



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

## **Consultation on the National Migrant Integration Strategy 2015 - 2020**

*From the consultation document:*

### **Key Policy Areas:**

- 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-makers**

**The National Migrant Integration Strategy 2015-2020 will set out Strategic Objectives under each of these policy areas and aim to establish a structure within which available resources can be more effectively managed and integrated to target the funding strategically, avoid duplication, ensure complementarity, and maximise the impact on the ground.**

- 1. Do you agree with the general outline of the Key Policy Areas indicated above?**
  - o Is there anything that should be included or omitted?**
  - o Do you have any proposals that you wish to advance in this respect?**
  
- 2. Please insert any additional comment or proposal you would like to make with regard to the integration of third country nationals.**
  
- 3. Please send us any documents referring to integration with regard to the national context that you believe should be considered in the formulation of the Strategy.)**



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## **UNHCR's submission**

### **Introduction**

UNHCR welcomes the Ministry's consultations on the development of the National Migrant Integration Strategy and agrees that the Key Policy Areas indicated are important elements on the development of a comprehensive integration framework in Malta.

In our view it is important that such strategy objectives address various levels of government and administration, both in policy making as well as at the grass roots level through for example, guiding and facilitating actions by local councils. Involvement of other entities should also be foreseen, such as labour and employment unions, the church and religious groups, NGOs, refugee and migrant organisations, sports and cultural institutions, commercial entities and other interest groups.

With regard to civil participation in the process, UNHCR's understanding is that asylum seekers and refugees will be included as part of what is termed as the 'TCN' community under this policy framework, allowing for their participation and outreach in the form of consultations etc.

UNHCR makes reference to its earlier submission of policy guidance (attached for easy reference), which emphasises key elements, objectives and approaches that in our view may be relevant to development of a comprehensive integration framework in Malta.

UNHCR considers that our previous input remains relevant to all the key policy areas identified by the Ministry. At this stage in the consultation process, we would like to emphasise certain elements that are cross-cutting and of particular relevance to people who fall under UNHCR's mandate.

In our view, it is essential to ensure that refugees and asylum seekers are effectively included in the national integration framework. This can be achieved by taking into account the following:

- Under a broad inclusive approach, there is a need to specifically consider and address rights and requirements of refugees (and beneficiaries of protection), and the corresponding state obligations, in the development of the Key Policy Areas of the National Migrant Integration Strategy.
- Adopt an age, gender and diversity (AGD) perspective in the way that refugees' situation is analysed and addressed, including through ensuring their involvement in the policy development process.
- Prioritise raising public awareness about the refugee context, including through promotion of pro-active involvement by the media and facilitating greater presence of refugees and beneficiaries of protection in the public sphere.

To complement UNHCR's earlier input, we would like to elaborate on these three main areas which in our view have cross-cutting application to the key policy areas outlined for the National Migrant Integration Strategy.



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## I. Giving attention to refugees' rights and requirements in the drafting and application of the National Migrant Integration Strategy

UNHCR recommends that in the development of the National Integration Strategy, particular attention is given to the legal requirements, and corresponding state obligations, applying to refugees and beneficiaries of international protection as a distinct group from other migrants.

Such legal provisions and obligations, grounded in international law, can be found in the relevant European Directives (mainly in the Directive 2011/95/EU), transposed in local legislation primarily in the recently amended Refugees Act and its subsidiary legislation as well as other related legislation such as the Family Reunification Directive.

On this basis, specific measures should be taken to pursue the following objectives:

- Formal legal status for beneficiaries of protection should be implemented through **appropriate registration and provision of identity documents**. This means establishing a secure legal status by facilitating effective access to the relevant residency documents to all beneficiaries of international protection.
- The existence of services and relevant documentation and forms should be known and understood by refugees. **Interpretation services** and **translation** of main documents should be made available in hospitals, employment centres, social welfare support and other services. Services to provide tailored counseling and guidance may be required in this regard.
- Emphasis needs to be given to providing long term solutions for refugees including through prospects of **naturalization**, which shall as far as possible be facilitated for these categories. This means that refugees and beneficiaries of international protection and their family members should be provided with information about the prospects and paths for obtaining citizenship in the longer term. The right to **family reunification** with spouses and immediate family members, the absence of which constitutes a key obstacle to long-term settlement and integration, also needs to be effectively implemented in line with international law and EU regulations.
- There is a need to develop a comprehensive system for collecting **annual data on integration indicators** for purposes of statistics and analysis. Such information gathered on the situation of refugees and other beneficiaries of international protection should be made available as a distinct category, and not only subsumed under a general information on the situation for TCNs . This is required in order to monitor progress and identify gaps and shortcomings in the integration process for refugees and beneficiaries of protection in Malta.



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## **II. Applying an AGD perspective in the development of the policy framework**

UNHCR recommends that adopting an **age, gender and diversity sensitive approach should be considered a cross-cutting priority in all policy areas**. This means that each measure and action should be applied with specific consideration to the person's individual profile and characteristics; including age (older or younger), gender and sexuality, religion, abilities, education, ethnicity or cultural and social background, special skills and needs etc. The aim is to ensure that all persons, including refugees, enjoy their rights and support services on an equal footing and are on this basis able to actively participate and integrate in Maltese society.

In this regard, the National Migrant Integration Strategy should foresee and facilitate measures with tailored application to specific groups and individuals. Some examples of such actions to be considered are as follows:

### **A. Refugee Children:**

The **best interest principle** rooted in the Convention on the Rights of the Child should be fully mainstreamed in the Maltese child care system.

As regards the integration of **unaccompanied and separated children (UASC)**, the policy framework can make specific provision for:

- Setting up appropriate care facilities, including semi-independent accommodation structures and foster placements.
- Create individual education and/or employment plans (irrespective of the child's asylum status) in collaboration between the child, social worker, peripatetic teacher and educational institutions, with periodic review and adjustments according to the child's current situation (eg scholarships, mentoring, LSAs, job-matching, skills training, internships).
- Engage further with children and youth by promoting and facilitating sports and learning activities and establish concrete initiatives for participation by children and youth in such activities.
- Ensure that there is specific and culturally sensitive training provided to care and support workers, including foster carers, teachers and centre managers etc.

The national framework should also address the situation of **refugee children in general**:

- The integration strategy needs to foresee engagement by parents, in a cultural sensitive way, especially in developing effective approaches to introduce children into the national education system in Malta.



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- There is a need to promote further child-minding support for single parents with no family network in Malta, so that they are able to participate in the labour market whilst the children would be taken care of in a safe environment with professional care in line with longer term integration goals.

## **B. Persons with a disability:**

A national policy framework should facilitate actions to support people with a disability, which may include the following:

- Establish a multi-disciplinary team for assessing needs of all individuals affected by disability, including refugees, and provide support counseling to develop individual care and action plans, with interpretation services as required.
- Establish employment initiatives to include beneficiaries of protection with a disability and a stronger framework for specialized language and vocational training targeting such individuals.
- Provide information to asylum seekers and refugees, if necessary with interpretation support, regarding mainstream services available to persons with a disability, targeting affected individuals as well as service providers and NGOs.
- Raise awareness through public campaigns about rights and needs of persons with a disability (including refugees), addressing real and perceived barriers to accessing such services.
- Ensure that accommodation centres, housing, local transport and other services are accessible to people with disabilities, through better monitoring of the situation of individuals and enforcement of relevant legislation and policy.

## **C. Persons who have a different sexual orientation and/or gender identity**

Suggested actions for this group may include the following actions:

- Establish mechanisms for provision of individual counseling and social support for persons who identify themselves as LGBTI, including refugees.
- Promote human rights, gender equality and SGBV prevention within refugee communities by ensuring that comprehensive information programs are implemented in collaboration with all relevant stakeholders.



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### **III. Promoting positive public perceptions through ensuring that refugee perspectives are represented in the media and public fora.**

Practices and instances of **discrimination, xenophobia and racism** remain significant concerns in Malta as well as in the European context. Raising awareness on refugee issues among stakeholders and service providers, including the media and the population at large, is one key element of an effective strategy to address this problem. This means that the National Integration Framework should promote and facilitate a **public commitment to condemn and eradicate all forms of racism and discrimination**.

Such a commitment may be implemented through a series of national measures, aiming to influence the **public narrative in the media**, eg by making sure that journalists' code of ethics is in line with the broader objectives of a multi-cultural, diverse community. Media institutions, in particular those run or supported by the Government, may also consider temporary or permanent recruitment policies that allow for positive discrimination towards fulfilling diversity objectives. Media related permits and licenses may also in some cases be linked to requirements as regards visibility given to minorities.

Further training and sensitization of mainstream service providers as well as private and commercial entities may also be required to promote a multi-cultural, AGD sensitive environment. Such training activities should inform all stakeholders on rights and duties relating to refugees as per international, European and national law, as well as the national policy framework. All public and private institutions and entities in Malta should be encouraged to establish inclusion and integration focal points, through implementing incentives in this regard (eg linking such approaches to eligibility for receiving public funding support etc).

The national integration framework should address the need for **increasing the available resources for capacity building and support for mainstream service providers** (including for social sector, teachers, doctors, the police forces as well as property agents and other commercial entities). **Employer Unions may be targeted**, in order for them to meet new requirements in the engagement with refugees and migrants in an informed way. The **University of Malta and other teaching institutions** may be assisted to give more focus to incorporating refugee, migrant and diversity aspects across the board in its engagement with academia and development of professional skills. Opportunities for making available further EU funding in this regard should be explored.



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***Overview of UNHCR guidance and documents that can be relevant to the development of a national integration strategy:***

UNHCR - National level:

- AGD Project: My Diversity (to be published in June 2015)
  - UNHCR, Integra Foundation, OFD
- Nitkellmu?
  - UNHCR, aditus (2013)
- UNHCR submission in response to consultation on development of national integration policy (2014, attached for easy reference)
  - UNHCR

UNHCR - International/EU:

- A New Beginning: Refugee Integration in Europe  
<http://www.refworld.org/docid/522980604.html>
- UNHCR Executive Committee Conclusion on Local Integration  
<http://www.refworld.org/docid/4357a91b2.html>
- UNHCR Note on the Integration of Refugees in the European Union  
<http://www.refworld.org/docid/463b24d52.html>
- Speaking for Ourselves: Hearing Refugee Voices, A Journey towards Empowerment (Finland) <http://www.refworld.org/docid/537afd9e4.html>

*EU document:*

- EU Handbook on Integration for policy-makers and practitioners  
[http://ec.europa.eu/ewsi/UDRW/images/items/docl\\_12892\\_168517401.pdf](http://ec.europa.eu/ewsi/UDRW/images/items/docl_12892_168517401.pdf)