrees with the way it is managed.¹ When the detention period expires, if not before when individuals are granted asylum status or because of special conditions, migrants are moved to open centres. Tables 3 to 5 provide detailed data on the population of these Open Centres since January 2009. The data is being presented on a month to month basis because of the seasonal fluctuations endemic in this phenomenon.

Table 5: Open Centres Population 2009

| ABB | 01-Jan-09 | 01-Feb-09 | 01-Mar-09 | 01-Apr-09 | 01-May-09 | 01-Jun-09 | 01-Jul-09 | 01-Aug-09 | 01-Sep-09 | 01-Oct-09 | 01-Nov-09 | 01-Dec-09 | 31-Dec-09 |
|--------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| HTV | 606 | 622 | 730 | 694 | 711 | 597 | 618 | 583 | 594 | 623 | 551 | 671 | 830 |
| HOC | 196 | 229 | 247 | 263 | 404 | 416 | 427 | 419 | 493 | 515 | 584 | 556 | 709 |
| HFO | 117 | 96 | 128 | 135 | 134 | 131 | 110 | 89 | 89 | 87 | 117 | 117 | 139 |
| HFRC | 91 | 69 | 83 | 108 | 109 | 111 | 99 | 97 | 105 | 104 | 96 | 117 | 122 |
| DIQ | 35 | 32 | 37 | 42 | 38 | 39 | 40 | 36 | 37 | 38 | 38 | 37 | 41 |
| DIL | 42 | 37 | 37 | 41 | 38 | 41 | 39 | 35 | 45 | 45 | 54 | 54 | 58 |
| DIS | 19 | 16 | 16 | 21 | 21 | 23 | 24 | 22 | 22 | 22 | 29 | 30 | 30 |
| BLOCKC | 31 | 31 | 35 | 37 | 35 | 33 | 35 | 39 | 39 | 32 | 37 | 38 | 45 |
| PL | 32 | 30 | 29 | 33 | 33 | 34 | 34 | 32 | 32 | 32 | 32 | 32 | 33 |
| | | | | | | | | | | | | | |
| MOC | | 290 | 310 | 278 | 313 | 321 | 356 | 364 | 395 | 461 | 490 | 470 | 479 |
| MOC | | 380 | 360 | 392 | 357 | 349 | 314 | 306 | 275 | 209 | 180 | 200 | 191 |
| MOC | 456 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 |
| | | | | | | | | | | | | | |
| MEC | 130 | 131 | 131 | 131 | 159 | 159 | 162 | 155 | 151 | 150 | 152 | 153 | 150 |
| BAL | 140 | 134 | 136 | 133 | 133 | 135 | 135 | 131 | 137 | 137 | 140 | 142 | 147 |
| | | | | | | | | | | | | | |
| | 1895 | 2097 | 2279 | 2308 | 2485 | 2389 | 2393 | 2308 | 2414 | 2455 | 2500 | 2617 | 2974 |

Source: AWAS, Agency for the Welfare of Asylum Seekers, Malta 2011.²

¹ See, in particular the reports of the report by the JRS (Jesuit Refugee Service): *Malta: Becoming Vulnerable in Detention – National Report Malta* (accessible at <http://jrs.attmalta.org/wp-content/uploads/downloads/2011/02/Becoming-Vulnerable-in-Detention-MT.pdf> [accessed on 15 June 2011]) and the Hammarberg Report referred to in later sections.

² The abbreviations used in Tables on Open Centres are:

Table 6: Open Centres Population 2010

| ABB | 01-Jan-10 | 01-Feb-10 | 01-Mar-10 | 01-Apr-10 | 01-May-10 | 01-Jun-10 | 01-Jul-10 | 01-Aug-10 | 01-Sep-10 | 01-Oct-10 | 01-Nov-10 | 01-Dec-10 | 31-Dec-10 |
|---------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| HTV | 830 | 831 | 835 | 782 | 715 | 645 | 710 | 717 | 537 | 493 | 495 | 510 | 508 |
| HOC | 709 | 775 | 809 | 721 | 652 | 600 | 469 | 432 | 384 | 409 | 409 | 432 | 420 |
| HFO | 139 | 142 | 148 | 152 | 153 | 151 | 137 | 124 | 123 | 114 | 113 | 109 | 111 |
| HFRC | 122 | 130 | 119 | 117 | 112 | 115 | 108 | 92 | 100 | 84 | 88 | 86 | 83 |
| DIQ | 41 | 40 | 45 | 36 | 36 | 36 | 34 | 31 | 29 | 31 | 18 | 5 | 0 |
| DIL | 58 | 52 | 52 | 49 | 52 | 42 | 41 | 41 | 43 | 47 | 43 | 47 | 43 |
| DIS | 30 | 28 | 29 | 28 | 28 | 28 | 27 | 26 | 25 | 24 | 24 | 13 | 12 |
| BLOCK C | 45 | 37 | 38 | 37 | 41 | 42 | 38 | 33 | 36 | 39 | 36 | 34 | 42 |
| PL | 33 | 33 | 33 | 33 | 33 | 36 | 36 | 36 | 37 | 36 | 36 | 35 | 35 |

| | |
|--------|---|
| HTV | Hal-Far Tent Village |
| HOC | Hal-Far Open Centre |
| HFO | Hal-Far OIWAS |
| HFRC | Hal-Far Reception Centre |
| DIQ | Dar il-Qawsalla [Not applicable to 2011] |
| DIL | Dar il-Liedna |
| DIS | Dar is-Sliem |
| BLOCKC | Block C Registrtrions |
| PL | Peace Lab |
| MOC | Marsa Open Centre – Official Population |
| MOC | Marsa Open Centre : Unofficial Population |
| MOC | Marsa Open Centre: <u>TOTAL TRUE POPULATION AT CENTRE</u> |
| MEC | Malta Emigrants' Commission Houses |
| BAL | Malta Emigrants' Commission: Balzan |

| | | | | | | | | | | | | | |
|-----|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | | | | | | | | | | | | | |
| MOC | 479 | 456 | 452 | 411 | 389 | 389 | 400 | 392 | 401 | 404 | 420 | 425 | 422 |
| MOC | 191 | 214 | 218 | 259 | 281 | 281 | 270 | 278 | 269 | 266 | 250 | 245 | 248 |
| MOC | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 | 670 |
| | | | | | | | | | | | | | |
| MEC | 150 | 146 | 134 | 139 | 139 | 137 | 141 | 142 | 142 | 145 | 146 | 146 | 150 |
| BAL | 147 | 149 | 148 | 148 | 154 | 152 | 150 | 147 | 153 | 150 | 146 | 146 | 166 |
| | | | | | | | | | | | | | |
| | 2974 | 3033 | 3060 | 2912 | 2785 | 2654 | 2561 | 2491 | 2279 | 2242 | 2224 | 2233 | 2240 |

Source: AWAS, Agency for the Welfare of Asylum Seekers, Malta 2011.

Table 7: Open Centres Population 2011

| ABB | 01-Jan-11 | 01-Feb-11 | 01-Mar-11 | 01-Apr-11 | 01-May-11 | 01-Jun-11 |
|--------|-------------|-------------|-------------|-------------|-------------|-------------|
| HTV | 508 | 516 | 507 | 500 | 526 | 598 |
| HOC | 420 | 414 | 425 | 419 | 468 | 549 |
| HFO | 111 | 107 | 110 | 111 | 114 | 114 |
| HFRC | 83 | 84 | 78 | 80 | 82 | 113 |
| DIL | 43 | 42 | 37 | 45 | 41 | 43 |
| DIS | 12 | 12 | 12 | 12 | 14 | 15 |
| BLOCKC | 42 | 42 | 34 | 33 | 31 | 29 |
| PL | 35 | 35 | 33 | 37 | 37 | 37 |
| | | | | | | |
| MOC | 422 | 443 | 448 | 448 | 427 | 422 |
| MOC | 248 | 227 | 222 | 222 | 243 | 248 |
| MOC | 670 | 670 | 670 | 670 | 670 | 670 |
| | | | | | | |
| MEC | 150 | 153 | 152 | 153 | 153 | 157 |
| BAL | 166 | 166 | 158 | 162 | 158 | 165 |
| | 2240 | 2241 | 2216 | 2222 | 2294 | 2490 |

Source: AWAS, Agency for the Welfare of Asylum Seekers, Malta 2011.

The length of stay in the Open Centres varies considerably. At the time of writing, AWAS, the Agency for the Welfare of Asylum Seekers, reports that 47,72% have been staying there for less than 1 year, 25.97% for between 1 and 2 years; 20.11% over 2 years whilst the remaining 6.20% are listed as TBA, presumably because the exact date when they settled in is not known with precision.³

³ AWAS, Agency for the Welfare of Asylum Seekers, Personal Communication to the writer, June 2011.

Table 8 below gives details of the nationalities living at the Open Centres in June 2011. As can be seen, there are as many as thirty-two nationalities represented, the majority of whom originate from Sub-Saharan region of Africa and from cultures very far from the Maltese, thus creating enormous pressures on the local population and particularly on those charged to deal with them during their stay in Malta.

Table 8: Nationality of Residents at Open Centre, June 2011

| Nationality | Number | % | Nationality | Number | % |
|--------------|--------|-------|---------------|--------|------|
| Somalia | 1437 | 61.89 | Libya | 3 | 0.13 |
| Eritrea | 331 | 14.25 | Palestine | 3 | 0.13 |
| Ethiopia | 131 | 5.64 | Sri Lanka | 3 | 0.13 |
| Sudan | 97 | 4.18 | Syria | 3 | 0.13 |
| Nigeria | 61 | 2.63 | Guinea Bissau | 2 | 0.09 |
| Ivory Coast | 60 | 2.58 | Iraq | 2 | 0.09 |
| Mali | 59 | 2.54 | Liberia | 2 | 0.09 |
| Burkina Faso | 26 | 1.12 | Zimbabwe | 2 | 0.09 |
| Ghana | 20 | 0.86 | Benin | 1 | 0.04 |
| Kurd/Turkey | 17 | 0.73 | Cameroon | 1 | 0.04 |
| Niger | 14 | 0.60 | Congo | 1 | 0.04 |
| Chad | 13 | 0.56 | Egypt | 1 | 0.04 |
| Guinea | 9 | 0.39 | India | 1 | 0.04 |
| Togo | 9 | 0.39 | Morocco | 1 | 0.04 |
| Bangladesh | 5 | 0.22 | Senegal | 1 | 0.04 |
| Gambia | 5 | 0.22 | Unknown | 1 | 0.04 |

Source: AWAS, Agency for the Welfare of Asylum Seekers, Malta 2011.

Most migrants request protection, and the Commissioner for Refugees has the difficult task of checking each application in situations plagued with language problems, and with the often incorrect information provided by the applicants who do their best to project the possible worst scenarios in their understandable attempts to safeguard their efforts and their future. Historically, Malta has been generous, just and humane in welcoming illegal immigrants. More than half the illegal immigrants who have landed in Malta and whose process has been concluded have effectively been granted refugee or protected humanitarian status. In effect, the most important reason for people with a migration background from non-Western countries to apply for asylum or some other form of protection in Malta is their country's instability. The second most important

reason given is discontent with the political system. A third and possibly the most sincere reason for claiming asylum is economic poverty expressed in terms of drought, bad pay, lack of job opportunities and harsh labour conditions.⁴ Table 6 below provides data of the workload of the Commissioner for Refugees over the period 2002-2011.

Table 9: **Malta: Refugee Commissioner Workload**

1 January 2002 to 30 April 2011

| | No. of Persons involved |
|--|-------------------------|
| Granted Refugee Status | 291 |
| Granted Subsidiary Protection | 5,928 |
| Granted Temp Human Protection | 36 |
| Rejections | 4,623 |
| THPN | 833 |
| Applications withdrawn | 267 |
| Applications still in process | 1,051 |
| TOTAL Applications | 13,029 |
| Awaiting start of procedure | 0 |
| Total current workload + awaiting cases | 13,029 |

Notes: 1) Total New Applications as of 1 January 2002: 12030 cases involving 12695 persons;

2) Subsidiary Protection and Human Protection cases are not included in Rejections

Source: Office of the Refugee Commissioner, Malta

3. Socio-political context and public perceptions

The debate on illegal migrants in Malta is heavily loaded with elements of xenophobia resulting from the perceived threat that the advent of migrants escaping from their country in search of a better life pose to the Maltese. This is evident not only in public discourse at the level of general conversation among individual Maltese, but also in formal speeches delivered by politicians. One particular right-wing political party clamoured for a complete clamp-down on migrants during the last electoral campaign, and even though support for this extreme-right party was not significant and it returned no representative in parliament, it can be fairly stated that the views expressed in blogs and newspaper articles often tend to echo the views so forcefully relayed by its leader.

⁴ For more information see the Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Malta from 23 to 25 March 2011, accessible on <https://wcd.coe.int/ViewDoc.jsp?id=1797917>. (Accessed on 30 June 2011)

The official positions of the two political parties represented in parliament are in favour of humanitarian assistance and understanding in all instances, but beyond that, the views of the Nationalist Party, currently in government, and that of the Labour Party, show significant divergences. The Nationalist Party's official position is that illegal migrants reaching Malta's shores after hazardous journeys across the Mediterranean need full humanitarian support because they are human beings like everybody else. At the same time, the government insists on a policy of burden sharing by other member states since, it is widely claimed, these unfortunate immigrants are only attempting to reach the European mainland and have no intention to settle in Malta. The Nationalist Government has been consistently pushing its European counterparts to accept this principle, and to do so through concrete action. Success in this regard has been at best limited.

In a very strong statement, Prime Minister Gonzi forcefully stated that Malta will not prostitute its values just to please others. Gonzi claimed that Malta, known for its kind people and strong values, will not be identified as being indifferent to human suffering when referring to the growing influx of immigrants arriving at our shores. In a radio interview on April 16, 2011, Gonzi claimed that Malta chooses life when there is a choice between life and fear; life and egoism. 'We have to continue to expose the needs of our country; that we do need help with this burden, but we cannot ignore the value of life,' Gonzi said. Gonzi said that government is working and communicating with different countries for support on the issue of immigration, encouraging others to help share the load. 'Malta has exercised the value of solidarity in many areas, and will do so in the area of immigration. A success of government here can be seen with Malta's communication with the US to take immigrants, and for them to be given legal residence in America.⁵ That is how we have to work. 'We cannot witness the massacre that women, men and children are suffering and take a back seat in this difficult time. So we continue to be there for the humanitarian part we have vowed to play.'

The Labour Party similarly appeals for humanitarian understanding, but militates much more vociferously against the perceived lethargic reaction of Malta's European counterparts. The Party's leader, Joseph Muscat frequently reiterates his opinion that Malta must defend its national interest on migration issues, and frequently lashes out at the European Union for its 'lack of solidarity' when it decided not to activate the solidarity mechanism during the Libyan crisis. In a recent interview on Radio One, the Labour Party's own radio, Muscat stated that defending national interest does not mean letting people die, but merely show that we cannot take more than we are able to support: 'Malta should push forward the stand that if the immigration problem will not be prioritized, government will be ready to veto EU decisions – and not necessarily on immigration issues.' He then accused Prime Minister Lawrence Gonzi of 'senseless talking', claiming that 'Instead of defending the national interest, he sits at EU meetings like a sheep and thanks those who give him charity.' During the same interview, Muscat claimed that he would never have signed the immigration agreement which he claimed is 'a short-sighted agreement which has proven to be futile. Not signing would have proved that the crisis in the Mediterranean

⁵ Gonzi was referring to the fact that total of 654 beneficiaries have been resettled to the United States since 2007, whereas 227 have been resettled to the EU through a resettlement project, and 190 other refugees resettled by means of bilateral projects with several EU Member States. France and Germany alone have resettled a total of 191 and 133 persons respectively. Another 10 EU states, as well as Norway and Switzerland, have pledged to take a further 385 persons, including 150 to Germany.

is far more critical than the EU sets it out to be.⁶ The Government too is very critical of statements made by European officials in its regard.

Malta's official policies were very harshly criticized by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Malta from 23 to 25 March 2011. In his report⁷, Hammarberg strongly criticized Malta's detention policy, the situation in the Open Centres. Thomas Hammarberg claimed that material conditions in the open centres which were housing some 2,300 migrants were substandard and needed to be improved 'as a matter of urgency'. The commissioner found that the tent village in Hal Far offered 'clearly inadequate conditions of accommodation for short or long periods of time'. The Commissioner also claimed that open centre residents who had to register there three times a week to claim their subsidy, had less possibility of finding employment since most job opportunities are located away from the open centres.

These views were forcefully rebutted by Justice and Home Affairs Minister Carm Mifsud Bonnici who, in turn, claimed that basic conditions inside open centres are a result of Malta's innate limitations, are themselves a major reason why asylum seekers find it difficult to integrate.⁸ 'This, combined with new arrivals, leads to a situation where the centres are constantly full to capacity because asylum seekers and refugees were facing difficulties to integrate into Maltese society. Evidently, this scenario hinders refurbishment of the Centres, although such projects have in fact been undertaken.'

Addressing the start of a week-long of seminars for World Refugee Day, commemorated on June 18, Mifsud Bonnici said 'Malta's innate limitations' presented asylum seekers and other migrants with difficulties to integrate, leading to prolonged stays at the centres.

He also said that it was preferable for the centres to host migrants who do not have alternative accommodation, rather than seeing them on the street. 'This means that the standards at open centres could never rise beyond the provision of basic services,' Mifsud Bonnici said. On this occasion the Maltese Minister acknowledged that the situation at the open centres has often been criticised by international NGOs. 'It is, at the end of the day, one of the main reasons why Malta has requested the assistance of the EU Member States and the United States by means of the resettlement of beneficiaries of international protection.'

This kind of discourse is everyday experience in Malta, and finds an echo in popular newspaper blogs whenever the topics are broached through a news item or an event that involves illegal migrants. Some examples of comments submitted [hereunder reproduced verbatim] in one online newspaper⁹ following reportage of the Hammarberg Report illustrate this very vividly:

⁶ See report in Malta Today, April 2011, on <http://www.maltatoday.com.mt/news/national/malta-should-%E2%80%98threaten%E2%80%99-with-veto-defend-national-interest-%E2%80%93-joseph-muscat> accessed on 29th June 2011.

⁷ Full report is available on <https://wcd.coe.int/wcd/ViewDoc.jsp?id=1797917>, accessed on 30 June 2011. Malta's official reply can be accessed at http://www.mjha.gov.mt/MediaCenter/PDFs/1_Hammarberg%20Govt%20Reply.pdf Accessed on 28 June 2011.

⁸ Mifsud Bonnici was addressing the start of a week-long of seminars for World Refugee Day, commemorated on 18 June, 2011. See report on Malta Today 14th June 2011.

⁹ Malta Today 6th April 2011

- Submitted on Sat, 06/04/2011 - 19:05.

When Europe decides to take burden sharing seriously and they start offloading the illegal immigrants in large numbers, then we may become pro-active, perhaps.

It is enough that some of the European partners are making a mockery of our constitution with their war planes coming and going as they please.

The Alchemist

- Submitted on Sat, 06/04/2011 - 13:08.

Dear Mr Hammerberg please lead by example!!!

Hompesch

- Submitted on Sat, 06/04/2011 - 10:00.

These do gooders should get it into their head that this war will be won only when it is fought at or as near as possible to the source of the problem. This big problem should be sorted out in Africa. The UN, the EU, the rich Arab countries, the US and the other interest countries should encourage, pressure, aid and do what is necessary to help sort out Africa.

Mario Sciberras

- Submitted on Sat, 06/04/2011 - 09:26.

Dear Thomas Hammerberg. Please take all our refugees and illegal immigrants to your beloved Sweden and you will solve ALL our problems. Please just have some courage and guts to do so and not like your compatriot Maelstrom who led our slumberland minister KMB a merry dance.

Tonfatso

- Submitted on Sat, 06/04/2011 - 09:07.

John Azzopardi lets get out of the EU before our nation and culture are destroyed by its impositions and orders to keep all illegal economic immigrants in Malta. Once out we can renounce to the refugee and Dublin Conventions and send all illegal immigrants back to their own countries.

Haha

- Submitted on Sat, 06/04/2011 - 09:04.

The Swedes always remind me of Nobel who invented dynamite – is responsible for the dead of millions of people – and to appease his conscience and 'do good' credentials, set up the Nobel Price for peace!

This is what Orwell would have called 'double speak' diplomacy.

Fed Up

- Submitted on Sat, 06/04/2011 - 08:34.

The latest news is that to comply with the recommendations of the Swede Hammarberg, Sweden has offered to take 10,000 of our refugees and illegal immigrants. All illegal immigrants wishing to go to Sweden are invited to write to the Swede Hammarberg or to the Swede Cecilia Malmstrom, who will be in Malta in two weeks, and they will be given a free air ticket to Stockholm and free lessons in the Swedish language.

In Sweden they will have full access to Swedish social security, the most generous in the world, just the same as if they were born in Sweden. Indeed Sweden will be organising direct charter flights from Libya to Stockholm so that sub-Saharan Africans can fly directly to the northern paradise-on-earth without having to take the dangerous boat trip. However there is a little snag. This commitment by Sweden has to be approved by the Swedish people in a referendum.

Louise Vella

- Submitted on Sat, 06/04/2011 - 00:42.

Why do we have to listen to an imbecile like Mr. Hammarberg. He is not Malta and we don't need to hear his whining. If he wants to help, he will take the thousands of illegal migrants off our hands. Malta is too full for even one more person. What happens when Malta goes into economic crisis? Who will help Malta then?. MAata needs to protect its security, identity and culture at all times. We the vast majority of Maltese are tired of having an EU bureaucrate diictate to us what we should do. Enough already!

John Azzopardi

- Submitted on Fri, 06/03/2011 - 23:51.

Dear Mr. Hammarberg, charity begins at home! It's time for your country to start having a piece of this cake.....lets say start building open centers in Stockholm and to accommodate these immigrants!! You should act before criticizing our country, who have done a lot to these people...

Aries

- Submitted on Fri, 06/03/2011 - 22:58.

Hammarberg put your money where your big mouth is and take all our illegal immigrants to your own country. Also provide the means where any illegal immigrant that either lands in or is brought to Malta will automatically be forwarded to your own country.

Haha

- Submitted on Fri, 06/03/2011 - 22:00.

To the human rights commissioner we say: why are you pointing your finger at us? Are we to become Europe's dumping ground for illegal immigrants? Our small country cannot absolutely afford to be filled with illegal immigrants our size is too small. This commissioner should look at other larger European countries that are doing nothing and not condemn Malta!!!

Mber

- Submitted on Fri, 06/03/2011 - 21:41.

I have two words for this guy but i do not think they are printable
Tony

- Submitted on Fri, 06/03/2011 - 20:17.

It's so easy to criticise other countries when yours hasn't got any problems and never offers to help a country such as ours.

Log on: <https://mazzun.wordpress.com/2011/06/03/it-tabella-tal-kuxjenza-ipokrita/>
L-Ahrax

- Submitted on Fri, 06/03/2011 - 19:51.

The Swede Hammarberg, like the Swede Cecilia Malmstrom, has a readymade solution for all Malta's problems with illegal immigrants – except one: they never offer to take them all to Sweden. All the illegal immigrants in Malta would love to have the opportunity to settle in Sweden, that paradise of human rights. But Sweden, like all other EU countries, refuses to take them. Germany and France have taken a few off our back. Sweden has taken ZERO. Hammarberg, words are easy. Action is difficult. So keep your words to yourself.
Louise Vella

Similar views are regularly expressed online in The Times. The following are just some random examples:

- Joseph Grech Mar 29th, 16:50

@ Council of Europe Commissioner Thomas Hemmerberg – If you are responsible for Human Rights you should have the decency to consider NOT JUST issues pertaining to illegal migrants who arrive unannounced and unwanted in Malta and other countries..... Common sense and ethics demand that you feel also obliged to consider seriously issues connected with the rights and position of the receiving host country's population. Shamefully you are not doing that – you are doing the UNHCR and especially us Maltese a gross disservice. Like Sweden, your own country and so many other lands we Maltese are aware that Multiculturalism DOES NOT WORK. The efforts by Germany, U.K., etc. to integrate foreign immigrants into their societies have failed dismally – with consequent negative outcomes for the populations of the host countries. Stop trying to force Malta into the mud. It is high time that UNHCR and bureaucrats like yourself be taken to court. Surely there must be a way to take the United Nations to court for its excesses and irresponsibility! Europe must fight bungling and irresponsible fools like yourself and the entity which pays you.

- Louise Vella Mar 29th, 12:39

Instead of criticising Malta, Hammarberg should do something practical and take the illegal immigrants to his perfect country, Sweden.

- Louise Vella Sep 24th 2010, 12:35

This Swedish man is living in the clouds. His country returned 550 illegal immigrants who had found their way from Malta to Sweden. They were uninvited, unwelcome and unwanted in Sweden, just as they were in Malta. Except Malta has to lump them. That was before last week's elections in Sweden. At the elections the anti-immigrant Sweden Democrats for the first time elected 20 MPs, probably as a reaction to the do-gooder mentality of Swedes like Hammarberg who do more harm than good.

If Hammarberg's idea of burden sharing were to be realised, Malta would become the Ellis Island of the EU, processing illegal immigrants on their way to northern countries. But as northern countries refuse them, most of them would remain here. See the excellent letter in today's The Times "African immigrants unlikely to integrate" by James Horgen.

- Charles Sammut Sep 24th 2010, 10:40

"Mr Hammerberg warned the situation was becoming very serious and accused the resisting member states of disrespecting the rights of asylum seekers."

Sub Saharan African "asylum seekers" have no right to move halfway round the world, to Europe. They do not belong here and they are not welcome either. They are only creating social tensions and destroying their own future in the process.

Those who have been granted refugee status should be returned to their country as soon as the situation there allows it. As it is, it is not a question of refuge but one of mass migration, something which is destroying Europe. But Europe is waking up. Make no mistake about that.

- Joe Demanuele Sep 24th 2010, 10:05

Thomas Hammarberg should put his money where his mouth is and take them all to his country and keep them at his own expense.

- Mr John Azzopoardi Jun 25th, 14:12

As I always say, the EU basically has been saying – This is your problem, you deal with it. We need leadership on this issue. Karm Mifsud Bonnici is not that leader and what can I say about Gonzi on this particular issue. Not much. I think we all know the answer. Time to have a plan in place and state exactly how much migrants Malta can afford to have. If we keep going like this, we are going to have a situation that we won't be prepared for in say 5-10 years time. Of course at that point, it won't be Gonzi's or Karm's problem. But they would have been the creator of it.

This kind of discourse, quoted from various blogs on a number of occasions is ubiquitous in Malta. It results from the perceived inability or unwillingness of the EU member states to assist Malta through a bold policy of burden sharing, and often through the perception that programmes like that of Frontex would aggravate rather than relieve the burden on Malta if the rules of engagement are not changed to reflect international law.

4. Legal issues

The Immigration Act (Chapter 217 of the Laws of Malta) was first enacted in 1970 and, since then, has undergone several amendments in order to respond to changing national and international circumstances. Many of the most recent amendments (i.e. those brought in by Acts IV and IX of 2000 and Act XXIII of 2002) were introduced to align Malta's immigration law with the EU *acquis* in view of accession. The Immigration Act regulates matters related to entry, visa regime and border control as well as the granting of temporary and permanent residence permits and the granting of permission to foreigners to work in Malta.

As already indicated in a preceding section, Malta has a rigid protectionist approach to labour immigration aimed at safeguarding the national labour force from external competition. A Work Permit Scheme grants labour migrant's permission to reside and work in the country for a definite period of time. Up to some time ago, even EU nationals had to formally apply for a work permit, but now the agreed period for this to be effective after Malta's entry in the EU has come to an end and EU nationals can work without any restrictions. But third country nationals are still obliged to secure a work permit to be able to work in Malta. The scheme is part of the immigration control strategy and has the aim of allowing for employment of foreigners, while at the same time protecting the long-term interest of the resident work force.

Employment licenses are issued by the Department for Citizenship and Expatriates Affairs, for a determined period of time (usually a year) and for a specific purpose. In order to obtain a license, it is necessary to prove that efforts to engage a suitable Maltese citizen for the job were fruitless. In cases where a foreign investor in the manufacturing or financial sectors holds substantial shareholding, he/she may be granted a Work Permit on an indefinite basis.

The Refugee Act (2001) incorporates the obligations that Malta assumed when signing the 1951 Geneva Convention on asylum and the 1967 Protocol, and provides the framework for procedures and policies regarding refugees and asylum seeker in the Maltese Islands. For a long time, the Church-run Emigrants Commission, which had been originally set up to deal with emigration issues, was the body in charge of asylum procedures as an operational partner of the UNHCR and the country lacked a refugee law and asylum system.

Only in 2001, with the Refugee Act, Malta finally established national provisions and procedures with regard to refugees and asylum seekers. Individuals who have been recognized as refugees and those who are given humanitarian protection¹⁰ are granted a residence permit and a work permit when requested. Refugee Protection is effectively derived from Malta's accession to the 1951 Geneva Convention the 1967 Protocol relating to the Status of Refugees. It should be noted that reservations made by Malta upon accession to those instruments were all withdrawn by 24 February 2004.¹¹

With Article 11, the Act establishes the rights for an individual granted refugee status in Malta to remain in Malta, and to be granted personal documents, including a residence permit; to be given a Convention Travel Document entitling him to leave and return to Malta without the need of any

¹⁰ The notion of 'humanitarian protection' was replaced by the institute of 'subsidiary protection status' in 2008. See below.

¹¹ A refugee is defined as 'a person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, as a result of such events is unable or, owing to such fear, is unwilling to return to it'.

visa unless he is in custody awaiting judicial proceedings for the commission of a criminal offence, or is serving a term of imprisonment; and to have access to state education and training in Malta, and to receive state medical care and services. Dependant members of the family of a person declared to be a refugee, if they are in Malta at the time of declaration or if they join him in Malta, enjoy the same rights and benefits as the refugee.¹²

Persons who obtain a work permit or refugee status receive a resident permit. This permit is an indispensable prerequisite to acquire a certain degree of civil and political participation. In general, aliens have the right to vote at local elections if they have an identification card; are over eighteen years of age; are resident in Malta and have been residing in the country for at least six months before registering; are not interdicted or incapacitated for any mental infirmity by a Maltese court; and if they have registered as voters in the Special Register.

There is absolutely no problem in respect of housing, access to services specific to these communities. They are seamlessly integrated into the Maltese community and considered an integral part of it in all respects.

When the conditions for the award of refugee status are not met the Refugee Commissioner may recommend to the Minister to grant subsidiary protection to the applicant. The institute of subsidiary protection status was introduced in 2008 after EU Council Directive 2004/83 EC was transposed into Maltese Legislation. This applies to failed asylum seekers, who if returned to their country of origin would face a real risk of suffering serious harm. According to the Refugees Act (Article 17 (1)) the Commissioner shall continue to make this recommendation even in cases where the real risk of suffering serious harm arises after a decision not to grant subsidiary protection has been taken.

In addition to these provisions, the Office of the Refugee Commissioner may also advise that an individual should be awarded 'Temporary Humanitarian Protection', another form of protection granted in special and extraordinary cases where applicants are found not to be eligible for recognition as refugees or beneficiaries of subsidiary protection, but who are nonetheless considered to be in need of protection due to special humanitarian reasons.

¹² According to Act 14 of Legal Notice 243 of 2008 a refugee is entitled (a) to remain in Malta with freedom of movement, (b) to be granted, as soon as possible, personal documents, including a residence permit for a period of three years, which shall be renewable; (c) to be given a Convention Travel Document entitling him to leave and return to Malta without the need of a visa (unless he is in custody awaiting judicial proceedings for the commission of a criminal offence, or is serving a term of imprisonment); (d) to have access to employment, social welfare, appropriate accommodation, integration programs, state education and training, and (e) to receive state medical care especially in the case of vulnerable groups of persons. Dependant members of the family of a person granted refugee status, if they are in Malta at the time of the decision or if they join him in Malta, enjoy the same rights and benefits as the refugee so that family unity may be maintained. See <http://www.mjha.gov.mt/page.aspx?pageid=160> accessed on 29 June 2011.

5. Efforts at integration

Despite Malta's limited resources, a consequence of its size and lack of natural wealth, the Maltese government has systematically sought to ensure that the plight of illegal migrants benefits from opportunities that will benefit them in their future lives. The following sections will present data on training, Licensing, Job Seeking, Life-long Learning and Unaccompanied Minors.

5.1 Training

Training opportunities are provided regularly through the Employment and Training Corporation (ETC). Tables 7 presents detailed information of the type of training actually followed by Refugees in 2010 whilst Tables 8 to 13 break down the data for 2011 by type of status. Table 13 is a summary table for training followed in 2011. As can be seen from these Tables, training has actually been provided in many skills and trades, for all the different age groups and irrespective of the gender of the person concerned.

Table 10: Refugees Trained in 2010 by the Employment and Training Corporation (ETC)

| COURSE | 16-24 | | 25-39 | | 40-54 | | 55+ | | Grand Total |
|----------------------------------|-------|---|-------|---|-------|---|-----|---|-------------|
| | M | F | M | F | M | F | M | F | |
| Basic Italian | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Carpentry & Joinery (Mornings) | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Dangerous Goods Driver Crs A Pm | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Digital Literacy Curriculum | 1 | 0 | 2 | 0 | 1 | 1 | 0 | 0 | 5 |
| Domestic Installations Licence A | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Ecdl Modules 2, 3 And 4 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Electrician's Mate (Basic) (C&G) | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| English For Foreigners | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 3 |
| Food Handlers B | 3 | 0 | 3 | 2 | 1 | 0 | 0 | 0 | 9 |
| Foundation Course For License A | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Gozo - Adt Customer Care | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Its-Food Handling B | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 3 |
| Job Search Seminar | 1 | 0 | 7 | 1 | 1 | 0 | 0 | 0 | 10 |
| Literacy English Level 2 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 4 |
| Literacy English Level 3 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Maltese For Foreigners | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 2 |

| | | | | | | | | | |
|--------------------------------------|----------|----------|-----------|----------|----------|----------|----------|----------|-----------|
| Metal Machining (Workshop Pract C&G) | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Private Guards Refresher 2010 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Shutter Formwork | 1 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 4 |
| Steel Fixing | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 3 |
| Stone Mason And Bricklaying | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Tile Laying (Wall & Floor Tiles) | 0 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 3 |
| Vehicle Spray-Painting | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Grand Total | 9 | 0 | 38 | 3 | 9 | 1 | 0 | 0 | 60 |

Source: ETC - Employment and Training Corporation, 2011

Table 11: Asylum Seekers Trained in 2011 by the Employment and Training Corporation (ETC)

| COURSE | 16-24 | | 25-39 | | 40-54 | | 55+ | | Grand Total |
|-----------------------------|----------|----------|----------|----------|----------|----------|----------|----------|-------------|
| | M | F | M | F | M | F | M | F | |
| Basic Plumbing | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 3 |
| Ecdl Modules 2, 3 And 4 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| English For Foreigners | 2 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 7 |
| Food Handlers B | 3 | 0 | 4 | 0 | 0 | 0 | 5 | 3 | 15 |
| Food Handlers B In English | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Private Guards (Afternoon) | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Storekeeping Skills Evening | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| Grand Total | 9 | 0 | 9 | 4 | 0 | 0 | 5 | 3 | 30 |

Source: ETC - Employment and Training Corporation, 2011

Table 12: Refugees Trained in 2011 by the Employment and Training Corporation (ETC)

| COURSE | 16-24 | | 25-39 | | 40-54 | | 55+ | | Grand Total |
|-------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|-------------|
| | M | F | M | F | M | F | M | F | |
| Cavetta Pre-Level 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Food Handlers B In English | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Private Guards (Evening) | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Welding - Introductory Course | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 2 |
| Grand Total | 0 | 0 | 3 | 0 | 2 | 0 | 0 | 0 | 5 |

Source: ETC - Employment and Training Corporation, 2011

Table 13: Refugees/THP Trained in 2011 by the Employment and Training Corporation (ETC)

| COURSE | 16-24 | | 25-39 | | 40-54 | | 55+ | | Grand Total |
|---|----------|----------|-----------|----------|----------|----------|----------|----------|-------------|
| | M | F | M | F | M | F | M | F | |
| Customer Care | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Ecdl Modules 1, 5, 6 And 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Ecdl Modules 2, 3 And 4 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| Electronics Engineering Skills Morning | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Food Handlers B | 1 | 0 | 9 | 1 | 3 | 0 | 0 | 0 | 14 |
| Its - Intermediate Pastry & Baking | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Lifts Install And Commissioning Level 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Numeracy Skills | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Storekeeping Skills Evening | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Tile Laying (Wall & Floor Tiles) | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Vtc - Sbm - Managing Finance | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Grand Total | 3 | 1 | 14 | 1 | 6 | 0 | 0 | 0 | 25 |

Source: ETC - Employment and Training Corporation, 2011

Table 14: Persons with Subsidiary Protection Trained in 2011 by the Employment and Training Corporation (ETC)

| COURSE | 16-24 | | 25-39 | | 40-54 | | 55+ | | Grand Total |
|---------------------------------|----------|----------|-----------|----------|----------|----------|----------|----------|-------------|
| | M | F | M | F | M | F | M | F | |
| Basic Plumbing | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 3 |
| Dangerous Goods Driver Crs A Pm | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Food Handlers B | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 3 |
| Food Handlers B In English | 2 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 5 |
| Its-Food Service Certificate | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Storekeeping Skills Evening | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 3 |
| Welding - Introductory Course | 2 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 5 |
| Grand Total | 8 | 0 | 11 | 0 | 1 | 0 | 1 | 0 | 21 |

Source: ETC - Employment and Training Corporation, 2011

Table 15: Temp. Humanitarian Protection Trained in 2011 by the ETC

| COURSE | 16-24 | | 25-39 | | 40-54 | | 55+ | | Grand Total |
|---------------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|-------------|
| | M | F | M | F | M | F | M | F | |
| Food Handlers B | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Food Handlers B In English | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 2 |
| Its - Basic Reception Oper & Services | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Its-Food Service Certificate | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Private Guards (Afternoon) | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Grand Total | 1 | 0 | 6 | 0 | 0 | 0 | 1 | 0 | 8 |

Source: ETC - Employment and Training Corporation, 2011

Table 16: Total Report for year 2011 by ETC

| COURSE | 16-24 | | 25-39 | | 40-54 | | 55+ | | Grand Total |
|---|-------|---|-------|---|-------|---|-----|---|-------------|
| | M | F | M | F | M | F | M | F | |
| Basic Plumbing | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 3 |
| Basic Plumbing | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 3 |
| Cavetta Pre-Level 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Customer Care | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Dangerous Goods Driver Crs A Pm | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Ecdl Modules 1, 5, 6 And 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Ecdl Modules 2, 3 And 4 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Ecdl Modules 2, 3 And 4 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| Electronics Engineering Skills Morning | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| English For Foreigners | 2 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 7 |
| Food Handlers B | 3 | 0 | 4 | 0 | 0 | 0 | 5 | 3 | 15 |
| Food Handlers B | 1 | 0 | 9 | 1 | 3 | 0 | 0 | 0 | 14 |
| Food Handlers B | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 3 |
| Food Handlers B | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Food Handlers B In English | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Food Handlers B In English | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Food Handlers B In English | 2 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 5 |
| Food Handlers B In English | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 2 |
| Its - Basic Reception Oper & Services | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Its - Intermediate Pastry & Baking | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Its-Food Service Certificate | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Its-Food Service Certificate | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Lifts Install And Commissioning Level 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Numeracy Skills | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Private Guards (Afternoon) | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |

| | | | | | | | | | |
|----------------------------------|-----------|----------|-----------|----------|----------|----------|----------|----------|-----------|
| Private Guards (Afternoon) | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Private Guards (Evening) | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Storekeeping Skills Evening | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2 |
| Storekeeping Skills Evening | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Storekeeping Skills Evening | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 3 |
| Tile Laying (Wall & Floor Tiles) | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Vtc - Sbm - Managing Finance | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Welding - Introductory Course | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 2 |
| Welding - Introductory Course | 2 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 5 |
| Total | 21 | 1 | 43 | 5 | 9 | 0 | 7 | 3 | 89 |

Source: *ETC* - Employment and Training Corporation, 2011

5.2 Licensing

Training on its own is not sufficient because to secure legal employment a legal document is necessary to demonstrate that a person is entitled to work without hindrance. For this purpose, once out of detention, migrants are given a licence to work. Different types of licences are issued, depending on the status of the individual concerned.

In the case of Asylum Seekers, the license needs to be applied for by employer. Licenses are issued for a maximum duration of six months, but this is renewable. The application is not subject to labour market considerations. An asylum seeker may hold down only one job at any one time and can work as self employed. In this case when the license is issued an engagement form is automatically generated and when the license expires a termination of employment form is generated automatically unless the license is renewed

In the case of Failed Asylum Seekers the license is also to be applied for by employer. It is issued for a maximum duration of License is of three months (pending repatriation to country of origin). Applications are not subject to labour market considerations. A failed asylum seeker may hold down only one job at any one time and can work as self employed. Once more, when the licence is issued an engagement form is automatically generated and when the licence expires a termination of employment form is generated automatically unless the licence is renewed

Licences for Refugees are to be applied for, and issued to the refugee directly, for a maximum duration of licence is of 12 months. These are also renewable. Applications are not subject to labour market considerations. A refugee can hold down more than one job at any one time including self employment. Refugees can also register for work just like Maltese nationals. In this case the employers who engage the services of persons in this category need to submit to the ETC an engagement form when the employment starts and a termination form when the employment of the Refugee is terminated.

Persons who have the status of either Temporary Humanitarian Protection or Subsidiary Protection (THPs or SPs) can also apply for a licence directly, and it will be issued to them for a maximum period of 12 months. Again this type of licence is renewable. Applications are not subject to labour market considerations. Such persons can hold down more than one job at any one time including self employment. In this case the employer who engages the services of such persons needs to submit to the Corporation an engagement form when the employment starts and a termination form when the employment of the THP or SP is terminated

Tables 17 to 24 present data on the number of currently active licences for the various categories of illegal migrants. Data is presented by category and is split by country and gender.

Table 17: **Number of active licences for asylum seekers and failed asylum seekers**
by Country of Origin and Gender

| NATIONALITY | FEMALE | MALE | TOTAL |
|--------------|--------|------|-------|
| BANGLADESH | 0 | 3 | 3 |
| BURKINA FASO | 0 | 7 | 7 |
| CAMEROON | 0 | 5 | 5 |
| CHAD | 0 | 4 | 4 |
| CHINA | 1 | 0 | 1 |
| CONGO | 1 | 4 | 5 |
| ERITREA | 17 | 23 | 40 |
| ETHIOPIA | 16 | 72 | 88 |
| GAMBIA | 0 | 7 | 7 |
| GHANA | 0 | 22 | 22 |
| GREENLAND | 0 | 1 | 1 |
| GUINEA | 0 | 5 | 5 |
| INDIA | 0 | 4 | 4 |
| IRAQ | 0 | 3 | 3 |
| IVORY COAST | 0 | 70 | 70 |
| LIBERIA | 1 | 30 | 31 |
| MALI | 0 | 19 | 19 |
| NIGER | 1 | 30 | 31 |
| NIGERIA | 31 | 96 | 127 |
| PAKISTAN | 0 | 3 | 3 |

| | | | |
|------------------|-----------|------------|------------|
| PALESTINE | 0 | 7 | 7 |
| SENEGAL | 0 | 4 | 4 |
| SIERRA LEONE | 2 | 8 | 10 |
| SOMALIA | 1 | 9 | 10 |
| SUDAN | 0 | 38 | 38 |
| SYRIAN ARAB REP. | 0 | 1 | 1 |
| TOGOLESE REP. | 1 | 36 | 37 |
| TUNISIA | 0 | 1 | 1 |
| ZIMBABWE | 0 | 1 | 1 |
| TOTAL | 72 | 513 | 585 |

Source: *ETC* - Employment and Training Corporation, 2011

Table 18: **Number of active licences for asylum seekers and failed asylum seekers by Occupation and Gender**

| OCCUPATION | FEMALE | MALE | TOTAL |
|---|--------|------|-------|
| Bar Attendant (512301) | 0 | 1 | 1 |
| Building Structure Cleaners (714300) | 1 | 0 | 1 |
| Butcher (741100) | 0 | 1 | 1 |
| Carpenter (712400) | 0 | 2 | 2 |
| Carpenter, Joiner (712401) | 0 | 1 | 1 |
| Chef (512201) | 0 | 3 | 3 |
| Chef, Commis (512204) | 0 | 1 | 1 |
| Cleaner (913200) | 27 | 68 | 95 |
| Cleaner, Domestic Helpers (913100) | 1 | 6 | 7 |
| Cleaner, House Person (913203) | 1 | 4 | 5 |
| Cleaner, Room Attendant (913210) | 33 | 28 | 61 |
| Cleaner, Sweeper & Beach Cleaner & Rel (916200) | 0 | 1 | 1 |
| Construction, Concrete Shutterer (712301) | 0 | 4 | 4 |
| Construction, Form Work Erector (712310) | 0 | 4 | 4 |

| | | | |
|--|---|----|----|
| Construction, Mason, Builder, Trad Material (712100) | 0 | 1 | 1 |
| Construction, Scaffolder (712902) | 0 | 2 | 2 |
| Construction, Slip Form Erector (712302) | 0 | 5 | 5 |
| Consultant General (112000) | 0 | 1 | 1 |
| Customer Care/Telephone Operator (915201) | 1 | 0 | 1 |
| Delivery Person (832203) | 0 | 1 | 1 |
| Domestic Cleaners Helpers , Laundresses (913000) | 0 | 2 | 2 |
| Driver, Fork-Lift (833400) | 0 | 1 | 1 |
| Electrician, Auto (724100) | 0 | 2 | 2 |
| Electrician, Auto Assistant (724110) | 0 | 1 | 1 |
| Engineer, Mechanical (214500) | 0 | 1 | 1 |
| Fitter, Electronics (724200) | 0 | 1 | 1 |
| Garbage Collectors And Related Labourers (916000) | 0 | 9 | 9 |
| Garbage, Collector (916100) | 0 | 8 | 8 |
| Gardener Assistant (611310) | 0 | 1 | 1 |
| Glass-Maker, Cutter, Grinder & Finisher (732200) | 0 | 1 | 1 |
| Hairdresser, Barber (514100) | 2 | 1 | 3 |
| Handy Person (931200) | 0 | 13 | 13 |
| Housekeeper & Related Worker (512100) | 1 | 6 | 7 |
| Kitchen Hand (913201) | 0 | 34 | 34 |
| Kitchen Hand, Dishwasher (913202) | 2 | 20 | 22 |
| Labourer, Assembling (932100) | 0 | 2 | 2 |
| Labourer, Building Construction (931300) | 0 | 6 | 6 |
| Labourer, Factory Hand (932200) | 0 | 17 | 17 |
| Labourer, Farmer (921101) | 0 | 1 | 1 |
| Labourer, Helper Unskilled (932201) | 0 | 8 | 8 |
| Labourer, Mechanical Environment (932102) | 0 | 1 | 1 |
| Labourer, Plasterer/Tile Layer (931301) | 0 | 1 | 1 |
| Labourer, Roads (931201) | 0 | 1 | 1 |

| | | | |
|---|---|-----|-----|
| Labourers (930000) | 1 | 135 | 136 |
| Labourers In Mining And Quarrying (931100) | 0 | 1 | 1 |
| Machine Operator, Assembler (829000) | 0 | 3 | 3 |
| Manager, Not Elsewhere Classified (123900) | 0 | 1 | 1 |
| Mechanic, Auto Assistant (723110) | 0 | 1 | 1 |
| Mechanic, Commercial (Heavy And Light) (723102) | 0 | 1 | 1 |
| Mechanic, Vehicles Heavy (723101) | 0 | 1 | 1 |
| Mechanic, Vehicles Light (723100) | 0 | 1 | 1 |
| Mechanic, Vrt Tester (723103) | 0 | 1 | 1 |
| Mechanical, Machinery Assemblers (828100) | 0 | 1 | 1 |
| Metal Moulders, Welders, Sheet Metal Etc (721000) | 0 | 2 | 2 |
| Outworker, Occ Unknown (999000) | 0 | 1 | 1 |
| Panel Beater (721301) | 0 | 1 | 1 |
| Petrol Pump Attendant (522001) | 0 | 1 | 1 |
| Plasterer (713300) | 0 | 11 | 11 |
| Plasterer, Gypsum Board (713304) | 0 | 1 | 1 |
| Power Production And Related Operators (816000) | 0 | 1 | 1 |
| Printer, Assistant (734110) | 0 | 1 | 1 |
| Printer, Pre-Press (734100) | 0 | 1 | 1 |
| Production Clerks (413200) | 0 | 1 | 1 |
| Quality Controller (315200) | 0 | 1 | 1 |
| Research - Analyst (241902) | 0 | 1 | 1 |
| Restorer, Building (245201) | 0 | 1 | 1 |
| Sales Person, Other (522000) | 0 | 1 | 1 |
| Sales Rep, Advertising (342901) | 0 | 1 | 1 |
| Security Officer/Private Guard (516900) | 0 | 1 | 1 |
| Sprayer Assistant (714210) | 0 | 1 | 1 |
| Sprayer, Automobile (714200) | 0 | 1 | 1 |
| Stacker(Supermarket) (741601) | 0 | 1 | 1 |

MALTA

| | | | |
|---|-----------|------------|------------|
| Steel Fixer (721410) | 0 | 27 | 27 |
| Steel Worker (721401) | 0 | 2 | 2 |
| Store Keeper (413100) | 0 | 6 | 6 |
| Store Keeper Assistant (413110) | 0 | 3 | 3 |
| Swimming Pool Attendant (915202) | 0 | 4 | 4 |
| Tailor, Dressmaker And Hatter (743300) | 0 | 1 | 1 |
| Technician, Computer (311402) | 0 | 1 | 1 |
| Technician, Mechanical Assistant (311501) | 0 | 5 | 5 |
| Trade Brokers (342100) | 0 | 1 | 1 |
| Translator & Interpreter (244400) | 0 | 2 | 2 |
| Waiter, Waitress (512300) | 2 | 4 | 6 |
| Welder And Flamecutter (721200) | 0 | 3 | 3 |
| Welder Assistant (721210) | 0 | 6 | 6 |
| Total | 72 | 513 | 585 |

Source: ETC - Employment and Training Corporation, 2011

Table 19: Number of active licences for Refugees
by Country of Origin and Gender

| NATIONALITY | FEMALE | MALE | TOTAL |
|--------------|----------|-----------|-----------|
| ALGERIA | 0 | 1 | 1 |
| ARMENIA | 0 | 1 | 1 |
| BANGLADESH | 0 | 3 | 3 |
| CAMEROON | 0 | 1 | 1 |
| EGYPT | 0 | 1 | 1 |
| ERITREA | 2 | 5 | 7 |
| ETHIOPIA | 2 | 3 | 5 |
| MOROCCO | 1 | 0 | 1 |
| PALESTINE | 0 | 2 | 2 |
| SIERRA LEONE | 1 | 2 | 3 |
| SOMALIA | 0 | 2 | 2 |
| SRI LANKA | 0 | 1 | 1 |
| SUDAN | 0 | 1 | 1 |
| UZBEKISTAN | 0 | 1 | 1 |
| TOTAL | 6 | 24 | 30 |

Source: ETC - Employment and Training Corporation, 2011

Table 20: Number of active licences for Refugees
by Occupation and Gender

| OCCUPATION | FEMALE | MALE | TOTAL |
|---|----------|-----------|-----------|
| [Empty] | 2 | 11 | 13 |
| Cleaner (913200) | 1 | 1 | 2 |
| Cook,Pizzaiolo (512202) | 0 | 1 | 1 |
| Customer Care/Telephone Operator (915201) | 1 | 0 | 1 |
| Delivery Person (832203) | 0 | 1 | 1 |
| Hairdresser,Barber (514100) | 1 | 0 | 1 |
| Housekeeper & Related Worker (512100) | 0 | 1 | 1 |
| Instructor Others Associate Professional (334000) | 0 | 1 | 1 |
| Kitchen Hand (913201) | 0 | <u>2</u> | <u>2</u> |
| Kitchen Hand,Dishwasher (913202) | 0 | <u>1</u> | <u>1</u> |
| Laboratory Technician Life Science & Rel (321100) | 0 | 1 | 1 |
| Labourers (930000) | 0 | <u>1</u> | <u>1</u> |
| Plasterer (713300) | 0 | <u>1</u> | <u>1</u> |
| Secretary (411500) | <u>1</u> | 0 | <u>1</u> |
| Security Officer/Private Guard (516900) | 0 | <u>1</u> | <u>1</u> |
| Steel Fixer (721410) | 0 | <u>1</u> | <u>1</u> |
| Total | <u>6</u> | <u>24</u> | <u>30</u> |

Note: 13 persons at the time were featuring as inactive

Source: ETC - Employment and Training Corporation, 2011

Table 21: Number of active licences for Persons awarded Temporary Humanitarian Protection
by Country of Origin and Gender

| NATIONALITY | FEMALE | MALE | TOTAL |
|--------------|----------|------------|------------|
| ERITREA | 3 | 52 | 55 |
| ETHIOPIA | 1 | 1 | 2 |
| IRAQ | 0 | 4 | 4 |
| SOMALIA | 0 | 52 | 52 |
| SUDAN | 0 | 11 | 11 |
| TURKEY | 0 | 3 | 3 |
| TOTAL | 4 | 123 | 127 |

Source: ETC - Employment and Training Corporation, 2011

Table 22: Number of active licences for Persons awarded Temporary Humanitarian Protection*
by Occupation and Gender

| OCCUPATION | FEMALE | MALE | TOTAL |
|---|--------|------|-------|
| [Empty] | 1 | 15 | 16 |
| Cleaner (913200) | 2 | 13 | 15 |
| Cleaner,Sweeper & Beach Cleaner & Rel (916200) | 0 | 1 | 1 |
| Construction,Slip Form Erector (712302) | 0 | 1 | 1 |
| Delivery Person (832203) | 0 | 2 | 2 |
| Handy Person (931200) | 0 | 2 | 2 |
| Hawker, Street Vendor, Non Food Products (911200) | 0 | 1 | 1 |
| Host Person,Other Serv Worker Not Class (514900) | 0 | 3 | 3 |
| Housekeeper & Related Worker (512100) | 1 | 5 | 6 |
| Kitchen Hand (913201) | 0 | 14 | 14 |
| Kitchen Hand,Dishwasher (913202) | 0 | 2 | 2 |
| Labourer,Building Construction (931300) | 0 | 13 | 13 |
| Labourer,Factory Hand (932200) | 0 | 6 | 6 |
| Labourers (930000) | 0 | 31 | 31 |
| Launderer And Presser (913300) | 0 | 3 | 3 |

| | | | |
|---|----------|------------|------------|
| Machine Operator,Assembler (829000) | 0 | 2 | 2 |
| Machine Operators And Assemblers (820000) | 0 | 1 | 1 |
| Machine-Tool Operator (821100) | 0 | 1 | 1 |
| Mechanic & Fitter (Machinery) (723000) | 0 | 1 | 1 |
| Plasterer (713300) | 0 | 1 | 1 |
| Port Worker (933300) | 0 | 1 | 1 |
| Porter,Luggage/Hotel (915101) | 0 | 1 | 1 |
| Printer,Assistant (734110) | 0 | 1 | 1 |
| Store Keeper Assistant (413110) | 0 | 1 | 1 |
| Technician,Electrical (311300) | 0 | 1 | 1 |
| Total | 4 | 123 | 127 |

Note: 16 persons at the time were featuring as inactive

Source: ETC - Employment and Training Corporation, 2011

Table 23: Number of active licences for Persons awarded Subsidiary Protection

| NATIONALITY | FEMALE | MALE | TOTAL |
|------------------|-----------|------------|------------|
| ERITREA | 29 | 269 | 298 |
| ESTONIA | 0 | 1 | 1 |
| ETHIOPIA | 7 | 2 | 9 |
| IRAQ | 1 | 3 | 4 |
| PALESTINE | 0 | 1 | 1 |
| SOMALIA | 39 | 328 | 367 |
| SUDAN | 1 | 29 | 30 |
| SYRIAN ARAB REP. | 0 | 4 | 4 |
| TURKEY | 0 | 3 | 3 |
| UNKNOWN | 0 | 1 | 1 |
| TOTAL | 77 | 641 | 718 |

Source: ETC - Employment and Training Corporation, 2011

Table 24: Number of active licences for Persons awarded Subsidiary Protection*
by Occupation and Gender

| Occupation | FEMALE | MALE | TOTAL |
|---|--------|------|-------|
| [Empty] | 40 | 386 | 426 |
| Aluminium Worker (712900) | 0 | 1 | 1 |
| Bar Attendant (512301) | 0 | 1 | 1 |
| Carpenter, Sander & Other Rel Tasks (712403) | 0 | 2 | 2 |
| Cleaner (913200) | 20 | 31 | 51 |
| Cleaner, House Person (913203) | 1 | 0 | 1 |
| Cleaner, Room Attendant (913210) | 15 | 6 | 21 |
| Cleaner, Sweeper & Beach Cleaner & Rel (916200) | 0 | 1 | 1 |
| Delivery Person (832203) | 0 | 2 | 2 |
| Driver, Crane Operator (833300) | 0 | 1 | 1 |
| Farmer, Dairy & Livestock Producer (612100) | 0 | 1 | 1 |
| Foreman/Woman, General (821103) | 0 | 1 | 1 |
| Garbage Collectors And Related Labourers (916000) | 0 | 5 | 5 |
| Garbage, Collector (916100) | 0 | 4 | 4 |
| Gardener, Horticulural & Nursery Grower (611300) | 0 | 1 | 1 |
| Handy Person (931200) | 0 | 3 | 3 |
| Host Person, Air/Ground (511100) | 0 | 1 | 1 |
| Housekeeper & Related Worker (512100) | 0 | 21 | 21 |
| Kitchen Hand (913201) | 0 | 28 | 28 |
| Kitchen Hand, Dishwasher (913202) | 0 | 4 | 4 |
| Laboratory Assistant (322800) | 0 | 1 | 1 |
| Labourer, Building Construction (931300) | 0 | 5 | 5 |
| Labourer, Factory Hand (932200) | 0 | 22 | 22 |
| Labourer, Field Crop/Green Houses (921100) | 0 | 9 | 9 |
| Labourer, Helper Unskilled (932201) | 0 | 3 | 3 |
| Labourers (930000) | 0 | 63 | 63 |

| | | | |
|---|-----------|------------|------------|
| Launderer And Presser (913300) | 0 | 9 | 9 |
| Machine Operator, Assembler (829000) | 0 | 8 | 8 |
| Mechanic, Auto Assistant (723110) | 0 | 1 | 1 |
| Mechanic, Vrt Tester (723103) | 0 | 1 | 1 |
| Plasterer (713300) | 0 | 1 | 1 |
| Porter, Luggage/Hotel (915101) | 0 | 2 | 2 |
| Public Relations Officer (P.R.O) (241901) | 0 | 1 | 1 |
| Sales Person, Other (522000) | 1 | 0 | 1 |
| Salesperson Assistant Counter (522010) | 0 | 2 | 2 |
| Steel Worker (721401) | 0 | 1 | 1 |
| Store Keeper (413100) | 0 | 5 | 5 |
| Store Keeper Assistant (413110) | 0 | 1 | 1 |
| Student Worker (419098) | 0 | 1 | 1 |
| Swimming Pool Attendant (915202) | 0 | 1 | 1 |
| Waiter, Waitress (512300) | 0 | 3 | 3 |
| Welder And Flamecutter (721200) | 0 | 1 | 1 |
| Total | 77 | 641 | 718 |

Note: 426 persons at the time were featuring as inactive

Source: ETC - Employment and Training Corporation, 2011

The foregoing data clearly points to the massive effort being made by Malta to promote the integration of the persons who arrive on its shores in search of a better way of life by not only training them, but also by giving them a licence on the basis of which they can seek work legally.

5.3 Job-seeking

Training an individual and giving him or her, a legal instrument to seek employment without hassle already goes a long way to restore dignity to a person. But finding a job, and being paid market rates rather than be exploited is more difficult. To address this issue, and especially to help migrants from congregating at two particular sites in Marsa and Hal-Far, waiting for somebody to ask them to work for him or her for a limited time period, a new project has been launched. This project, dubbed An Employment Support Initiative for Refugees and Beneficiaries of Protection is being run under the European Refugee Fund 2008-2013. The project is being led by AWAS (the Agency for the Welfare of Asylum Seekers) but with the heavy involvement of ETC and of the Foundation for Shelter and Support of Migrants (FSSM) which runs the Marsa Open Centre on behalf of AWAS.

The ETC is committed to provide its expertise in matters related to employment with the collaboration of the other project partners and to provide induction training to recruited staff who will carry out duties as employment support offices. FSSM in turn contributes to the project by providing a furnished office at Marsa to be utilized as one of the employment support offices and ensures maximum cooperation from Marsa Open Centre (MOC) staff members to promote services provided at the employment support office.

The main objective of this project is try to eliminate the need for migrants to wait idly at the two points referred to above for possible offers of work, thus creating an unsightly phenomenon which exacerbates problems for both the Maltese population and the target group. The project partners joined hands to proactively tackle this problem by offering an alternative to waiting out on roundabouts.

The target group for this project includes:

- a) Any third country national or stateless person having the status defined by the Geneva Convention and whose permitted to reside as a refugee in one of the Member States;
- b) Any third country national or stateless person enjoying a form of subsidiary protection within the meaning of Directive 2004/83/EC;
- c) Any third country national or stateless person who has applied for one of the forms of protection described in points (a) and (b); and
- d) Any third country national or stateless person enjoying temporary protection within the meaning of Directive 2001/55/EC.

The project is being implemented through a system of registration whereby potential employers are matched with available labour. Migrants are being encouraged to register for this free service and the Maltese are being encouraged to use it. In mid 2011 the project is still in its early stages, but it has already registered some success stories and the partners hope that through it a more just system of deployment of the talents and resources of migrants with a licence to work can be better utilized and exploitation substantially reduced.

5.4 Life-long learning

Life-long learning possibilities in Malta are on the increase, and are fast becoming popular as the local population realises that education has to be extended throughout adult life. In the course of discussions with the Director responsible for Lifelong Learning at the Department of Education, it was pointed out that many migrants actually attend these courses and do so without paying fees as these are waived in view of their special predicament. Unfortunately however, separate statistics for migrant participation in these courses are not kept since, for the purpose of these courses, they are treated just like other applicants

5.5 Unaccompanied minors

Illegal migrants are not restricted to adults. Children and babies often accompany adults and the problems they create need to be addressed. Those involved in work with them confidently say

that accompanied minors are not a big problem because they stay with their parents or next of kin, they easily integrate in schools and very quickly learn Maltese in such a way that soon one could barely distinguish them from Maltese children except for their skin colour. But the same cannot be said of unaccompanied minors. It is often difficult to understand how these manage to reach Malta, but tragedies during the sea journey, or at any time after they would have left their country of origin, could simply have left them bereft of a guardian and they simply trek wherever a group moves. A report on the phenomenon states this:

With unaccompanied minors, motives mirror those of adult asylum seekers. UNHCR (1997) claims their motives can include fear of persecution, human rights abuses or the desire to secure a better future, or a mixture. The difference between adult asylum-seekers and minors, especially those that are unaccompanied is that, according to UNCHR (1997), regardless of the motives, the latter often have had 'little or no choice in the decisions that have led to their predicament and vulnerability' (UNHCR, 1997, p. 4). According to the Care Manager of OIWAS (the state-run Organisation for the Integration and Welfare of Asylum Seekers), the main reasons for leaving for most unaccompanied minors residing in the OIWAS Residential Homes are religious persecution, family reunification, poverty and human rights abuses.¹³

This category of immigrants presents a set of very specific problem which Malta has systematically addressed.

On landing the age of these minors has to be verified and then they have to be issued with a Care Order so that the state, through the Ministry of Social Policy, can assume responsibility of their well-being and given protection under they reach 18 years of age. An ad-hoc committee chaired by a senior advisor to the Minister of Education, and made up of a multi-disciplinary team, was set up to address the issues involved. They are then accommodated in special homes, operated in such a way to ensure a safe residential setting, education, preparation for employment, cultural orientation and leisure activities. There are two of these¹⁴, Dar is-Sliem accommodating up to 30 persons under 16 of both genders, and Dar il-Liedna hosting up to 18 males over 16. Osanna Pia, a mainstream Church run hostel, also houses some who need special attention.

Both OIWAS homes are run by a care coordinator, a social worker and a number of care workers and the main task of the homes is to educate the minors as responsible persons with the skills that would eventually allow them to live independently. Each minor has an individual care plan designed for him/her, depending on the person's needs. Medical, psychological and educational needs form part of this plan. Minors are encouraged to complete their education and are given equal rights as Maltese citizens. On reaching the age of 16, they can if they so wish seek employment and are assisted in acquiring work permits. On reaching 18 years of age, they are helped to move out of the Residential Homes into rented accommodation if they have sufficient means to maintain themselves or into one of the Open Centres. Generally it is easier for them to move to one of the centres for vulnerable adults.

¹³ Malta, National Contact Point of European Migration Network. *Unaccompanied Minors in Malta - Their Numbers and the Policies and Arrangements for their Reception, Return and Integration*. p.12.

¹⁴ These two homes are run by OIWAS, the Organisation for the Integration and Welfare of Asylum Seekers

A review of these initiatives suggests that through this focused attention, the plight and success of integration by this special group of immigrants is better ensured.

6. Current issues and problems

As can be seen from the foregoing attempt to analyse the impact the 'boat people' are having on Malta, the effects of this phenomenon are far reaching. The problem of illegal immigration has increased in 2011 especially as a result of the Libyan crisis, and this is exerting very severe strains on resources in Malta. It is severely affecting the island's health, employment and social services, its internal security and public order and its social fabric. It is perceived as a direct affront at the culture of the Maltese and a threat to the availability of work opportunities. The resultant extent of xenophobia is evident in many instances and juxtaposes itself very uncomfortably with the traditional pride in Maltese hospitality and Christian impetus to help neighbours in need.

In reality, the demographic profile of the Maltese population, with a rapidly declining replacement rate, is creating problems which will have to be tackled in future if social services are to be sustainable. Malta will, sooner than later, have to open its doors to immigration to cater for the demand for labour, and most especially to cater for those sectors of the economy which the Maltese, increasingly better educated, would not want to engage in. These range from construction to environmental services, areas in which already immigrant labour is very evident. Some would of course argue that these gaps could be filled through returned migration flows from the pool of Maltese and their descendants who left Malta when the economy was weak. This could well be the case, but so far there is no evidence that is going to be a likely source.

The main reason why the Maltese are both weary and wary about illegal migration stems from the fact that despite the promises of solidarity and mutual support, supposedly fundamental corner stones of the European Union, the Maltese do not consider the support extended to them by the European Union anywhere near sufficient to help meet the challenges posed by illegal migration. For some years now Malta has been promoting the notion of 'burden sharing', but has met only very feeble methods for this to be implemented. The Maltese perceive that their efforts to offer hospitality to migrants is not appreciated, and the fact that they are faced with this problem because they are on the periphery of Europe not acknowledged. Within Malta the general impression that member states consider the problems arising from illegal migration to be a purely Maltese and not a pan-European problem is very widespread. Political tension started developing as the EU persistently ignored Malta's precarious situation: member states party to the legally-binding Cotonou Agreement¹⁵ continued not to fulfil their obligations and East African countries, from which most central Mediterranean illegal immigration originates, were excluded from the Euro-African Conference on Migration and Development held 10-11 July 2006 in Tripoli¹⁶. And to make matters worse, the Maltese are all too often castigated for the detention policy and for the at times poor quality of housing provided. Reports like that written by the Council of Europe Commissioner for Human Rights Thomas Hemmerberg foment dissatisfaction and make it even more vociferous.

¹⁵ EU *Official Journal L 317*, 15/12/2000 P. 0003 - 0353

¹⁶ See <http://www.maec.gov.mt/migration/En/conference.htm>

In reality however, Malta's efforts to abide by its international legal obligations, to offer hospitality and to create opportunities of the acculturation into a European élan have been significant despite the pressures they exert on the Maltese economy and culture. The tables provided in this report are enough evidence of this. Full integration obviously implies a right to full-time and legal employment, language competency and acceptance of a new cultural orientation. In many ways and means this is being promoted in Malta, even though illegal migrants themselves often insist that their last port of call is not Malta but a larger European state. But the provision of housing, often rendered poor by the residents themselves after having been freshly refurbished, the availability of support systems to decide on their legal standing, the provision of courses that provide with the key to work, and last but not least the services being constantly created through the licensing regime and the registration services to facilitate legal employment and reduce exploitation constitute a significant effort by a small nation state as it faces its own problems associated with international recession, shrinking markets and everyday increases in the cost of fuel products.¹⁷

Addressing an EU-funded conference on the provision of a better quality of life to residents at the Open Centres on the 24 June 2011, Minister Carm Mifsud Bonnici, responsible for Home and Affairs and Justice and succinctly summarised the situation in the following words:

Malta's ability to absorb migrants over the long term remains limited, whatever we say. Our country's geo-social realities are what they are and its limitations will not go away. This is a fact that all stakeholders need to understand and acknowledge to adopt a concrete, realistic and honest approach.¹⁸

Currently, illegal immigration is the most relevant migration issue discussed in the country. The highest circulation newspapers, as well as the rest of the national media keep reporting news of immigrants landing illegally in the country. The main stories usually cover: vessels overcrowded with immigrants stuck outside the Maltese coast (between Malta and Sicily, or between Malta and Tunisia), and accidents with immigrants dying at sea. All in all, it can be stated that irregular migration is a huge challenge for Malta and the Maltese in many areas. Increasingly the Maltese feel that despite their mammoth task to see to the needs of the migrants who come in waves, the problems arising from the phenomenon need to be faced by Europe as a whole and not left to the Maltese alone. This fact is only partially being realised by other EU member states. The strains it is exerting on the fragile Maltese economy and the social fabric are far too great for the population living in such a small tract of land to sustain. If not holistically addressed, sneaking xenophobia is bound to increase and despite the efforts, all attempts at long-term integration might as well be dispelled.

¹⁷ Obviously conditions always need to be improved and efforts doubled to reduce the sufferings of illegal migrants. The JRS is one of the NGOs very actively advocating for this. In this respect, see the JRS site at <http://www.jrsmalta.org/> and particularly the Andes Report on Destitution among Migrants (2010), which can be accessed at <http://www.jesuit.org.mt/files/634199220606983750.pdf> (accessed 28 June 2011).

¹⁸ See report at <http://www.timesofmalta.com/articles/view/20110625/local/Marsa-open-centre-is-no-miniature-alternative-society-Mifsud-Bonnici.372329> Accessed on 2 July 2011.