

IMMIGRATION APPEALS BOARD DIVISION II

Members: Dr Maria Cardona
Mr Peter Paul Caruana

Representatives: Dr Alexis Galand
Dr Mireille Boffa
Inspector Hubert Gerada



3 November 2022

Dr Alexis Galand and Dr Mireille Boffa appeared in representation of the appellant, who was also present.

Inspector Hubert Gerada appeared in representation of the PIO.

Ms Hadia Bashir acted as interpreter.

Inspector Gerada explained that the appellant entered Malta by boat which arrived on 22 September 2022. On 25 September 2022, he was informed that the appellant and other Lebanese persons wished to voluntarily return to Lebanon. On 1 November 2022, the appellant informed him that he wished to apply for asylum and a DO was issued on 2 November 2022.

Inspector Gerada said that on 2 November 2022, the appellant had informed him that he was a minor. He said that the appellant informed him that he was born in 2006 rather than 2004. He said that the appellant had told him that he had changed his date of birth out of fear that he would be separated from his brother. According to the Inspector, this fear was not justified given that there were other siblings on the same boat which were immediately grouped together.

The relative PD form was presented.

The Board asked the appellant for his date of birth.

The appellant said he was born on 18 May 2006.

The Board said that it will immediately inform AWAS to carry out an Age Assessment, including a bone test. AWAS are also to appoint a legal guardian and to ensure that the appellant is kept in appropriate accommodation given his declaration of minority.