

INTERACT – RESEARCHING THIRD COUNTRY NATIONALS’ INTEGRATION AS A THREE-WAY PROCESS - IMMIGRANTS, COUNTRIES OF EMIGRATION AND COUNTRIES OF IMMIGRATION AS ACTORS OF INTEGRATION

Co-financed by the European Union

A Report on National Integration Policies in Malta

Carla Camilleri

INTERACT Research Report 2014/0&

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Immigrants, Countries of Emigration and Countries of Immigration as Actors of
Integration

Research Report
Country Report
INTERACT RR2014/04

A Report on National Integration Policies
in Malta

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Carla Camilleri, A Report on National Integration Policies in Malta, INTERACT RR 2014/04, Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2014.

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INTERACT - Researching Third Country Nationals' Integration as a Three-way Process - Immigrants, Countries of Emigration and Countries of Immigration as Actors of Integration

Around 25 million persons born in a third country (TCNs) are currently living in the European Union (EU), representing 5% of its total population. Integrating immigrants, i.e. allowing them to participate in the host society at the same level as natives, is an active, not a passive, process that involves two parties, the host society and the immigrants, working together to build a cohesive society.

Policy-making on integration is commonly regarded as primarily a matter of concern for the receiving state, with general disregard for the role of the sending state. However, migrants belong to two places: first, where they come and second, where they now live. While integration takes place in the latter, migrants maintain a variety of links with the former. New means of communication facilitating contact between migrants and their homes, globalisation bringing greater cultural diversity to host countries, and nation-building in source countries seeing expatriate nationals as a strategic resource have all transformed the way migrants interact with their home country.

INTERACT project looks at the ways governments and non-governmental institutions in origin countries, including the media, make transnational bonds a reality, and have developed tools that operate economically (to boost financial transfers and investments); culturally (to maintain or revive cultural heritage); politically (to expand the constituency); legally (to support their rights).

INTERACT project explores several important questions: To what extent do policies pursued by EU member states to integrate immigrants, and policies pursued by governments and non-state actors in origin countries regarding expatriates, complement or contradict each other? What effective contribution do they make to the successful integration of migrants and what obstacles do they put in their way?

A considerable amount of high-quality research on the integration of migrants has been produced in the EU. Building on existing research to investigate the impact of origin countries on the integration of migrants in the host country remains to be done.

INTERACT is co-financed by the European Union and is implemented by a consortium built by CEDEM, UPF and MPI Europe.

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Abstract

This paper gives an outline of existing national and political discourse pertaining to integration policies and actions in Malta. We will show how, although the number of migrants residing in Malta has increased and doubled over the past decade, the same cannot be said of national integration actions or the implementation of a holistic national integration policy. In this regard, the author is not aware of any specific integration tools used in-country, nor of any tools or agreements used prior to departure in the country of origin.

The paper also examines the role and position of non-state actors in Malta. Much of the public and political discourse relating to the integration of migrants is driven by international organisations present in Malta and locally registered non-governmental organisations (NGOs). However, an absence of migrant-led NGOs has also been noted.

Finally, a brief overview of the existing bilateral and multilateral international agreements signed by Malta that may have an impact on the integration of migrants is also given.

Key words: integration, national integration policies, non-state actors, international agreements, migration

Acknowledgements

I am particularly grateful for the assistance given by Neil Falzon, Director, aditus foundation for comments and feedback on earlier drafts of this paper.

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1. Introduction

This report gives an overview of Maltese integration policies on the national agenda and in public discourse. It also gives an outline of the limited number of existing integration measures that have been implemented in Malta in recent years.

Recent figures show that the number of migrants residing in Malta stands at 6.7% of the total Maltese population (National Statistics Office 2011: iv; Vasileva 2012). This figure includes citizens of European Union states (68.38%), third country nationals (32.92%) and also asylum seekers and beneficiaries of international protection (8.25%) (Camilleri and Falzon 2014). Although the numbers of the total foreign population has increased from 11,999 in 2005 to 18,088 in 2010 and 20,384 in 2011 (Gauci 2011), the same cannot be said of Maltese national policies in the area of migration and the integration of migrants (Camilleri and Falzon 2014). In fact, it can be said that, though the migrant population has doubled over the past decade, Maltese laws and policies in relation to integration remain some of the weakest and least favourable in Europe (Huddleston *et al.* 2011: 135).

However, the report also highlights a number of recent developments, such as the introduction of a new ministerial portfolio that encompasses social dialogue, consumer affairs and civil liberties, including issues relating to integration. The new Ministry for Social Dialogue, Consumer Affairs and Civil Liberties, introduced with a change in government in 2013, is currently drafting a national integration policy. Nevertheless, the national integration discourse is largely driven by local civil society organisations and international organisations.

2. National Policy Instruments in Malta

2.1 Recent Developments

After a change in government following the 2013 Maltese General Elections, the new Government appointed Hon. Helena Dalli as Minister for Social Dialogue, Consumer Affairs and Civil Liberties. It is the first time that a Minister's portfolio specifically includes social dialogue, civil liberties and equality, and consequently issues relating to integration. This can be seen as the recognition of the growing importance of putting social dialogue and integration on the political agenda in Malta, after being largely ignored in the past couple of years. Consequently, the Nationalist Party, the opposition party in Parliament, appointed a Spokesperson for Social Dialogue and Civil Liberties. Within the Ministry, we are aware of the appointment of two officials responsible for the drafting of a national integration policy, yet this is still in its infancy and no details are yet available.

Whilst the Nationalist Party promised to “*develop a policy of integration that takes into consideration immigrants who have been granted asylum*” (Nationalist Party 2013: 50), they continue by saying that “*[t]he necessary training and services will be given so that immigrants will integrate well in European culture, according to the country where they will start a new life*” (Nationalist Party 2013: 50). The Green Party, on the other hand, declared the integration of foreign residents and their children as key to their stand on immigration in their 2013 electoral manifesto (Alternattiva Demokratika 2013). The Labour Party did not include any reference to the integration of migrants in their manifesto, though it did mention the setting up of a consultative council for migrant communities living in Malta (Malta Labour Party 2013).

Although there are efforts to bring integration into the political discourse of the country (Malta Independent 2013; Vassallo 2013), it still remains low on the political agenda of the two largest political parties, with the subject of migration mainly focused on arrival of asylum seekers, border control and relocation. The main target groups identified in most public and political discussions on integration are beneficiaries of international protection and asylum seekers, leaving the larger third-country national category out of the national debate.

2.2 Existing Integration Policies

The focus of national integration measures to date has been piecemeal and decentralised. *Malta's National Strategy for the Promotion of Cross-Cultural Understanding and Management of Cultural Diversity* (Government of Malta 2009) outlines that the national strategy is based on a four-dimensional approach. The Strategy focuses on the educational sector, the cultural sector, the internal rule of law dimension as well as tourism and town twinning and lists proposed measures to be implemented to achieve these aims. However, any follow up measures between the date of publication of the National Strategy and the writing of this report are negligible. The few measures that have been implemented relate to the labour market and the education sector.

The Employment and Training Corporation (ETC), a government agency responsible for employment related issues, offers cultural awareness courses (Employment and Training Corporation 2012) and basic Maltese and English language courses. The courses are open to any migrant. However, taking these courses and obtaining a 75% pass mark is necessary in order for third-country nationals to be able to apply for Long Term Residency status in Malta. In addition, these courses are not offered on a regular basis, thus making it harder for migrants to enrol and to plan.

The Foundation for Educational Services (FES) is the public entity entrusted with the development and implementation of educational programmes and services to promote integration and social inclusion. In 2012, FES commissioned a research report entitled *Integration in Education of Third Country Nationals* (Falzon, Pisani, and Cauchi 2012). This report outlined several key recommendations towards informing policy development and programme development. In addition, the Ministry of Education issued the *Policy on exemption Fees, Ministry of Education and Employment* (Ministry of Education and Employment Malta 2010) which allows for certain categories of migrants to apply for an exemption from the payment of tuition fees in state educational institutions.

In the absence of a comprehensive national strategy/policy, a number of *ad hoc* initiatives are adopted at local or departmental levels in acknowledgement of the need to be engaged with integration. Several Local Councils (municipalities) are active in cultural and social integration activities. On the other hand, government agencies, including primarily service-provision agencies, focus on internal capacity building, in order to meet the needs of their third-country national clients, patients or end service users.

2.3 The Use of Integration Tools

As mentioned above, the newly established Ministry for Social Dialogue, Consumer Affairs and Civil Liberties includes in its portfolio social dialogue, civil liberties and equality. Therefore, it is the Minister for Social Dialogue, Consumer Affairs and Civil Liberties who is responsible for integration and the implementation of integration tools.

However, integration policy tools are inexistent, as to date Malta does not have a specific national integration policy or strategy. In addition, no pre-departure policy tools or bilateral agreements with countries of origin on the provision of any form of pre-departure training exist.

3. The Role of Non-State Actors as Proponents of Integration

Public discourse on the integration of migrants remains largely driven by international organisations, the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugee (UNHCR); there are also a number of locally registered NGOs (SOS Malta, aditus foundation, Integra, Organisation for Friendship in Diversity). Organisations such as IOM,¹ SOS Malta,² and aditus foundation,³ continue to carry out projects and campaigns focusing on the integration of broader categories of third-country nationals, in addition to their work with beneficiaries of international protection and asylum seekers.

Although a number of international and local NGOs implement activities focusing on the integration of migrants, the number of migrant-led NGOs or country of origin organisations active in Malta are very few.

There are only a handful of such organisations in Malta, and the scope of their activities is rather limited. In this regard, out of the 761 voluntary organisations registered in Malta only approximately 20 are migrant-led NGOs (Office of the Commissioner for Voluntary Organisations 2013), with very few of them carrying out integration initiatives or activities. Their main activities are focused on social integration and community support, through the organisation of social events, cultural activities and providing integration-related information to their communities (employment, education, family reunification, etc.)

Given that there is no national integration policy currently in place, it is hard to assess whether the objectives of civil society, including both national and migrant-led NGOs, are in line with any state targets on integration.

However, insofar as NGOs objectives relate to the above-mentioned *ad hoc* initiatives by individual state departments or entities, these are in some way aligned with the objectives of providing information and a more effective access to public services.

4. Overview of Bilateral and Multilateral Agreements

Although Malta has been slow in adopting migrant integration measures it has nonetheless ratified and signed a number of treaties and agreements that have a practical impact on the integration of migrants. The agreements that have been signed are those in the areas of taxation, transferability of social rights, employment and education, in particular the recognition of qualifications. A short list and description of the main instruments are listed below.

¹ The IOM implements various projects relating to the integration of migrants which include the *Consultative assessment of Integration of Third Country Nationals* project (<http://integration-iom.com/consultative-assessment>).

² SOS Malta "carried" out "a" number of projects such as *Media InterAct* project^{*****} (<http://www.sosmalta.org/mediainteract>), the *Intercultur*" *Malta* (<http://www.sosmalta.org/interculturalmalta>) and the *Side By Side* project (<http://www.sosmalta.org/sidebyside>).

³ aditus foundation's main third country national integration projects were the *Malta Integration Network* project (http://aditus.org.mt/aditus_foundation/MIN.html), and the *Intercultural Competence Programme* project (http://www.aditus.org.mt/aditus_foundation/ICP.html).

4.1 Taxation Agreements

Malta has signed and ratified double taxation treaties with over fifty countries,⁴ with most of the agreement based on the Organisation for Economic Co-operation and Development (OECD) Model Convention.⁵ These agreements include various clauses within the broader fiscal heading and typically cover income tax, inheritance taxes, real estate taxes and similar taxes. In general, double taxation benefits can be availed of by migrants when a number of treaty-specific conditions are fulfilled.

4.2 Social Rights

With regard to the portability of social rights, the Ministry for the Family and Social Solidarity⁶ has the competence to secure new reciprocal agreements in the field of Social Security with other countries. Presently Malta has such reciprocal arrangements with Australia, Canada, Great Britain and Northern Ireland, Libya, the Netherlands and New Zealand, as follows:

- a) The agreement with Australia has been active since 1 July 1991 and recognises the need to co-ordinate further the operation of the respective social security systems so far as to ensure access by people who move between Australia and Malta. Covered in the agreement are: contributory retirement, widowhood and invalidity. In addition in Malta, non-contributory pensions and social assistance are also covered.⁷
- b) The Great Britain and Northern Ireland reciprocal agreement was signed on the 26 October, 1956, and further revised in 1996 and it covers contributory payments for those residing in one country but working in the other. It is the only agreement including short-term benefits together with the more standard long-term benefits. The benefits which are included are sickness and unemployment benefits, industrial injuries and contributory retirement and widow pensions. The 1996 revision added invalidity benefit.⁸
- c) The Canada agreement entered into force in 1992. As with the above-mentioned agreements, the agreement renders residence in one country applicable as required contributions in the other. These cover contributory pensions in respect of retirement, widowhood and invalidity, together with besides orphans' and death benefits. This agreement also contains provisions regulating social security contributions payments for persons working in one country and residing in the other.⁹
- d) The Libya agreement came into force in 1990, which replaced an earlier agreement signed in 1972. The Agreement is a limited type of a Reciprocal Agreement since it does not provide for reciprocity on all benefits. It stipulates that no Maltese worker needs to pay social security

⁴ Information sourced from the Malta Financial Services Authority (MFSA) website, " available on: <http://www.mfsa.com.mt/pages/viewcontent.aspx?id=146> [Accessed 18 June 2014].

⁵ OECD " Model "Tax " Convention " on "Income and on Capital, available on: <http://www.oecd.org/ctp/treaties/oecdmtcavailableproducts.htm> [Accessed 18 June 2014].

⁶ Information sourced from the website of Ministry for the Family and Social Solidarity available on: https://secure3.gov.mt/socialpolicy/social_benefits/rec_agreement [Accessed 18 June 2014].

⁷ Australia ""and ""Malta ""Reciprocal ""Agreement "" available on: https://secure3.gov.mt/socialpolicy/admin/contentlibrary/Uploads/MediaFile/mt_australia.pdh [Accessed 18 June 2014].

⁸ UK ""and ""Malta ""Reciprocal ""Agreement "" available on: https://secure3.gov.mt/socialpolicy/admin/contentlibrary/Uploads/MediaFile/mt_uk.pdf [Accessed 18 June 2014].

⁹ Canada and Malta Reciprocal Agreement available on: https://secure3.gov.mt/socialpolicy/admin/contentlibrary/Uploads/MediaFile/mt_canada.pdf [Accessed 18 June 2014].

contributions in Libya whilst working there, it being sufficient to pay social security contributions in Malta.¹⁰

- e) The Social Security Agreement with New Zealand¹¹ was signed on the 8 July, 2013 and provides for the equality of treatment with regards to rights and obligations under the laws of Malta and New Zealand. The benefits covered are pensions in respect of retirement and widowhood for Malta, and superannuation and veteran pensions for New Zealand.
- f) The agreement between the Netherlands and Malta, signed in 2001, covers sickness and maternity benefits, disability benefits, pensions (invalidity, retirement and widowhood), unemployment benefits and children's allowance.¹² However, the agreement does not cover social and medical assistance schemes, special schemes for civil servants or persons treated as such, or benefit schemes for victims of war or its consequences.

4.3 Employment

Malta has also ratified an International Labour Organisation (ILO) Convention relating to the provision of equality of opportunity and treatment in respect of employment and occupation with a view to eliminate any discrimination based on race, colour or national extraction, amongst others:

- a) Discrimination (Employment and Occupation) Convention, 1958 (No. 111), International Labour Organisation on the 1 July, 1968.¹³

4.4 Education

A number of Council of Europe (CoE) and United Nations Educational, Scientific and Cultural Organisation (UNESCO) conventions relating to education and the recognition of qualifications have also been ratified by Malta over a number of years:

- a) European Convention on the Equivalence of Diplomas leading to Admission to Universities, (1953, CETS N0.15);¹⁴
- b) European Convention on the Equivalence of Periods of University Study (1956, CETS No. 21);¹⁵
- c) European Convention on the Academic Recognition of University Qualifications (1959, CETS No. 32);¹⁶

¹⁰ Libya and Malta Reciprocal Agreement available on: https://secure3.gov.mt/socialpolicy/admin/contentlibrary/Uploads/MediaFile/mt_libya.pdf [Accessed on 18 June 2014].

¹¹ Agreement on social security between New Zealand and Malta available on: https://secure3.gov.mt/socialpolicy/admin/contentlibrary/Uploads/MediaFile/Agreement%20on%20Social%20Security%20between%20New%20Zealand%20%20Malta.pdf_20130821093103.pdf [Accessed 18 June 2014].

¹² Agreement on social security between Malta and the Kingdom of the Netherlands available on: https://secure3.gov.mt/socialpolicy/admin/contentlibrary/Uploads/MediaFile/mt_netherlands.pdf [Accessed 18 June 2014].

¹³ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0:::55:P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:CON,en,C111,/Document [Accessed on 18 June 2014].

¹⁴ <http://conventions.coe.int/Treaty/en/Treaties/Html/015.htm> [Accessed 18 June 2014].

¹⁵ <http://conventions.coe.int/Treaty/en/Treaties/Html/021.htm> [Accessed 18 June 2014].

¹⁶ <http://conventions.coe.int/Treaty/en/Treaties/Html/032.htm> [Accessed 18 June 2014].

- d) Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in the Arab and European States Bordering on the Mediterranean 1976, UNESCO;¹⁷
- e) Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region 1979, UNESCO;¹⁸
- f) European Convention on the General Equivalence of Periods of University Study (1990, CETS No. 138);¹⁹
- g) Convention on the Recognition of Qualifications concerning Higher Education in the European Region (1997, CETS No.165).²⁰

5. Concluding Remarks

There is a clear lack of a holistic national policy framework covering the integration of migrants in Malta. Most measures, activities or reports are carried out in an *ad hoc* fashion without a specific national strategy on the aims to be achieved.

Furthermore, these actions are usually dependent on the availability of European Union funds. Integration projects and measures on the national level are a result of the willingness of a particular agency, public body or department to engage on integration related matters.

Nevertheless, the newly set-up Ministry for Social Dialogue, Consumer Affairs and Civil Liberties is a positive and promising step towards the creation of a national policy framework for Malta.

¹⁷ http://portal.unesco.org/en/ev.php-URL_ID=13514&URL_DO=DO_TOPIC&URL_SECTION=201.html [Accessed 18 June 2014].

¹⁸ http://portal.unesco.org/en/ev.php-URL_ID=13516&URL_DO=DO_TOPIC&URL_SECTION=201.html [Accessed 18 June 2014].

¹⁹ <http://conventions.coe.int/Treaty/en/Treaties/Html/138.htm> [Accessed 18 June 2014].

²⁰ <http://conventions.coe.int/Treaty/en/Treaties/Html/165.htm> [Accessed 18 June 2014].

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