

MALTA INTEGRATION NETWORK II

# Policy Indicators for Migrant Integration

Authored by  
Dr Carla Camilleri and  
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### **aditus foundation**

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.

The views, opinions and/or findings contained within this report are those of the authors and do not represent any official position of the national agencies or bodies, academics, civil society and government representatives participating in the meetings pursuant to this project.

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This report was published with the support of the European Union through the European Fund for the Integration of Third Country Nationals (EIF).

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**“THE FUNCTION OF THE INDICATOR IS TO GIVE AN OVERVIEW OF, AND THE POSSIBILITY TO MONITOR, THE SITUATION, AND TO INDICATE IF SOMETHING ESSENTIAL IS HAPPENING, CONSIDERING THAT INTEGRATION IS AN ONGOING PROCESS IRRESPECTIVE OF DIFFERENT INTERVENTIONS.”<sup>1</sup>**

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**1** Swedish Presidency Conference Conclusions on Indicators and Monitoring of the outcome of Integration Policies, December 2009

## INTRODUCTION

# Context and Aims of the Project

The Malta Integration Network II (MIN II) is the second phase of the Malta Integration Network I (MIN I)<sup>2</sup> Project. The MIN I Project was the first in Malta to investigate policy areas in relation to Third Country National (TCN) integration using teams of invested parties. In other words, aditus foundation created national ‘Multifunctional Teams’ of integration stakeholders composed of representatives from government agencies, academia, civil society and TCN communities. Throughout the course of the project the Multifunctional Teams identified best practices and also the gaps in Malta’s legal and policy approach to TCN integration. The Multifunctional Teams addressed the series of themes identified by the Migrant Integration Policy Index<sup>3</sup> (MIPEX) through research, discussion and invitations to expert speakers on best practices.

MIN II builds on the findings and lessons of MIN I through the drafting and development of integration indicators based on the recommendations outlined in the key document ‘Malta Integration Network: a way forward for a National Integration Policy in Malta - Final Report.’<sup>4</sup> It is hoped that efforts will be made to eventually mainstream indicators into stakeholders’ annual operations and to actively engage with the relevant government ministries and departments/entities in the assessment and monitoring of integration strategies.

This project should also be seen in the light of the forthcoming drafting of a National Migrant Integration Strategy 2015 - 2020 set in motion by

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2 Malta Integration Network I & II Project Page: <http://aditus.org.mt/our-work/projects/malta-integration-network/>

3 Migrant Integration Policy Index, 2015: [www.mipex.eu](http://www.mipex.eu)

4 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/>

the Ministry of Social Dialogue, Consumer Affairs and Civil Liberties.<sup>5</sup> We feel that the use of indicators is essential in monitoring the development and tracking the process of any national migrant integration strategy at a national and local level. This report is not a handbook on the technicalities and methodologies involved in the development and implementation of indicators. It was drafted with the intention to highlight the importance of indicators and to create a document that can be used as basis for discussion and not as an end in itself.<sup>6</sup>

The MIN II Project was funded by the European Integration Fund (2007-13) which supports EU countries and civil society in enhancing their capacity to develop, implement, monitor and evaluate integration strategies, policies and measures, as well as their exchanges of information and best practices and cooperation on integration issues.

Neil Falzon **Project Leader**

Carla Camilleri **Project Researcher**

*June, 2015*

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- 5 Mind D Gap Consultation webpage: [http://socialdialogue.gov.mt/en/Public\\_Consultations/MSDC/Pages/Consultations/MDGIntegration.aspx](http://socialdialogue.gov.mt/en/Public_Consultations/MSDC/Pages/Consultations/MDGIntegration.aspx)
- 6 For further reading on operational tools, identifying indicators and corresponding methodologies: OECD (2012), *Settling In: OECD Indicators of Immigrant Integration 2012*, OECD Publishing, Paris. DOI: <http://dx.doi.org/10.1787/9789264171534-en>; Council of Europe, *Measurement and indicators of Integration*, Directorate of Social and Economic Affairs, 1997 [http://www.coe.int/t/dg3/migration/archives/documentation/Series\\_Community\\_Relations/Measurement\\_indicators\\_integration\\_en.pdf](http://www.coe.int/t/dg3/migration/archives/documentation/Series_Community_Relations/Measurement_indicators_integration_en.pdf); United Nations, Office of the United Nations High Commissioner for Human Rights, *Human Rights Indicators - A Guide to Measurement and Implementation*, 2012 [http://www.ohchr.org/Documents/Publications/Human\\_rights\\_indicators\\_en.pdf](http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf)

# Malta Integration Network II - The Importance of Indicators

The use of indicators and evaluation mechanisms is a crucial element in any information system existing in a democratic society. Indicators are necessary to provide governments, academics, businesses and civil society with the data needed to appraise and inform policy and debate. The development of clear goals and indicators on migrant integration is necessary to adjust policy, evaluate progress on integration itself and to assist in the exchange of information.

The European Union (EU) has stressed on the importance of evaluating integration policies and Common Basic Principle No. 11 refers to the need to “*develop clear goals, indicators and evaluation mechanisms in order to adjust policy and evaluate progress on integration*”<sup>7</sup>. It is important to note that to date a common set of indicators is not in use across the EU Member States. Some Member States have introduced their own national indicators, however their implementation depends largely on national context, i.e. the political definition and goals of integration as well as the availability of official national statistics and alternative data.

On a European and international level there are a number of indicator systems that have been developed. The main policy areas as agreed upon in 2010 at an informal Justice and Home Affairs Council, known as the **Zaragoza Indicators**, were identified as employment, education, social inclusion and active citizenship.<sup>8</sup> The **Organisation for Economic Co-operation and Development** (OECD) considers a number of areas in order

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7 Council of the European Union (2004): The Common Basic Principles for immigrant integration policy in the EU, Justice and Home Affairs Council on 19 November 2004, [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/jha/82745.pdf#zoom=100](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf#zoom=100)

8 Council of the European Union (2010): Zaragoza meeting, Conclusions of the Council and the Representatives of the Governments of the Member States on Integration as a Driver for Development and Social Cohesion, <http://register.consilium.europa.eu/pdf/en/10/st09/st09248.en10.pdf>

to reflect the multi-dimensional nature of integration, these being material living conditions, health, education, labour market, civic engagement and discrimination<sup>9</sup>. The **Council of Europe** identifies the main migrant indicators as access to the labour market, housing and social services, education, participation in political processes and in decision-making and mortality, fertility, and demographic changes<sup>10</sup>.

The **Migrant Integration Policy Index**<sup>11</sup> (MIPEX), another European measurement index focusing on integration, has identified eight policy areas:

- i. Anti-discrimination
- ii. Labour Market Mobility
- iii. Family Reunion
- iv. Education
- v. Political Participation
- vi. Access to Nationality
- vii. Long Term Residence
- viii. Health

The use of MIPEX as a tool to discuss integration was chosen as the preferred option for our MIN projects as it gives an overview of integration policies and laws across the EU Member States in a concise, transparent and easily comparable format. At the time of implementation of both MIN I and MIN II, the MIPEX indicators consisted of 7 key policy areas which were then increased to 8 with the inclusion of health in 2015. Therefore, our main recommendations focus on the first 7 key areas, although it is strongly suggested that health should be taken into consideration as an area to be developed within the national integration strategy.

Throughout the course of both projects, it was evident that besides an absence of a holistic national integration strategy, there was a clear data gap on which to formulate any future integration policies and it is in this context that this report was drafted.

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9 OECD (2012), *Settling In: OECD Indicators of Immigrant Integration 2012*, OECD Publishing, Paris. DOI: <http://dx.doi.org/10.1787/9789264171534-en>

10 Council of Europe, *Measurement and indicators of Integration*, Directorate of Social and Economic Affairs, 1997 [http://www.coe.int/t/dg3/migration/archives/documentation/Series\\_Community\\_Relations/Measurement\\_indicators\\_integration\\_en.pdf](http://www.coe.int/t/dg3/migration/archives/documentation/Series_Community_Relations/Measurement_indicators_integration_en.pdf)

11 Migrant Integration Policy Index Website: <http://www.mipex.eu/>

# Designing the Conceptual Framework

In order to design a set of indicators there needs to be a conceptual framework which guides the way of thinking about a topic in a specific area. This framework helps to ensure that any indicator that is developed is relevant to the context, organised and aids in reporting in a structured and meaningful way.

In the absence of a national policy which would have provided a conceptual framework within which to work, the key policy areas as identified by MIPEX were used as a guiding tool. The designing of indicators in a vacuum would have resulted in a confused mix of indicators without any clear rationale for their selection. Therefore, this report is based on a framework which is structured around legal obligations and policy considerations relevant to seven MIPEX key areas: anti-discrimination, labour market mobility, family reunion, education, political participation, access to nationality and long term residence.

In the future, any use of indicators must take into account the planned roll-out of the National Migration Integration Strategy 2015-2020 which is expected to be launched by the Ministry for Social Dialogue, Consumer Affairs and Civil Liberties at the end of 2015<sup>12</sup>. The Government's consultation document identified key areas on which the Integration Strategy will be formulated:

- i. *Defending rights and fulfilling duties*: anti-discrimination and equality
- ii. *Resolving social barriers and providing opportunities*: education / labour market
- iii. *Promoting intercultural relations / Raising public awareness on integration*: empowering local communities

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12 Mind D Gap Consultation webpage: [http://socialdialogue.gov.mt/en/Public\\_Consultations/MSDC/Pages/Consultations/MDGIntegration.aspx](http://socialdialogue.gov.mt/en/Public_Consultations/MSDC/Pages/Consultations/MDGIntegration.aspx)



- iv. *Civil participation*: outreach to communities of TCNs
- v. *Institutional dialogue*: TCN consultative council / policy-makers and decision-makers <sup>13</sup>

Therefore any indicators measuring the success or otherwise of integration in Malta must take into account the above key-areas. However, although the above presents a significant step-forward, a number of other sectors would need to be included and measured in any long-term national strategy on integration. The use of indicators to measure laws and practices in sectors such as family reunification, long-term residence, citizenship, political participation and health will help identify the gaps and assess the success or otherwise of national integration measures.

In effect, although a conceptual framework is needed in order to ensure effective development of indicators, the indicators themselves contribute to highlighting where that framework is lacking and can be further improved.

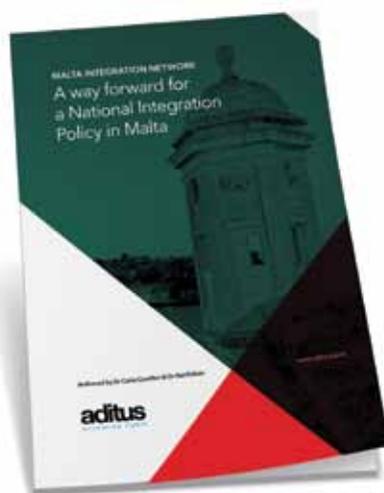
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13 Mind D Gap - Together we can make a difference Consultation Document: [http://socialdialogue.gov.mt/en/Public\\_Consultations/MSDC/Documents/Integration/Mind%20d%20Gap%20-%20Consultation%20Document.pdf](http://socialdialogue.gov.mt/en/Public_Consultations/MSDC/Documents/Integration/Mind%20d%20Gap%20-%20Consultation%20Document.pdf)

## Selecting and Applying Policy Indicators

The process undertaken to select and develop the sample indicators as outlined in this report was a two-fold one. The first phase consisted in the creation of multifunctional teams of integration stakeholders composed of representatives from government agencies, academia, civil society and TCN communities. These teams were consulted on laws and policies, identification of good practices and gaps for each of the seven key MIPEX areas. Through this process a number of recommendations were extracted and collated in the Malta Integration Network: a way forward for a National Integration Policy in Malta – Final Report.<sup>14</sup>

The second phase consisted of taking those recommendations and turning them into technically sound and relevant indicators. During this process meetings were held with representatives of the Ministry for Social Dialogue, Consumer Affairs and Civil Liberties responsible for the drafting of the national integration strategy. Furthermore, input relating to the development of indicators was given by experts from MIPEX in meetings with the Ministry and with aditus. Once the indicators were developed, stakeholders from government departments, agencies and also civil society were again consulted to give input on substantive elements and the practical implementation of the use of indicators.



14 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/>

# Consultation with Interested Stakeholders

## CONSULTED STAKEHOLDERS

- MIPEX experts
- Commissioner for Children
- NCPE
- Migration NGOs
- Dept. responsible for Social Inclusion
- Ministry of Social Dialogue, Consumer Affairs and Civil Liberties
- Policy Analysts
- Health workers
- Dept. responsible for Healthcare Standards
- Disability experts
- Educators

## RECURRING THEMES

- Consolidated approach
- Equality mainstreaming
- Clarity
- Positive approach
- Focus on vulnerable groups
- Self-assessment
- Data collection
- Reasonable diversity accommodation
- Language
- Enforcement
- Rights based approach
- Monitoring

# Recommended Indicators per Key Area

| NO. | RECOMMENDATION   | INDICATOR (GENERAL)  | RESPONSE     |
|-----|--|--|--------------|
| 1.1 | Set up a consultative council or institutional body that would allow migrants to dialogue with Government on legislation and policy affecting migrants, on new initiatives and on outreach projects.   | Is a migrant representative forum established, with TORs that include providing regular and structured input to the Government?  | Y/N          |
| 1.2 |  | Number of members on the migrant representative forum in year XXXX / Number of TCN members on the migrant representative forum in year XXXX (where established)                          | Quantitative |
| 2   | The council's set up should include frequently scheduled meetings with representatives from all relevant ministries, such as education, health, labour, etc.   | Number of migrant representative forum meetings held in year XXXX (where established).   | Quantitative |
| 3   | The members of the council should represent migrant groups from the various ethnic minority groups resident in Malta in an inclusive manner.   | Number of TCN members on the migrant representative forum in year XXXX / Number of TCN women on the migrant representative forum in year XXXX (where established).                       | Quantitative |
| 4   | 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.  | Has a process been established whereby legislation and policies directly affecting migrant groups are forwarded to the migrant consultative forum prior to adoption (where established)? | Y/N          |
| 5   | 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.   | Budgetary allocation to the migrant representative forum in year XXXX (where established)?   | Quantitative |
| 6   | The council and the national equality bodies (e.g. NCFE) should have formal channels of communication, in order for the national bodies to support the council with training and information sessions on current legislation, reporting mechanisms, etc. | Have MoU or similar arrangements been made between the migrant representative forum and the equality bodies (where established)?   | Y/N          |

# Recommended Indicators per Key Area

| No.  | Recommendation  | Indicator (general)  | Response     |
|------|---|--|--------------|
| 7    | The creation of one equality body to which all individuals can file a complaint in relation to all prohibited grounds of discrimination, and which would also serve as a national focal point for human rights.   | Does legislation establish at least 1 non-judicial entity before which anti-discrimination complaints on all prohibited grounds and across all sectors can be brought?   | Y/N          |
| 8    | Simplify the current complaints system to take into account cases of multiple discrimination, which otherwise would have to be filed before different fora and under different Acts.  | Can anti-discrimination complaints on multiple discrimination incidents be brought before a non-judicial body?   | Y/N          |
| 9    | Strengthen the enforcement powers of equality bodies in relation to decisions taken, such as granting them the power to impose pecuniary sanctions. Due account must also be taken of the mediatory role of equality bodies, as opposed to a judicial or quasi-judicial role. | What enforcement powers does the national equality body enjoy? (If several bodies exist, please list all powers per body).   | List         |
| 10   | Increased information on websites or brochures and the setting up of an enquiries number to tackle queries relating to discrimination complaints were suggested to tackle under-reporting.  | Has a website been created providing information on anti-discrimination complaints?  | Y/N          |
| 12   | Improve the judicial process in courts by making it cheaper and faster for individuals to complain.   | Minimum and Maximum duration of court proceedings relating to anti-discrimination complaints filed in year XXXX. (Leave blank where no related cases were filed, or where filed cases remained pending at end year). | Quantitative |
| 13.1 | Improve the third party complaints systems in order for NGOs and equality bodies to file complaints and support through funding and training of staff.  | Is it possible for third parties to file anti-discrimination complaints?   | Y/N          |
| 13.2 |   | Is it possible for legal persons to file anti-discrimination complaints?   | Y/N          |

# Recommended Indicators per Key Area

|    |  |   |              |
|----|--|---|--------------|
| 14 | Public authorities should have a strong policy against racial discrimination, which would include the issuing of strong statements against wide-spread discriminatory practices in order to counter the fear of reporting.   | No. of public authorities assessed / No. of public authorities assessed having an internal anti-discrimination policy.  | Quantitative |
| 15 | Adoption of a number of preventive actions, such as a nationwide policy targeting discrimination and implementation of measures reflecting the disadvantage suffered by minorities across areas such as employment, housing and education.   | No. of anti-racism campaigns/initiatives organised and/or funded by the State in year XXXX.   | Quantitative |
| 16 | Introduce mainstreaming of race equality in the public sector by requiring the assessment of any planned action on minority groups and integrating them in the monitoring and decision-making process. Mainstreaming should also be ensured in the private sector, the media and entertainment venues. | Has a process been established whereby legislation and policies directly affecting migrant groups are vetted for compliance with the national integration policy? | Y/N          |
| 17 | Instil a sense of ownership of equality covering all forms of discrimination grounds at a government or ministry level.  | No. of public authorities assessed / No. of public authorities assessed having an internal anti-discrimination policy.  | Quantitative |
| 18 | Consolidation of existing laws into one harmonised 'equality act', which would include all forms of discrimination, standard definitions and clear procedures. In addition, strengthen the position of a third party complaints system, collective complaints or class actions.                        | Does legislation establish a non-judicial entity before which anti-discrimination complaints on all prohibited grounds and across all sectors can be brought?     | Y/N          |
| 19 | Specifically, adopt amendments in the law that include the inclusion of nationality as a ground for discrimination, the prohibition of racial profiling and the concept of multiple discrimination.  | Is nationality a prohibited ground of discrimination?   | Y/N          |

# Recommended Indicators per Key Area

| No.  | Recommendation  | Indicator (general)  | Response     |
|------|---|--|--------------|
| 20   | Improve information available and accessible to both TCNs and employers that gives clear guidelines on procedural issues such as the labour market assessment conditions, social security rights, labour law rights and residency rights.   | Has a central information portal/leaflet/website been established containing, as a minimum, information on the rights, obligations and procedures relating to: employment, social support, residence.          | Y/N          |
| 21   | Improve the decision making process for the application and issuance of employment licences, in particular by shortening time-frames and making it more transparent.  | Minimum and Maximum duration of the procedure to grant Single Permits for applications filed in year XXXX. (Leave blank where no related cases were filed, or where filed cases remained pending at end year). | Quantitative |
| 22.1 | Transpose and implement the Single Permit Directive as soon as possible by simplifying procedures for granting a single residence and employment licence and providing equal access to worker's rights and general support.   | Has the Single Permit Directive been transposed into Maltese law?  | Y/N          |
| 22.2 | Transpose and implement the Single Permit Directive as soon as possible by simplifying procedures for granting a single residence and employment licence and providing equal access to worker's rights and general support.   | Have there been individual complaints and/or civil society reports commenting negatively on the quality of the transposition of the Single Permit Directive single publication of the transposing legislation? | Y/N          |
| 23.1 | Allow for a TCN to apply for an employment licence individually and remove the obligation that a TCN employment licence be issued in the employer's name, as this may discourage the TCN from instituting complaints against the employer in cases of breaches in employment legislation. The occupational immobility it fosters also acts as a disincentive for vocational and personal improvement. | Are TCNs able to apply and receive employment licences in their own name?  | Y/N...       |
| 23.2 | Allow for a TCN to apply for an employment licence individually and remove the obligation that a TCN employment licence be issued in the employer's name, as this may discourage the TCN from instituting complaints against the employer in cases of breaches in employment legislation. The occupational immobility it fosters also acts as a disincentive for vocational and personal improvement. | Are TCNs able to apply, in-country, for an employment licence relating to employment that is different to that for which the original licence was granted?   | Y/N          |
| 24.1 | Strengthen NGO, trade union and government agency standing in relation to filing complaints, specifically in instances relating to human trafficking, without the need for an individual complainant.   | Is it possible for third parties to file anti-discrimination complaints?   | Y/N          |
| 24.2 | Strengthen NGO, trade union and government agency standing in relation to filing complaints, specifically in instances relating to human trafficking, without the need for an individual complainant.   | Is it possible for legal persons to file anti-discrimination complaints?   | Y/N          |

# Recommended Indicators per Key Area

|             |  |   |              |
|-------------|--|---|--------------|
| <b>25</b>   | Increase support to the DIER in order to ensure sufficient human, financial and technical resources to tackle the investigation of complaints in work related matters.   | Budgetary allocation to DIER and the Industrial Tribunal in year XXXX?  | Quantitative |
| <b>26</b>   | Simplify and shorten procedures in relation to cases filed before the Industrial Tribunal. In addition, complainants should be informed of the right to apply for legal aid in instances where they do not have the resources to pay for a lawyer.   | Number of TCN complaints before DIER / Number of TCN complaints before DIER with private lawyer/NGO lawyer/legal aid lawyer, in year XXXX.  | Quantitative |
| <b>27.1</b> | Grant the Industrial Tribunal the power to suspend or demand the suspension of a deportation order and extend or order an extension of a residence permit in cases where a TCN has been dismissed due to a complaint against the employer, or where a TCN is challenging dismissal before the Tribunal.  | May the Industrial Tribunal or Courts suspend or demand the suspension of a deportation order in cases where a TCN has been dismissed following a complaint against the employer? | Y/N          |
| <b>27.2</b> |  | May the Industrial Tribunal or Courts suspend or demand the suspension of a deportation order in cases where a TCN is challenging dismissal before the Tribunal or Courts?        | Y/N          |
| <b>28.1</b> | Introduce mainstreaming and a holistic labour market policy that addresses the needs of the whole economy and sets down a long-term strategy, which includes guidelines on specific area as migrant workers and female employment ratio.   |   |              |
| <b>28.2</b> | The labour market policy should be backed up by valid disaggregated data, including labour market studies, which should be collected and analysed regularly.   | Do national labour surveys gather data on migrant workers that includes, as a minimum, nationalities, genders, age brackets and employment sectors?                               | Y/N          |
| <b>29</b>   | Improve intercultural preparation for newly arrived TCNs and their families, including basic information on employment and labour in Malta, cultural and social issues, integration and linguistic training. The training should be supported with 'know your rights' sessions focusing on those sectors that are of particular importance to migrants and their families. | Are TCNs provided with information regarding employment rights and obligations as early as possible after their arrival in Malta?   | Y/N          |
| <b>30</b>   | Encourage intercultural training at the workplace for both employers and employees, with the support of agencies such as NCPE.   | Number of interventions and/or trainings provided by NCPE (or counterpart) covering racial discrimination in year XXXX.   | Quantitative |

# Recommended Indicators per Key Area

| No.  | Recommendation   | Indicator (general)  | Response     |
|------|--|--|--------------|
| 31   | The definition of what constitutes the “family” needs to be expanded to comprise partners, including same-sex couples, and possibly also other dependants in order to reflect the family-centric model existent in Malta.  | Does migration-related legislation include the following in its definition of ‘family’: same-sex partners (whether in a regulated relationship or not), adult dependant children, other dependant persons? | Y/N          |
| 32   | Lower the minimum required age of the applicant spouse from 21 to 18. This would reflect the Malta’s legal marriageable age without parental consent.  | In family reunification legislation, is the minimum age for the sponsor TCN set at 18?   | Y/N          |
| 33.1 | Render the economic resources requirement less burdensome, in particular the financial requirement of an additional 20% income per family member. This is of particular importance to female migrants as sponsors, due to the reality that female TCNs are generally engaged in lower-paid employment sectors. | In family reunification legislation, is the financial requirement per family member set at 10%?  | Y/N          |
| 33.2 |  | Number of family reunification cases decided in year XXXX / Number of family reunification cases rejected in year XXXX.  | Quantitative |
| 34   | Introduce clearer eligibility criteria or guidelines in order to allow for less discretion in the decision-making process.   | Is comprehensive and non-technical information publicly available on requirements and procedures relating to family reunification?   | Y/N          |
| 35.1 |  | Date of family reunification applications decided in year XXXX / Date of presentation of family reunification applications decided in year XXXX.   | Quantitative |
| 35.2 | Reduce the maximum 9-month period within which the authorities are allowed to process applications.  | Is the maximum period within which the authorities are allowed to process family reunification applications set at 3 months?   | Y/N          |

# Recommended Indicators per Key Area

NATIONAL INTEGRATION POLICY | ANTI-DISCRIMINATION | EMPLOYMENT | FAMILY REUNIFICATION | EDUCATION | POLITICAL PARTICIPATION | LONG-TERM RESIDENCE | ACCESS TO NATIONALITY

|             |  |  |     |
|-------------|--|--|-----|
| <b>36</b>   | Bring the family reunion procedures under the Family Reunification Regulations and the Immigration Act in line with each other.  | Are family reunification procedures regulated in 1 single legal instrument?  | Y/N |
| <b>37</b>   | Establish a formal procedure for the granting of an autonomous residence permit with provision for those TCN family members resident in Malta ex ante the adoption of the Directive. Importantly, adopt a system whereby after 5 years dependant family members are automatically granted autonomous resident permits. | Are reunited family members granted an automatic and autonomous residence permit after 5 years?  | Y/N |
| <b>38.1</b> | Allow family members to access employment immediately upon arrival and without the need for a labour market test. Although it seems that this is the adopted approach, translating this practice into law would give more legal certainty and clarity to applicants.   | Are reunited family members authorised to access the labour market immediately upon arrival (having obtained necessary documentation)? | Y/N |
| <b>38.2</b> |  | Are reunited family members authorised to access the labour market without having to undergo a labour market test?                     | Y/N |
| <b>39</b>   | Grant family members access to social assistance and social benefits on the same level as the sponsoring TCN.  | Do reunited family members enjoy rights identical to those enjoyed by the TCN sponsor?   | Y/N |
| <b>40</b>   | Establish a national policy on integration that includes integration of family members.  | Does the national integration policy include specific provisions on the integration of reunited family members?                        | Y/N |

# Recommended Indicators per Key Area

| No.         | Recommendation  | Indicator (general)  | Response     |
|-------------|---|--|--------------|
| <b>41.1</b> | The national education curriculum should address multicultural diversity, inclusiveness, contemporary cultures and the understanding of different religious beliefs.  | Does the national integration policy contain specific provisions on intercultural education, even if by making reference to education-specific policies? | Y/N          |
| <b>41.2</b> |   | Have national education policies on inclusion of TCN students and families been adopted?   | Y/N          |
| <b>42.1</b> | Introduce specific measures relating to migrants and their specific needs, such as targeted Maltese and English language classes, and the opportunity to study their mother tongue and culture of origin, into the national curriculum.       | Is it possible for TCN students to attend extra lessons in English and/or Maltese, provided by the State?  | Y/N          |
| <b>42.2</b> |   | Does the national integration policy, or education-specific policies, envisage the possibility of TCN students studying their mother tongues?            | Y/N          |
| <b>43</b>   | State run institutions should be made aware of different cultural and religious celebrations and activities, in order to provide a space where different groups of students and parents and interact and integrate through social activities. | Number of schools assessed / Number of schools operating a policy on culture-specific requests made by TCN students and/or parents.                      | Quantitative |
| <b>44</b>   | Establish a uniform national procedure for school entry that would include a needs assessment, the provision of comprehensible information to students and parents on specific issues and a school orientation session.                       | Number of TCNs students entering state schools / Number of TCN students undergoing uniform needs assessment, in year XXXX.                               | Quantitative |

# Recommended Indicators per Key Area

|           |  |   |              |
|-----------|--|---|--------------|
| <b>45</b> | A uniform national policy should also standardise procedures in schools that would ensure school and parent communication with due consideration given to the varying needs of migrant parents.  | Number of schools assessed / Number of schools operating a procedure for communication with TCN parents.  | Quantitative |
| <b>46</b> | Establish a parent and student induction programme and support framework when accessing the educational system, including information relating to the educational system, Maltese language classes and Maltese culture.                              | Is a national and uniform parent/student induction programme established, including as a minimum information on: the education system, communication channels and availability of lessons in Maltese. | Y/N          |
| <b>47</b> | Teachers and support workers should receive initial and on-going training on providing tuition to migrant students, including intercultural competence training. The training should also include appropriate exposure to code-switching techniques. | Do courses leading to formal degrees for teaching positions contain modules covering provision of education to classes with TCN students?   | Y/N          |
| <b>48</b> | Harmonise the 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.                                  | Date of recognition of qualifications applications decided in year XXXX / Date of presentation of recognition of qualifications applications decided in year XXXX.                                    | Quantitative |
| <b>49</b> | Ensure that support systems are in place for vulnerable migrants.  | Does the national integration policy, or education-specific policies, refer to vulnerable migrant children?   | Quantitative |
| <b>50</b> | Make available appropriate and comprehensible information on the national educational system and education institutions, including higher education and training institutions to newly arrived TCNs.   | Is a national and uniform parent/student induction programme established, including as a minimum information on: the education system, communication channels and availability of lessons in Maltese. | Y/N          |

# Recommended Indicators per Key Area

| No.  | Recommendation   | Indicator (general)   | Response     |
|------|--|---|--------------|
| 51.1 | Establish migrant consultative bodies that would have a strong role in national and local decision-making through formalised consultation procedures. These bodies should have clear membership criteria and operating rules and could be set up at a national level in dialogue with government and on a local level with local councils. | Is a migrant representative forum established, with TORs that include providing regular and structured input to the Government?                                 | Y/N          |
| 51.2 |  | Number of members on the migrant representative forum in year XXXX / Number of TCN members on the migrant representative forum in year XXXX (where established) | Quantitative |
| 52.1 | Grant the rights to vote and stand in local elections to all migrant residents and remove any obstacles to civic and political participation.  | Are TCNs entitled to vote in and stand for Local Council elections, upon fulfilment of relevant criteria?   | Y/N          |
| 52.2 |  | Are TCNs entitled to vote in and stand for European Parliament elections, upon fulfilment of relevant criteria?   | Y/N          |
| 53   | Explore the possibility of granting voting rights at the national level for certain groups of migrants.  | Does the national integration policy refer to increasing migrant voting and representation rights at national elections?  | Y/N          |
| 54   | Increase TCN participation in the democratic process through national and local awareness raising, information campaigns and capacity-building (e.g. funding, training).   | Number of TCNs actively involved in the work of the 3 political parties in year XXXX.   | Quantitative |
| 55   | Facilitate and encourage TCN participation in mainstream organisations, such as trade unions, women's organisations, political parties, and local pressure groups.   | Number of TCNs actively involved in the work of 5 major civil society organisations in year XXXX.   | Quantitative |
| 56   | Encourage the media to raise public awareness on migrant-related issues by highlighting integration, interculturalism and diversity.   | Number of TCN journalists and broadcasters participating in printed and social media or broadcasting in year XXXX.  | Quantitative |

# Recommended Indicators per Key Area

| No.         | Recommendation  | Indicator (general)  | Response     |
|-------------|---|--|--------------|
| <b>57</b>   | Lower the required thresholds in relation to stable and regular resources, as the current levels render the process effectively inaccessible for large numbers of migrants and international protection beneficiaries.  | Is the financial requirement for LOTR eligibility equivalent to Malta's national minimum wage with the addition of 10% per each family member? | Y/N          |
| <b>58</b>   | The Directive obliges Member States to grant long-term residence if applicants fulfil the requirements on duration of residence, stable and regular resources and sickness insurance, and any refusal based on the absence of appropriate accommodation evidence is in breach of the Directive. It is recommended to remove the present requirement of evidence of appropriate accommodation from the list of eligibility criteria. | Are national requirements for LOTR entitlement equivalent to those stipulated in the Directive?  | Y/N          |
| <b>59.1</b> | Lower the requirement of a 75% pass mark for both the integration and language courses, keeping in mind that Malta is not permitted to expect higher standards from TCNs than from their own nationals.   | Are TCNs required to obtain a 60% pass mark in integration and language courses in order to be eligible for LOTR?                              | Y/N          |
| <b>59.2</b> |   | Are TCNs required to obtain a pass mark in language courses in English OR Maltese?   | Y/N          |
| <b>60</b>   | Extend the timeframe for attending and passing the integration and language courses, as the current twelve month timeframe prior to applying for the long-term residence permit is challenging for migrants who are in full-time employment.  | Are LOTR courses organised at least twice a year, irrespectively of number of applicants?  | Y/N          |
| <b>61.1</b> | Improve the integration courses in relation to the relevancy and benefits of the course content to migrants and the frequency with which they are offered. Consider liberalising the list of course-providers to encourage flexibility, accessibility and improved quality of content.  | How many entities (public and private) are authorised to organise the LOTR language course?  | Quantitative |
| <b>61.2</b> |   | How many entities (public and private) are authorised to organise the LOTR integration course?   | Quantitative |

# Recommended Indicators per Key Area

| No. | Recommendation   | Indicator (general)  | Response     |
|-----|--|--|--------------|
| 62  | Lay down public, clear and specific criteria which applicants are required to fulfil in order to be eligible for naturalisation.   | Number of TCN decisions for citizenship/naturalisation in year XXXX / Number of positive decisions, in year XXXX.  | Quantitative |
| 63  | Establish and publicise an objective and transparent assessment method to be adopted by the authorities in processing applications, at both admissibility and substantive stages.                                    | Number of TCN decisions for citizenship/naturalisation in year XXXX / Number of negative decisions based on: admissibility formalities, national security, marriage of convenience in year XXXX. | Quantitative |
| 64  | Implement procedural guarantees that provide for clear timeframes within which a decision must be taken, provision of reasons for the refusal of an application, and possibility to appeal/review any such decision. | Number of citizenship/naturalisation cases decided in year XXXX / Number of citizenship/naturalisation cases rejected in year XXXX.  | Quantitative |
| 65  | Remove the unfettered discretionary power of the Minister with a view to make the process more transparent and fair.   | Number of citizenship/naturalisation cases rejected in year XXXX / Number of negative decisions where reasons in fact and in law were provided in year XXXX.                                     | Quantitative |

# Key Questions Going Forward

In developing systematic, comprehensive and relevant migrant integration indicators a number of key questions need to be answered:

**WHY** do we need indicators for migrant integration?

To monitor the situation of migrants, formalise public policy, enforce a rights-based approach.

**WHO** could use and benefit from this work?

Central government, local government, agencies, academics, civil society, migrants.

**WHAT** is an integration indicator and what elements need to be considered?

Such as vulnerability, migration patterns, country of origin, reasons for leaving.

**HOW** are integration indicators identified and developed?

Through consultation with stakeholders, experts, legal provisions.

**WHERE** does the data and information relating to migrant integration come from?

Central and/or local government, departments, questionnaires, interviews.

**WHEN** do we undertake integration assessments and at which level?

Centralised and/or decentralised assessment, annual or biannual assessment.

## Final Words

Any effective use of policy indicators should be subject to ongoing assessment and review. It is important that once the indicators and processes are developed that they are open to discussion and modification in order to reflect the emergence of new issues and objectives. In addition, they should also be open to improvement of measurement techniques and data availability.

Therefore, it is important that there is clear ownership of the policy and of the implementation of the indicators at government level. Furthermore, it would be beneficial to have a formal mechanism in place for reviewing the indicators through regular and open consultation with stakeholders, including experts, data providers and civil society.



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**General Programme Solidarity & Management of Migration Flows  
(2007 – 2013)**

This project is part-financed by the European Union  
European Fund for the Integration of Third-Country Nationals (IF)  
Co-financing rate: 75% EU Funds: 25% Beneficiary's Funds



*Sustainable Management of Migration Flows*