

## Feedback Form

Asylum, Migration and Integration Fund  
Multi-Annual Programme 2021 – 2027

**Instructions:** Please fill in all sections. If these are not applicable, kindly include 'NA' in the relevant box. Feedback provided should be in point form, clear and take into account best practices and lessons learnt.

<b>Specific Objective 1:</b> To strengthen and develop all aspects of the Common European Asylum System (CEAS) including its external dimension
<b>Key Policy Areas as outlined in the draft regulation:</b> Reception conditions, Asylum procedures, Implementation of Union acquis, children in migration and vulnerable persons.
<b>Needs identified in the draft 2021-2027 programme:</b> improving the current facilities of reception centres, supporting migrants through continuous medical assistance and material aid, facilitating the asylum determination procedure, and assisting vulnerable groups through the support of social workers.
<b>Required feedback on the needs identified:</b>
a) Do you agree with the needs identified? Please identify any other areas or issues where Malta needs to intervene to improve its performance in terms of asylum and management of migration flows? ( <i>max. 300 words</i> ) <ul style="list-style-type: none"><li>• Improving the conditions in detention centres and promoting a wider use of alternatives to detention;</li><li>• Improving the conditions in reception centres to include recreational and educational activities;</li><li>• Supporting migrants through the provision of information and legal assistance in general.</li><li>• Increasing support to refugees and asylum-seekers which covers psychosocial needs, medical support, legal assistance and pastoral care;</li><li>• Strengthening of laws, procedures, services and institutions relating to unaccompanied minors (UAMS);</li><li>• Information provision in relation to the asylum procedure and related rights/obligations;</li><li>• Identification and referrals of vulnerable asylum-seekers in a short time-frame;</li><li>• An improved integration plan for asylum-seekers and beneficiaries of protection;</li><li>• A specific integration plan for refugee children in the educational system in Malta.</li></ul>
b) What interventions can be undertaken to address the identified issues? ( <i>max. 300 words</i> ) <p><b>Example:</b> Capacity building for professionals working with unaccompanied minors.</p> <ul style="list-style-type: none"><li>• Training of the relevant stakeholders (police, IAB, DS, AWAS) on alternatives to detention and awareness raising on the use of such alternatives;</li><li>• Pilot projects on the use of <a href="#">community assessment and placement</a> model (CAP) as a model for reception and early support;</li><li>• Outreach services in detention and reception centres of service-providing NGOs to cover psychosocial, legal, employment and medical referral support, information on sexual and reproductive health;</li></ul>

- Supporting drop-in services provided by NGOs which cover: legal support, assistance with bureaucratic procedures, employment support, tracing of family members and assistance with religious activities (including funerals, marriages, baptisms);
- Multilingual information provision to asylum-seekers on the asylum procedure, including the Dublin procedure, appeals and detention/return procedures;
- Participatory monitoring by independent bodies, such as CSOs and NGOs, of reception and detention centres;
- Review of the current integration policy and advocacy/awareness raising on issues relating to such integration policy;
- Research, publication and training for legal guardians of UAMs on legal responsibilities, asylum procedure, best interests determination and durable solutions.

c) Please list the relevant policy documents and/or legal obligations on which the points raised under (a) and (b) above are made.

- **Recast Reception Directive:** information on organizations and groups that provide legal assistance or any other kind of help (pr. 2, art. 5), detention is the measure of last resort + may be applied after all non-custodial alternative measures have been examined (pr.20, art 8); judicial review of the detention order (art 9), automatic/ex-officio review of detention (art 9); free legal assistance to challenge detention (art 9), information on reasons for detention, the procedures and possibility to request free legal assistance and representation in a language which they understand or which they are reasonably supposed to understand (art 9), material reception conditions, providing an adequate standard of living that guarantees subsistence as well as physical and mental health, to be made available to all applicants (art 17.1); adequate training + provision of confidentiality rules for persons working in accommodation centres (art 18.7) with UAMs( art 24.4) Applicants shall receive necessary health care –at least emergency care and essential treatment of illnesses and of serious disorders (art 19) unaccompanied minors should have a representative who represents and assists them to enable benefits and comply with obligations (art 24).
- **Qualifications Directive:** access to information in an understandable language on the rights and obligations relating to the granted status. (art 22), Access to employment (art 15, 16, 26); Access to procedures of recognition and qualifications (art 28); Access to education (art 27); Access to integration programmes (art 34).
- **Procedures Directive:** Information about procedure, rights and obligations (art 12), right to communicate with UNHCR and other organizations providing legal advice (art 12), Effective remedy in case of negative decision at first instance (art 20).

d) Identify any potential risks and mitigating actions affecting the successful achievement of the proposed interventions. (*max. 300 words*)

**Example:**

*From past experience, reaching out to interested participants was rather challenging. Therefore, with increased publicity and information campaigns, further participation can be maintained.*

- Denial of access to NGOs in open and closed centres, as has happened in the past, would be the biggest challenge in the successful achievement of the proposed interventions. In order to mitigate this, efforts should be made to standardise the access to open and closed centres of Ngo service-providers on the basis of clear and fair rules.

e) Provide any additional relevant comments that were not outlined in the above. (*max. 300 words*)

- In assessing and identifying the needs relating to asylum in Malta, the role of NGOs must be taken into account. We provide valuable services that are either complementing Government services or, in some cases, the only service available to beneficiaries. Many of the provided services fall squarely within the ambit of legal obligations emerging from the Directives, whilst others are provided to improve the quality of life/well-being of beneficiaries and strengthen their enjoyment of their fundamental human rights. A review of previous funding cycles will reveal the core role played by NGOs, in the vast majority of cases implemented in close cooperation with the relevant Government entities thereby strengthening the partnership principle;
- We also question the provision of “security services” as one of the 4 identified investment needs in relation under the Objective to Strengthen & develop all aspects of the Common European Asylum System, including its external dimension.

**Specific Objective 2:** To strengthen and develop legal migration to the Member States in accordance with their economic and social needs, and to promote and contribute to the effective integration and social inclusion of third-country nationals

**Key Policy Areas as outlined in draft Regulation:** Integration measures tailored for the needs of TCNs including awareness raising campaigns, language training, introduction, participation and access to basic needs, recognition of prior learning and skills, social inclusion and diversity.

**Needs identified in the draft 2021 – 2027 programme:** Facilitate access to basic services, extend further the objectives of the integration strategy, promote labour mobility and legal migration, enhance access to educational facilities, and increase the support to vulnerable groups, particularly victims of human trafficking.

**Required feedback on the needs identified:**

a) Do you agree with the needs identified? Please identify any other areas or issues where Malta needs to intervene to improve its performance in terms of integrating Third Country Nationals? (*max. 300 words*)

- Training or information provision to TCNs, refugees and asylum-seekers on the Maltese legal, educational and cultural system;
- Improve labour mobility by facilitating the processes at Identity Malta and Jobsplus;
- Improving access to family reunification procedures;
- Improving access to Long Term Residence and Citizenship;
- Improve access to and quality of the appeals procedure in front of the Immigration Appeals Board;
- Actions to promote non-discrimination and anti-racism and to address the issue of raising xenophobia;
- Overall reduction in administrative hurdles and simplification of procedures for TCNs to obtain documentation from relevant entities;

<p>b) What interventions can be undertaken to address the identified issues? <i>(max. 300 words)</i></p> <ul style="list-style-type: none"> <li>• Organisation of orientation sessions for TCN groups and communities in order for them to be acquainted with Maltese legal, educational and cultural system;</li> <li>• Information provision to TCNs on the granting of the Single Work Permit via printed leaflets in various languages covering the Maltese legal, educational and cultural system;</li> <li>• Review of the policies and procedures in relation to the granting of residence permits in legal migration in order to improve the efficiency and transparency of the procedures;</li> <li>• Investing in the Immigration Appeals Board through an improved administrative support, training and staff;</li> <li>• Child-specific measures in order to preserve family unity;</li> <li>• Public awareness raising activities and/or advocacy focusing on non-discrimination and anti-racism;</li> <li>• Training of court staff, judicial assistants and the judiciary on anti-discrimination legislation, sentencing bias and immigration law;</li> <li>• Qualitative and quantitative research on integration barriers and opportunities</li> </ul>
<p>c) Please list the relevant policy documents and/or legal obligations on which the points raised under (a) and (b) above are made.</p> <ul style="list-style-type: none"> <li>• 2016 Commission action plan on integration;</li> <li>• Draft Action plan on Integration and Inclusion 2021-2027;</li> <li>• Right to an effective remedy Article 47 of the Charter of Fundamental Rights, and the provisions of right to an effective remedy under the respective legal migration directives;</li> <li>• National Action Plan against Racism and Xenophobia (NAPRAX);</li> <li>• EU Strategy on the Rights of the Child;</li> <li>• European Child Guarantee.</li> </ul>
<p>d) Identify any potential risks and mitigating actions affecting the successful achievement of the proposed interventions. <i>(max. 300 words)</i></p> <ul style="list-style-type: none"> <li>• The inability of NGOs to access the funding streams under this Objective would hinder the possibility for them to achieve the interventions outlined above;</li> <li>• Equating integration to simple language learning and information provision without improving the procedures to obtain family reunification, long-term residency or citizenship ignores the essential key to integration: belonging in a community.</li> </ul>
<p>e) Provide any additional information that was not outlined in the above.</p> <ul style="list-style-type: none"> <li>• N/A</li> </ul>

**Specific Objective 3:** To contribute to countering irregular migration, enhancing effective, safe and dignified return and readmission, as well as to contribute to and to promote effective initial reintegration in third countries

**Key Policy Areas as outlined in draft Regulation:** Assisted voluntary return, reintegration assistance, forced return operations, cooperation with countries of origin on countering irregular migration.

**Needs identified in the draft 2021 – 2027 programme:** Strengthening forced return monitoring facilities, enhancing voluntary return and cooperation mechanisms.

**Required feedback on the needs identified:**

a) Do you agree with the needs identified? Please identify any other areas or issues where Malta needs to intervene to improve its performance in terms of countering irregular migration? (*max. 300 words*)

- Legal aid to persons presented with return decisions/removal orders;
- Return counselling to persons being returned (voluntarily or forcibly).

b) What interventions can be undertaken to address the identified issues? (*max. 300 words*)

- Supporting lawyers or NGOs providing legal services to provide assistance with challenging decisions relating to return;
- Organise services for the provision of return counselling (legal, psychosocial, information, etc.) for persons in return procedures.

c) Please list the relevant policy documents and/or legal obligations on which the points raised under (a) and (b) above are made.

- **Returns Directive:** The third-country national concerned shall be afforded an effective remedy to appeal against or seek review of decisions related to return (Art. 13); to be returned in a humane manner and with full respect for their fundamental rights and dignity (par. 2).

d) Identify any potential risks and mitigating actions affecting the successful achievement of the proposed interventions. (*max. 300 words*)

- N/A

e) Provide any additional information that was not outlined in the above.

- N/A

Feedback form to be sent electronically to [eufunds.jha@gov.mt](mailto:eufunds.jha@gov.mt)



**Asylum, Migration and Integration Fund (2014-2020)**  
Co-financing rate: 100% EU Funds – Technical Assistance  
**Sustainable Management of Migration Flows**

