

**Voluntary Input to contribute to the Regional Review for the Global Compact for Safe,
Orderly and Regular Migration (GCM)
– Submission by the Republic of Malta -**

Reference is made to request made by United Nations Economic Commission for Europe (UNECE) and the International Organization for Migration (IOM), as Coordinator of the United Nations Network on Migration, the submission of voluntary inputs to contribute to the Regional Review for the Global Compact for Safe, Orderly and Regular Migration (GCM). In this regard, below is the voluntary input provided by the Government of Malta.

Objective 1 - Collect and utilize accurate and disaggregated data as a basis for evidence-based policies

Annual data compiled by the National Statistics Office of Malta on regular migration is published in line with Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection. Data compiled includes figures on immigrants by broad groups of citizenship, broad groups of country of birth, broad groups of country of previous usual residence, age and sex. Figures on emigrants provided are available by broad groups of citizenship, broad groups of country of next usual residence, age and sex. Furthermore, the usual residence population is compiled in line with Regulation (EC) No 862/2007 and No 1260/2013 and is available by broad groups of citizenship, broad groups of country of birth, age and sex. Annual data is also compiled for resident persons acquiring Maltese citizenship by country of citizenship, age and sex. This data is comparable to data provided at a European Union (EU) level and is provided in line with guidelines and definitions provided by Eurostat.

Moreover, data collected during the Census of Population and Housing collects information on person immigrating into the country. The Census is carried out approximately every ten years, with the next cycle being held in 2021. This exercise is carried out based on harmonised methodology which is established at an EU level.

Objective 3: Provide accurate and timely information at all stages of migration

Migrants arriving Malta irregularly by boat are taken to the Initial Reception Facility until medically cleared. Here, irregular migrants are informed of their right to apply for international protection by the International Protection Agency (IPA) as well as of any other relevant rights. Furthermore, the IPA provides information on the asylum procedure as per existing legislation and obligations under the 1951 Convention and relevant EU legislation.

UNHCR, relevant international organisations, legal counsels and relevant accredited NGOs are granted access to asylum seekers in Open and Detention Centres so full access to information is provided. Booklets in various languages are distributed and considered effective in the communication of relevant rights.

Identity Malta (IMA) implements the legislation and policies regarding the processing of residence permits to the categories of migrants in the legal migration remit. The Agency has a dedicated website in this regard <https://identitymalta.com/?lang=mt>.

Objective 4: Ensure that all migrants have proof of legal identity and adequate documentation

Migrants in the legal migration remit are provided with the necessary documentation to reflect their status. Malta is also in line with the civil status issues mentioned. Malta issues travel documents in accordance with ICAO standards and relative EU Regulations. The IPA issues protection certificates to those persons who have been recognised as being in need of international protection or temporary humanitarian protection.

Moreover, Malta ratified the 1954 Convention relating to the Status of Stateless Persons on 11 December 2019.

Objective 7: Address and reduce vulnerabilities in migration

During the time spent at the Initial Reception Centre, migrants are assessed by professionals from the Agency for the Welfare of Asylum Seekers (AWAS) with a view to identifying vulnerabilities. At the same time, where required, age verification procedures are initiated.

The vulnerability assessment procedure undertaken by AWAS takes into account potentially traumatic experiences undergone by the individual migrant. The condition and circumstances of the individual, both psychological and physical, are taken into consideration. If necessary, AWAS professionals call on the assistance of other specialised professionals whilst conducting vulnerability assessments, and in cooperation with relevant stakeholders, draw up a referral mechanism with a view to facilitating vulnerability assessment procedures.

Measures are in place to ensure that assessment is prompt and efficient as much as possible to ensure the right level of protection.

Migrant children in particular are vulnerable to over-crowding at reception and open centres which may lead to a lack of privacy and abuse; therefore, the setup of age-appropriate facilities to cater for children's needs remains a priority. The enactment of the Minor Protection (Alternative Care) Act (Chapter 602, Laws of Malta) was a positive milestone in this regard. The Act provides for, amongst other key factors, that "immediately after the registration of the minor and the issuing of appropriate identification documents, the Director (Protection of Minors) shall request the Court to provide for the tutorship and, or curatorship of the minor in accordance with the circumstances of the case and in the best interests of the minor." – Article 21(2).

Objective 8: Save lives and establish coordinated international efforts on missing migrants

Malta has invested in adequate resources to meet its international obligations; it has developed an array of national intervention resources that allow direct intervention with a significant part of the assigned SRR. Malta is also engaged with regional and global partners and has formal SAR Agreements with a number of neighbouring countries.

All such efforts are conducted in full respect of relevant instruments of international law fulfilling all SAR obligations as set out in the United Nations Convention on the Law of the Sea, applicable provisions contained within the IAMSAR. It is important to note that such obligations are adhered to regardless of the provenance and/or legal status of the persons requiring rescue.

Objective 9: Strengthen the transnational response to smuggling of migrants

Malta ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime on 14 Dec 2000, with accession taking place on 24 Sep 2003.

Identification of migrant smuggling cases has traditionally been comparatively easy, given that smuggled migrants would reach Malta by means of irregular boat crossings, mainly from Libya. Maltese legislation provides for the possibility of persons to cooperate with the Police in order to apprehend the smuggler; however in traditional cases of the sort, the smuggler would not be present in Malta.

The Maltese authorities, in particular the Police, cooperate on an ongoing basis with their counterparts in other States, so as to ensure that updated and relevant information is made available to all those concerned. Such cooperation covers several fields, of course including organised crime, as well as migrant smuggling and human trafficking.

National legislation transposing an EU Directive distinguishes the human trafficking and smuggling. In terms of human trafficking Government is currently implementing the 6th National Action Plan Against Human Trafficking (January 2020 – December 2023). Measures contemplated by such action plans demarcate the dissimilarities between smuggling of migrants and trafficking in persons. Professionals from within entities whose professional may encounter a potential/victim of human trafficking are provided with periodic training some of which target indicators of human trafficking. The Victims of Crime Act of the Laws of Malta delineates clearly the rights afforded to a victim of human trafficking victim, also indicating appropriate protection and assistance that shall be provided to such victims.

Objective 10: Prevent, combat and eradicate trafficking in persons in the context of international migration

Malta signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime on 14 December 2000, and ratified on 24 September 2003. The definition in this protocol is transposed in national legislation.

Victims of human trafficking encountered in Malta are not found to be in an irregular status. There have been no cases in Malta, so far, of child labour; however training and awareness raising were envisaged by both current and past actions plans and addressed employers, public officials and law enforcement officials, with the aim to strengthen capacity building with indicators of human trafficking in all forms.

Objective 11: Manage borders in an integrated, secure and coordinated manner

The task of managing external borders in an integrated and coordinated manner has been assigned to the Member States jointly with the European Border and Coast Guard Agency (Frontex). Frontex, in consultation with its Management Board, has comprehensively developed a technical and operational European integrated border management concept which features fourteen components. Malta implemented the fourteen components in its national integrated border management strategy. The strategy aims to reduce vulnerabilities present at the external borders based on comprehensive situational awareness, to enhance safety and

security of border crossings while reducing illegal and unsafe crossings, ensure sustained European border and coast guard capabilities and improve cooperation with neighbouring third countries. The concept of integrated border management takes into account border management policies that respect national sovereignty, obligations under international law, data protection safeguards and respect for fundamental human rights of all migrants, including vulnerable migrants.

Malta will contribute towards the Frontex Standing Corps pool of border guards and will contribute towards the technical equipment pool with assets deployed to safeguard the external borders and carry out search and rescue. The Armed Forces of Malta (AFM) have provided Libyan coast-guards with training in the past and will continue to provide support as necessary. Further cooperation by national authorities is possible through the Frontex Status Agreements with neighbouring countries such as Serbia and Montenegro.

Malta has also concluded bilateral agreements with non-EU countries regarding the combating of cross-border crime including abuse and trafficking of illegal drugs, terrorism and all forms of organised crime. The non-European countries with which Malta has such bilateral agreements are: Albania, China, Egypt, Georgia, Israel, Jordan, Libya, Montenegro, Romania, Russian Federation, South Africa, Qatar, Tunisia, Turkey, UAE, Ukraine, USA, and Uzbekistan.

A number of large scale centralised and decentralised IT systems at EU level have been and are being developed for the pre-screening of passengers, data transfer of passengers by air and sea carriers, screening of visa holders, identification of overstayers and travel authorisation for visa-exempt persons, all while upholding the principle of non-discrimination, respecting the right to privacy and protecting personal data.

Objective 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral

Alleged unaccompanied minors, family groups with children and other manifestly vulnerable persons are the first to be processed upon arrival at the Examination Area. If they declare to be underage and are unaccompanied, immediate action is taken to inform AWAS.

Irregular migrants who are undoubtedly children shall immediately be treated as such without recourse to any age assessment procedures. Age assessment shall be undertaken in all other cases.

Any irregular migrant claiming to be a minor who has however been found, upon completion of the age assessment procedure, to be an adult, is referred by AWAS to the Police authorities. Please also refer to notes on AWAS assessments described under Objective 7.

Transparency and accessibility of legal migration procedures is ensured by communicating the requirements through the IMA website. Applications for work/residence permits may be submitted online.

Objective 13: Use immigration detention only as a measure of last resort and work towards alternatives

The Monitoring Board for Detained Persons, which has been established by SL 217.08 to act as the National Preventative Mechanism for Malta in terms of the responsibilities as provided for in the Optional Protocol to the United Nations Convention against Torture carries out independent monitoring of migration detention.

The detention requirement in Malta has been waived with respect to vulnerable persons, including families with children, pregnant women and unaccompanied minors. The Reception of Asylum Seekers Regulations (420.06) also provide for recourse to alternatives to detention by Immigration Police. Such measures may have a duration of not more than 9 months and may take the form of:

- reporting at an assigned place within specified timeframes;
- residence at an assigned place;
- deposit or surrender of documents; or
- placing of a one-time guarantee or surety.

A Detention Order indicating the reasons for detention is issued in respect to all detained persons. A review of the detention of any person detained with a view to his or her return is carried out in order to ensure detention is short as possible and as a last resort. The first such review shall take place within no more than three months from the date when detention for the purpose of effecting return commenced.

The right to free legal aid for the first review of the lawfulness of detention, asylum seekers whose detention is being reviewed shall have access to the existing legal aid pool that assists those clients contesting the decision of the Chief Executive Officer of IPA at appeals stage. Reviews of the lawfulness of detention shall be heard by the Immigration Appeals Board.

Objective 15: Provide access to basic services for migrants

Migrants arriving irregularly are typically accommodated at Open Centres for 9-12 months, although this period may be longer if humanitarian considerations so dictate. Persons accommodated at Open Centres are provided with accommodation free of charge and, so long as they are not employed, with an allowance intended to cover daily expenses, such as meals and transport. Residents are offered integration-oriented and other courses intended to address skills gaps. Any minors forming part of family units, irrespective of the status of their parents or their own status, is given access to free State education. Individuals also have access to medical care and attention; vulnerable persons are offered additional support, be it psychological, medical or otherwise as required.

AWAS, the IPA, and IMA all have central offices, easily accessible by public transport. IMA has moved to Offices which have improved client service facilities.

Moreover, migrant children and youth do have access to quality education, both at compulsory school-age and at post-secondary level. Challenges may arise when young people of compulsory school-age do not wish to attend school but wish to engage in employment.

Objective 16: Empower migrants and societies to realize full inclusion and social cohesion

Family reunification is implemented through the relative legislation and policies, which are transparent. Decisions are open to challenge with the statutory established Immigration Appeals Board.

Moreover, Malta's authorities continuously evaluate and monitor the needs of learners to ensure that the education system promotes a culture of dialogue, creating a space for community building at the national level, through a number of best practices. Numerous measures have been undertaken in connection with the implementation of Malta's Migrant Integration Strategy and Action Plan - Vision 2020 "INTEGRATION = BELONGING":

- The Ministry for Education and Employment (MEDE) set up a One Stop Shop to provide dedicated services and a focal point for migrants' services on education and employment.
- Personal, Social, Career Development (PSCD) continues to be given paramount importance in the Maltese educational system, that promotes a human rights culture. Students develop skills and attitudes necessary for a complete integration of human rights. PSCD educators offer holistic learning that promotes the development of students' intellectual, emotional, social, physical, artistic and creative potentials.
- With regard to compulsory education, the setting up of the Migrant Learners' Unit has strengthened the provision for inclusive support for children from a migrant background. The programme enacted focuses on the learning of Maltese and English which are the languages of schooling in Malta. Other academic subjects are also taught thus adopting a Content and Language Integrated Learning (CLIL) approach. MEDE has set induction processes for newcomer migrant learners who cannot as yet communicate in the languages of instruction in Maltese state schools (Maltese and English). The induction process spans over one scholastic year and is held in over 20 schools and hubs all over Malta and Gozo. During the scholastic year 2019-2020, a new induction hub for students of secondary schooling age has been set up.
- Since 2011, MEDE has been involved in the Language Learning and Parental Support for Integration (LLAPSI and LLAPSI+) Projects, a series of EU-funded projects mainly through the Integration Fund (IF), the European Refugee Fund (ERF) and currently the Asylum and Migration Integration Fund (AMIF). Most of the projects focused on the upskilling of teachers, procurement of teaching materials and the development of learning and assessment tools.
- The current LLAPSI+ project also includes the recruitment of a team of Community Liaison Staff with the main objective of school outreach to support parents and guardians whose children are in schooling. The Migrant Learners' Unit also has the services of a social worker and a counsellor who work in the different schools and hubs.
- Through the LLAPSI+ project, the Migrant Learners Unit has also offered a summer intensive language course – the Language 2 Go! – with the aim of supporting newly arrived learners who are still struggling with learning the languages of schooling. The courses have been offered annually in four different sites in both Malta and Gozo.
- Apart from substantial language training components, the current LLAPSI+ project includes components such as 'Making Friends-Bringing Friends Clubs', an afterschool creative club with the aim of providing an opportunity for newcomer learners to work together and strengthen the relationship between different cohorts including EU nationals and the hosting community.
- From the side of Malta's main VET institution, the Malta College of Arts, Science and Technology (MCAST), the said College treats all prospective learners equally without any discrimination. However, prospective students, including migrants, who require additional information/support at that initial stage are provided with the various specialised services on campus. These outreach services include career guidance, both group and individual, assistance through the Integration Unit and sessions on how to access information. MCAST also carries out outreach activities to help out migrants to

engage themselves in VET. Through MCAST's contacts with migrant organisations and NGOs working in the field we provide with the required information on how to access services required including career guidance.

- MCAST also carries out outreach activities in secondary schools with particular focus on the preparation of migrant students. If the students are in their early secondary years, they will thus have time to prepare themselves in time to be able to choose their post-secondary education paths.
- With regards basic skills investment, through MCAST's learning support unit, students are supported in the basic skills at whatever level they are studying. The introduction of Maltese as a Foreign language in place of compulsory mainstream Maltese, not only ensured a fair possibility for student speakers of other languages to succeed in this unit but is also helping them in their integration process. MCAST also collaborates with Human Rights Directorate (HRD) by providing the service of Stage 1 lectures in Maltese, English and cultural awareness.
- The Department of Inclusion and Access to Learning of the University of Malta has been commissioned to design, deliver and oversee the implementation of an important part of the migrant integration process.
- As part of the University of Malta's internationalisation programme, it is seeking to attract a number of non-EU/EEA nationals to read for Masters and Ph.D. programmes in different areas of study, to strengthen the research and innovation dimensions of the University of Malta.
- Within the Ministry for Tourism (MOT), the Institute of Tourism Studies (ITS) also supports the Integration Strategy by prioritising a welcoming environment for foreign students and encouraging Maltese students to engage and assist them as well.
- The Directorate for Research, Lifelong Learning and Employability within the Ministry for Education and Employment pursues a policy of inclusivity. Lifelong learning courses are open to both Maltese and non-Maltese nationals. The Directorate has developed courses in Maltese-as-a-foreign-language (MFL) and English-as-a-foreign-language (EFL). At enrolment stage, asylum seekers and beneficiaries of international protection are given the same rights as Maltese and EU citizens. Courses in EFL and MFL offered by the Directorate for Research, Lifelong Learning and Employability within MEDE are accredited and lead to the awarding of a General Education Award at Malta Qualifications Framework (MQF) levels 1 and 2. Furthermore, to increase accessibility, courses by the Directorate for Research, Lifelong Learning and Employability within MEDE are offered at a minimal cost, including free of charge to certain cohorts. The same Directorate also periodically offers courses targeted at specific migrant groups, in partnership with NGOs working with such cohorts.
- The Institute for Education's initial teacher training courses include modules on inclusive education. It also offers accredited short courses on multiculturalism in education, how to include international learners in the learning experience classroom and courses that empower senior management teams in schools to create a multicultural environment. The Institute is also creating supporting resources for schools to choose from according to their particular needs and demographics.
- Furthermore, since 2016, the Maltese Government has invested numerous resources in the validation of non-formal and informal learning (VNFIL). To this effect, since 2016, the National Commission for Further and Higher Education (NCFHE) within MEDE published 75 National Occupational Standards through its seven sector skills units covering different sectors including hospitality and tourism, building and construction. The validation of non-formal and informal learning is as per S.L 327.432 which determines that NCFHE can establish sector skills units (SSU) which represent the

economic sector, education and training, government and social partners and workers' representative within the specific sector. The national occupational standards (NOSs) help employers and employees to match the skills to their role, thus enabling upskilling through the validation assessment and career development. Through the European credit system for vocational education and training (ECVET) project, the NCFHE disseminated information about VNFIL by publishing leaflets, organising seminars, webinars and conferences and updating the national occupational standards. Furthermore, the NCFHE signed various memoranda of understanding (MOUs) with third parties for them to carry out the validation assessment, and until mid-2020 more than 500 awards have been issued through the validation of non-formal and informal learning.

- Additionally, from an employment perspective, Malta's Public Employment Service, Jobsplus, offers courses aimed at helping individuals acquire transversal or specific skills which are labour market related. Different types of courses are available, varying from short courses to vocational courses pegged to the Maltese and European Qualification Frameworks. A foreign person who would like to attend a Jobsplus' course must be in possession of a residence card or residence permit. Refugees, asylum seekers and failed asylum seekers, persons granted the status of subsidiary protection or temporary humanitarian protection can benefit from training programmes offered by the Jobsplus, provided that they submit supporting documentation with their application and subject that the usual eligibility criteria to participate in such initiatives are fulfilled.

Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences

The digitalisation of requirements, procedures and formalities relating to the mutual recognition of professional qualifications is already covered by Directive 2005/36/EC (PQD) and subsequent amendment. In this regard, the information provided as necessary by the Mutual Recognition Coordinator (MRC) and the designated authorities in covering the area of mutual recognition of professional qualifications, should ensure that such mutual recognition of professional qualifications complies to both the PQD and necessary regulation as to assist professionals moving cross-border.

From an education perspective, with regards the facilitation of mutual recognition of skills, qualifications and competences, at application stage, recognition of qualifications are handled on a case by case basis.

From an employment perspective, Jobsplus has set up Trade Testing in order to assess individuals who have acquired knowledge, skills and competence in a particular occupation but do not possess a formal qualification. Through trade testing, a person is assessed in a particular area by sitting for the following types of assessment: interview; portfolio; theory test; and practical test.

Candidates who successfully pass from the trade test are awarded a Certificate of Competence in that particular occupation. In the case where assessment takes place under the validation process the certificate is issued by the NCFHE. Upon application, applicants are provided with the assessment criteria, which serves as a guideline to establish whether the individual is up to the expected level to sit for a Trade Test/Validation Process. The applicant must be literate as all Trade Testing/Validation Process include a written examination. Depending on the level of

Trade Testing/Validation Process, arrangements may be made to individuals having literacy problems.

Refugees and other TCNs who have been granted long-term resident status can register for employment with Jobsplus, and are therefore eligible for all the services offered to persons on the Jobsplus unemployment register. Such services include being assigned an Employment Advisor who offers support and guidance in the job search process by assisting the jobseeker in developing a Personal Action Plan. The Employment Advisor also refers the jobseeker to training programmes, employment schemes and other initiatives. In cases where jobseekers are considered as disadvantaged these are referred to the Inclusive Employment Services. This unit offers services specifically designed to help disadvantaged individuals who have a harder time finding work.

Whilst jobseekers holding Refugee status can benefit from the services as outlined above, persons who enjoy Subsidiary Protection and Temporary Humanitarian Protection are offered a parallel service under the 'Supported Employment Services for Migrants'. This is a project which is part-financed under the Asylum, Migration and Integration Fund (AMIF 11.01) and was specifically developed in accordance to identified needs of this client group with the aim of facilitating the transfer and integration of migrants to employment. Asylum seekers are also eligible under this project.

The services launched in 2017 included:

- a) Guidance Services for Migrants – these services include initial outreach and the provision of employment guidance.
- b) Job Brokerage Office – this consists of a new office dedicated specifically to facilitating the placement of migrants in short-term placements.

Following initial piloting of the basic services mentioned in points a and b, Jobsplus decided to further extend these services in order to ensure more holistic support to eligible migrants and is currently working towards offering the following additional services:

- Guidance Services for Migrants – tailor made basic training (English and Maltese for employment are already being offered and other training is being planned) and additional support services including the provision of interpreters and cultural mediators, occupational therapists and psychologists. Jobsplus will also offer the provision of specialised training for staff in contact with migrants.
- Job Brokerage Office – promotion and further marketing of this new service amongst both employers and migrants.

Furthermore, the project will include general marketing of relevant services amongst both eligible migrants and employers. The relevant documents will also be translated and published in Arabic, Tigrinian, Eritrean and Somali.

In addition to this specialised service, beneficiaries of international protection can also access a number of mainstream services at the various Job Centres managed by Jobsplus such as accessing information on current vacancies and training courses as well as participate in certain active measures such as training programmes including traineeships and work exposure schemes.

Migrants using Jobsplus's guidance services are profiled using the mainstream profiling system of the Public Employment Service, this allows for easy matching with vacancies. The Job

Brokerage Scheme mentioned above, uses a slightly different database which includes details which are more relevant to the particular requirements received by the office. This allows the office to provide better brokerage assistance to place migrants based on the skills required by the employer and the skills and availability of the working age migrant.

Moreover, in 2014, Jobsplus, published a manual on Living and Working in Malta targeted at TCNs. This manual was translated in 8 languages, which languages were chosen in relation to the third country nationals who are already working in Malta. The publication includes information on moving to Malta, employment, conditions of work, working time, leave, living conditions, private life and useful links. Although not yet published, under the AMIF 11.01 project, Jobsplus plans to publish information aimed at helping both jobseekers and employers.

During the COVID-19 emergency, Jobsplus suspended its front-office services and clients were being encouraged to either contact the entity via phone or electronic services. A special service was setup within Jobsplus to assist residents whose employment was terminated. This was a temporary measure and those that contacted Malta's Public Employment Service, Jobsplus, during the partial lock-down and a few months post-lock down were and are still being assisted, however Jobsplus are not taking on new cases now that the situation in Malta has settled. The allocated employment advisers guide clients when it comes to job search, they also take a basic profile which focus mainly on information related to skills, work experience and job preferences in order to match with any available vacancies. Through the Vacancy Unit Jobsplus is also assisting employers seeking new recruits.

Objective 21: Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration

Malta operates an Assisted Voluntary Return and Reintegration (AVRR) Programme in cooperation with IOM. The aim of AVRR projects is to facilitate and assist the voluntary return of migrants to their country of origin, as well as their reintegration upon their return thereto through a package of assistance. The delivery of such packages of assistance is not only intended to assist the individual returnee, but also the community to which the returnee returns, as he or she is assisted in becoming an active contributor to the community's development.

Such projects provide targeted assistance to the returnees concerned mainly in terms of in-kind assistance, which includes a tailor-made reintegration programme. Some of these programmes include business start-up grants or grants to further education in the home country. Moreover, a small financial allowance is provided to the migrants in question prior to returning to their country of origin. Maltese authorities together with IOM try to increase the effectiveness of such returns by promoting AVRR projects in Malta within the migrant community. Such efforts are primarily conducted in detention and open centres.

The Maltese authorities regularly hold bilateral discussions with a number of countries of origin in order to strengthen cooperation in return.

The entity responsible for forced return monitoring in Malta is the Monitoring Board for Detained Persons. The Board is entrusted with such function by the Monitoring Board for Detained Persons Regulations issued under the Immigration Act. Forced Return Monitoring may commence once a decision to forcibly return a third country national has been taken and is to be effected. Immigration Police inform the Monitoring Board accordingly and provide the required documentation relating to the forced return.

The Monitoring Board has complete access to the third country national being returned and may visit the prospective returnee at any stage during the detention process, during transportation to the airport, as well as at the airport itself. Moreover, if considered necessary by the Monitoring Board, it may also monitor the return flight by means of a representative of the Board who joins on board the return flight as an observer.

As part of the Forced Return Monitoring (FReM), project implemented by ICMPD, which is now in its third phase, two Maltese monitors received the relevant training to assist authorities in return operations.

Objective 22: Establish mechanisms for the portability of social security entitlements and earned benefits

Although Malta does provide for export of pensions worldwide, this is conditional upon the person having completed enough years of contributions within the national scheme (also taking into account any insurance periods completed in the EU or Australia or Canada or New Zealand where a bilateral agreement is in force). However, this is not possible when the person does not satisfy the eligibility requirements. The possibility of ratifying a separate bilateral agreement with each country where a migrant moves to, is simply not feasible. The ratification of a bilateral agreement needs to be proportional with the objective pursued, mostly depending on the number of persons covered. Prior to deciding whether to proceed for the set-up of a bilateral agreement, both countries need to factor in the anticipated benefits. Furthermore, there may be countries who do not even have the administrative set up to enable such arrangements.