

Small Frontier Island: Malta and the Challenge of Irregular Immigration

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Located at the southernmost tip of Europe, just off the coast of Africa, Malta has in recent years increasingly been in the international spotlight as a front-line state for irregular immigration from Africa to the European Union. Since about 2002, Malta has experienced a growing influx of migrants, predominately from the Horn of Africa, practically all of whom have departed from the Libyan coast toward Europe. Even though, in absolute terms, the number of seaborne migrants landing on Malta has been rather modest, given the country's small size and very high population density illegal immigration has become one of Malta's top policy priorities. It has been calling for more support and for burden-sharing mechanisms from other EU countries. Boat migration across the Mediterranean has also become an increasingly pressing humanitarian challenge. According to official estimates, during recent years several hundred would-be immigrants have died each year in the Mediterranean trying to reach the EU from the south.

In this essay I aim to offer a broad overview of the migration issue as it has been unfolding in Malta during recent years. The essay begins with a description of the evolution of irregular immigration into Malta, followed by a description of the main trends in asylum applications and an analysis of why burden sharing with other EU countries and the revision of the Dublin Convention has been high on Malta's agenda. Subsequent sections deal with Malta's policy responses to the growth in illegal immigration, including the challenges Malta has been facing in carrying out maritime patrols in the Mediterranean—

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another area where burden-sharing within the EU, in particular in the form of Frontex, has been an important issue. I then turn to Malta's strict detention policy, which has probably been the most contentious aspect of its immigration policy, at least internationally. In the last sections are discussed the emerging issue of the integration of immigrants in Malta, as well as the growth in anti-immigrant movements and activities during recent years.

The Evolution of Irregular Immigration into Malta

Like most other southern European countries, Malta has until recently been a country of emigration rather than immigration. The small size of the island and its limited natural resources, combined with traditionally high natality, have led many of its inhabitants to seek a better life elsewhere. As a result of several waves of large-scale emigration during the nineteenth and twentieth centuries, in particular to such countries as Canada, Australia, and the United Kingdom, the number of people of Maltese origin living abroad is now, according to some estimates, roughly equal to the population of Malta itself (around four hundred thousand).¹

By contrast, immigration, and in particular irregular immigration by boat, is a recent phenomenon, which began rather suddenly in 2002. While in 2000 and 2001 there were a few seaborne immigrants landing on Malta—a total of twenty-four and fifty-seven, respectively—this figure jumped dramatically in 2002 to more than sixteen hundred. In 2003, the number of migrants arriving in Malta again dropped considerably to around five hundred, but this decline proved to be only temporary, with an increase to more than seventeen hundred in 2004. Since then, the figure has hovered between fifteen hundred and twenty-five hundred per year (see table 1).

While these numbers are low in absolute terms, relative to its population and in particular to its territory, Malta has experienced perhaps the largest influx of irregular immigrants among all EU countries during recent years.² Moreover, and in contrast to other “frontier” islands of the EU such as Sicily,

1. Björn Kårén, *Malta and Immigration. Sovereignty, Territory and Identity*, University Essay, (Lund University Department of Political Science, 2008), www.essays.se/essay/4f11fe121a/.

2. With 1,282 inhabitants per square kilometer, Malta has by far the highest population density in Europe.

Table 1
Arrivals of Irregular Immigrants in Malta by Boat: 2000 to 2007

<i>Year</i>	<i>Arrivals of Irregular Immigrants</i>
2000	24
2001	57
2002	1,686
2003	545
2004	1,723
2005	2,416
2006	1,789
2007	1,715

Source: Data provided by the United Nations High Commissioner for Refugees (UNHCR), Malta office, to the author.

Lampedusa, or the Canary Islands, which also have been confronted with a growth in illegal immigration, Malta does not have a “hinterland” into which it could distribute the migrants arriving on its territory. As Maltese policy makers often emphasize, in particular vis-à-vis other EU members states, relative to population size, an inflow of 2,000 immigrants into Malta equates to more than four hundred thousand arriving in Germany, or to around three hundred thousand entering France, the UK, or Italy. If the small size of the country’s territory, which covers a mere 316 square kilometers, is taken into account, these proportions become even larger: two thousand immigrants landing on Malta would be equal to more than 2 million arriving in Germany, more than 3 million in France, more than 1 million in the UK, and almost 2 million in Italy.

Whatever one makes of these numbers, it is clear that the issue of irregular immigration has emerged as a major, if not *the* major, policy challenge in Malta. In the Maltese government’s main policy document on immigration, the government argues that fighting irregular immigration constitutes a “priority issue” for Malta because current migration patterns are undermining the country’s “national stability.”³ More poignantly, in a recent speech Malta’s former minister of the interior, Tonio Borg, argued that the migration issue was probably the most important challenge the country has faced “for a

3. Ministry for Justice and Home Affairs, *Irregular Immigrants, Refugees and Integration—Policy Document*, Malta, 2005, 7.

very long time—possibly the greatest in more than a thousand years.”⁴ The responses of the Maltese government to the growth in illegal immigration also suggest that **irregular immigration has become an issue not of ordinary but rather of high politics and indeed a security challenge to the country.**⁵

What explains the sudden surge in irregular migration into Malta in 2002 and 2004? Given that the second rise in 2004 coincided with Malta’s joining the EU, some analysts have seen the country’s EU membership as a main factor behind the growth, pointing to the fact that the great majority of would-be migrants landing on Malta actually intend not to stay in Malta but rather to move on to other EU countries.⁶ However, the argument is hardly plausible, given that once in Malta, it becomes very difficult for undocumented migrants to move on to other EU countries due to the Dublin Convention’s system of processing asylum applications, as well as Malta’s strict policy of detaining irregular immigrants.

A more convincing explanation for the increase in illegal immigration into Malta is the general rise in irregular immigration in the central Mediterranean since 2002, which has affected not only Malta but also other Mediterranean islands such as Sicily and Lampedusa. In Sicily, as in Malta, the number of seaborne immigrants increased dramatically in 2002.⁷ This growth in illegal immigration in the central Mediterranean seems to have at least in part been a consequence of a diversion from the Adriatic route between Albania and Italy—which until 2001 was one of the main entry gates into the EU—to the Sicily Channel, with Libya becoming the main country of transit. Due to enhanced Italian controls along its Adriatic coast, and increasingly strong cooperation between Italian and Albanian authorities, the Adriatic route has since 2002 become practically obsolete.⁸ **Malta**

4. Deputy Prime Minister Tonio Borg, speech at Wilton Park Conference, Malta, 14 November 2007.

5. On how irregular immigration has been viewed by some Maltese journalists as a “national security” issue and by others as a human rights issue, see Carmen Sammut, “The Ambiguous Borderline between Human Rights and National Security: The Journalists’ Dilemma in the Reporting of Irregular Immigrants in Malta,” *Global Media Journal* (Mediterranean edition) 2, no. 1 (spring 2007).

6. See, for example, “Malta at Bursting Point,” *Economist*, 21 June 2007.

7. From 2001 to 2002, the number of irregular immigrants to Sicily increased from around five thousand to more than ten thousand.

8. Derek Lutterbeck, “Policing Migration in the Mediterranean,” *Mediterranean Politics* 11, no. 1 (2006): 59–82.

has thus in a sense been a victim of Italy's ultimately successful efforts to close down the Adriatic route.

While Malta has thus seen the number of irregular migrants on its shores increase sharply over recent years, it is also true that it has been a de facto destination only. Practically none of the would-be immigrants who have arrived on the island have intended for Malta to be their final destination.⁹ Rather their aim was to reach other EU countries, and they ended up on Malta either because they got lost at sea, because they were rescued in Malta's search and rescue area, or because they wanted to use Malta as a temporary transit station. Most recently, however, the number of immigrants who actually had Malta, or even specific towns in Malta, as their intended destination seems to have been on the rise, although these immigrants have remained a small minority.¹⁰

In terms of countries of origin, the Horn of Africa, and in particular Somalia and Eritrea, have thus far accounted for the large majority of irregular immigrants and asylum seekers arriving in Malta. Most recently, however, the number of immigrants from West African countries, in particular Ivory Coast and Mali, has been on the rise (see table 2). Officials in Malta and elsewhere have attributed this growth in irregular immigration from West Africa to a displacement effect of the migratory flows of the Atlantic route from Mauritania or Senegal toward the Canary Islands and then to the central Mediterranean route via Libya, caused by increasingly effective border controls by Spain off the Canary Islands and along the West African coast.¹¹ This diversion effect shows how migration into Malta is also profoundly affected by the immigration control measures of other Southern European countries, and how plugging one hole in the EU's outer perimeter quickly leads to enhanced pressure on other parts of its external borders.

Despite the rapid growth of irregular immigration into Malta over recent

9. Henry Frendo, "Drawing Parallels between Malta and Cyprus: Deportation Strategy Far Weaker Here," *Times of Malta*, 13 June 2008.

10. UN High Commissioner for Refugees (UNHCR) representative, interview with the author, Malta, 1 November 2007; official of Maltese Armed Forces, interview with the author, Malta, 7 July 2008.

11. Officials of Armed Forces of Malta, interview with the author, Malta, 5 October 2007. See also "Frontex justifica el descenso de inmigración por vía marítima a Canarias en un 'efecto desplazamiento' a Italia," *Diario Canarias*, 30 July 2008.

Table 2

Top Ten Countries of Origin of Asylum Seekers in Malta: 2006 to 2007

<i>Country of Origin</i>	<i>2006</i>	<i>2007</i>
Somalia	30	585
Eritrea	108	339
Ivory Coast	64	77
Sudan	182	76
Ethiopia	91	73
Mali	5	46
Nigeria	41	38
Niger	69	25
Ghana	17	15
Congo, Democratic Republic	2	14

Source: UNHCR, Malta office.

years, and the perception, in some quarters, of migration as one of the most serious challenges the country has ever faced, it also needs to be emphasized that Malta's current immigrant population remains extremely small, even relative to population size. According to government estimates, there are currently about thirty-six hundred immigrants living on Malta who have arrived in an irregular fashion since 2002.¹² This represents less than 1 percent of the country's total population. The overall foreign-born population in Malta is estimated at 2.7 percent, which is one of the lowest percentages in Europe. Among EU countries, only Slovakia with 2.3 percent and Poland with 1.8 percent have smaller foreign-born populations, whereas in most Western European countries, the foreign-born population ranges between 7 and 15 percent.¹³

12. Senior government advisor on migration issues, interview with the author, Malta, 20 May 2008. There are also older immigrant communities in Malta, which predate the rise in irregular immigration since 2002, such as the Indian, Arab (mainly Libyan), and British communities, practically all of who are now Maltese citizens. See Katia Amore, *Active Civic Participation of Immigrants in Malta*, country report prepared for the European Research Project POLITIS, Oldenburg, 2005, www.uni-oldenburg.de/politis-europe/download/Malta.pdf.

13. An overview of the foreign-born populations of European countries can be found in Rainer Münz, *Europe: Population and Migration in 2005* (Washington, DC: Migration Policy Institute, 2008), www.migrationinformation.org/Feature/display.cfm?ID=402.

Table 3
Asylum Applications in Malta: 2000 to 2007

<i>Year</i>	<i>Asylum Applications</i>	<i>Refugee Status</i>	<i>Humanitarian Protection</i>
2000	71	28	1
2001	116	39	24
2002	350	29	102
2003	568	49	268
2004	997	49	560
2005	1,166	34	484
2006	1,272	28	522
2007	1,379	7	620

Source: UNHCR, Malta office.

Asylum Applications

The great majority of undocumented immigrants landing on Malta apply for political asylum (see table 3). In 2006 and 2007, Malta received more than twelve hundred asylum applications per year, meaning that between 70 percent and 80 percent of all migrants landing on Malta submitted an application for political asylum. Again, the numbers are not high in absolute terms, but relative to population size, Malta has been one of the main recipients of asylum applications within the EU. According to statistics from UNHCR, during the period from 2003 to 2007, Malta ranked third among all EU countries in terms of asylum applications per capita. Cyprus topped the list with thirty-nine asylum seekers per one thousand inhabitants, followed by Sweden with fifteen and Malta with thirteen.¹⁴ If asylum applications would be calculated relative to territory, Malta would, again, be at the top of the list among EU countries.

Another significant aspect in this context has been the high percentage of applicants who have been granted temporary humanitarian protection, that is, who have not been given formal refugee status but have rather been permitted to remain temporarily in Malta due to the risks they would face in their

14. UNHCR, *Asylum Levels and Trends in Industrialized Countries, 2007: Statistical Overview of Asylum Applications Lodged in Europe and Selected Non-European Countries*, Geneva 18 March 2008, 8, www.unhcr.org/statistics/STATISTICS/47daae862.pdf.

countries of origin. While, as in most other EU countries, only very few applicants have been granted refugee status under the Geneva Refugee Convention (around 3 percent), almost half have been allowed to stay in Malta on humanitarian grounds, which is the highest percentage among all EU countries. Moreover, even rejected asylum seekers often end up staying in the country, as Malta repatriates very few failed asylum seekers to their home countries. Official statistics on repatriations are not available, but people working in this area generally agree that, due to logistical constraints and lack of cooperation from the countries of origin, Malta sends only a handful of rejected asylum seekers per year back to their home countries.¹⁵ According to the head of the Refugee Appeals Board in Malta, the only significant repatriation operation took place in 2007 with the return of seventeen Nigerians.¹⁶

A particular problem from Malta's perspective in the area of asylum has been the Dublin Convention, which provides that the EU member country in which the asylum seeker enters first shall be responsible for processing the application.¹⁷ While the main rationale of the Dublin Convention has been to prevent "asylum shopping" within the EU, countries such as Malta or Cyprus have been arguing that it imposes a disproportionate burden on small countries that happen to be located at the EU's external borders and are obliged to deal with all asylum seekers entering the EU through their territory. As a consequence, Malta has been calling for an urgent revision of the Dublin rules and the introduction of a burden-sharing mechanism under which asylum seekers arriving in Malta would be distributed among EU countries according to population size.¹⁸

15. UNHCR representative, interview with the author, Malta, 1 November 2007; member of Jesuit Refugee Service, interview with the author, Malta, 9 July 2008.

16. Henry Frendo, *Malta's Illegal Immigration Predicament: What Policy?*, 24 June 2007, available on the website of Azzjoni Nazzjonali, http://azzjoninazzjonali.org/index2.php?option=com_content&do_pdf=1&id=82. See also Frendo, "Drawing Parallels." In 2002, however, Malta sent some two Eritrean nationals back to Eritrea, an action for which Malta was widely criticized, as the returnees were reported to have suffered from abuse upon their arrival in Asmara. See Amnesty International, "Malta: The Government Should Suspend Deportations of Eritreans," EUR 33/001/2002, press release, 10 October 2002, www.amnesty.org/en/region/malta.

17. The Dublin Convention was adopted in 1990 and was replaced by the Dublin Regulation (often referred to as "Dublin II") in 2003.

18. See, for example, Tonio, Borg "How Malta Is Dealing with Immigration Issues," speech given to European Union Journalists' Seminar on Migration, Malta, 14 December 2006, www.mjha.gov.mt/news/pressreleases/pdf2006/12december/pr_euseminar_14122006.pdf.

While amending the Dublin Convention currently seems politically impossible due to resistance from other EU member countries, the EU Commission has recently shown some understanding for the situation of small EU frontline states such as Malta and Cyprus. The commission's recent Green Paper on the future Common European Asylum System acknowledges that "the Dublin system may de facto result in additional burdens on member states that have limited reception capacities and that find themselves under particular migratory pressures because of their geographical location." While emphasizing the need for a clear allocation of responsibility for processing asylum claims, the commission also calls for "corrective burden-sharing mechanisms" to complement the Dublin system—for example, in the form of a redistribution among EU countries of asylum seekers who benefit from international protection.¹⁹

Over the past years a few refugees have indeed been resettled from Malta to other EU countries, but the figures have been very modest, ranging between ten and thirty per year, so that one can hardly speak of real burden sharing.²⁰ In 2007, for example, Portugal agreed to take twelve refugees from Malta.²¹ Perhaps ironically, the United States has been more generous in this respect than Malta's fellow EU member countries. In 2007, the US embassy in Malta announced a plan to resettle up to two hundred refugees from Somalia who had landed on Malta.²²

Maritime Patrols in the Central Mediterranean

One of the main challenges Malta has been facing in coping with the growing influx of undocumented immigrants has been to carry out maritime patrols, not only to prevent and deter irregular migration but also to rescue would-be immigrants in situations of distress. In Malta, it is the navy, or more precisely

19. Commission of the European Communities, "Green Paper on the Future Common European Asylum System," COM(2007) 301 final, Brussels, 6 June 2007, 10–1.

20. Jesuit Refugee Service (Malta), *Annual Report 2006*, Malta, 2007, 3.

21. UNHCR, *Global Report 2007*, Geneva, 2008, 433, www.unhcr.org/gr07/index.html.

22. US Embassy in Malta, "A Group of Twenty-Two Refugees from Eritrea and Somalia Leave Malta to Be Resettled in the United States," press release, 24 January 2007; US Embassy in Malta, "R&B Superstar Akon and Ambassador Molly Bardonara Visit Marsa Open Centre," press release, 27 July 2007.

the Maritime Squadron of the Maltese Armed Forces, that has been responsible for preventing illegal immigration via sea. The increasing mobilization of the Maltese navy in this area can be seen as one indication of the securitization or even militarization of immigration control in Malta.²³ Malta's navy, however, is very small. Its staff numbers a mere two hundred, and it has only three patrol boats for conducting off-shore patrols, as well as a handful of smaller vessels for patrolling its coastal waters.²⁴ On the other hand, Malta's search and rescue zone, in which it is responsible for carrying out maritime patrols, is very large. It runs from the tip of the Bay of Tunis all the way to Crete, covering around 250,000 square kilometers, which is more than the territorial size of the UK.²⁵ Moreover, as already noted, the challenge in this regard has been not only to deter irregular migration but also to prevent loss of life at sea—a particularly challenging task as the would-be immigrants typically travel in overloaded and unseaworthy boats across the Mediterranean and accidents are frequent. According to estimates of the Maltese government, at least six hundred would-be immigrants drown in the Mediterranean every year, with the real figure probably being much higher.²⁶

Given its limited resources on the one hand, and the vast search and rescue area on the other, Malta has been one of the main advocates of the launching of joint EU maritime operations in the Mediterranean under the auspices of the EU border control agency, Frontex.²⁷ However, Frontex is primarily a coordinating body. Although it has its own budget and staff, it does not have its own assets and operative personnel for border control operations. For conducting joint EU missions, Frontex is thus entirely dependent on the equipment and personnel provided by member states.

In 2006, Frontex launched its first missions in various parts of the Mediterranean, including in the central Mediterranean, where the Operation Nauti-

23. For a more general discussion of militarization of immigration control in the Mediterranean, see Lutterbeck.

24. Official of Armed Forces of Malta, interview with the author, Malta, 5 October 2007.

25. Malta's search and rescue area is a legacy of colonial times. It was defined by Great Britain when Malta was still a British colony.

26. See, for example, address by Deputy Prime Minister Tonio Borg at the meeting of the EU Justice and Home Affairs (JHA) Council, Luxembourg, 12 June 2007.

27. Frontex was set up in 2005 and is based in Warsaw. The address of the official website is www.frontex.europa.eu/.

lus has been conducted under Maltese leadership on a yearly basis. However, these operations have been quite slow to start and have remained rather limited in scope, giving rise to considerable frustration among Maltese officials, who also in this respect have felt let down by the EU. Not only budgetary constraints but also uncertainties revolving around Libya's participation — which, given its role as a main transit country, is generally seen as crucial — have been the main reasons for repeated delays of Frontex's operations. In 2006, for example, Operation Nautilus was launched only in October — when the migration season was practically over — after EU officials had for months tried, unsuccessfully, to involve Libya in these efforts.²⁸ In 2007, Frontex's operations started, in June, but as Libya still refused to participate, Italy also pulled out, arguing that the operation could not be successful without Libya's contribution.²⁹ Moreover, due to budgetary constraints, the mission had to be halted entirely at the end of July, and it only resumed in mid-September, although this time with Italian participation.³⁰ In 2008, Frontex's budget was doubled, from EUR 35 million to 70 million, so that its operations in the Mediterranean could be carried out on a permanent basis.³¹ Yet in 2008 as well there were considerable delays in Frontex's operations in the central Mediterranean due to uncertainties about Libya's role, which as of late August 2008 continued to refuse to take part.³²

It is generally agreed that the lack of cooperation from Libya constitutes the most serious shortcoming of Frontex's patrol efforts in the central Mediterranean. In this regard there has been a fundamental difference to Frontex's operations off the Canary Islands under Spanish leadership (Operation Hera). In the latter case, Spain has been largely successful in securing rather far-reaching cooperation with the main transit countries, Mauretania and Senegal, in the form of joint maritime patrols and collaboration in taking back intercepted migrants. Arguably as a consequence of this close cooperation,

28. Simon Busuttil, "European Union facing the Challenge of Immigration: The Southern Dimension," speech delivered to the European Peoples Party and European Democrats Group of the European Parliament, Granada, Spain, 19–20 April 2007.

29. "Libya Coastal Patrols Remain Problematic in Controlling Migration," *Malta Independent*, 8 April 2007; "Italy in Frontex Only if Libya Takes Part," *Times of Malta*, 13 June 2007.

30. "Patrols Resume Today," *Times of Malta*, 10 September 2007.

31. "Frontex Budget Doubled to EUR 70m for Next Year," *Malta Independent*, 4 October 2007.

32. "Nautilus III Starts Today," *Times of Malta*, 17 May 2008.

irregular immigration toward the Canary Islands has declined sharply—by around 60 percent—between 2006 and 2007, with current trends pointing to a further reduction in 2008.³³ As far as Maltese officials are concerned, they generally consider that the EU has been far too reluctant to put pressure on Libya to collaborate in Frontex’s maritime patrols, arguably also because of Libya’s growing importance for the EU as an oil and gas supplier as well as a market for EU exports, including military transfers.³⁴

Moreover, the assets provided by other EU countries to Frontex’s maritime patrols in the central Mediterranean have been rather modest. In Operation Nautilus 2007, for example, contributions were limited to two German helicopters and the occasional presence of a Greek and a Spanish vessel, as well as an Italian patrol aircraft, although in the second part of the operation Italy agreed to send three navy vessels.³⁵ EU countries have generally been reluctant to provide the most needed patrol boats, as this entails the risk that the country providing the vessels will remain responsible for migrants rescued or intercepted at sea. As a result, at least according to Maltese officials, the Maltese navy has been responsible for 90 percent of the surface coverage in Malta’s search and rescue area, even in the framework of Frontex’s operations.³⁶

Nevertheless, despite these limits, Maltese officials consider that Frontex has generally had a positive effect and has led to a decline in illegal immigration into Malta. During Frontex’s operations in 2007 (June/July and September/October), the number of undocumented immigrants landing on Malta was around 60 percent lower than those arriving during the same period in 2006.³⁷ However, given that the overall number of immigrants that Malta received in 2007 was practically the same as in 2006 (see table 1), it remains doubtful whether Frontex’s patrols have led to a reduction of illegal immigration rather than simply a temporal displacement of the migratory

33. Ministerio del Interior, *Balance de la lucha contra la inmigración ilegal 2007*, 3, www.mir.es/DGRIS/Notas_Prensa/Ministerio_Interior/2007/np022103.html. See also “Frontex justifica el descenso de inmigración por vía marítima a Canarias en un ‘efecto desplazamiento’ a Italia,” *Diario Canarias*, 30 July 2008.

34. Officials of Armed Forces of Malta, interview with author, Malta, 7 July 2008.

35. Officials of Armed Forces of Malta, interview with the author, Malta, 5 October 2007.

36. “Malta Wants EU Patrols to Start Again,” *Times of Malta*, 28 July 2007.

37. “Frontex Patrols End,” *Times of Malta*, 17 October 2007.

flows into Malta. Moreover, during the first six months of 2008, the number of undocumented immigrants landing on Malta was 36 percent higher compared to the first half of 2007, which also puts a serious question mark over the deterrent effect of Frontex's maritime patrols.³⁸

While Maltese authorities have generally deplored the modest support they have thus far received from other EU countries in patrolling Malta's large search and rescue region, **Malta has itself come under rather harsh criticism from other EU member states for not doing enough to rescue would-be immigrants in situations of distress.** The most publicized incident occurred in May 2007, when some thirty would-be immigrants clung to the tuna pen of a Maltese fishing boat for three days. The crew of the fishing boat refused to take the migrants on board, and the Maltese armed forces did not intervene to rescue them either. The episode eventually came to an end when the migrants were rescued by an Italian navy vessel. Another incident in the same year involved a Spanish trawler that had rescued a number of migrants whose boat had capsized off Libya's coast. Maltese authorities did not allow the boat to land in Malta, obliging it to bring the migrants to Spain.³⁹

In both (and other similar) cases, Malta has been heavily criticized by the EU and human rights organizations such as Amnesty International for not fulfilling its international obligations in rescuing immigrants at sea whose lives are in danger.⁴⁰ Malta, however, has vehemently rejected such criticism, arguing that these incidents all occurred in Libya's search and rescue area, for which Malta could not be held responsible. For example, at an EU Justice and Home Affairs Council meeting in June 2007, shortly after the tuna pen incident, Malta's then minister of the interior, Borg, expressed his "extreme irritation" at the way in which Malta was treated in these situations and the lack of solidarity from other EU countries. According to the Maltese government, in situations where irregular immigrants are encountered or rescued

38. "Migrant Arrivals Up 36 Percent," *Independent*, 30 June 2008.

39. For an NGO account of these (and similar) cases see, for example, Italian Refugee Council, *CIR Report Regarding Recent Search and Rescue Operations in the Mediterranean*, 2007, www.europarl.europa.eu/hearings/20070703/libe/cir_report_en.pdf. For an account from the perspective of the Maltese government, see Tony Abela, "Of Irregular Immigration and Stating the Facts," *Malta Independent*, 8 June 2007.

40. "EU Immigration Official Criticizes Malta for Treatment of Migrants," *International Herald Tribune*, 3 June 2007; "Amnesty Slams Malta over Migrants," *Times of Malta*, 29 May 2008.

in the search and rescue area of a non-EU country that refuses to cooperate, as in the case of Libya, responsibility for the immigrants should lie not with Malta alone. Rather, the EU as whole should be responsible, and the immigrants should be distributed among EU countries on a “strictly proportional basis” according to a system agreed upon beforehand.⁴¹

These incidents also highlight that coping with seaborne immigration and carrying out search and rescue operations concerns is a concern not only of Malta’s and other countries’ naval forces but also of fishermen. In the large majority of cases the would-be immigrants are first spotted or encountered by fishing vessels, which have a much larger presence at sea. However, while the fishermen could, in principle, play a crucial role in saving the lives of migrants who are in distress at sea, Maltese fishermen themselves have felt “under threat” from the growth in illegal immigration, and have denounced the insufficient support they have received from the government in coping with migrant encounters at sea. According to representatives of the country’s main fishermen association, Ghaqda Kooperative tas-Sajd, Maltese fishermen, who often sail with a crew of only two or three, usually avoid coming too close to a boat carrying twenty to thirty migrants, as they fear being overpowered. Moreover, if they alert the authorities, these can take several hours to arrive on the spot, meaning that the fishermen’s day of work is lost without compensation. As a consequence, as Maltese fishermen themselves readily admit, in most cases when they come across irregular migrants at sea they simply “put the engine in full thrust,” leaving the migrants to fend for themselves.⁴² Given this general confusion and apparent unwillingness or inability of the fishermen to help save lives of migrants encountered at sea, the UNHCR representative in Malta has described the situation in the central Mediterranean as akin to the “Wild West.”⁴³

Lastly, it should be noted that while Maltese officials, in particular vis-à-vis other EU countries, often put great emphasis on the vastness of the country’s search and rescue zone and the need for EU support in control-

41. Borg, address at the JHA Council.

42. Representatives of Ghaqda Kooperative tas-Sajd, Malta, interview with the author, Malta, 10 October 2007.

43. “Irregular Migration: Fishermen ‘Terrified,’ Need Guidelines and Protection,” *Malta Independent*, 3 June 2007.

ling this large surface, Malta's search and rescue area is also an important source of revenue. The search and rescue zone also represents Malta's Flight Information Region, from which the government earns around EUR 8 million per year from air traffic passing over the area. This partially explains why the Maltese government has thus far refrained from reducing its search and rescue zone in an effort to limit its responsibility for rescuing would-be immigrants.⁴⁴

Detention Policy

The most contentious element of Malta's migration policy, at least internationally, has been the country's strict detention policy. This has also been a clear manifestation of the securitization of immigration control in Malta. While in most if not all European countries the detention of undocumented immigrants has become increasingly common practice, Malta is the only EU country that practices a policy of systematic detention of *all* irregular immigrants setting foot on its soil, regardless of whether they are asylum seekers or not.⁴⁵ Upon arrival in Malta, all irregular immigrants are detained in "closed" centers, except for certain categories of "vulnerable persons," such as unaccompanied minors, pregnant women, or persons with disabilities, who are accommodated in "open" centers.⁴⁶ The detention centers are located in military compounds and run by the Armed Forces of Malta.⁴⁷ Until recently, there was no upper limit to the detention period, but the Refugee Act introduced in 2005 put the maximum duration at eighteen months, which is one of the longest periods

44. In 2005, a proposal made by former JHA minister Borg to reduce Malta's search and rescue region by 70 percent was shot down by the rest of the government, given the large income Malta derives from this area. See "Dropping the Shibboleths on Migration," *Malta Today*, 13 June 2007.

45. Such a policy is also practiced in the Canary Islands, but not in Spain in general. For an overview of immigrant detention policies in European countries, see the website of the Jesuit Refugee Service, Europe, www.detention-in-europe.org/index.php?option=com_content&task=view&id=12&Itemid=67.

46. There are four detention centers in Malta. In mid-2008, they housed around two thousand immigrants.

47. Originally about 200 soldiers, amounting to about 10 percent of the staff of the Armed Forces of Malta, were working exclusively in the detention centers, but their number has been reduced to around 80 over recent years, while the number of civilian employees has been increased to around 120. Commander of Detention Service, interview with the author, Malta, 19 August, 2008.

of detention in Europe.⁴⁸ The eighteen-month detention period is also the uppermost limit allowed under the EU Return Directive, which the European Parliament adopted in June 2008 and which has itself been rather widely criticized, in particular by developing countries, as being incompatible with human rights standards.⁴⁹ Once the immigrants are granted political asylum, or after the maximum detention period has lapsed, they are released into open centers, or the community if they have been able to find legal employment and accommodation.

It is not only Malta's policy of indiscriminate detention but also the conditions in the country's detention centers that have come under fire both from human rights organizations, such as Amnesty International and Médecins du Monde, and from institutions such as the Council of Europe or the Civil Liberties (LIBE) Committee of the European Parliament. According to these organizations, immigrant detention centers in Malta fall well below internationally recognized standards. As has been documented by various reports produced by these bodies, Malta's detention centers are almost permanently overcrowded and characterized by an almost complete lack of privacy. There is no separation of male from female detainees and no protection of women from abuse, either from other detainees or from staff. Hygienic conditions in the detention centers are reportedly appalling, and access to basic facilities such as healthcare is inadequate, even though some improvements in this area have been noted during recent years. Moreover, detainees are not provided with any opportunity to use their time in detention in a constructive manner, and practically no effort is made to prepare the immigrants for life in Malta proper. Finally, it has been highlighted that detainees are deprived of any access to even the most basic information about their rights as potential asylum seekers.⁵⁰ The LIBE Committee, which visited Malta's detention

48. Currently, the only EU country which has a longer period of detention is Latvia, where undocumented immigrants can be detained for up to twenty months. While some EU countries, such as the UK, Denmark, or Sweden, do not have an upper legal limit of detention, these countries usually detain undocumented immigrants only once their asylum applications have been rejected and they are to be repatriated to their home countries. See "EU Votes to Unify Rules on Detention of Migrants," *International Herald Tribune*, 18 June 2008.

49. "Global Outcry against EU Immigration Directive," *EUObserver.com.*, 19 June 2008.

50. Amnesty International, *2007 Annual Report for Malta*, London, 2008, <http://report2007.amnesty.org/eng/Regions/Europe-and-Central-Asia/Malta>; European Commission Against Racism

centers in 2006, concluded in its mission report that the situation in Malta's administrative detention centers is "unacceptable for a civilized country and untenable in Europe." The conditions in Malta's detention centers, the report's authors argue, are worse than those of any other European country visited by the committee.⁵¹

One incident in Malta's detention centers where the Maltese government came under particularly harsh criticism occurred in January 2005. A protest broke out in one of the country's closed centers, when around ninety detainees refused to return to their compound after the end of an exercise period, in protest against the length and conditions of their detention. In response to the protest, the Maltese Armed Forces intervened, reportedly dressed in full riot gear and armed with batons and shields. According to Amnesty International and other human rights organizations, the soldiers used force far out of proportion in trying to push the immigrants back into the barracks, leaving more than twenty-six people injured and one person gravely wounded.⁵² The Maltese government subsequently conducted an inquiry into the incidents, which concluded that some members of the armed forces had indeed used excessive force, primarily because they had received insufficient training for work in the detention centers.⁵³ However, while Amnesty International has welcomed these findings, it has continued to criticize the Maltese government for not recognizing the legitimate cause behind the protests, as well as the fact that it took practically one year to carry out the investigation.⁵⁴

The Maltese government for its part has justified its current policy of detain-

and Intolerance, *Third Report on Malta*, Strasbourg, 29 April 2008; European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), *Report to the Maltese Government on the Visit to Malta from 15 to 21 June 2005*, Strasbourg, 10 September 2007; European Parliament, *Report by LIBE Committee Delegation on Its Visit to the Administrative Detention Centers in Malta*, Brussels, 30 March 2006; Médecins du Monde, *Access to Health Care and Human Rights of Asylum Seekers in Malta*, Paris, 2007, www.medecinsdumonde.org/gb/publications/les_rapports/acces_aux_soins_et_aux_droits_des_migrants_a_maltes; International Federation for Human Rights, "Locking Up Foreigners, Deterring Refugees: Controlling Migratory Flows in Malta," International Fact-Finding Report 403/2, September 2004, www.fidh.org/spip.php?article1929.

51. European Parliament, 9.

52. Amnesty International, "Malta: Excessive Use of Force and Ill-treatment of Detainees," EUR 33/001/2005, 30 November 2005, www.amnesty.org.au/news/comments/534/.

53. This was the Depasquale Report, which has thus far not been made public.

54. Amnesty International, "Malta: Excessive Use of Force."

ing all irregular immigrants with reference to the country's particular situation and especially its "geographical and physical limitations." Given the country's small size and dense population, the government considers that the impact of immigrants and asylum seekers on Maltese society "is far greater than in any other independent state in Europe or elsewhere." As a consequence, according to the government, it is not possible to let the immigrants move freely. Rather, there is a need for "careful management and control and the ability to absorb the extra numbers in a well calibrated manner over time."⁵⁵

At least unofficially, the country's strict detention policy is also seen as a "deterrent" used to dissuade potential immigrants from coming to Malta. According to officials of the Maltese Navy, for example, when on their patrols they encounter a boat transporting migrants that seems to be heading toward Malta, the first thing they try to communicate to the would-be immigrants is that there is "no future" for them in Malta, as they will be detained immediately and for a long period of time upon arrival, and that they should thus either turn around or go somewhere else.⁵⁶

While international criticism of Malta's strict detention policy has been very vocal, domestic opposition to Malta's policy of detaining irregular immigrants has been very limited, as the country's main political parties have basically been in agreement over its immigration and detention policy. Criticism has come mainly from local nongovernmental organizations such as the Jesuit Refugee Service or the Maltese Red Cross, which have repeatedly called upon the Maltese government to change its detention policy and to consider noncustodial alternatives to detention. According to these NGOs, Malta's current detention policy is both counterproductive and in violation of international human rights standards. They have argued that detention of irregular immigrants should be limited to a maximum of two weeks for the purpose of medical screening, after which the immigrants should be released into open centers or the community.⁵⁷

By contrast, Malta's two main political parties, the governing Nationalist

55. Government of Malta, *The National Policy on Irregular Immigrants, Refugees and Detention*, final draft, 2007.

56. Officials of Maltese Armed Forces, interview with the author, 5 October 2007.

57. Jesuit Refugee Service, Emigrants Commission and Maltese Red Cross, "Joint NGO Position on Detention of Asylum Seekers," annex A of Government of Malta, *National Policy on Irregular Immigrants*.

Party and the opposition Labour Party, which in the 2008 elections together received about 98 percent of the popular vote, both consider the country's current detention policy an essential element of Malta's policy toward irregular immigrants. Former Labour Party leader Alfred Sant, for example, when asked about whether a future Labour government would honor international norms protecting immigrants' rights, state that Malta's "national interest" needed to take precedence. "Although human rights are important," he argued, "ultimately the national interest should prevail over any other consideration."⁵⁸ Even Malta's most pro-immigrant party, the Green Party (Alternattiva Demokratika), views Malta's detention policy as a "necessary evil," although it has called for a reduction of the detention period to six months, on both "humanitarian" and "logistical" grounds; the placing of the detention centers under joint responsibility of the armed forces and NGOs; and the introduction of skills-enhancing activities in the centers.⁵⁹ The fourth political party of any significance, the right-wing National Action (Azzjoni Nazzjonali), on the other hand, has accused the government for its "lax" detention policy, which in some cases, it says, has led to the release of immigrants "after only six months." According to National Action, Malta should in any case accept only a fixed quota of "bona fide" refugees, and all others should be repatriated immediately, if necessary by putting them onto boats and "towing them out to international waters for other countries to assist."⁶⁰ National Action has also called for the closure of all open centers housing immigrants, as it considers the closed centers sufficient for accommodating illegal immigrants.⁶¹

Integration Policy

As a traditional country of emigration that has only very recently, and practically from one year to the next, turned into a country of immigration, Malta

58. "The National Interest Before Human Rights—Alfred Sant," *Malta Today*, 11 December 2005.

59. Alternattiva Demokratika, "Position Paper on Irregular Immigration," www.alternattiva.org.mt/filebank/documents/Irreg_Imm_Paper.PDF.

60. Azzjoni Nazzjonali, "Unilateral Action Needed," 13 July 2008, Azzjoninazzjonali.org, www.azzjoninazzjonali.org/index.php?option=com_content&task=view&id=971&Itemid=29.

61. "Azzjoni Nazzjonali Presents Electoral Manifesto," *MaltaMedia News*, 10 February 2007.

has thus far not developed any real integration policy. As suggested, the main element of Malta's current policy on irregular immigration is its detention policy, which is aimed first and foremost at protecting the country's population from irregular immigrants and not at preparing the latter for life in Malta after detention, despite the fact that almost half of all asylum seekers get to stay. The only integration-oriented measure so far has been the introduction of basic English language courses in some of the open centers.⁶²

Malta's generally unreceptive policy toward immigrants, in comparison to other EU countries, has also been highlighted in a recent study carried out by the British Council and the Migration Policy Group, which examined integration policies across twenty-five EU and three non-EU countries, using more than 130 policy indicators.⁶³ According to the study, Malta ranked twenty-third of the twenty-eight countries covered, in terms of immigrants' opportunities to participate in society. Of the six areas examined by the study—long-term residence, labor market status, family reunion, political participation, access to nationality, and antidiscrimination—Malta scored particularly poorly in the area of labor market access, where it ranked twenty-sixth, due to the very limited efforts it has thus far made to integrate immigrants and asylum seekers into the national labor market.⁶⁴ It is estimated that about one-third of the immigrants who have arrived in an irregular fashion since 2002 have found work in Malta, but that the majority of these are working in undeclared jobs, predominantly in the booming construction sector and the tourism industry.⁶⁵ Illegal employment of immigrants has also been facilitated by the considerable size of Malta's underground economy, which is estimated at around 25 percent of gross domestic product.⁶⁶

Another area where Malta ranked very low (twenty-fourth) in the study was

62. Senior government advisor on migration issues, interview with the author, Malta, 20 May 2008.

63. British Council and Migration Policy Group, *Migrant Integration Policy Index*, Brussels, September 2007, www.integrationindex.eu/multiversions/2712/FileName/MIPEX-2006-2007-final.pdf.

64. *Ibid.*, 70.

65. Senior government advisor on migration issues, interview with the author, Malta, 20 May 2008.

66. European Employment Observatory, *Undeclared Work in Malta*, Centre for Labour Studies, University of Malta, May 2007.

in access to nationality, given the difficulties in obtaining Maltese citizenship. The report also found that “the Maltese are consistently the least supportive of migrants’ rights in the EU-27 . . . and the most supportive in the EU-25 of deporting all legally-established third-country nationals, especially if they are unemployed.” On the other hand, Malta ranked high in the area of family reunion; with regard to policies aimed at bringing immigrants’ families together, Malta ranked eighth, together with Norway, Poland, and Spain.⁶⁷

In the area of integration policy, there has largely been a consensus between the two main political parties regarding Malta’s very limited capacity to integrate newcomers, due to its small size and high population density. Former Labour Party leader Alfred Sant, for example, argued that “Malta’s experience was completely different from that of other islands and countries.” Given the country’s small size and “particular circumstances,” he argued, Malta could not develop integration programs which would make sense elsewhere.⁶⁸

Nevertheless, given Malta’s growing immigrant population, there does seem to be increasing recognition in government circles of the need for a more long-term strategy of integrating immigrants into Maltese society. According to estimates of the Maltese government, the number of immigrants from Africa is expected to more than double within the next four years if current trends continue, reaching around eight thousand. While this would still only represent around 2 percent of the total population, the need for a comprehensive and long-term plan that addresses the various aspects of integrating these immigrants into Malta seems to be increasingly acknowledged.⁶⁹ A first step in this direction was the creation in early 2007 of the Organization for the Integration and Welfare of Asylum Seekers, which is responsible for asylum seekers’ access to accommodation, financial assistance, services, and training. Moreover, according to Malta’s revised (and still-to-be-issued) National Policy on Irregular Immigrants, Refugees and Integration, the government plans to implement an introductory program with the aim of integrating non-EU nationals residing in Malta. The main components of this program

67. British Council and Migration Policy Group, 71–2.

68. “Malta Cannot Integrate Illegal immigrants — Sant,” *MaltaMedia News*, 16 September 2007

69. Senior government advisor on migration issues, interview with the author, Malta, 20 May 2007; Commander of Detention Service, interview with the author, Malta, 19 August 2008.

include language tuition, civic orientation aimed at giving immigrants knowledge of the values and characteristics of Maltese society, and professional labor market training and job seeking assistance.⁷⁰

Anti-immigrant Movements and Activities

As in many other European countries, the growth in irregular immigration in Malta has been accompanied by a rise in anti-immigrant and racist movements and activities. Even though these have overall remained at a relatively low level compared to many other EU countries, the emergence of overtly xenophobic movements and parties has been a complete novelty in Malta's political landscape. In 2005, for example, the first anti-immigrant rally was held in the country's capital, Valletta, by a newly formed right-wing pressure group, the National Republican Alliance. During the demonstration, the leaders of the alliance reportedly shouted that immigrants presented a danger to the Maltese people of a "social, moral, and medicinal nature" and that Malta did not want to become "the toilet of the Mediterranean."⁷¹ The following year, another anti-immigrant demonstration was held. However, it was widely considered to have been a failure due to the limited interest it attracted.

Malta has also seen, for the first time, the emergence of extreme right-wing political parties. A first such party was created in 2000 by an eccentric banker, Norman Lowell, under the name Imperium Europa. The party has been professing a rather abstruse mixture of spirituality, elitism, and racism. Its basic objective is to recreate the Holy Roman Empire, led by a pan-European elite and "cleansed" of all nonwhite and non-Aryan elements. In the 2004 elections to the European Parliament, Imperium Europe gained 0.64 percent of the vote, which was considered to be surprisingly high, but in the 2008 national elections, where Lowell campaigned primarily on an anti-immigration platform, it received a mere 0.03 percent of the popular vote.

A more classical extreme right-wing political party was launched in 2007,

70. Government of Malta, *National Policy on Irregular Immigrants*, 38–41.

71. Jean-Pierre Gauci, *ENAR Shadow Report 2005: Racism in Malta* (Brussels: European Network Against Racism, 2006), 16, <http://cms.horus.be/files/99935/MediaArchive/pdf/en/Malta%20-%20SR%202007.pdf>.

the already mentioned National Action, which is led by a former member of the Nationalist Party and comprises several members of the National Republican Alliance. National Action has been pursuing a predominantly anti-immigrant agenda, although other issues such as tax cuts or maintaining the “rights” of bird hunters have also been part of its electoral manifesto.⁷² The party has called upon the government to adopt a tougher stance on illegal immigration. In the words of its leader, Josie Muscat, Malta is “being invaded by people arriving in boats . . . who will overtake the country in the next twenty to thirty years unless we do something.” National Action has also demanded that the government put more pressure on the EU to share the burden of illegal immigration. According to National Action, an agreement with the EU should be concluded, “whereby migrants who arrive in Malta will remain here for one month and are then sent to various countries within the EU.”⁷³

However, National Action’s election results, too, have thus far been rather modest. In the 2008 national elections, it received a mere 0.5 percent of the popular vote. Yet even though this represents far fewer votes than extreme right-wing political parties have received in other European countries, the comparison is not really valid. Given the particular characteristics of Malta’s strictly bipolar political system, where identification with one of the two dominant political parties is very firm and deeply anchored down to the neighborhood and family level, the emergence of a significant third political party, in addition to the two dominant political parties, is extremely difficult.⁷⁴

There has also been a rise in racially motivated violence in Malta during recent years, although again one can hardly speak of a racial backlash. The media have occasionally reported incidents of violent acts committed against immigrants that seemed to have a racist motivation. In June 2008, for example, a Sudanese immigrant was reportedly beaten by three police officers, even though he was handcuffed, after he had refused to show his papers.⁷⁵

72. “Azzjoni Nazzjonali Presents Electoral Manifesto.”

73. “Azzjoni Nazzjonali Promises Malta a Breath of Fresh Air,” *Independent*, 10 June 2007.

74. See, for example, Godfrey Baldacchino, “A Nationless State? Malta, National Identity and the EU,” *West European Politics* 25, no. 4 (October 2002): 191–206.

In the previous year, another immigrant, also from Sudan, had to be hospitalized after he was hit by a bus driver and told to get off the bus because it was full.⁷⁶ Generally speaking, however, few incidents of violence targeted at immigrants have reached the Maltese authorities, although to some extent this might also reflect underreporting.⁷⁷ The EU Agency for Fundamental Rights, which monitors racist and xenophobic activities across the EU, has also pointed to a rise in offenses of inciting racial hatred in Malta, although these too have remained on a comparably low level. For 2006, the agency reported three cases in Malta of offenses of inciting racial hatred, making Malta the country with the second-lowest number of such offences in the EU, after Estonia.⁷⁸

Somewhat more worrying has been the rise in attacks against organizations and individuals working to protect the rights of immigrants, or against people denouncing racism. In 2006, for the first time, a number of violent acts were committed against the Jesuit Refugee Service in Malta, which is the main NGO supporting immigrants in Malta. Several cars belonging to its staff were set on fire, and the door of the home and the car of the assistant director of the organization were burned.⁷⁹ Moreover, the houses of two journalists who had written articles condemning racism were also attacked, although no one was injured.⁸⁰

Whereas the number of racist offences or acts of violence committed in Malta has remained relatively low, a recent study on xenophobic attitudes among the Maltese population has nevertheless revealed some disturbing results. According to a survey conducted in 2005, 95 percent of respondents had no objections to having a European neighbor, while an almost equally

75. "Migrant 'Beaten' by Police," *Times of Malta*, 30 June 2008.

76. André Callus, "Malta y la 'migracion por barco en el 2007,' in *Asociacion pro derechos humanos de Andalucia*," in *Derechos Humanos en la Frontera Sur 2007*, 77, www.apdha.org/media/informeinmigra07.pdf.

77. European Commission Against Racism and Intolerance, 28.

78. European Union Agency for Fundamental Rights, *Report on Racism and Xenophobia in Member States of the EU, 2007*, Brussels, 2008, http://fra.europa.eu/fra/material/pub/racism/report_racism_0807_en.pdf.

79. Jesuit Refugee Service (Malta), *Annual Report 2006*, 3, www.jrseurope.org/Nansen%20Award%202007/2006_Annual_Report.pdf.

80. Amnesty International, "Malta: Attacks Against Anti-racists Must End," 9 June 2006, www.amnesty.org/en/library/info/EUR33/001/2006.

high number were unwilling to live next to Arabs (93 percent), Africans (90 percent), or Jews (89 percent). Moreover, more than 75 percent of respondents said they would not give shelter to refugees who had fled their home country because of political persecution, war, hunger, or poverty.⁸¹

Conclusions

While most if not all European countries have been confronted with a rise in irregular immigration over recent years, and the immigration issue has emerged as a top policy priority across the EU, Malta's experience and its policies in this area have in many ways been more extreme than those of other European countries. Relative to its size and population, Malta has received a larger inflow of irregular immigrants and asylum seekers than any other EU country, despite the fact that practically none of the migrants landing on the island had Malta as their intended destination. As a small EU frontline state, which has received a disproportionately large inflow of irregular immigrants, Malta has also been one of the most ardent advocates of burden-sharing mechanisms within the EU, both in the form of redistributing asylum seekers among EU countries and of joint border control operations in the Mediterranean. As such, Malta has probably also been the fiercest opponent of the current Dublin system of allocating responsibility of asylum applications among EU countries based on the first country of entry.

Malta's policy responses to irregular immigration overall display a rather peculiar mixture of extreme generosity and extreme harshness. With almost 50 percent of asylum seekers receiving some form of protection, Malta is currently the most generous country within the EU in this respect. On the other hand, Malta also practices the most severe detention policy vis-à-vis irregular immigrants among all European countries, and in the area of integration of newcomers it is also one of the least immigrant-friendly countries within the EU. Many of Malta's policies in this area can, of course, be explained by the very recent nature of irregular immigration in Malta, which has not

81. Mario Vasallo, "Racism in Malta," study report prepared for Allied Malta Newspapers Ltd., August 2005. The report has not been published as of this writing but has been obtained by the author.

left the country with much time to develop adequate institutional structures and policies, as they exist in other European countries that have long been confronted with immigration flows. However, while it can be expected that in certain respects Malta's immigration policy will, in the long run, come to resemble those of European countries with a longer history of immigration, it also seems likely that the country's unique features, and in particular its small size and high population density, will continue to have a significant impact on Malta's attitudes and policies toward immigrants.