

NGO Submissions  
to the Public  
Consultation on  
National Migrant  
Integration  
Strategy 2015-  
2020

1st June, 2015

## Submitted by:



aditus foundation is an independent, voluntary and non-profit NGO established with a view to monitor, act and report on access to fundamental human rights. We believe in the universality, interdependence and indivisibility of all human rights.

[www.aditus.org.mt](http://www.aditus.org.mt)



Integra

Integra foundation is a non-profit organisation based in Malta, operating independently of any political, economic or religious affiliation at a global level. The Foundation's vision is that of supporting inclusive, non-discriminating and non-disabling societies, where all individuals have the right to human dignity, freedom, respect and social justice.

[www.integrafoundation.org](http://www.integrafoundation.org)



The Jesuit Refugee Service Malta is the Malta branch of an international Catholic organisation working in 57 countries around the world. JRS Malta seeks to accompany, serve and defend the rights of asylum-seekers and forcibly displaced persons who arrive in Malta.

[www.jrsmalta.org](http://www.jrsmalta.org)



KOPIN is a voluntary, autonomous, non-profit and non-governmental organisation based in Malta working in the fields of international development cooperation, development education and refugee support. Concerning migration, KOPIN provides services to refugee women and children and is a member of the Destination Unknown Campaign as well as the strategic partner of the Terre des Hommes International Federation.

[www.kopin.org](http://www.kopin.org)



OFD is a youth-led non-profit organisation working in the field of inclusion and diversity to promote the values of cultural understanding, respect, communication and friendship in order to challenge social stigmas in Malta today.

<http://www.ofd.org.mt>

# Public Consultation: National Migrant Integration Strategy 2015-2020

## Input Submission

### Contents

Parameters.....	3
Key Policy Areas .....	3
Defending rights and fulfilling duties: anti-discrimination and equality .....	4
Resolving social barriers and providing opportunities: education / labour market .....	5
Promoting intercultural relations/Raising public awareness on integration: empowering local communities .....	6
Civil participation: outreach to communities of TCNs .....	6
Institutional dialogue: TCN consultative council / policy-makers and decision- makers.....	7
Additional Proposals relating to the Integration of Third Country Nationals .....	8
Long-term residence .....	8
Family Reunification .....	8
Citizenship.....	9
Political Participation .....	9
Health .....	9
Vulnerable Persons.....	10
Assessment and monitoring .....	10
Documents that should be considered in the formulation of the Strategy.....	10
Reports.....	10
Guidebooks & Training Manuals.....	11

## Parameters

**aditus foundation, Integra, Jesuit Refugee Service Malta, KOPIN and Organisation for Friendship in Diversity** are happy to submit their input into the Public Consultation on the National Migrant Integration Strategy 2015-2020 launched by the Ministry of Social Dialogue, Consumer Affairs and Civil Liberties.

In its consultation document, the Ministry of Social Dialogue, Consumer Affairs and Civil Liberties identified key areas on which the Integration Strategy will be formulated:

1. ***Defending rights and fulfilling duties***: anti-discrimination and equality
2. ***Resolving social barriers and providing opportunities***: education / labour market
3. ***Promoting intercultural relations / Raising public awareness on integration***: empowering local communities
4. ***Civil participation***: outreach to communities of TCNs
5. ***Institutional dialogue***: TCN consultative council / policy-makers and decision-make

In view of the above, the Consultation is built around the following questions:

- Do you agree with the general outline of the Key Policy Areas indicated above?
  - Is there anything that should be included or omitted?
  - Do you have any proposals that you wish to advance in this respect?

Our submissions are being presented in response to the above call for feedback, with the understanding that our input is intentionally formulated in generic language as we are approaching this as a basis for discussion and not as an end in itself. It should be noted that, when we refer to the term 'migrant' we are referring to third-country nationals<sup>1</sup>, beneficiaries of international protection, asylum-seekers and migrants in an irregular situation living in Malta.

In addition, we have referenced a number of research documents, studies and guidelines drawn up by our respective organisations that contain in-depth and specific recommendations and considerations. We recommend that these documents be read as integral components of our submissions.

## Key Policy Areas

The drafting up of a much-needed and long overdue national integration strategy that will take into account key areas of concern is a positive development and can be seen as recognition by Government of the growing importance of putting social dialogue and integration on the agenda in Malta. The importance of the adoption of a holistic national integration strategy is even more pressing further to the results of the 2015

---

<sup>1</sup> Citizens of countries that are not Member States of the European Union.

Migrant Integration Policy Index results that place Malta 33<sup>rd</sup> out of 38 countries for migrant integration<sup>2</sup>.

## **Defending rights and fulfilling duties: anti-discrimination and equality**

The importance of clear anti-discrimination rules and policies is crucial to successful migrant integration. It has been shown that when countries improve their anti-discrimination and equality policies, consequently their national integration policies also significantly and consistently improve. Therefore we welcome the inclusion of anti-discrimination and equality as a key area in a national policy, whilst emphasising that these should also be cross-cutting elements of all Government policies.

This process should also be seen in the light of the White Paper on the setting up of a Human Rights and Equality Commission, also published by the Ministry of Social Dialogue, Consumer Affairs and Civil Liberties. The White Paper proposed that all existing equality acts will be gathered in one single instrument and the establishment of a Human Rights and Equality Commission.

In drafting the policy we recommend that:

1. Importance is given to a rights-based approach and specific reference is made to fundamental rights in relation to migrants;
2. The Human Rights and Equality Commission is given a clear remit and strong enforcement powers. In addition, the complaints system should be simple, accessible to all and should take into account cases of multiple discrimination and of discrimination on the basis of nationality;
3. Preventive action should be carried out regularly, such as a nation-wide policies targeting discrimination and the implementation of measures reflecting the disadvantage suffered by minorities across areas such as employment, housing, health and education;
4. Mainstreaming of race equality should be introduced in the public sector by requiring the assessment of the impact of any planned action on minority groups, and integrating these assessments in monitoring and decision-making processes. Mainstreaming should also be ensured in the private sector, the media, property estate agents and entertainment venues;
5. The rights that different categories of migrants are entitled to are clarified in a coherent and simple manner, such as the rights to access services including medical care, social support, education etc.;
6. Due recognition is given to ethnic minorities and the ethnic diversity that exists within the Maltese population.

---

<sup>2</sup> Migrant Integration Policy Index, 2015: <http://www.mipex.eu/malta>

## **Resolving social barriers and providing opportunities: education / labour market**

Education is pivotal in preparing migrants of all ages and their descendants to be more successful and active participants in the host society. Education and training play a major role in the integration of young adults and continues to do so with the 2nd and 3rd generations. Furthermore, lifelong learning through life course education is crucial in promoting social justice, equity and inclusion for both host-country citizens and migrants.

In drafting the policy we recommend that:

1. It addresses the national education curriculum which include and reflect the themes of social justice, multicultural diversity, inclusiveness, contemporary cultures, awareness of ethnic minorities and the understanding of different religious beliefs;
2. It specifically addresses the introduction of measures relating to migrants into the national curriculum, such as language of origin classes;
3. It includes measures for migrant students to facilitate their entrance into Maltese schools, including specific measures for those that join mid-scholastic year. Such as, induction classes, which focus on language training, inclusion, communication, empowerment and active family involvement;
4. It ensures that educators, including teacher and support workers, should be provided with the adequate skills, knowledge and support to be able to understand and work with an increasingly diverse and dynamic student population;
5. It gives importance to all form of educational processes and therefore the strategy should encompass formal, non-formal and informal learning spanning from primary level to adult and lifelong learning and it should address knowledge, skills and competences from a personal, civic, social or employment-related perspective;
6. Harmonisation of entry procedures as to the eligibility of access to higher education and training in terms of different migrant groups, including a transparent and efficient recognition of qualification framework, is given importance.

Furthermore, the integration of migrants should be also viewed as contributing to better national economic performance whilst mitigating social tensions. Labour market integration tools have increasingly played an important role in overall integration measures.

In order to increase labour integration, the national policy must include commitments:

1. To simplify procedures for granting a single residence and employment licence and for providing equal access to worker's rights and general support;

2. To improve intercultural preparation for migrants and their families, including basic information on employment and labour in Malta, cultural and social issues, integration and linguistic training. This should be supported with 'know your rights' sessions focusing on those sectors that are of particular importance to migrants and their families;
3. To ensure that measures are in place to protect migrant workers that suffered breaches of labour law and labour exploitation. Such measures could include protection from prosecution on account of an irregular migration status; the suspension of a deportation order and the granting of a temporary residence permit to allow migrant workers to effectively seek redress whether working legally or not.
4. To strengthen NGO, trade union and government agency standing in relation to filing complaints or reports in instances relating to breaches of labour legislation.

### **Promoting intercultural relations/Raising public awareness on integration: empowering local communities**

The participation in social, cultural and public life encourages integration between communities and enhances interaction between various groups. It serves to empower both the local and the migrant communities in tandem.

The national strategy should:

1. Encourage the media to raise public awareness on migrant-related issues by highlighting integration, interculturalism and diversity;
2. Include practical measures encouraging and promoting the visibility, voice and public presence of migrants and their descendants and persons from ethnic minorities in the media, in cultural or other type of public events.
3. Recognise the central role the media plays in the representation and presence of migrants and ethnic minorities in the media. Furthermore, the strategy should highlight the responsibility that the media has to promote a discourse that serves to promote social inclusion and respect.

### **Civil participation: outreach to communities of TCNs**

Civic participation is important as it supports integration by enhancing the role of migrants as residents and as participants in a democratic society. It is therefore essential that the national integration policy includes measures that would encourage formal or informal forms of civic and cultural participation in society between different migrant groups, government, civil society, including the participation on advisory platforms at various levels of governance and participation in mainstream (e.g. trade unions, NGOs) or diaspora/migrant associations.

The integration strategy should make provision to:

1. Increase migrant participation in the democratic process through national and local awareness raising, information campaigns and capacity-building (e.g. funding, training);
2. Recognise the important role played by diaspora/migrant organisations in global development and in policy implementation;
3. Facilitate and encourage migrant participation in mainstream organisations, such as trade unions, women's organisations, political parties, and local pressure groups;
4. Provide for funds aimed at supporting social participation and active citizenship measures for migrants and/or their descendants;
5. Recognise the role of for civil society organisation and the importance of supporting their work through financial assistance, the establishment of collaborative partnerships and meaningful consultation processes.

### **Institutional dialogue: TCN consultative council / policy-makers and decision-makers**

The existence of strong regulatory or consultative bodies in which migrants are invited and able to participate is generally considered to facilitate migrant contribution to national policies, result in better-targeted measures and increase protection of migrant rights. We therefore welcome the setting-up of a migrant consultative council and in this regard, we recommend that:

1. The council's set up should include frequently scheduled meetings with representatives from relevant ministries touching upon a number of transversal issues, such as education, health, labour, etc.;
2. The members of the council should represent migrant groups from the various ethnic minority groups resident in Malta in an inclusive manner. In order to ensure a broad representation age, socio-economic status, disability, sexual orientation, gender and legal status must also be considered;
3. The Government should be required to seek the advice and recommendations from the council on issues such as legislative and policy initiatives relating to migration and integration;
4. The council should be allocated sufficient resources in order to carry out awareness raising campaigns (e.g. anti-racism, promoting of diversity), capacity-building, advocacy and information sessions.

## **Additional Proposals relating to the Integration of Third Country Nationals**

Although we note that mention has been made of education and the labour market, we feel that a number of other sectors need specific reference in any long-term national strategy on integration:

### **Long-term residence**

The granting of long-term residency status to TCNs and to beneficiaries of international protection, together with access to related rights such as education, employment and social security and assistance is a key element in promoting economic and social cohesion across the EU. The possibility to access long-term residence is also a right under the Status of Long-term Residents (Third Country Nationals) Regulations, S.L. 217.05.

The national integration policy should:

1. Ensure equal access to and treatment of long-term residence status, address the issues relating to lack of transparency, administrative delays, coordination and cooperation of public authorities;
2. Make reference to integration courses in relation to their relevance and benefits to migrants and the frequency with which they are offered;
3. Consider liberalising the list of integration course-providers to encourage flexibility, accessibility and improved quality of content.

### **Family Reunification**

Family reunification is a necessary way of making family life possible. It helps to create socio-cultural stability facilitating the integration of migrants, which also serves to promote economic and social cohesion. The right to apply for family reunification is laid down in the Family Reunification Regulations, S.L. 217.06.

The national integration policy should:

1. Recognise the importance of family reunification and should aim to allow for the broadening of the definition of what constitutes the 'family' under the Regulations to comprise partners, including same-sex couples, and possibly also other dependants;
2. Provide for the broadening of the existing eligibility criteria in order to allow for other categories of beneficiaries of international protection to be able to be reunified with their family members;
3. Ensure the introduction of clearer eligibility criteria or guidelines in order to allow for less discretion in the decision-making process.

## Citizenship

From a migrant's perspective the prospect of acquiring citizenship can be an important incentive for integration and Malta has some of the most unfavourable conditions for naturalisation of migrants across the EU.

It is recommended that:

1. Access to citizenship should be made a legal and policy reality to migrants residing in Malta that fulfil the requirements at law;
2. In particular, there should not be a blanket exclusion for beneficiaries of international protection, who spend years validly contributing to Maltese society, socially and also financially;
3. Long-term regularisation options should be made available for those migrants whose asylum application have been refused when return to their countries of origin is improbable.

## Political Participation

Although the granting of political rights to migrants is one of the most controversial topics in the field of integration, it must be recognised that granting of political rights provides a means of expression as well as a sensitisation towards responsibilities, thus creating a balance between migrant rights and responsibilities in the host state.

We therefore consider that the national integration strategy should make provision to explore the possibility of granting the rights to vote and stand in elections (Local Councils, national and/or EP) to all migrant residents in Malta. In addition, Local Councils should be encouraged to have outreach activities to support the participation of migrants within the local community.

## Health

One of the key findings in the 2015 MIPLEX round was that healthcare entitlements are more unclear and discretionary in Malta than almost anywhere else. The national policy should take into account specific health needs and access to healthcare of migrants.

The national policy should:

1. Ensure that healthcare entitlements and provision to migrants are given their due importance and are legally formalised;
2. Emphasise the importance of specific health services that need to be offered to victims of trauma and torture;
3. Give due regard to the importance of trained cultural mediators in the healthcare sector;
4. Ensure that cultural mediators are mainstreamed in the provision of all healthcare services in a sustainable and constant manner.

## Vulnerable Persons

The national integration strategy should include provisions and schemes intended to target the most vulnerable migrants, including those at risk of extreme poverty, persons suffering from health (including mental) problems, persons with a disability, single heads of households, unaccompanied minors and separated children, and victims of torture, human trafficking or other forms of severe human rights violations.

Furthermore, preventive mechanisms should be included within the national integration strategy so as to avoid migrants becoming vulnerable in Malta. In particular, we recommend an end to the mandatory detention policy and a review of the open centre system in view of their detrimental impact on the psychological and physiological condition of detainees and residents. In particular, the policy should reiterate the end of child detention and that such must be enshrined in laws, policies and practices.

## Assessment and monitoring

Many times policy-makers and researchers face difficulties when trying to collect data from national data sources, as disaggregated data is not always readily available. In this regard, it is important that the national policy will be backed up by valid disaggregated data which should be collected and analysed regularly.

Monitoring and assessment should also be a key element in the national integration strategy in order to continuously assess the implementation and effectiveness of the strategy itself.

## Documents that should be considered in the formulation of the Strategy

This section contains a list of reports and research papers that contain detailed studies and recommendations that should be considered in the formulation of the national migrant integration strategy.

### Reports

Jesuit Refugee Service Malta, *Care in Captivity, Analysis of the provision of care for detained asylum seekers experiencing mental health problems*, 2014

<https://dl.dropboxusercontent.com/u/181171164/Care%20in%20Captivity.pdf>

Camilleri, C. and N. Falzon, *Malta Integration Network: a way forward for a National Integration Policy in Malta – Final Report*, 2014.

<http://aditus.org.mt/our-work/projects/malta-integration-network/>

Camilleri, C., *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.

[http://cadmus.eui.eu/bitstream/handle/1814/32018/INTERACT-RR-2014\\_04.pdf?sequence=1](http://cadmus.eui.eu/bitstream/handle/1814/32018/INTERACT-RR-2014_04.pdf?sequence=1)

aditus foundation, UNCHR Malta, *Nitkellmu? Refugee Integration Perspectives in Malta, 2013 Study on refugee integration in Malta*, 2014  
<http://aditus.org.mt/Publications/nitkellmu.pdf>

Pisani M., Gauci JP., ENAR Shadow Report 2011-2012, Racism and related discriminatory practices in Malta, 2013  
<https://integrafoundation.files.wordpress.com/2013/04/enar-malta-maria-pisani.pdf>

Jesuit Refugee Service Malta, *Bridging Borders - Report on a project to provide sheltered accommodation and psychosocial support to vulnerable asylum seekers to whom such services are not otherwise available*, 2012  
<https://dl.dropboxusercontent.com/u/181171164/Bridging%20Borders%20Report.pdf>

Falzon, N., Pisani M., and Cauchi A., *Integration in Education of Third Country Nationals, Research Report*, Foundation for Educational Services (FES), 2012  
[https://www.academia.edu/2533021/Research\\_Report\\_Integration\\_in\\_Education\\_of\\_Third\\_Country\\_Nationals](https://www.academia.edu/2533021/Research_Report_Integration_in_Education_of_Third_Country_Nationals)

Pisani M., Fsadni M., *Immigrant & Ethnic Minority Groups and Housing in Malta*, as part of NCPE project 'JUST/2011/PROG/AG/1902 I'm Not Racist, But...', 2012  
[https://www.academia.edu/2337953/Immigrant\\_and\\_Ethnic\\_Minority\\_Groups\\_and\\_Housing\\_in\\_Malta](https://www.academia.edu/2337953/Immigrant_and_Ethnic_Minority_Groups_and_Housing_in_Malta)

Pisani M., *The elephant in the room: a look at how policies impact the lives of female sub-Saharan African rejected asylum seekers living in Malta*, in *Migration and Asylum in Malta and the European Union, Rights and Realities*" from 2002 to 2011, 2011  
[https://www.academia.edu/934092/Theres\\_an\\_elephant\\_in\\_the\\_room\\_and\\_shes\\_rejected\\_and\\_black\\_Observations\\_on\\_rejected\\_female\\_asylum\\_seekers\\_from\\_sub-Saharan\\_Africa\\_in\\_Malta](https://www.academia.edu/934092/Theres_an_elephant_in_the_room_and_shes_rejected_and_black_Observations_on_rejected_female_asylum_seekers_from_sub-Saharan_Africa_in_Malta)

Pisani M., *A review of the national minimum curriculum from an equality perspective*, as part of the NCPE project *Strengthening Equality Beyond Legislation*, 2010  
[https://www.academia.edu/1599960/A\\_review\\_of\\_the\\_national\\_minimum\\_curriculum\\_from\\_an\\_equality\\_perspective](https://www.academia.edu/1599960/A_review_of_the_national_minimum_curriculum_from_an_equality_perspective)

Jesuit Refugee Service Malta, *A report on a pilot study on destitution amongst the migrant community in Malta*, Andes, 2011  
[http://jrsmalta.jesuit.org.mt/wp-content/uploads/downloads/2011/08/1-ANDES\\_Malta\\_Pilot\\_Study.pdf](http://jrsmalta.jesuit.org.mt/wp-content/uploads/downloads/2011/08/1-ANDES_Malta_Pilot_Study.pdf)

UNHCR & Integra Foundation, *My Diversity: Age, Gender and Diversity Perspectives in the Maltese Refugee Context*, (forthcoming)

## **Guidebooks & Training Manuals**

aditus foundation, SOS Malta, *Adapting knowledge, skills and attitudes in the workplace: a training manual*, 2014 *Intercultural competence training handbook*, 2014

<http://aditus.org.mt/Publications/icpmanual.pdf>

aditus foundation, UNCHR Malta, *Kun Infurmat*, Training Manual on Refugee Integration, 2013

<http://aditus.org.mt/Publications/kuninfurmat.pdf>

Jesuit Refugee Service Malta, UNCHR Malta, *Social Security in Malta - A Guidebook*, 2012

[https://dl.dropboxusercontent.com/u/181171164/SocialSecurity\\_FINAL.pdf](https://dl.dropboxusercontent.com/u/181171164/SocialSecurity_FINAL.pdf)