

NATIONAL STRATEGY

2025-2035

for Poverty Reduction and Social Inclusion.



Migrants, Poverty and Inclusion

Working Paper to the Poverty Reduction and Social Inclusion Strategy: 2025-2035

Appendix 07

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ABSPO	Measuring and Monitoring Absolute Poverty
AROP or AROP-60	At the Risk of Poverty or At the Risk of Poverty with a 60% median income threshold
EC	European Commission
EU	European Union
EUC	European Union Citizens
IPA	International Protection Agency
LTRP	Long-term residency permit
MCH	Mount Carmel Hospital
MPF	Malta Police Force
MS	Member State
MSD	Material and Social Deprivation
PPP	Purchasing Power Parity
SDG	Sustainable Development Goals
SDP	Statelessness Determination Procedure
SMD	Severe Material and Social Deprivation rate
SRA	Special Residence Authorisation
TCN	Third Country Nationals
THP	Temporary Humanitarian Protection
TP	Temporary Protection
UNHCR	United Nations High Commissioner for Refugees



01. Introduction

Migrants in Malta are classified into three groups. The **first** relates to migrant workers specifically targeted to support economic growth - in economic sectors requiring both highly skilled and low-skilled workers. This category of workers, consisting of EU citizens (EUC) and Third Country Nationals (TCN), has grown significantly since 2013 due to the requirement for human capital since Malta has, except for the COVID-19 pandemic, sustained full employment during this period.

The **second** relates to asylum-seekers, refugees, and persons requiring subsidiary protection. Over the same period, this category of foreigners, TCNs, has fallen compared to previous years as Malta has experienced a lower uptake of such migrants entering Malta through illegal crossings from North Africa or Italy. Between 1st January and 31st December 2021, the United Nations High Commissioner for Refugees (UNHCR) recorded 832 sea arrivals to Malta. This is a 63% decrease from the previous year (2,281 sea arrivals to Malta from January to December 2020).¹ Nevertheless, during this period, Malta saw an increase in Ukrainian migrants under the EU Temporary Protection Directive following Russia's invasion. The **third** group relate to irregular migrants from non-European Union (EU) Member States (MS). Irregular migrants who come to Malta from an EU MS are repatriated to that MS where they are registered. Where they cannot be returned because of lack of documentation, they are registered by the Malta Police Force's (MPF) Immigration Department and provided with a 'Yellow Passport'. **Table 01** presents the schemes under each of these groups. **Annex 01** presents the benefits entitlements to these groupings.

Table 01: Third Country Nationals in Malta by Grouping²

Regular	Admitted based on:
	<ul style="list-style-type: none"> ○ Long-term residence. ○ Family reunification. ○ Research, studies, training and voluntary service. ○ Work, including highly skilled workers & seasonal workers. ○ Key Employee Initiative ○ Special Residence Authorisation (SRA). ○ Partner Permit. ○ Religious Order. ○ Humanitarian Permit outside the remit of asylum.

¹ Pg 22, Country Report: Malta: Asylum information database: 2021 update, aditus Foundation and European Council on Refugees and Exile,

² Pp 6-9, Grech, S., Documentation: Turning the Tables, Facilitated by African Media Association Malta, Parliamentary Secretariat for Reforms and Equality, 2021; <https://aditus.org.mt/know-your-rights/> (accessed on 12th April 2024).

Protection	<p>This is provided under different schemes:</p> <ul style="list-style-type: none"> ○ Upon arrival, individuals can lodge an asylum application with the International Protection Agency (IPA). Once lodged, they are given asylum seeker status. Asylum seekers are provided with an identification document, usually renewed every 6 months, whilst their status is pending. They could also be given a "yellow book" by the Immigration Police. Asylum seekers can hold this status for quite some time while the decision of their asylum case is pending. ○ If an asylum seeker is rejected after the appeals process, they become a rejected asylum seeker. They may be given a "yellow book" by the Immigration Police, which serves as an identification document. Rejected asylum seekers possessing this "yellow book" can access employment (3-month work permit in the employer's name), emergency healthcare, and state education. ○ Refugees are people who have fled war, violence, conflict or persecution and have crossed an international border to find safety in another country. Refugees are defined and protected in international law. ○ Subsidiary Protection is an EU status granted to persons who do not qualify for refugee status but would face serious harm if returned to their country of origin. ○ Temporary Humanitarian Protection (THP): A national status granted by the International Protection Agency to failed asylum-seekers who may not be returned to their country of origin due to humanitarian reasons. Article 17A of the International Protection Act regulates it. ○ Temporary Protection for Persons fleeing Ukraine: On 4th March, the European Union activated the Temporary Protection Directive (2001/55/EC) for spouses, minor unmarried children and close relatives displaced from Ukraine on or after 24th February 2022.
Irregular	<p>Who enter Malta without the necessary visa or requirements to enter or those who enter regularly and become irregular for various reasons. These migrants generally would not have a residence document issued by Malta. However, if they arrived irregularly and passed through the asylum system, they would be provided with a police document. This document does not equate to regularisation. However, it is an identification document that enables the persons concerned to work in Malta if they do not come from a safe country as defined by the Schedule to the International Protection Act.</p>

Over the past decade, Malta has seen its migrant population increase dramatically. The influx of migrants is primarily induced to meet the human capital demands of both economic and social sectors. The demand for it outstrips the supply of national highly to low-skilled human capital. The demand for migrant competencies and skills across Malta's economy and social value chain is complex and propelled by many factors.

On one part, migrant human capital is and continues to be required because Malta did not have a pipeline of ready, highly skilled specialists and competencies required for advanced manufacturing (aviation, pharmaceuticals, etc.) and the new economy (ICT, iGaming, digital gaming, financial services, etc.) as these started to be developed in the 2000s. It takes time, factored in years, to build such human capital. Furthermore, as these advanced manufacturing and new economy sectors took root and started to grow, local human capital alone could not match the supply required to sustain such growth.

In an ageing society, national human capital supply alone does not suffice to meet the demand of carers in the longer-term care industry - whether at an institutional level or for providing home care support at an individual level. A similar human capital gap between supply and demand, ranging from high to low skills and competencies, prevails in the health sector, allied professions, and jobs.

Furthermore, as the number of Maltese people following further and higher education increased significantly over the past two decades, the prevalence of Maltese willing to work in low-paid jobs decreased - creating demand for imported labour in, for example, the hospitality, industrial, waste, sectors amongst others. Additionally, the construction boom since 2013 has created a significant demand for skilled and low-skilled labour across the building sector eco-system, which the national labour supply alone cannot meet. Malta, therefore, in so far as it continues to enjoy full employment resulting from sustained high economic growth and develops highly specialised new economic sectors, will also need to meet the social aspirations in terms of education, health, long-term care, etc. of an advanced and mature society. A significant migrant population will continue to be a constant and complex factor of Malta's social fabric. This is also particularly so within the context of Malta's demographic profile - where, as shown in **Figure 01**, given Malta's low fertility rate, the demographic labour supply of Malta's population of people 24 years and younger as of 2021 faces significant pressures.

Figures 1a and 1b present a time series for the period 2009-2019 in Malta concerning migrant indicators which are discussed in this working paper. Of concern, is the increase in the people at AROPE concerning both EUCs and TCNs during this period. In the case of EUCs, the rate has risen from 19% to 23%, marking a 4-percentage point increase, while for TCNs, it has gone up from 25% to 30%, showing a 5-p.p increase. On the positive side, concerning TCNs, the level of education increased from 27% to 41%, by 14 p.p.

Figure 1a: EUCs in Malta – 2009-2019 - %³

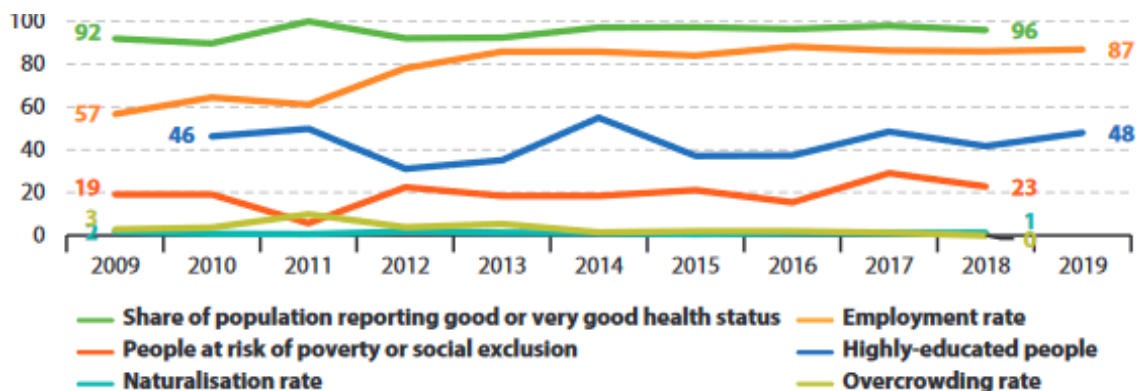
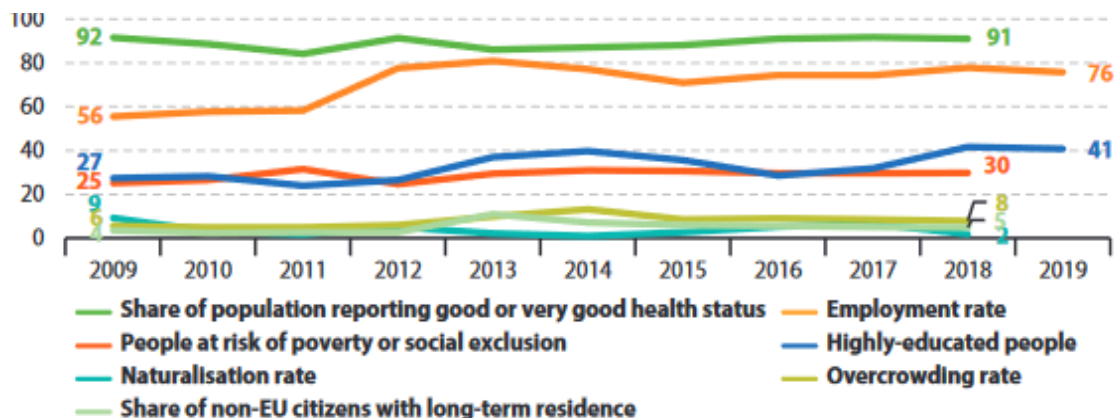


Figure 1b: TCNs in Malta – 2009-2019 - %⁴



³ Pg 137, Migration Integration Statistics, 2020 Edition, Eurostat, European Commission, 2021.

⁴ Ibid.

02. General Perspectives on Economic Migration Impacts on Migrants and Local Workers

A non-exhaustive review of the literature on the impact of poverty on employment-based migration is presented in **Table 02**.

Table 02: Economic impact of migration

Migrant Workers	Labour migration can have a direct, immediate and substantial effect on the poverty of migrants themselves due to income increases. ⁵
	Are likely to be more exposed to occupational health risks and death – with more reported incidents of illness and injuries – than local workers in the same occupation. ⁶
	They will likely live in slums or poorer urban areas or crowd together to afford rent. ⁷
	They are likelier to enjoy very few rights at work and be subject to abuse in terms of compensation, protection under the law, etc. ⁸
	Create some multiplier effects on the economy of the country they migrated to.
	The sending of remittances increases the well-being of families and relatives in their country of origin. ⁹
	Sending remittances back home may increase the migrant's potential for increased poverty whilst working as immigrants due to their lower disposable income. ¹⁰
	Migration improves health, education access and outcomes, particularly for children. ¹¹
	Migration can incur high costs, even before departure. This includes the costs of procuring passports, a visa, work permits and/or the recruitment process. Migrants may secure the services of a travel agent, migrant broker or smuggler, and the costs of the journey itself can be high, especially if protracted and/or irregular. These costs can be excessive – low-skilled migrants often pay more than a year's worth of future income. ¹²
	At times, wages paid by employers are lower than promised or unpaid. Wages can be irregular, particularly for those in the informal economy, making it difficult for migrants to sustain themselves. ¹³

⁵ Hagen-Zanker, J, et al, Poverty, migration and the 2020 Agenda for Sustainable Development, Swiss Agency for Development and Corporation, 2017.

⁶ Economic and Social Commission for Asia and the Pacific, Looking into Pandora's box: the social implications of international migration in Asia: Asia-Pacific Population and Social Studies Series No. 164. US, 2008.

⁷ Human Development Report 2009 – Overcoming Barriers: Human Mobility and Development, UNDP, 2009.

⁸ Freemantle, I., Impact of Internal and International Labour Migration: South Africa, Research Programme Consortium on Migrating out of Poverty, University of Sussex, 2011.

⁹ Migration and Remittances Factbook 2011 (2nd Edition), World Bank, 2011. World Bank.

¹⁰ Watkins, K. and Quattri, M., Lost In intermediation: how excessive charges undermine the benefits of remittances for Africa. London, 2014.

¹¹ Hagen-Zanker, J, et al, Poverty, migration and the 2020 Agenda for Sustainable Development, Swiss Agency for Development and Corporation, 2017.

¹² Addressing governance challenges in a changing labour migration landscape, International Labour Organisation, 2017.

¹³ Hagen-Zanker, J., et al., Migration from the margins: mobility, vulnerability and inevitability in mid-western Nepal and north-western Pakistan, 2014.

	<p>Migration policies have become increasingly selective based on skills, with fewer opportunities for poor and less-skilled aspiring migrants. Selective immigration policies facilitate the entry of skilled workers but are also used to justify the discrimination and/or denial of rights to low-skilled workers. This has direct implications for the potential of migration to reduce poverty as it prevents the low-skilled, who are more likely to be poor, from accessing regular migration pathways. It also potentially causes 'brain waste' amongst those who are slightly better off, can afford to finance migration, and can access regular migration pathways but often end up working in low-skilled jobs in host countries.¹⁴</p>
	<p>Even in countries where refugees and asylum seekers are legally permitted to work, access to formal labour markets is often limited by obstacles, including encampment policies, movement restrictions, or bureaucratic hurdles to obtain work permits. Many refugees and asylum seekers, thus, resort to working informally. Most host countries have large informal sectors where migrants work irrespective of formal rights, and restrictions on the right to work are not enforced.¹⁵</p>
<p>Host Countries and National Workers / Citizens</p>	<p>Research suggests an increase in the number of migrants corresponding to 1% of the UK-born working-age population, resulting in a small increase in average wages of 0.1 to 0.3% - in part, this increase is likely because many migrants are overqualified for their jobs. Their higher productivity generates a 'surplus' shared across the UK-born workforce.¹⁶</p>
	<p>Effects of migration on workers within specific wage ranges or in specific occupations are more significant; the greatest wage effects have been found for low-wage workers. For example, the UK Migration Advisory Committee's (2012 analysis of Dustmann et al.'s (2008)) study suggests that the results imply that 10,000 additional migrants would result in a decrease of £1 per year for the first decile of the wage distribution and an increase of £5.40 per year for the ninth decile of the wage distribution.¹⁷</p>
	<p>Research suggests that in some high-income host countries, refugees substitute for host workers with whom they compete directly.¹⁸</p>
	<p>Any adverse wage effects of migration are likely to be greatest for resident workers who are themselves migrants. Studies relating to the UK suggest that this is because the skills of arriving migrants are likely to be closer substitutes for the skills of migrants already employed than for UK-born workers.¹⁹</p>
<p>Low-skilled workers born in the receiving country have a relative advantage over low-skilled migrants in tasks that make greater use of local cultural knowledge and communication skills. Evidence for most high-income countries suggests that low-skilled natives respond to migration by moving into jobs with more cultural and communication skills and fewer manual skills. A typical example is a construction company that hires more migrants to do manual tasks (e.g. bricklaying). The additional migrant workers and the related increase in business activity may require more construction supervisors and sales representatives. These roles require cultural and communication skills for which migrants are less competitive.²⁰</p>	

¹⁴ de Haas, H., Natter, K. and Vezzoli, S., 'Growing restrictiveness or changing selection? The nature and evolution of migration policies', International Migration Review, July 2016.

¹⁵ Forcibly Displaced - Toward a Development Approach Supporting Refugees, Internally Displaced Persons and Their Hosts, World Bank, 2017.

¹⁶ Dustmann, C., et al., The effect of immigration along the distribution of wages. CReAM discussion paper series 0803. London: Centre for Research and Analysis of Migration (CReAM), Department of Economics, University College London, 2008.

¹⁷ Migration Advisory Committee (2012) Analysis of the impacts of migration. London: Migration Advisory Committee.

¹⁸ Sazin, Z., The impact of forced migration on the labor market outcomes and welfare of host communities, Reference Paper for the 70th Anniversary of the 1951 Refugee Convention, World Bank, 2021.

¹⁹ Vargas-Silva, C., et al, The impacts of international migration on poverty in the UK, Joseph Rowntree Foundation, 2016.

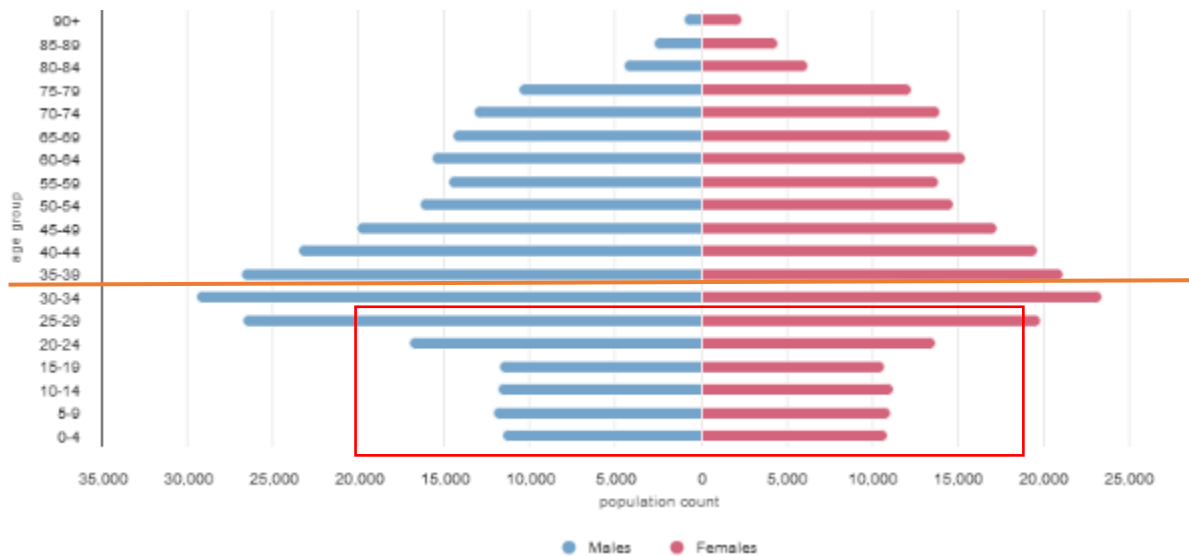
²⁰ D'Amuri, F. and Peri, G., 'Immigration, jobs and employment protection: evidence from Europe before and during the Great Recession', Journal of the European Economic Association, Vol. 12, No. 2, pp. 432-64, 2014.

	<p>There are numerous ways in which forced migrants can affect the welfare of host communities. In addition to expanding the labour supply (the focus of this paper), migrants can directly impact host communities by: (a) increasing demand in consumer markets leading to price increases, with important implications for household welfare; (b) increasing demand in the housing market leading to increases in rental prices, particularly in low-income areas, benefiting landlords but hurting those who rent; (c) increasing demand for land and natural resources, with associated risks of environmental degradation; (d) increasing the burden on infrastructure and demand for public services, leading to declines in the quality or access of public services, or possible detrimental impacts on health and education outcomes for host communities; (e) increasing demand for food, which may lead to food shortages and adverse effects on food security in certain settings; (f) increasing the transmission of infectious diseases; and (g) diffusing different social or gender norms, such as norms of gender equality. Moreover, the presence of forced migrants may lead to perceived or real increases in crime and security threats.²¹</p>
	<p>Public resistance to more inclusive refugee policies is often motivated by concerns that the economic inclusion of refugees and asylum seekers would adversely affect the labour market outcomes and welfare of host populations or that formalising the economic integration of refugees and asylum seekers would act as a disincentive for them to return to their countries of origin.²²</p>

03. Migrants' Impact on Malta's Demographics

The Census found that in 2021, more than 1 in 5 residents were foreign, with 115,449 non-Maltese persons residing in Malta. Foreigners were predominantly males (59.3%) and younger than their Maltese counterparts. The average age among foreigners stood at 34.9 years, while the average age of Maltese was 43.6 years.

Figure 02: Malta's Demographic Profile: Population under the age of 24 years - 2021²³



TCN constitute 65.3% of the total foreign population in Malta. Italians made up the largest share of non-Maltese citizens, accounting for 12% (13,838) of the foreign population. A further 9.2% were British

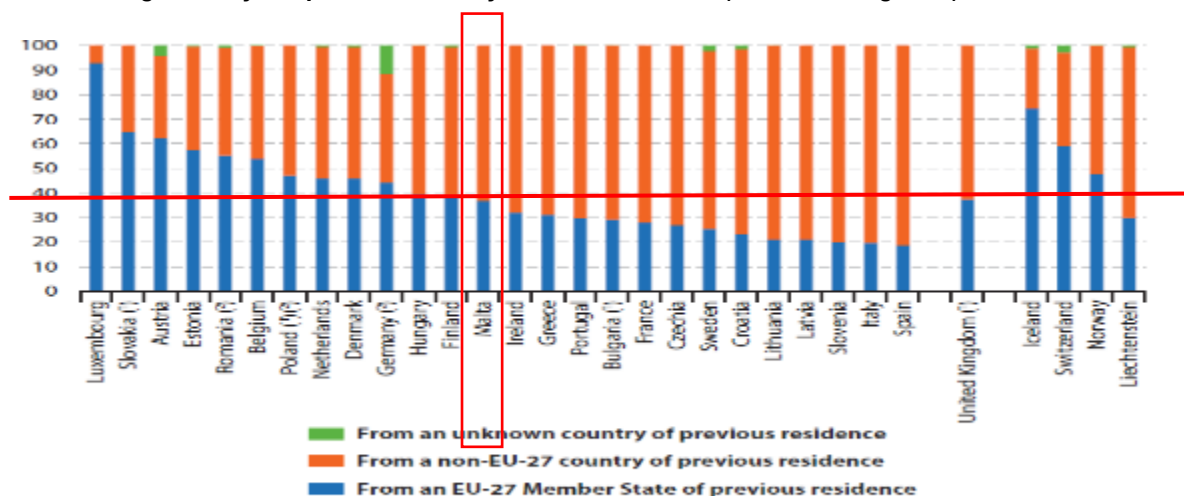
²¹ Sazin, Z., The impact of forced migration on the labor market outcomes and welfare of host communities, Reference Paper for the 70th Anniversary of the 1951 Refugee Convention, World Bank, 2021.

²² Ibid.

²³ <https://nso.gov.mt/world-population-day-11-july-2023/>.

(10,614). The largest share of TCNs was Indian, at 16.2% (7,764), followed by Filipinos (15.8%).²⁴ As shown in **Figure 03**, the fact that Malta's migration population is largely made of TCNs is not unique. It is a profile that prevails in all but 6 of the MS of the EU.

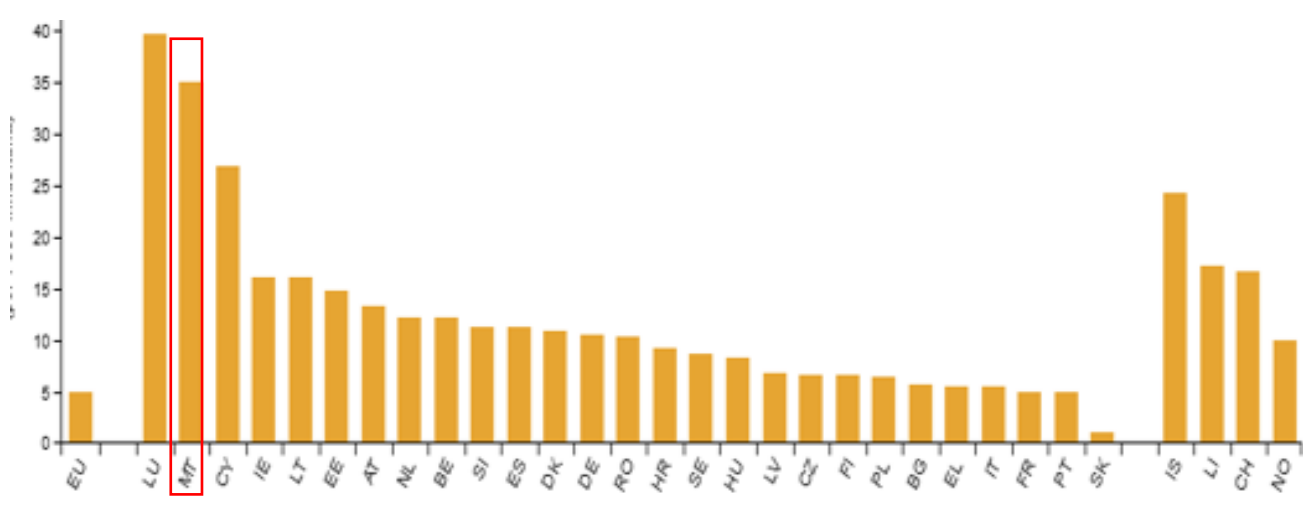
Figure 03: Immigration by the previous country of residence, 2018 (% of all immigrants)²⁵



Note: Cyprus, not available (no detailed data by individual country available).
 (P) Provisional.
 (E) Estimate.
 Source: Eurostat (online data code: migr_imm12drv)

Compared to other MS, Malta, as shown in **Figure 04**, ranked second in 2021 in terms of migrant intake - at 35 immigrants per 1,000 inhabitants, ranks second in terms of the influx of immigrants - preceded by Luxembourg. Nevertheless, as shown in **Figure 03**, over 90% of the migrant population intake in Luxembourg was by EUCs.

Figure 04: Immigrants Influx in Malta and Member States in 2021²⁶



²⁴ Pg 115, Census of population and housing 2021: Population, migration and other social characteristics, Final Report, National Statistics Office, 2023.
²⁵ Pg 23, Migration Integration Statistics, 2020 Edition, Eurostat, European Commission, 2021.
²⁶ https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Migration_and_migrant_population_statistics.

04. Composition of Migrants in Malta

The 2021 Census shows that 22.4% of persons in Malta were foreign, while the share was slightly lower at 19.5% in Gozo. ²⁷ As presented in **Figure 04** below, certain regions show a predominantly higher share of foreigners.

Figure 05: Percentage of Non-Maltese Population in Malta 2011-2021 by District²⁸

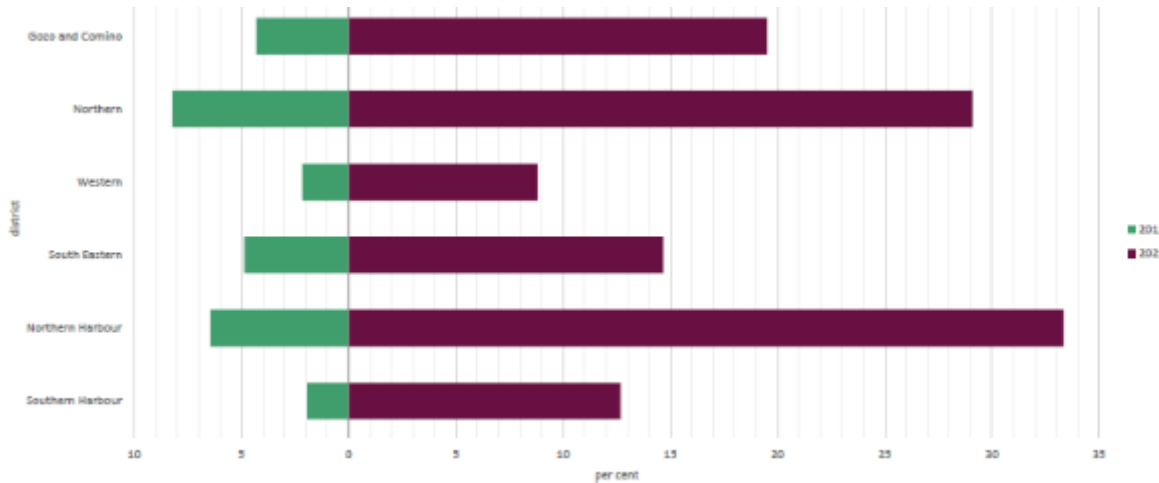


Figure 06 shows that 14,822 persons immigrated to Malta in 2020 (before the Census), more than three times the figure reported in 2011 (4,178 immigrants). The majority were males (58.4%), and the largest share was aged between 20 and 39 years (63.7%).²⁹

Figure 06: Distribution of immigrants within one year before the Census by nationality: 2011-2021³⁰

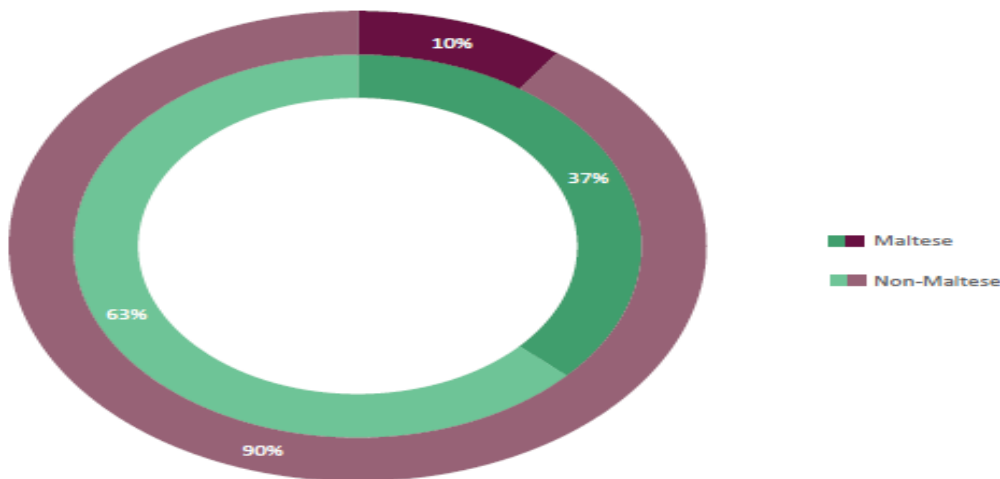


Figure 07 below presents the migrant population by age compared to the Maltese population. The largest migrant group by age is between 30 to 39 years - 37,394 or 32.4%. Between 2011 and 2021, the 30 to 39 age group increased by 31,477 individuals in the Malta region and 1,477 in the Gozo and Comino regions.³¹ Nearly 50% of this migrant population, 18,796, lives in the Northern Harbour region.³²

²⁷ Pg 115, Census of population and housing 2021: Population, migration and other social characteristics, Final Report, National Statistics Office, 2023.

²⁸ Ibid, 2023.

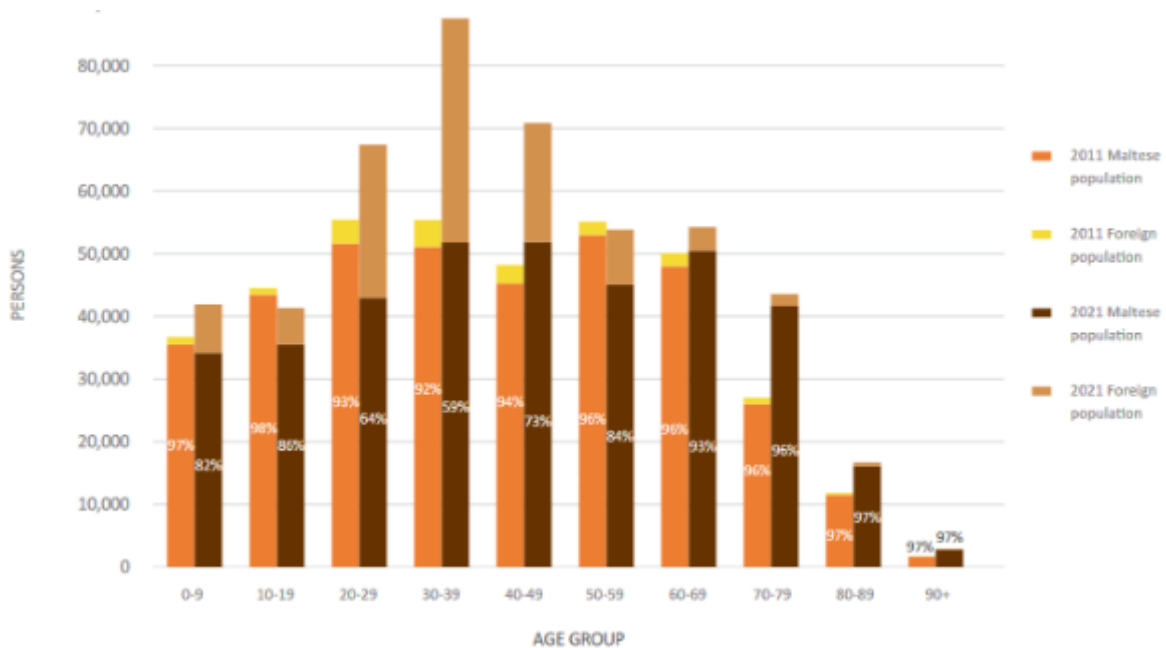
²⁹ Pg 113, Ibid, 2023.

³⁰ Ibid.

³¹ Pg 16, Regional Statistics Malta, 2023 Edition, National Statistics Office, 2023.

³² Pg 24, Ibid.

Figure 07: Maltese and foreign population structures in Malta region by age group and selected years³³



The second largest migrant population age group is between 20 and 29 years - at 25,637 or 22.2%. Again, nearly 50% of this migrant age cohort, 12,818, is concentrated in the Northern Harbour region.³⁴ This is followed by the 40 to 49 age cohort - at 20,233 persons or 17.5%. 43.3% of this age cohort lives in the Northern Harbour region. In essence, 45.4% of the migrant community is concentrated in this region.³⁵ The migrant population aged 0-9 is 8,161 persons or 7.1%, and that aged between 10-19 is 6,291 persons or 5.4%. This brings the migrant population under 20 to 12.5% of the total migrant population.³⁶ This compares to the Maltese population in the same age groups: 0 to 9 years at 39,480 constitute 9.5%, whilst the 10 to 19 years, at 48,430, 11.6%.³⁷ At 21.1%, the Maltese under 20 years of age population stands at 21.1% - 8.6 percentage points (p.p.), larger than the migrant population within the same age group.

05. Migrants in Malta's Labour Force

Importing migrants does not necessarily result in a direct correlation between immigration and poverty. Economic migration can take two forms.

The first form is targeted economic migration. This consists of a national strategic policy orientation for a country to import competencies and skills as discussed earlier, to establish and sustain the growth demands of new economic sectors, traditional (old economy sectors), bridge gaps between demand and supply of human capital requirements in social sectors such as health, etc. The employment benefits required to attract such migrants to Malta are not uniform across the economic and social value chain. They depend on the specialised competencies and skills required, the international demand for such skills, and the country of origin where they are acquired.

Thus, attracting economic migrants to Malta from the EU and the TCNs with highly specialised skills and competencies in international demand - for example, ICT - will likely hold compensation packages higher than those awarded to their Maltese counterparts. On the other hand, targeting migrants who hold specialised skills and competencies who face low standards of living in their country of origin are likely to be attracted to come to Malta at compensation packages which, whilst lower than that of their Maltese counterparts, are more significant than those they would receive in their countries.

³³ Pg 16, Ibid.

³⁴ Pg 24, Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Pg 22, Ibid.

The demand for labour means that poor men and women are likely to migrate to Malta to take advantage of job opportunities and better wages. Thus, poor people may be willing to accept targeted opportunities to migrate into low-skilled jobs in Malta, particularly if they hold specialised skills and competencies, as they may see this as a stepping stone for rapid social and economic mobility in Malta or as a means to move to higher paid jobs in other MS and elsewhere. In the immediate to medium term, this form of economic migration may negatively affect existing Maltese workers if the migrant's skills are substitutes for, or complementary to, those of existing workers before the labour market adjusts to the arrival of new workers. If the skills of migrants are substitutes or complement those of existing Maltese workers, even in a situation where demand outstrips supply, migration can be expected to increase competition in the labour market and reduce wages.

The second form is illegal or irregular economic migration. This form of economic migration is undertaken by energetic and resourceful individuals who move as part of their effort to improve their lives and the lives of their families or to flee war, insecurity, political or religious harassment, famine, etc. Invariably, individuals in this situation often end up in vulnerable positions upon reaching Malta, increasing their risk of poverty, exploitation, and exclusion.

Malta, like other MS, provides such migrants - whose status may be that of asylum seekers, refugees, persons requiring subsidiary protection, etc. - with certain social (including health, education, etc.) benefits and rights under international, EU and national law to help mitigate some of the worst outcomes they face. In Malta, as is shown in the Annex to this document, asylum seekers, refugees, persons requiring subsidiary protection, and Ukrainians under the EU Temporary Protection Directive, subject to conditions, may work.

Figure 08 shows the number of male and female foreign workers in 2018 who paid a social security contribution compared to Maltese workers. As shown in this Figure, 25.2% of the contributors are EU citizens and TCNs – of whom 40.1% are female.

Figure 08: Male and Female Contributor Population in 2018³⁸

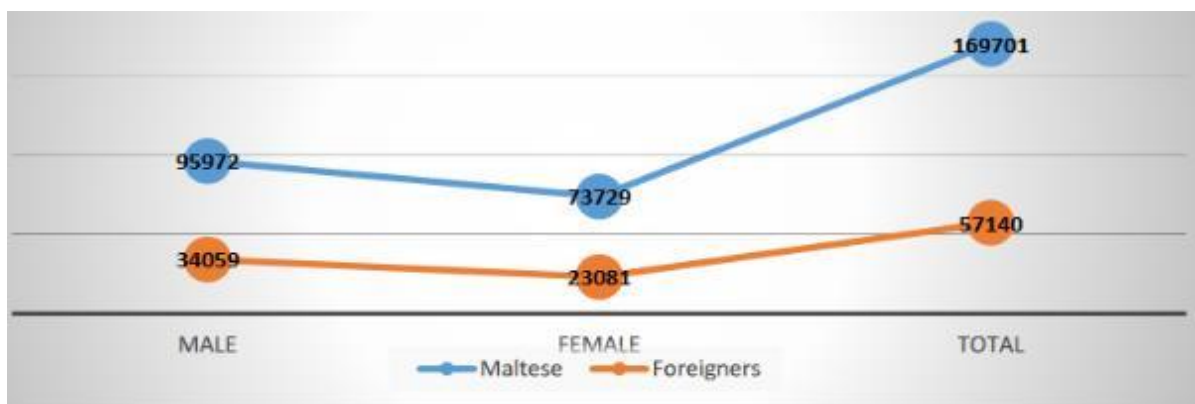


Figure 09 shows that the highest activity rates of working-age citizens among TCNs were observed in Malta at 89.3%, followed by Slovenia at 88.5%.

³⁸ Pg 34, Strategic Review on the Adequacy, Sustainability, and Solidarity of the Pension System as Mandated by Article 64B of the Social Security Act: 2020 Pensions Strategic Review Document for Public Consultation, Pension Strategy Group, 2020.

Figure 09: Activity rates for the population aged 20-64 years by citizenship, 2019 (%)³⁹

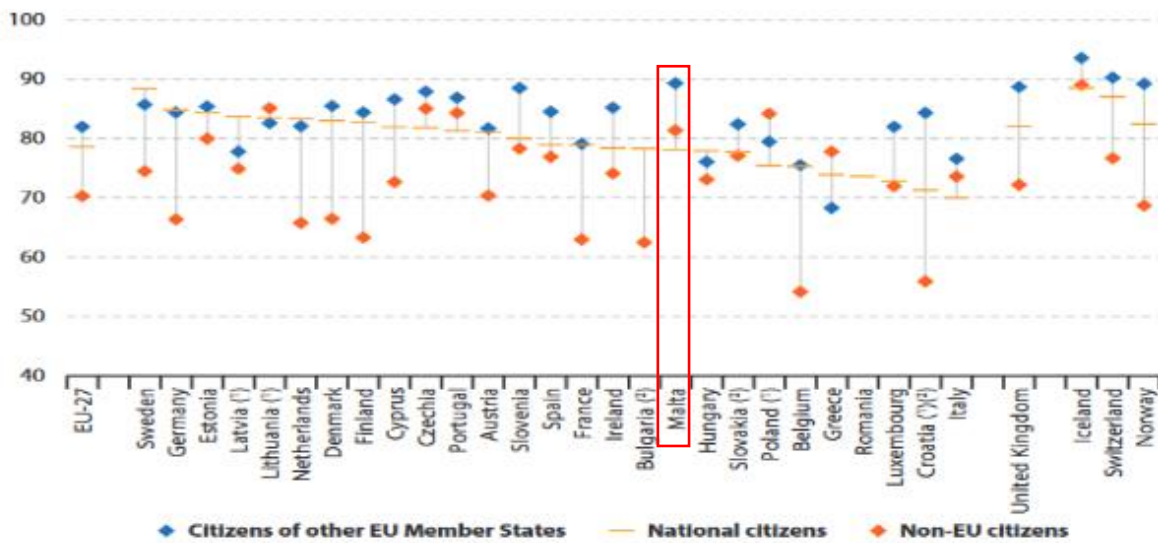
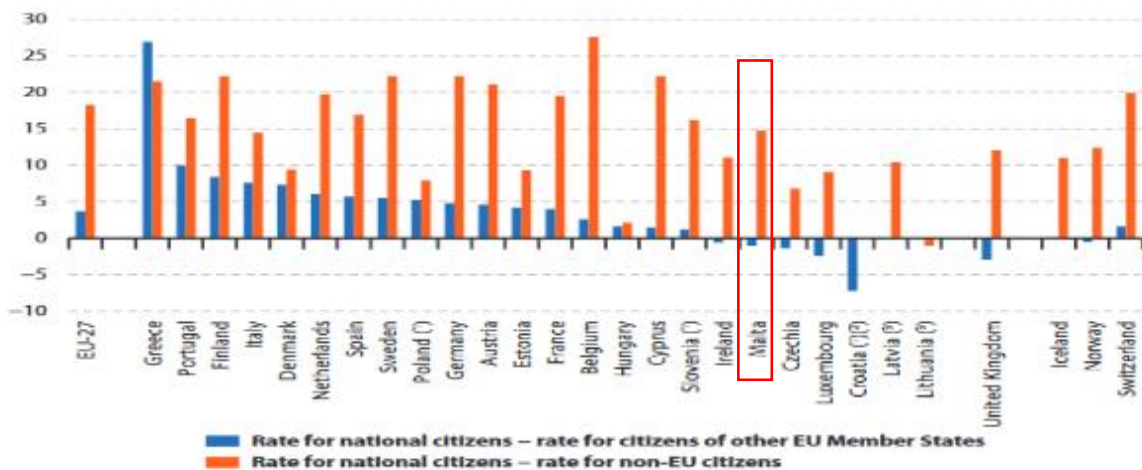


Figure 10 shows the difference in employment rates between national citizens on the one hand and the two subpopulations of migrants on the other hand. In nearly all EU MS for which data are available, the employment rate for nationals was higher than for non-EU citizens. Focusing on people with a tertiary level of education in 2019, a comparison between national citizens and citizens of other MS shows that national citizens had a higher employment rate in 17 MS. By contrast, in Malta, together with 4 other MS, the situation is reversed.

Figure 10: Difference in employment rates for the population aged 20-64 years having completed tertiary education by citizenship, 2019 (percentage points)⁴⁰



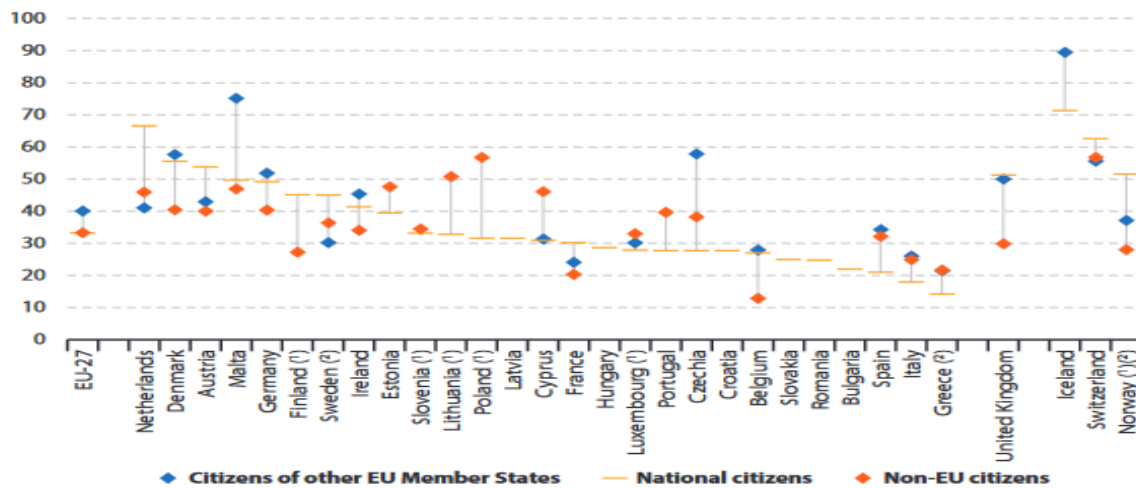
Note: ranked on the difference between the rates for national citizens and citizens of other EU Member States. Bulgaria, Romania and Slovakia: not available.
 (*) Rate for national citizens – rate for citizens of other EU Member States: data with limited reliability.
 (†) Rate for national citizens – rate for non-EU citizens: not available.
 (‡) Rate for national citizens – rate for citizens of other EU Member States: not available.
 Source: Eurostat (online data code: lfsa_ergaedr)

Figure 11 shows the youth employment rate for persons aged 15 to 24 in 2019. As can be seen, Malta has the highest number of youths for migrant employment at 75.1%, of which nearly 50% are TCNs.

³⁹ Pg 23, Migration Integration Statistics, 2020 Edition, Eurostat, European Commission, 2021.

⁴⁰ Pg 37, Ibid.

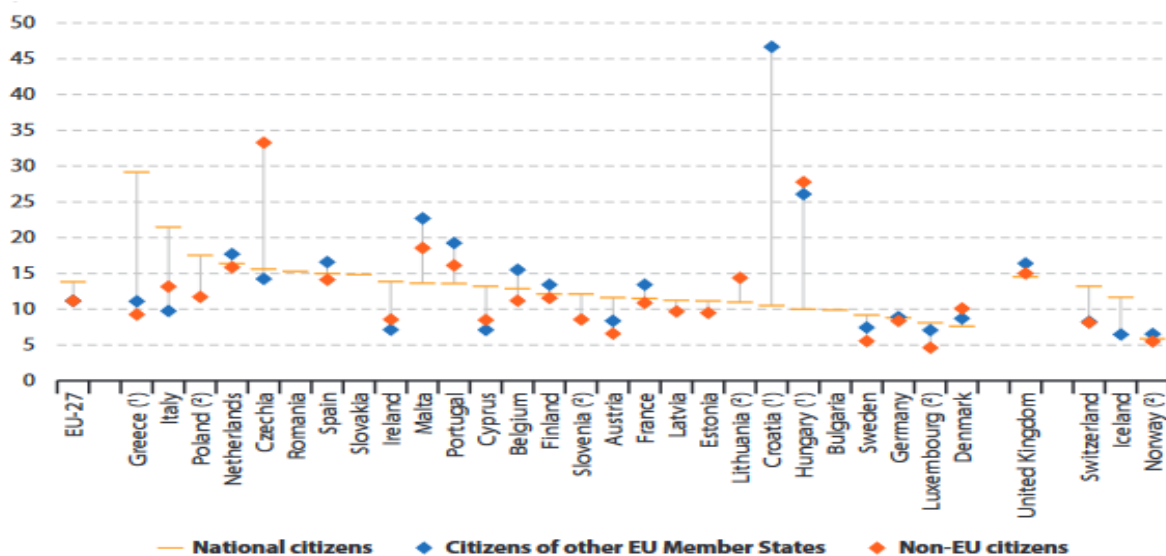
Figure 11: Youth employment rate for persons aged 15-24 years by citizenship, 2019 - %⁴¹



Note: ranked on the youth employment rate for national citizens. Bulgaria, Croatia, Latvia, Hungary, Romania and Slovakia: citizens of other EU Member States and non-EU citizens, not available. Estonia, Lithuania, Poland, Portugal, Slovenia and Finland: citizens of other EU Member States, not available. Iceland: non-EU citizens, not available.
 (1) Non-EU citizens: data with limited reliability.
 (2) Citizens of other EU Member States: data with limited reliability.
 Source: Eurostat (online data code: ifsa_organ)

Figure 12 presents the share of self-employed persons in total employment for the population aged 20-64 years by citizenship, 2019. In Malta, the highest share of self-employed persons was EUCs, at approximately 24%, and TCNs, at approximately 19% - the non-migrant group, which had a higher share of self-employed persons than nationals.

Figure 12: Share of self-employed persons in total employment for the population aged 20-64 years by citizenship, 2019 – %⁴²



Note: ranked on share of self-employed national citizens. Bulgaria, Romania and Slovakia: citizens of other EU Member States and non-EU citizens, not available. Estonia, Lithuania, Latvia, Poland and Slovenia: citizens of other EU Member States, not available. Croatia and Iceland: non-EU citizens, not available.
 (1) Citizens of other EU Member States: data with limited reliability.
 (2) Non-EU citizens: data with limited reliability.
 Source: Eurostat (online data codes: ifsa_esgan and ifsa_pgacws)

⁴¹ Pg 38, Ibid.

⁴² Pg 43, Ibid.

For 17 out of the 18 MS, including Malta, the share of temporary employees was higher among non-EU citizens than it was for citizens of other MS. The gap in Malta, however, is very much on the low side.

Figure 13: Share of temporary employees in the total number of employees, persons aged 20-64 years, by citizenship, 2019 (%)⁴³

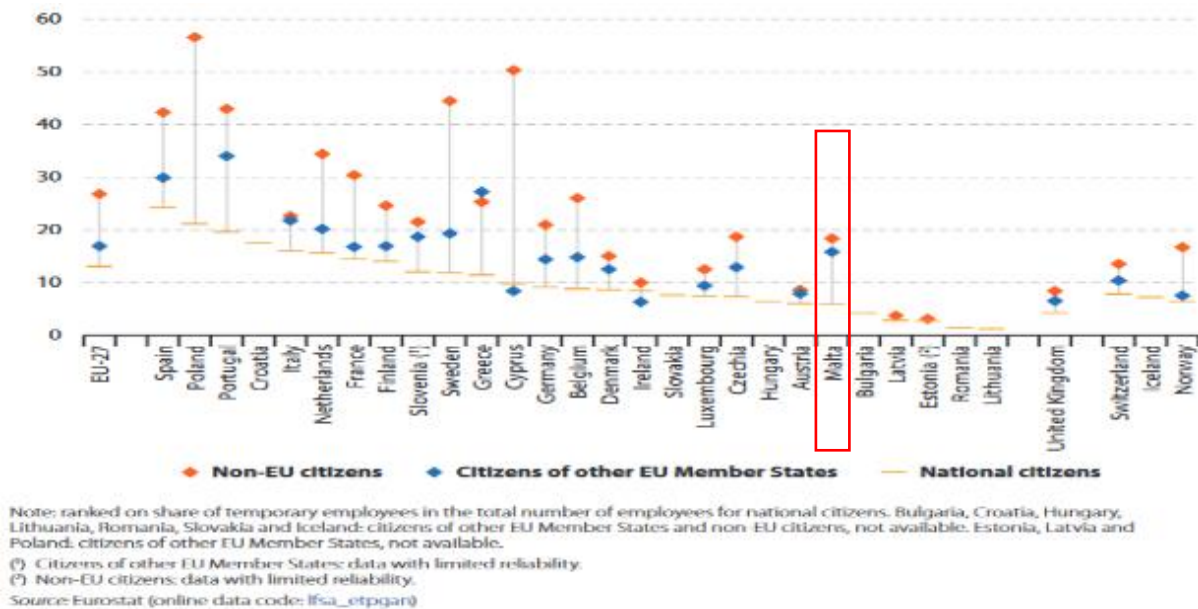


Figure 14 presents the share of part-time (P/T) employment in total employment, persons aged 20-64 years, by citizenship, 2019. As seen from the Figure, the share of persons in P/T employment is more or less equal.

Figure 14: Share of part-time employment in total employment, persons aged 20-64 years, by citizenship, 2019 - %⁴⁴

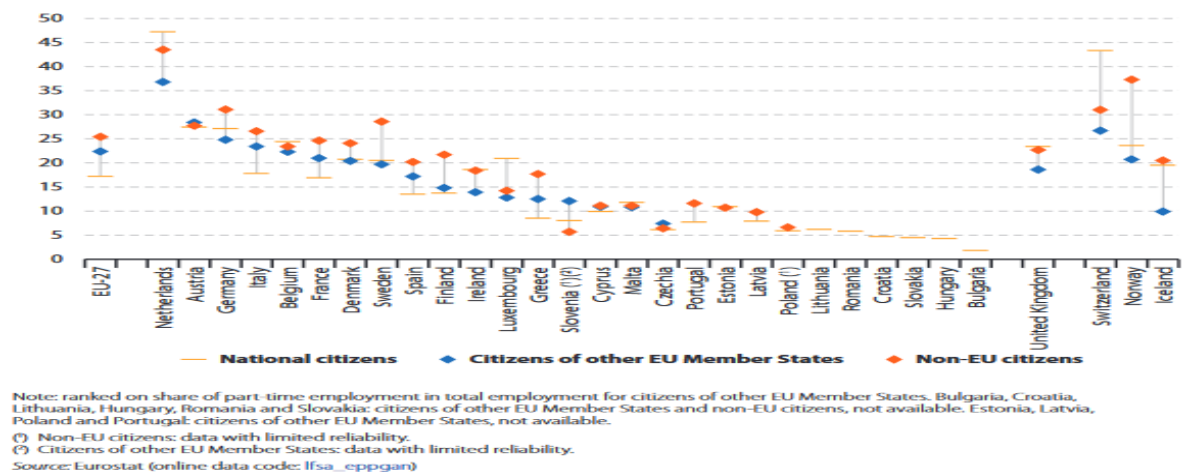
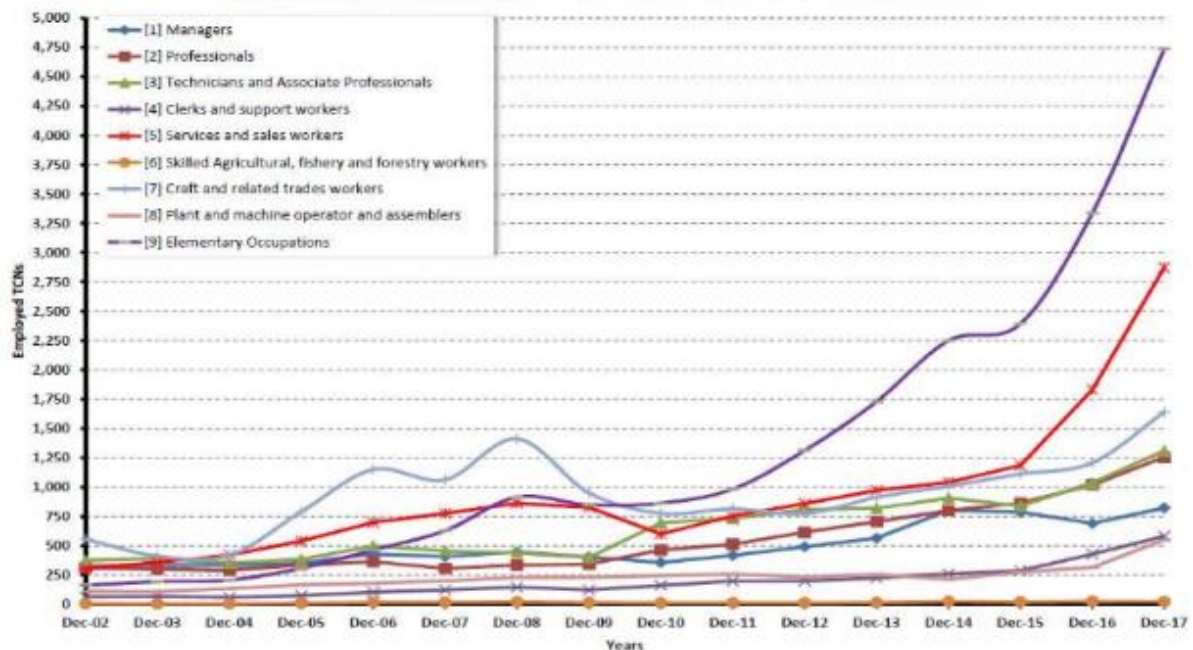


Figure 15 presents the major occupation groups of employed TCNs. Most TCNs are employed in low-income employment - elementary occupations - 4,750 persons; services and sales occupations - 2,600 persons; crafts and related trades workers - 1,600.

⁴³ Pg 45, Ibid.

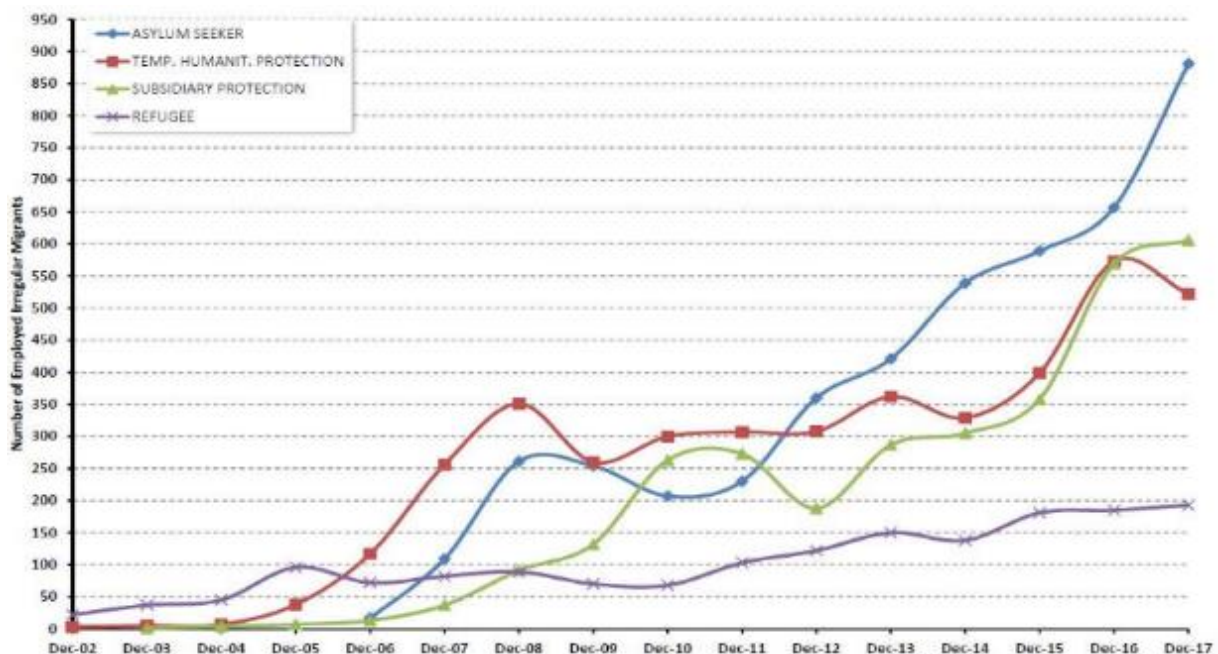
⁴⁴ Pg 48, Ibid.

Figure 15: Major Occupation Group of Employed Third Country Nationals: 2002-2017⁴⁵



Between 2002 and 2017, the number of employed irregular migrants was low. In 2017, as presented in Figure 16, cumulatively, the number of irregular migrants under different types of assistance approximated 2,200 - of whom the majority were males.

Figure 16: Employed Irregular Migrants Trend: 2002-2017⁴⁶

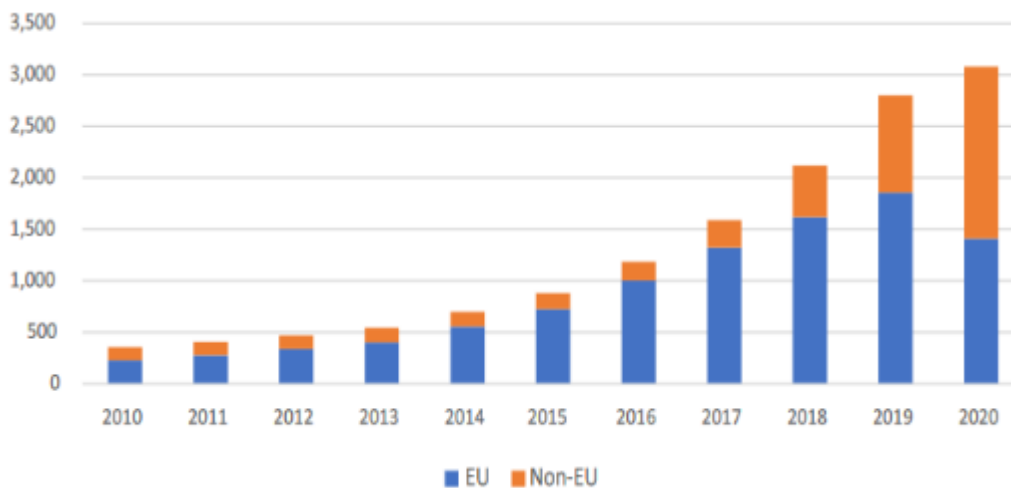


More specifically, relating to Gozo, between 2010 and 2020, there has been a significant increase in non-EU workers. This is presented in Figure 17.

⁴⁵ Slide 11, Vassallo, M., Malta: Migration Issues - Rights and Obligations, power point presentation; https://www.inclusivegrowth.eu/files/Call-10/03_03_Mario-Vassallo.pdf.

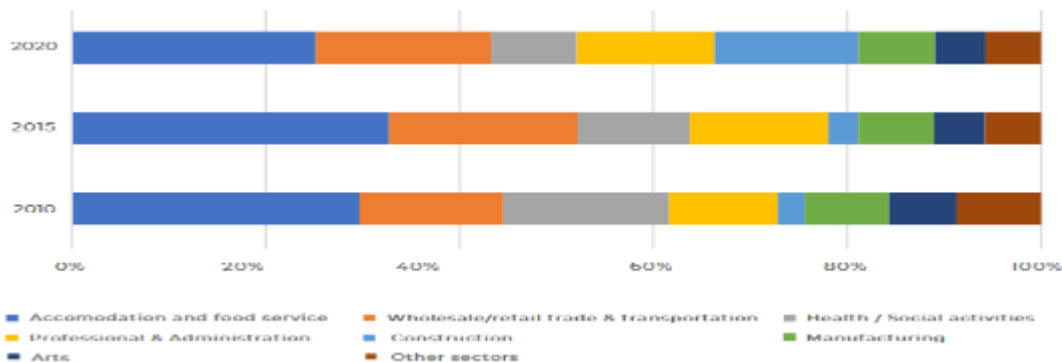
⁴⁶ Slide 9, Ibid.

Figure 17: Number of EU and Non-EU Workers in Gozo⁴⁷



The share of foreign workers in total employment in Gozo increased from 4% in 2010 to approximately 21% in 2020. The increase in foreign workers is across all sectors of the Gozitan economy, although the increase in some sectors was more prevalent than in others. The largest share remains in the accommodation and food services sector, followed by wholesale/retail trade and transportation. The increase of foreigners in the construction sector reflects the significant increase in construction between 2015 and 2020.

Figure 18 Share of Foreign Workers in Gozo by NACE⁴⁸



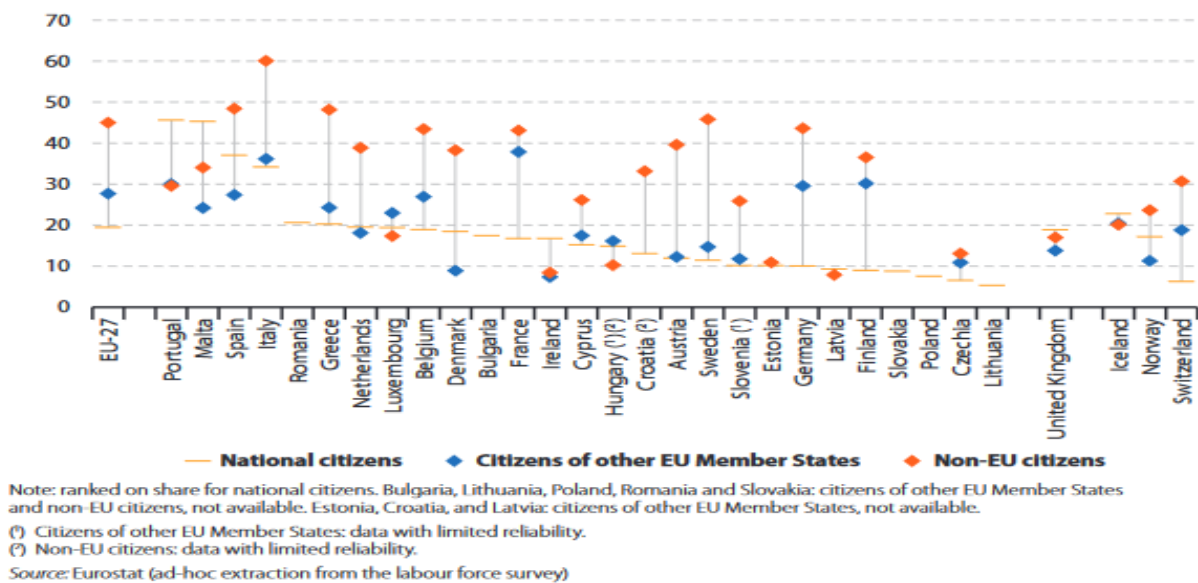
06. Migrants and Education

Figure 19 presents the share of the population aged 20-64 years with a low level of educational attainment by citizenship in 2019. The highest percentage in Malta is for nationals at approximately 45%, with EUCs at the lowest at less than 25%. TCNs stand at approximately 33%.

⁴⁷ Pg 3, Foreign nationals employed in Gozo, Gozo Regional Development Authority, 2021. Accessed on 1st November 2023: <https://grda.mt/wp-content/uploads/2021/11/Foreign-nationals-employed-in-Gozo-09.11.21.pdf>

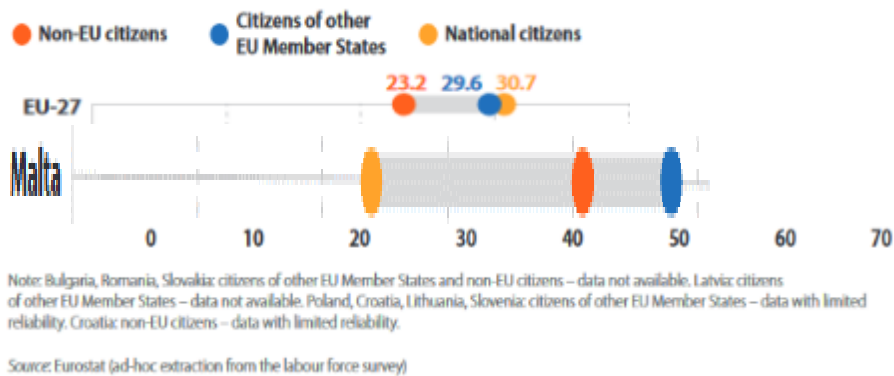
⁴⁸ Pg 6, Ibid.

Figure 19: Share of the population aged 20-64 years with a low level of educational attainment by citizenship, 2019⁴⁹



Conversely, Figure 20 shows the share of highly educated persons in Malta by citizenship. The share of Maltese citizens is approximately 22%, that of EUCs slightly less than 50%, with TCNs at 40%.

Figure 20: Highly-educated people by citizenship (% share of the population aged 20 to 64 years, 2019)⁵⁰

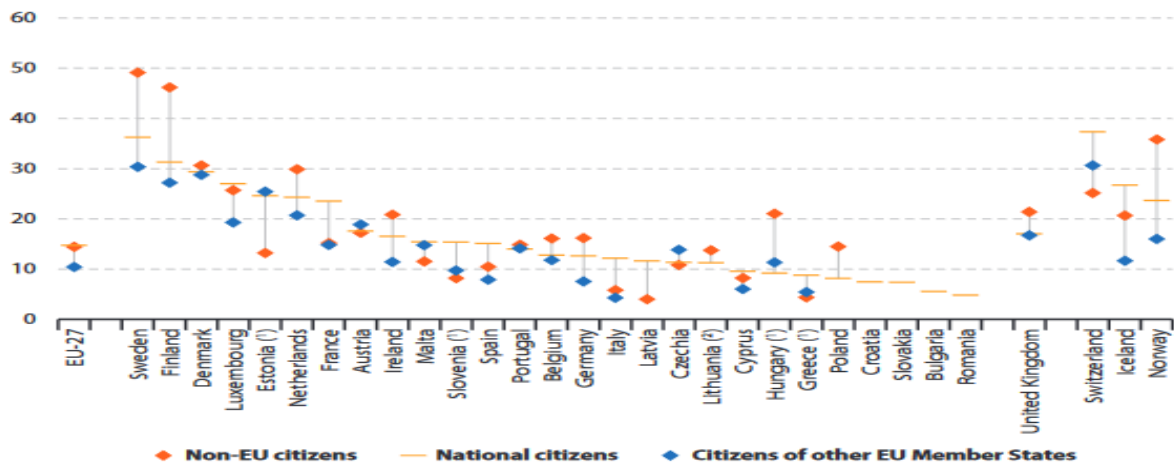


The share of TCNs as a percentage of the population undertaking adult learning is less than 10%. This is presented in Figure 21.

⁴⁹ Pg 79, Ibid.

⁵⁰ Pg 80, Ibid.

Figure 21: Share of the population aged 20-64 years participating in adult learning by citizenship, 2019⁵¹



Note: ranked on share for national citizens. Bulgaria, Croatia, Romania and Slovakia: citizens of other EU Member States and non-EU citizens, not available. Latvia, Lithuania and Poland: citizens of other EU Member States, not available.

(1) Citizens of other EU Member States: data with limited reliability.

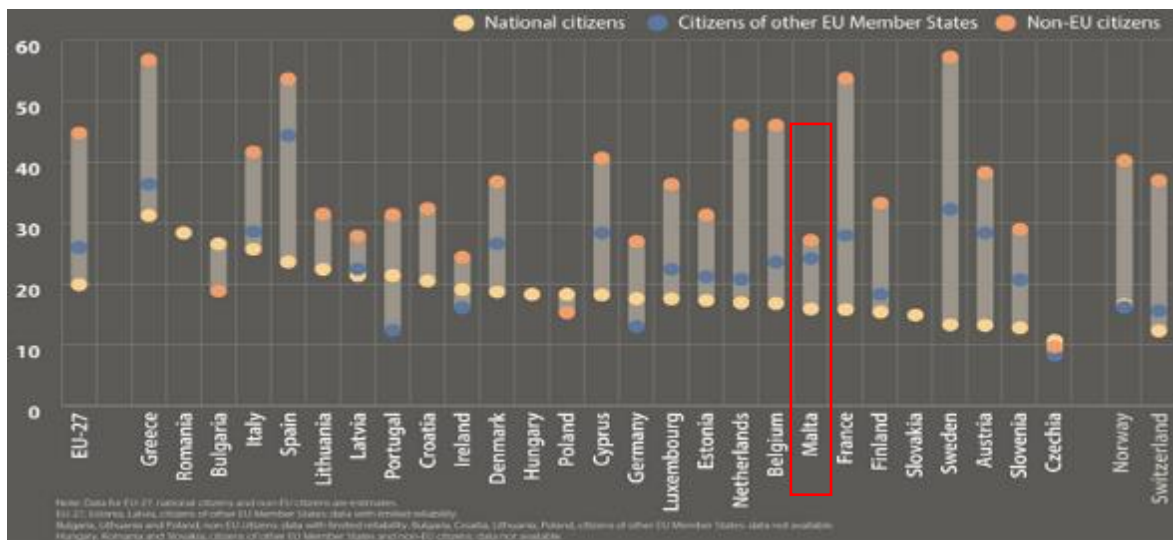
(2) Non-EU citizens: data with limited reliability.

Source: Eurostat (ad-hoc extraction from the labour force survey)

07. Assessment of Poverty and Social Inclusion of Migrants in Malta with EU Member States

In 2019, among the MS, the AROPE recorded for TCNs was the highest in Sweden and Greece (57%), followed by France and Spain (54%). For citizens of other MS, the rate was the highest in Spain (44%), Greece (36%) and Sweden (32%). In Malta, the AROPE for TCNs was also higher, at approximately 28%, than that of EUCs, at approximately 26%, and nationals, at approximately 16%. This is presented in Figure 22.

Figure 22: People at risk of poverty or social exclusion by citizenship (% share of the population aged 20 to 64 years, 2019)⁵²



Note: Data for EU-27, national citizens and non-EU citizens are estimates.

(1) Estonia, Latvia, citizens of other EU Member States: data with limited reliability.

Bulgaria, Lithuania and Poland: non-EU citizens: data with limited reliability. Slovakia, Croatia, Lithuania, Poland, citizens of other EU Member States: data not available.

Hungary, Romania and Slovakia: citizens of other EU Member States and non-EU citizens: data not available.

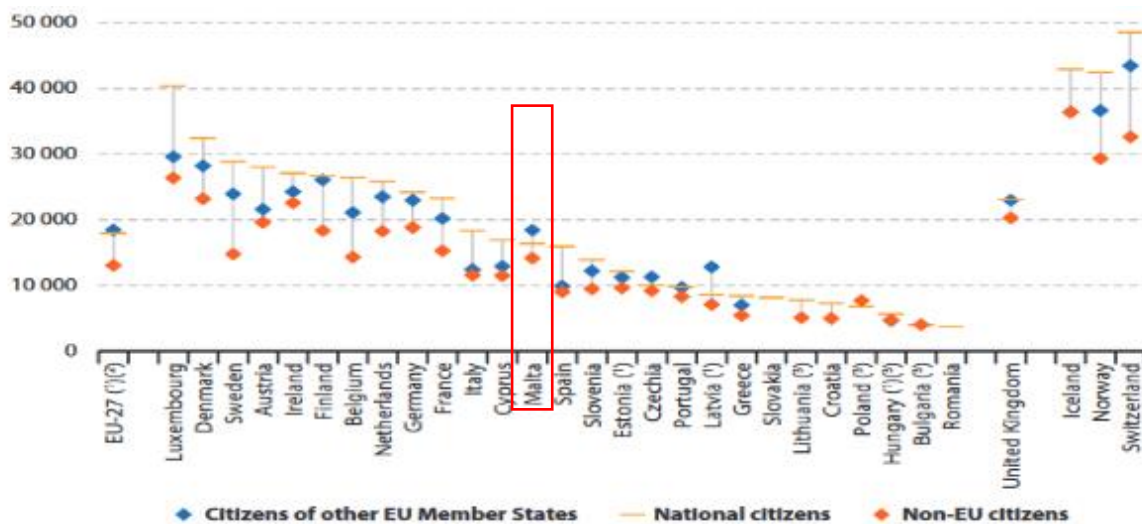
⁵¹ Pg, 82, Ibid.

⁵² <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20210202-2..>

07.1 Migrants at Risk of Poverty

In 2018, the median equivalised income of EU-27 national citizens was €17,929. This contrasts with a median income for citizens of other MS of €18,446, while that for non-EU citizens was €13,057. **Figure 23** shows that the median equivalised income of nationals was higher than the median equivalised income of non-nationals in nearly all, including Malta, MS. Comparing median equivalised income levels for nationals and citizens of other MS shows that Malta was one of the three EU MS, the others being Czech Republic and Latvia which recorded lower levels of income than national citizens.

Figure 23: Median equivalised € income of the population aged 20-64 years by citizenship, 2018⁵³



Note: ranked on share for national citizens. Romania and Slovakia: citizens of other EU Member States and non-EU citizens, not available. Bulgaria, Croatia, Lithuania and Poland: citizens of other EU Member States, not available.

(1) Citizens of other EU Member States: data with limited reliability.

(*) National citizens and non-EU citizens: estimates.

(*) Non-EU citizens: data with limited reliability.

Source: Eurostat (online data code: ilc_di15)

It is to be noted that the Minister of Finance is referenced as stating that concerning TCNs, annual and monthly income earned is as follows:⁵⁴

- 20,000 work full time but earn €10,500 annually or €875 monthly.
- 14,000 earn under 16,000 annually or €1,333 a month.
- 18,000 earn €21,192 or €1,766 a month
- 762 earn over €21,192.

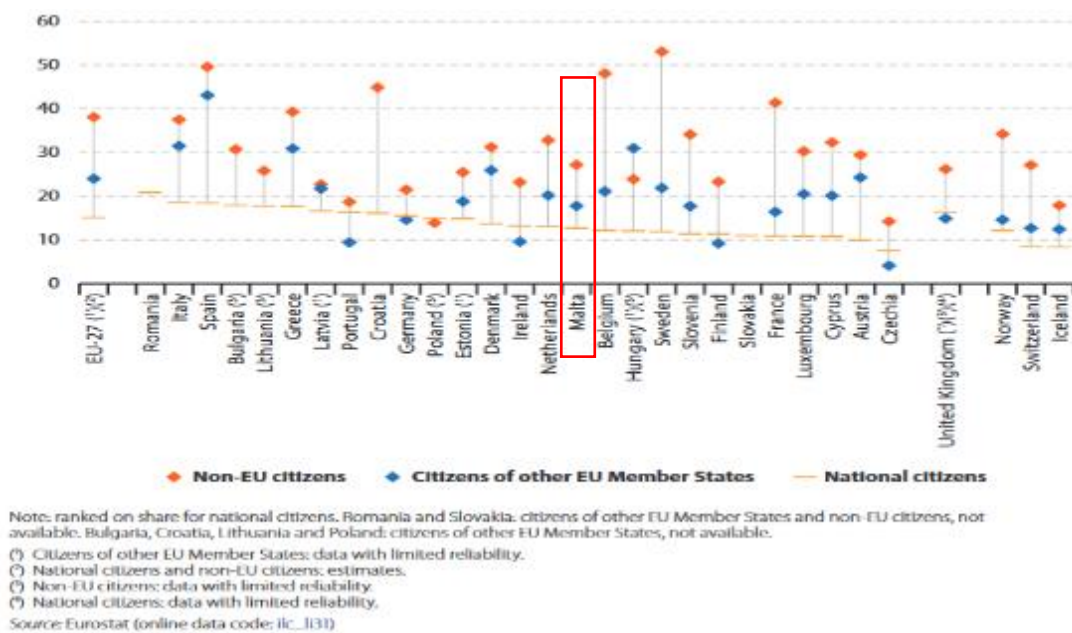
In 2018, more than 15.1% of nationals (aged 20-64 years) in MS were at AROP. At 32.7%, the AROP was more than twice as high for non-nationals living in MS. A closer analysis reveals that AROP was particularly concentrated among non-EU citizens - 38.1% - when compared with the risk for citizens of MS - 24.0%).

The share of non-nationals who were AROP was usually higher than that of nationals facing a similar risk. This also includes Malta. This is presented in **Figure 24**.

⁵³ Pg 91, Migration Integration Statistics, 2020 Edition, Eurostat, European Commission, 2021.

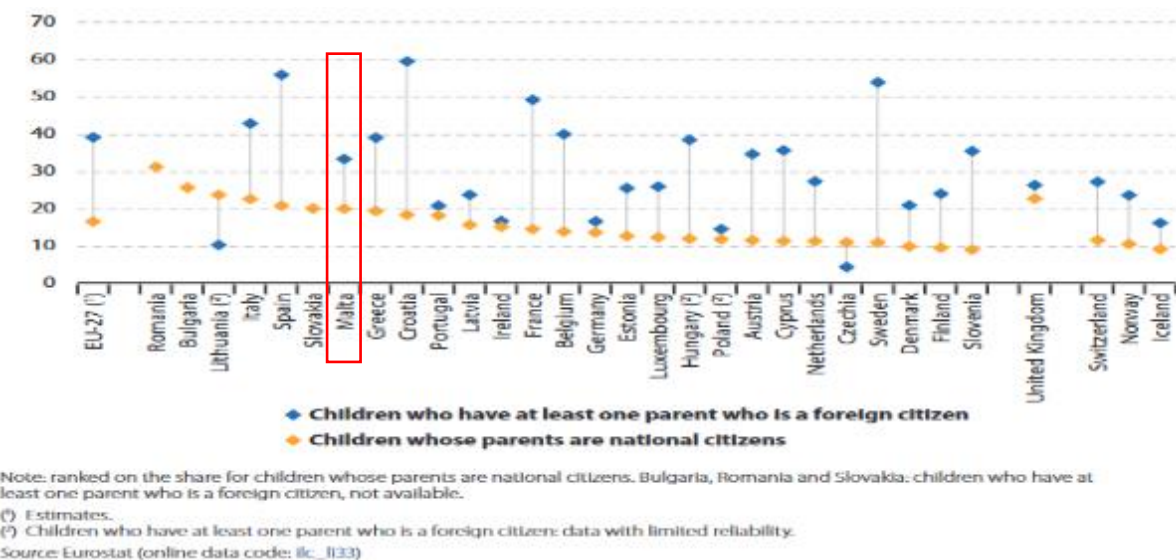
⁵⁴ Accessed on 6th November 2023: Majority of 52,000 non-EU workers in Malta on minimum wage, under tax threshold. Reference to parliamentary question or debate where the Minister of Finance raised the matter as referenced in the online article was not traced.

Figure 24: People aged 20-64 years at risk of poverty by citizenship, 2018 (%)⁵⁵



Across MS, 16.8% of children whose parents were nationals were AROP in 2018, while this share was more than twice as high at 39.3% for children with at least one parent who was a TCN. This pattern - a higher share among children with at least one parent who was a TCN — is found in all but two of MS, including Malta; the exceptions were Lithuania and the Czech Republic.

Figure 25: Children aged 0-17 years at risk of poverty, by citizenship of their parents, 2018 (%)⁵⁶

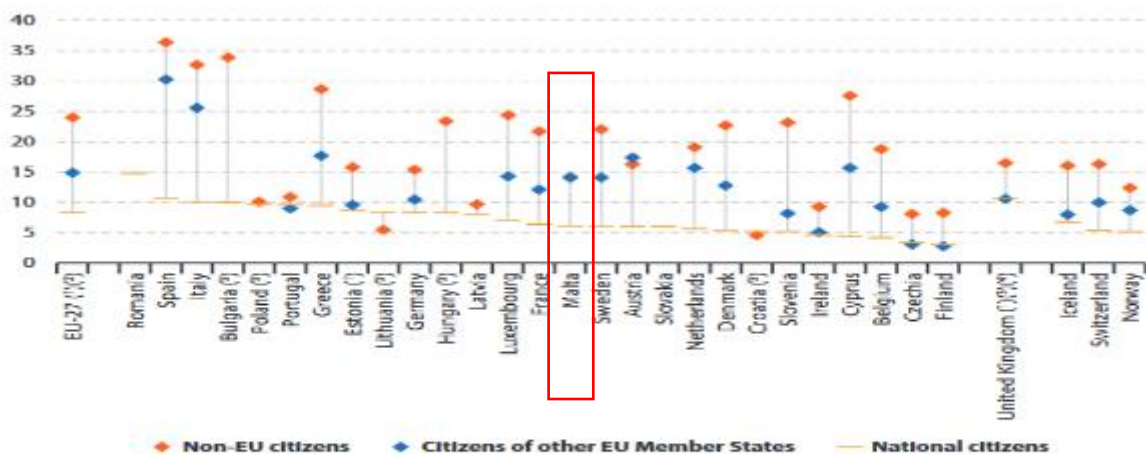


In 2018, 8.3% of national citizens in MS were at risk of in-work poverty, while the share among non-nationals was higher, at 14.9% for citizens of other MS and 24.0% for non-EU citizens. **Figure 26** shows that in 2018, nationals had the lowest risk of in-work poverty. No data, however, concerning TCNs is provided for Malta.

⁵⁵ Pg 92, Ibid.

⁵⁶ Pg 94, Ibid.

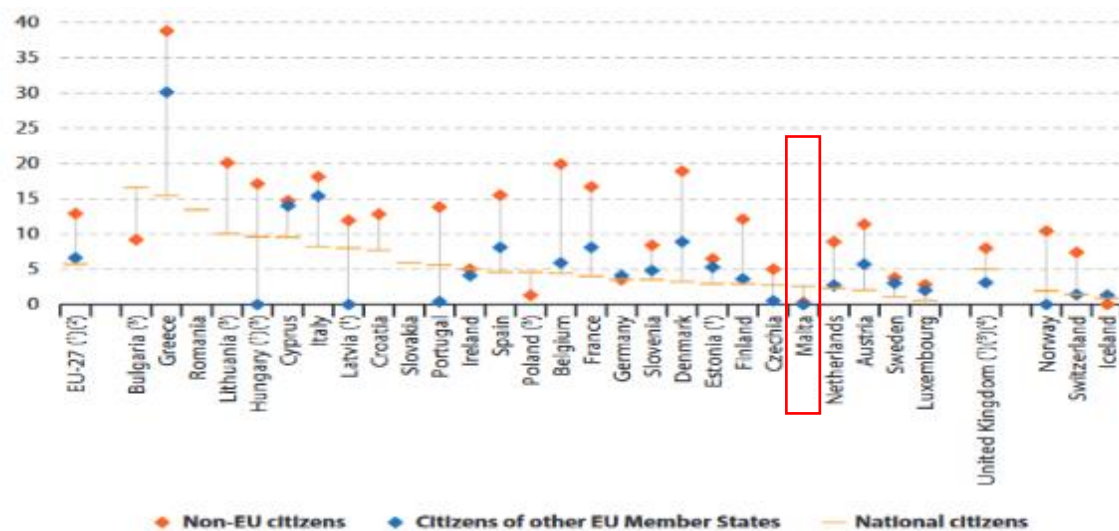
Figure 26: People aged 20-64 years at risk of in-work poverty by citizenship, 2018 (%)⁵⁷



Note: ranked on share for national citizens. Romania and Slovakia: citizens of other EU Member States and non-EU citizens, not available. Bulgaria, Croatia, Latvia, Lithuania, Hungary and Poland: citizens of other EU Member States, not available.
 (1) Citizens of other EU Member States: data with limited reliability.
 (2) National citizens and non-EU citizens: estimates.
 (3) Non-EU citizens: data with limited reliability.
 (4) National citizens: data with limited reliability.
 Source: Eurostat (online data code: ilc_wv15)

Across the MS, 5.7% of national citizens and 6.6% of citizens of other MS were affected by severe material deprivation in 2018. Concerning Malta, severe material deprivation was highest among nationals - 2.5% compared to zero for EU citizens and TCNs. This is presented in Figure 27.

Figure 27: Severe material deprivation rate among people aged 20-64 years by citizenship, 2018 (%)⁵⁸



Note: ranked on share for national citizens. Romania and Slovakia: citizens of other EU Member States and non-EU citizens, not available. Bulgaria, Croatia, Lithuania and Poland: citizens of other EU Member States, not available.
 (1) Citizens of other EU Member States: data with limited reliability.
 (2) National citizens and non-EU citizens: estimates.
 (3) Non-EU citizens: data with limited reliability.
 (4) National citizens: data with limited reliability.
 Source: Eurostat (online data code: ilc_md15)

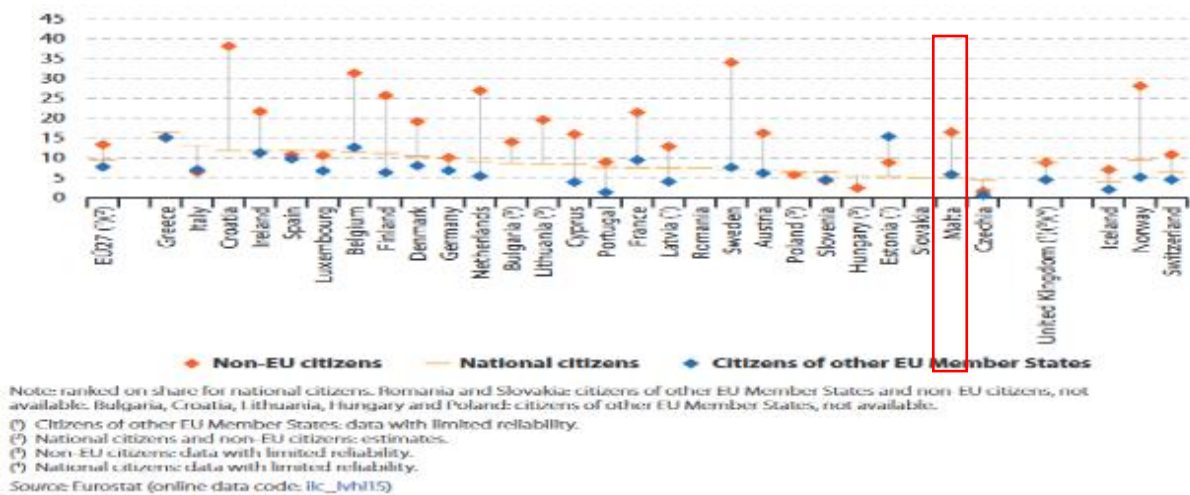
In 2018, 9.5% of EU working-age nationals lived in households with very low work intensity; this share was higher than the corresponding figure for citizens of other MS, which stood at 7.8%. By contrast, the highest share of people living in households with very low work intensity was recorded among non-EU citizens, at 13.4%.

⁵⁷ Pg 95, Ibid.

⁵⁸ Pg 97, Ibid.

In Malta, the low work intensity of EU citizens at 6% is marginally higher than that of nationals at 5%. Concerning TCN, however, the share of persons in households with very low work intensity stood at approximately 16%. This is presented in Figure 28.

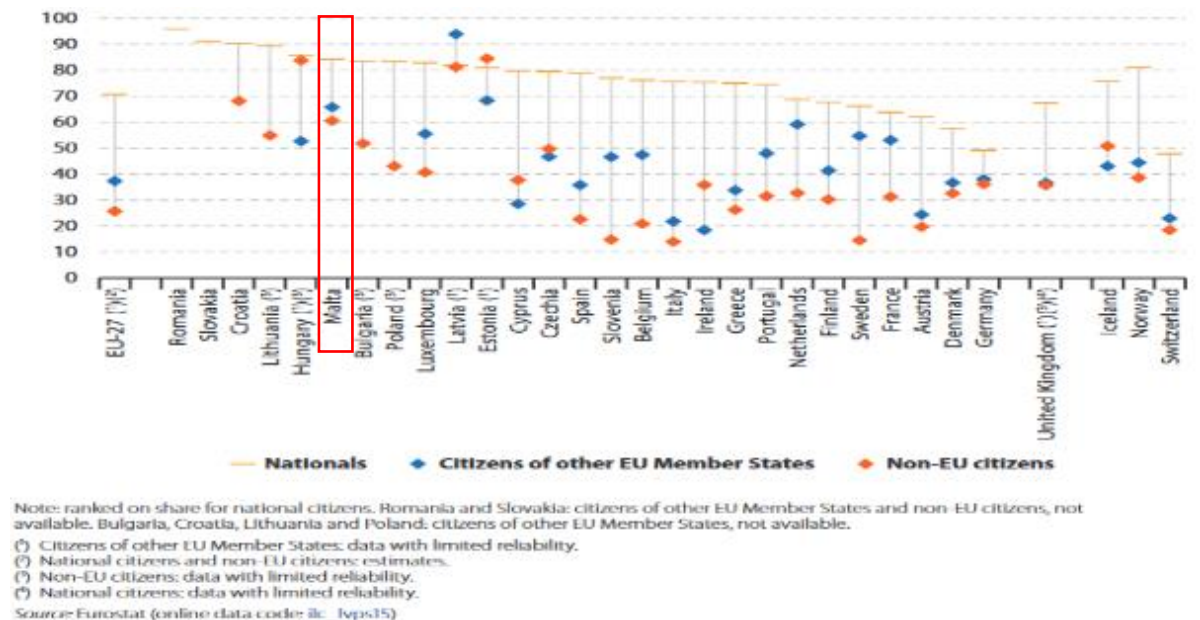
Figure 28: People aged 18-59 years living in households with very low work intensity by citizenship, 2018 (%)⁵⁹



In 2018, 70.7% of national citizens were homeowners, while most lived in rented accommodation. Homeownership rates were lower among non-nationals, in particular for non-EU citizens. 37.3% of citizens of other MS owned their own homes, while this share was 25.7% among TCNs. In Malta, homeownership for nationals stood at 85%, with TCN migrants at 60%.

07.2 Migrants and Housing

Figure 29: Homeownership rate among the population aged 20-64 years by citizenship, 2018 (%)⁶⁰

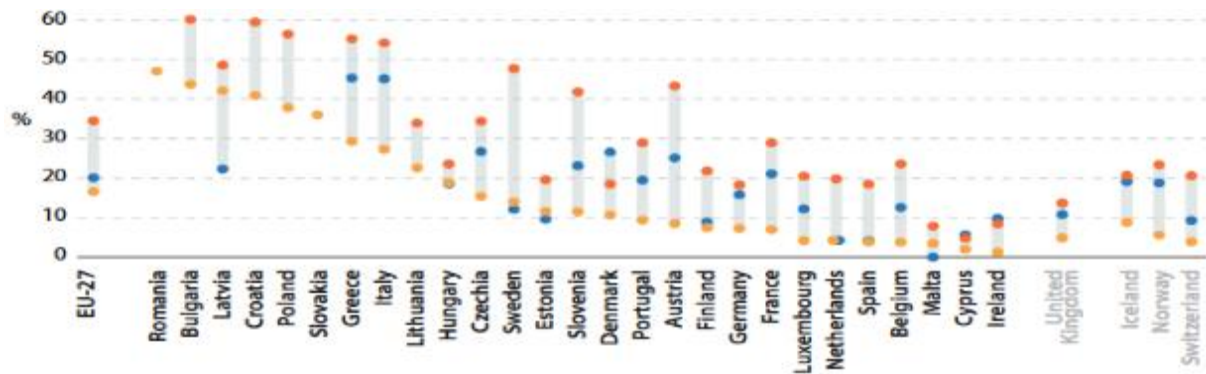


⁵⁹ Pg 99, Ibid.

⁶⁰ Pg 101, Ibid.

The overcrowding rate is linked to other social exclusion and deprivation indicators, particularly income-related ones. Across MS, this rate was 16.6% for nationals in 2018 and 20.1% for citizens of other MS. The overcrowding rate for TCNs is higher, at 34.5%, signifying that they are more likely to live in an overcrowded household. In Malta, the rate recorded for citizens of other MS living in overcrowded households is not significant, whilst that of TCNs stands at 9%.

Figure 30: People living in overcrowded households by citizenship (% share of the population aged 20 to 64 years, 2018)⁶¹



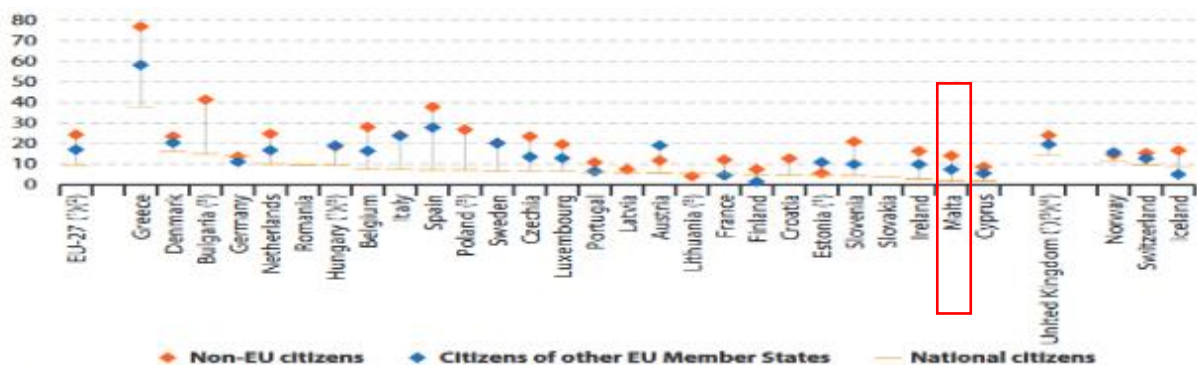
Note: Bulgaria, Lithuania, Croatia, Poland: citizens of other EU Member States – data not available. Romania, Slovakia: citizens of other EU Member States and non-EU citizens – data not available. EU-27, Estonia, Latvia, Hungary, United Kingdom: citizens of other EU Member States – data with limited reliability. Bulgaria, Lithuania, Hungary, Poland, United Kingdom: non-EU citizens – data with limited reliability. United Kingdom: national citizens – data with limited reliability.

Source: Eurostat (online data code: ilc_lh015)

— Nationals ◆ Citizens of other EU Member States ◆ Non-EU citizens

In 2018, 9.2% of nationals living in MS spent more than 40% of their disposable income on housing, compared with 17.1% for citizens of other MS and 24.3% for TCNs. Across 20 MS, data is available for the housing cost overburden rate for TCNs. 2018 this pattern was observed in all but three of the MS, including Malta, where the housing cost overburden rate for TCNs stood at 15%.

Figure 31: Housing cost overburden rate among the population aged 20-64 years by citizenship, 2018⁶²



Note: ranked on share for national citizens. Romania and Slovakia: citizens of other EU Member States and non-EU citizens, not available. Bulgaria, Croatia, Latvia, Lithuania and Poland: citizens of other EU Member States, not available.

(1) Citizens of other EU Member States: data with limited reliability.

(2) National citizens and non-EU citizens: estimates.

(3) Non-EU citizens: data with limited reliability.

(4) National citizens: data with limited reliability.

Source: Eurostat (online data code: ilc_lh025)

⁶¹ Pg 101, Ibid.

⁶² Pg 104, Ibid.

Research carried out by YMCA in 2022 suggests that whilst the majority (52.2%) of homeless persons⁶³ were Maltese, 26.4% originate from countries in Central and Northern Africa (6.7% - Sudan; 5.6% - Libya; 5.1% - Somalia; 5.1% - Nigeria; and 3.9% - Eritrea). Other countries of origin include India (2.2%), Morocco (1.7%), and EU countries, namely Bulgaria (2.2%), Italy (1.1%), and Romania (0.8%) amongst others. 43.3% of non-Maltese had accompanying children.⁶⁴

Figure 32: Homeless Migrants as of 2022 by Cause⁶⁵

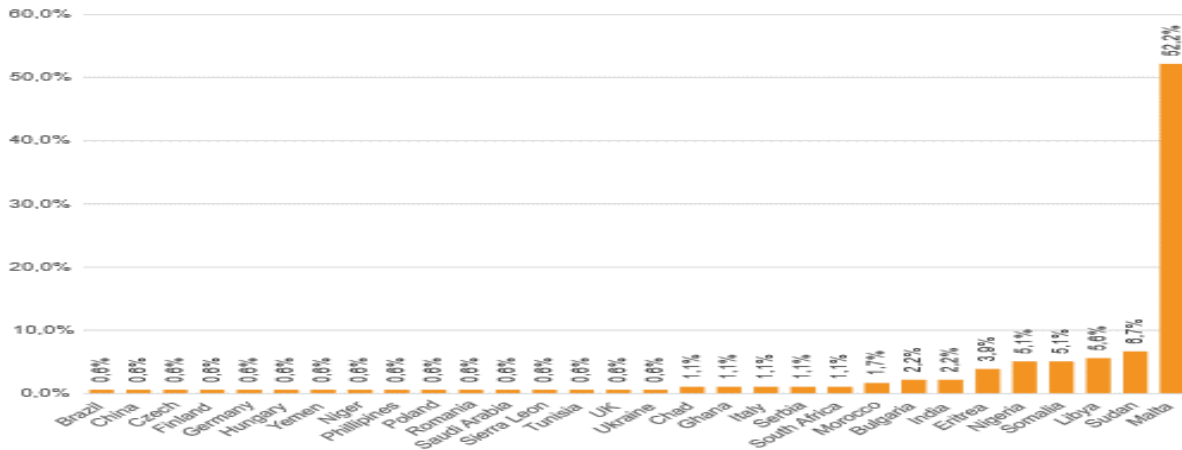
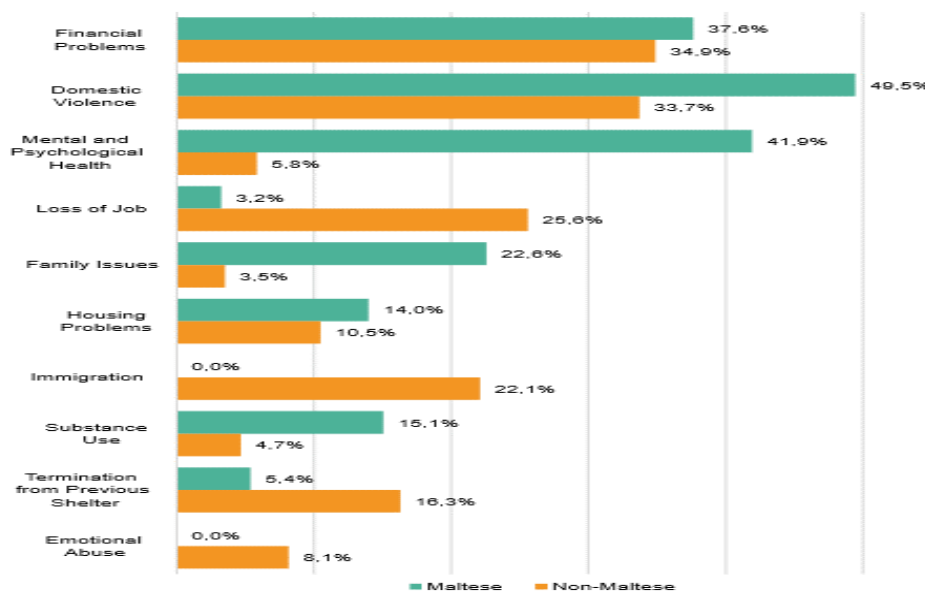


Figure 33 presents the top 10 causes of homelessness. Concerning non-Maltese, the top-most reason for homelessness is 'financial problems' at 34.9%, followed by 'domestic violence' at 33.7%.

Figure 33: Homelessness Migrants by Cause- 2022⁶⁶



⁶³ Note: Malta does not have official statistics showing how many individuals and families are homeless. The official numbers, to date, do not portray the real situation. Where applied the term 'homelessness' in Malta does not refer to persons who are 'roofless' but to persons who live in shelters and assigned to Mount Carmel Hospital in the event of no alternative accommodation being made available to such persons by the Housing Authority or Non Governmental Organisations.

⁶⁴ Pg 36, Contemporary Homelessness in Malta: Quantitative Research, Carried out by Marketing Advisory Services on behalf of YMCA Malta, 2022. Accessed on 1st November 2023: <https://ymcamalta.org/wp-content/uploads/2023/08/Contemporary-Homelessness-in-Malta-Quantative-Research-YMCA-Malta-2022.pdf>

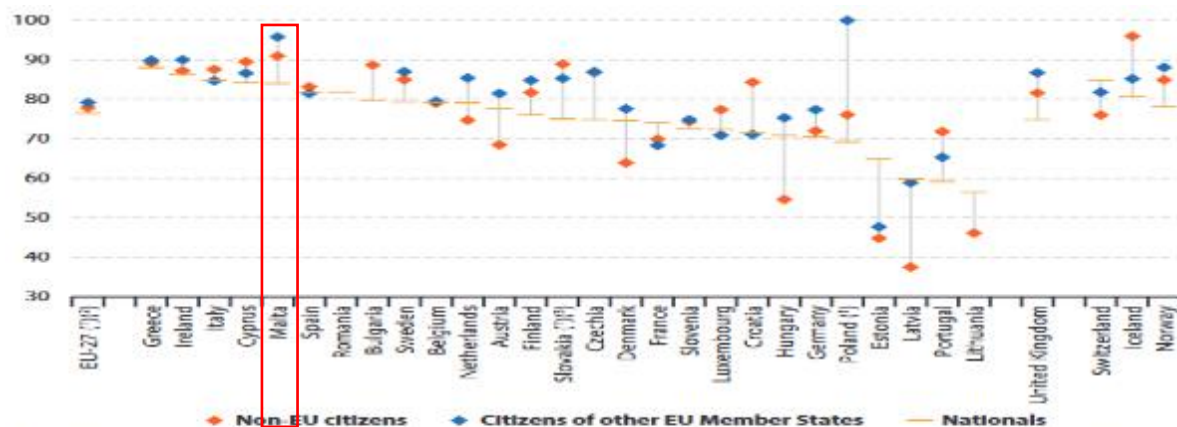
⁶⁵ Pg 29, Ibid.

⁶⁶ Pg 35, Ibid.

In 2018, the highest share of TCNs who perceived their health as good or very good was recorded in Malta at 91.0%, followed by Cyprus (89.5%) and Greece (89.2%). Among citizens of other MS, the highest shares were observed in Poland (100.0%), followed by Malta 95.8%.

07.3 Migrants and Health

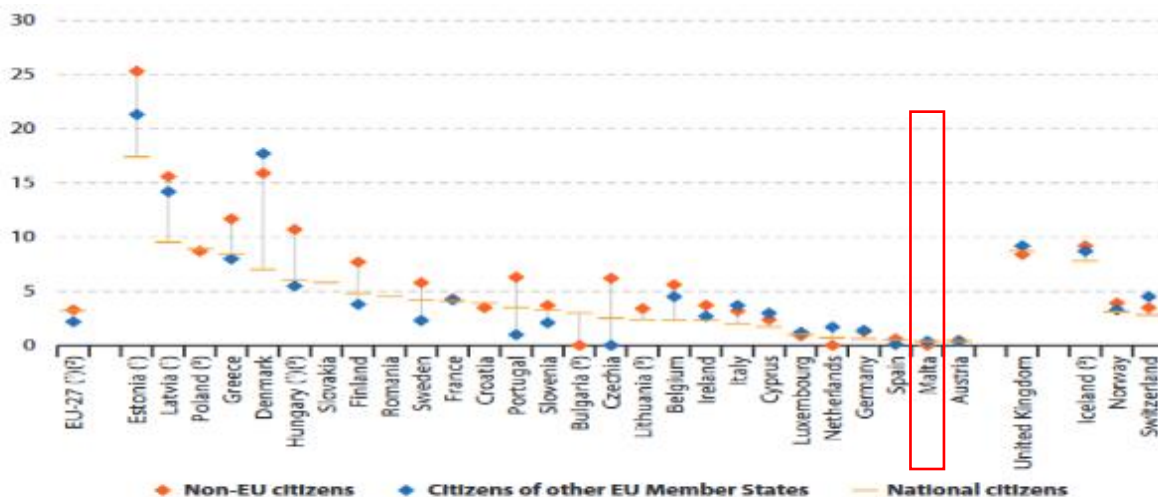
Figure 34: Share of population aged 20-64 years reporting good or very good health status by citizenship, 2018 (%)⁶⁷



Note: ranked on share for national citizens. Romania, citizens of other EU Member States and non-EU citizens, not available. Bulgaria and Lithuania, citizens of other EU Member States, not available.
 Citizens of other EU Member States: data with limited reliability.
 National citizens and non-EU citizens: estimates.
 Non-EU citizens: data with limited reliability.
 Source: Eurostat (online data code: hlth_silc_24)

In 2018, the share among citizens of other MS reporting unmet needs for medical examination was 2.2%, compared with 3.2% for national citizens and 3.3% for TCNs. As presented in Figure 35, in Malta, the percentage of TCNs reporting unmet needs for medical examination was very much at the low end.

Figure 35: Share of population aged 20-64 years reporting unmet needs for medical examination by citizenship, 2018 (%)⁶⁸



Note: ranked on share for national citizens. Romania and Slovakia: citizens of other EU Member States and non-EU citizens, not available. Bulgaria, Croatia, Lithuania and Poland: citizens of other EU Member States, not available.
 (N) Citizens of other EU Member States: data with limited reliability.
 (E) National citizens and non-EU citizens: estimates.
 (N) Non-EU citizens: data with limited reliability.
 Source: Eurostat (online data code: hlth_silc_30)

⁶⁷ Pg 106, Migration Integration Statistics, 2020 Edition, Eurostat, European Commission, 2021.

⁶⁸ Pg 107, Ibid.

Research finds a high prevalence of depression in refugee and migrant groups compared to the generation population: 5% to 44% compared to 8% to 12%.⁶⁹ The number of migrants admitted to Mount Carmel Hospital has steadily increased, from 53 in 2017 to 105 in October 2019. In Malta, too, the risk of psychosis is higher within the migrant cohort, with an incidence rate of 400 per 100,000 for asylum seekers. It has been found that there is an increased risk of 2.2% of admissions for non-Maltese nationals to the psychiatric inpatient facility of Mount Carmel Hospital (MCH).⁷⁰

In the 2019 Annual Report, the Office of the Mental Health Commissioner reported that 25.7% of all acute involuntary admissions were foreigners: 13.3% from medium and less developed countries, 9.6% were EU / EEA citizens, and 2.8% from very highly and highly developed countries.⁷¹

The relative risk for involuntary admission for foreigners from medium and less-developed countries is the highest and stands at 3.7% compared to the local population.⁷² Migrants admitted to MCH increased from 53 in 2017 to 105 in October 2019, with patients admitted for conditions including attempted suicide, depressive conditions, stress, and delirium.⁷³

The Office of the Mental Health Commissioner linked the increase in migrants and mental health to several possible factors, such as the trauma of migration, difficulties with integrating into a different community, social isolation and a poor or inexistent support network. Research suggests that some migrants in closed centres were purposely causing self-harm to be moved to MCH.⁷⁴

08. Active Citizenship and Support Networks

08.1 Documentation

A report titled 'Documentation: Turning the Tables', facilitated by the African Media Association Malta, and prepared by the *aditus foundation*, identifies a series of challenges TCNs (and employers) face when procuring residence or identity documents from local government entities. Amongst the key challenges identified in the report are the following:

- Lack of information from all authorities in all stages of the migration process and for all migrants, irrespective of status: A study by the European Commission (EC) on the implementation of EU legislation on legal migration in Malta highlighted that one of the main findings "*is the lack of consistent and clear information across the board for all phases of migration and all directives*"⁷⁵ and that this gap affects all migration phases, including pre-departure, application, arrival, residency, and end of stay, leaving migrants uninformed about procedures and their rights. Despite some public guidelines, many processes and policy interpretations remain unclear, conflicting, and arbitrarily applied. Employers of TCNs also experience inconsistencies within and between government departments and people within the same department. Additionally, there are no specific guidelines or support for family reunification, long-term residence, student, and Blue Card permits, or dedicated help desks or information lines at Identity Malta for residence-related inquiries.⁷⁶
- There is generally a lack of information on changes in legislation: The afore-referenced EC report underlined the frequent change of rules and requirements that affect the legal certainty for applicants when applying for or renewing their residence documents. This lack of information was found at all stages of the migration process and by all persons involved in the residence permit applications, including employers.⁷⁷

⁶⁹ Pg 5, Camilleri, C., Migrants and mental health: Integration mapping research, aditus, Parliamentary Secretariat, Government of Malta, 2022.

⁷⁰ Pg Ibid.

⁷¹ Pg 15, Ibid.

⁷² Pg 13, Ibid.

⁷³ Pg 15, Ibid.

⁷⁴ Pg 14, Ibid.

⁷⁵ Pg 10, Grech, S., Documentation: Turning the Tables, Facilitated by African Media Association Malta, aditus, Parliamentary Secretariat for reforms and equality, 2021.

⁷⁶ Pg 10, Ibid.

⁷⁷ Pg 11, Ibid.

- Lengthy processing of applications: Residence permit applications in Malta take 3 to 5 months to process by Identity Malta. During this period, applicants can stay in Malta but cannot work, leave the country, or access healthcare and other state benefits. These long processing times discourage employers from hiring third-country nationals (TCNs), pushing many into the informal economy. The bureaucracy and lack of clear information necessitate multiple visits to supply additional documentation. This cycle repeats with each renewal of a residence permit. The duration of permits varies: single work permits and Blue Card permits last up to 1 year; permits for researchers, students, and family reunification for TCNs also last 1 year, while family reunification for refugees lasts 3 years.⁷⁸
- Individuals applying for Schengen visas for themselves and their family members encounter a myriad of difficulties ranging from a lack of transparency, to delays in processing, redress procedures and lack of Maltese embassies or consulates in their country of origin. Problems have arisen in issuing visas for family reunification in countries with no Maltese embassies.⁷⁹

08.2 Long-Term Residence Permits for TCNs

The EU average of TCNs with a long-term residency permit (LTRP) is 51.0%.⁸⁰ Except for four countries, the share of TCNs with a LTRP is 20% and over. The four countries with a share of TCNs on LTRP that is less than 20% are Ireland (0.7%), Croatia at 15.6% and Romania at 17.1%.⁸¹ The other country is Malta. Malta ranks second from the bottom with a share of TCNs and an LTRP of 5.3% (or 2,541). It is to be noted that whilst the number of TCNs increased in real terms, from 1,119 in 2015 to 2,541 in 2019, the actual share in percentage terms of all non-EU citizens holding residence permits decreased from 6.0% to 5.3% during that period.

Malta applies stringent criteria for persons to obtain a LTRP. Amongst the criteria set are the following:⁸²

- Evidence of stable and regular resources that have existed for a continuous period of two years immediately before the date of application is sufficient to maintain the applicant and the family members. The law provides that these resources must be equivalent to the national minimum wage with an additional 20% of the national minimum wage for each family member.
- Passing a Maltese language test with a pass mark of at least 65% and a cultural integration test with a pass mark of 75%.
- Showing at least 100 hours of attendance in an intercultural course focusing on the social, economic, cultural, and democratic history and environment of Malta⁸²
- The afore-referenced report by the *aditus foundation* states it is difficult for TCNs to obtain an LTRP as the family income threshold and the 1 year period allowed to complete Stage 2 of the I Belong Programme.

The report further states that whilst under the family reunification regulations, refugees are exempt from having to satisfy certain requirements, such as the financial and accommodation requirements, this is not mirrored in the LTR regulations, and the absence of any exemptions for persons with protection fails to take into consideration their particular circumstances and vulnerabilities.⁸³

⁷⁸ Pp13-14, Ibid.

⁷⁹ Pg 19, Ibid.

⁸⁰ Pg 20.

⁸¹ Ibid.

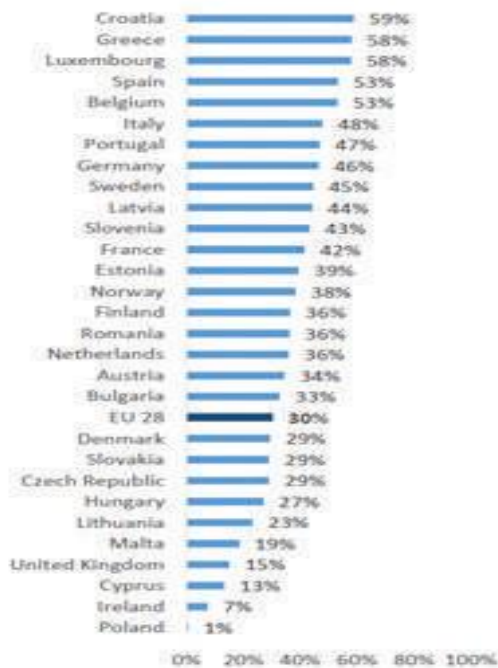
⁸² Pg 21, Ibid.

⁸³ Pg 21, Ibid.

08.3 First Permits Issued for Family Reasons to TCNs in Malta

The family unit is often the strongest and most effective emotional, economic and social network for migrants as they adjust to life in a new country. Therefore, family reunification helps to create social-cultural stability, facilitating the integration of migrants into the host country. Furthermore, besides assisting with the integration of migrants, it also promotes the economic and social cohesion of their communities. Family reunification has been one of the main avenues for legal migration into the EU. In 2015, almost 38% of all permits were issued based on family reunification, and in 2017, almost 28% of all first permits were for families.⁸⁴ Malta is in the bottom 5 places, having only 19% of first permits for family reunification reasons out of all first permits issued.

Figure 36: Percentage of First Permits issued for Family Reasons out of Total First Permits: 2011-2015⁸⁵



In the Maltese legislation, the Migrant Integration Policy Index noted in 2020 that "[n]on-EU citizens were less likely to reunite with family in Malta than in most European countries because of its long-delayed, restrictive and discretionary policy". Only Cyprus, the Netherlands and Denmark from the EU area have more restrictive policies. Concerning the number of permits issued for family reunification in Malta from the period between 2016 – 2020, disaggregated by the legal basis on which the Permit was issued, the majority of family reunification permits granted in Malta relate to minor children of non-EU sponsors, whilst the least number of permits were issued under the family reunification. A total of 51 permits were issued in 5 years.⁸⁶

⁸⁴ Pg 5, Camilleri, C., Family Reunification: Integration Mapping Research, aditus, Parliamentary Secretariat for Reforms and Equality, 2022.

⁸⁵ Ibid.

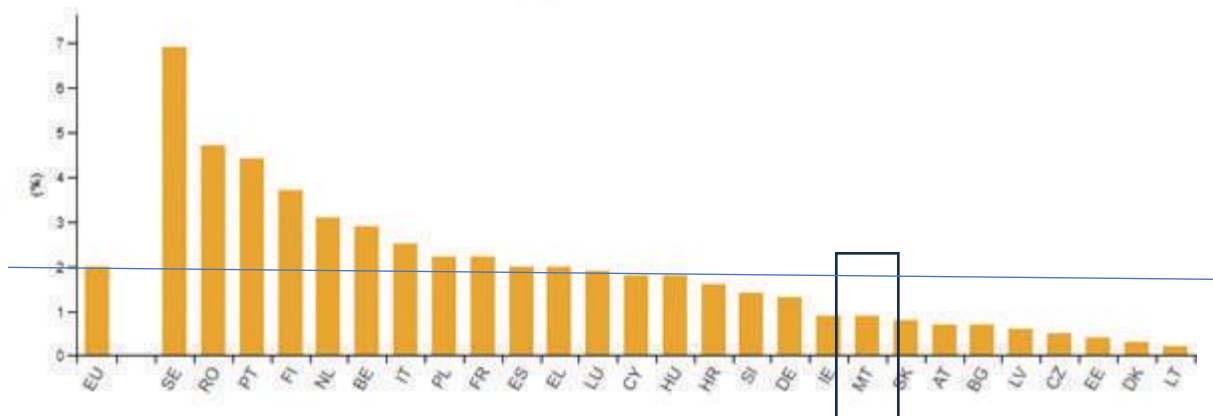
⁸⁶ Pg 13, Ibid.

08.4 Naturalisation of TCNs living in Malta

Access to citizenship has always been regarded as one of the most important indicators of integration into a host country, bridging important legal gaps between foreign nationals and citizens, especially for TCNs. Malta is regarded as having one of the most exclusionary citizenship processes in Europe, with such strict requirements that prevent the possibility of many beneficiaries of international protection from ever becoming Maltese citizens by naturalisation⁸⁷⁸⁸.

As seen from the Table below, Malta was one of the MSs that granted citizenship by naturalisation to the lowest number of foreign nationals in 2019. Whereas Sweden recorded the highest number of naturalised migrants with 6.9%, Malta recorded a mere 0.9% naturalisation rate.

Figure 37: Naturalisation Rate of Foreign Citizens – 2019: %



Malta falls below the EU standard for citizenship policies, according to the Migrant Integration Policy Index (MIPEX), stating that "Malta has not updated its citizenship policy to reflect its transformation from a country of emigration to immigration. Malta's short and simple naturalisation requirements on paper are highly discretionary, without citizenship entitlements for children born or raised in Malta".⁸⁹

The 2021 Census identifies the number of Maltese persons by secondary citizenship to be 18,752 – 8,946 males and 9,806 females. The highest number, as expected, is found amongst the countries Maltese in the past migrated to – British – 4,735, Australian – 4,298, Canadian – 1,738, and American – 1,655. These are followed by Italian at 1,453 and Germans at 357 respectively from MS. Concerning TCNs holding a Maltese passport the largest number of persons are Russians – 759, followed by Libyans – 348, Serbians – 303, and Filipinos. Children 9 years and younger amongst the TCNs hold a Maltese passport for Russians are 118 or 15.5%, Libyans 61 or 17.5%, Serbian – 40 or 13.2%, Filipino 51 or 24.6%.⁹⁰

⁸⁷ The naturalisation rate is calculated as the total number of people granted citizenship relative to the total number of foreign citizens living in a country, and not the rate of naturalisation relative to the total number of residents, including nationals, living in a particular country.

⁸⁸ Pg 7, Camilleri, C., Migrants and Citizenship: Integration Mapping Research, aditus, Parliamentary Secretariat for Reforms and Equality, 2022.

⁸⁹ Pg 8, Ibid.

⁹⁰ Pg 126, Population, migration and other social characteristics, Final Report, Census of population and housing - 2021, National Statistics Office, 2023.

08.5 Stateless Persons Living in Malta

Malta acceded to the 1954 Convention in 2019. However, it retains significant reservations to Article 11, Article 14, and Article 32, and the Convention does not have a direct effect.⁹¹ Malta has international obligations to protect the right to a nationality and protect the rights of stateless persons based on other UN and regional treaties to which it is a party, including:⁹² the International Covenant on Civil and Political Rights (Article 24.3); International Covenant on Economic, Social and Cultural Rights (see Articles 2.2 and Article 3); Convention of the Rights of the Child (Articles 2, 3, 7 and 8); Convention on the Elimination of All Forms of Discrimination against Women (Article 9); International Convention on the Elimination of All Forms of Racial Discrimination (Article 5(d)(iii)); Convention on the Rights of Persons with Disabilities (Article 18); International Convention for the Protection of All persons from Enforced Disappearance (Article 25.4).

Malta is not a state party to the 1961 Convention and has signed but not acceded to the European Convention on Nationality. It is not a state party to the Convention on the Avoidance of Statelessness concerning State Succession. Malta is a party to the European Convention on Human Rights. The EU Returns Directive also binds it.⁹³ A Joint submission to the Human Rights Council at its 45th Session Universal Periodic Review, Fourth Cycle – 2024, made by *aditus foundation*, the European Network on Statelessness, and the Institute on Statelessness and Inclusion identifies three major issues concerning statelessness in Malta. These are:

- Absence of data on the stateless population: Malta does not have a formal procedure for identifying and determining statelessness, leading to limited data collection and assessment of the stateless population. The national Census lacks a specific category for stateless individuals, and both the 2011 and 2021 censuses allowed minimal self-identification for statelessness, identifying 171 stateless people in 2021. There is no routine public reporting or systematic data recording on stateless individuals, including those in detention. While the Immigration Police gather some data on individuals who cannot be removed post-detention, this information is not publicly disclosed.⁹⁴
- Statelessness determination and access to rights: Despite Malta's public commitment to setting up a procedure to determine statelessness after joining the 1954 Convention, it currently lacks a dedicated Statelessness Determination Procedure (SDP) to identify, determine, and aid stateless individuals in accessing their rights on its territory. Moreover, there is no training provided to government officials, judges, or lawyers on issues related to statelessness. Additionally, the Maltese Citizenship Act's definition of a stateless person diverges from the 1954 Convention. The Act defines statelessness as "destitute of any nationality," whereas the Immigration Regulations reference the more detailed Convention definition.⁹⁵
- Arbitrary detention: The definition of statelessness in the Maltese Citizenship Act is less comprehensive than the definition in the 1954 Convention, though the latter is referenced in the Immigration Regulations. Malta implements measures to prevent arbitrary detention of stateless people, including immediate release when removal is impossible and cessation of detention when removal becomes unlikely. Asylum-seekers released from detention receive documentation and rights under the EU Reception Directive. At the same time, those detained for removal are only granted a limited administrative record and tolerated stay, restricting access to employment and healthcare without recent social security contributions. There are no clear procedures for re-documentation or determining nationality. A 2021 policy disallows employment for asylum-seekers who are refused asylum in 'safe' countries as per the International Protection Act.⁹⁶

⁹¹ Pp 2-3, *aditus foundation*, the European Network on Statelessness, and the Institute on Statelessness and Inclusion, Joint submission to the Human Rights Council at its 45th Session Universal Periodic Review, Fourth Cycle - 2024, on the right to a nationality and human rights challenges pertaining to statelessness in Malta, 18th July 2023.

⁹²Pg 3, *Ibid.*

⁹³ *Ibid.*

⁹⁴ Pp 3-4, *Ibid.*

⁹⁵ Pp 4-6, *Ibid.*

⁹⁶ Pp 6-7, *Ibid.*

- Children's right to nationality: Maltese law provides some protection against statelessness, though there are significant implementation gaps. The Citizenship Act permits stateless children born in Malta to apply for nationality after five years, provided they have committed no serious offences and can only apply after turning 18. This provision is underused and not well-known. Additionally, while foundlings are initially considered Maltese, the law's wording allows for potential statelessness if parents are later identified. The Act also stipulates that children born to Maltese nationals receive citizenship through jus sanguinis. Still, different rules apply to children born in or out of wedlock, particularly for those born abroad to unmarried Maltese fathers and foreign mothers, requiring the father's acknowledgement. Moreover, while birth registration in Malta generally follows the law, undocumented parents face difficulties registering their children, and birth certificates do not specify nationality, posing barriers that increase the risk of statelessness for children in Malta.⁹⁷

⁹⁷ Pp 8-9, Ibid.

Migrant	Where used in the report includes all categories of EUC and TCN in Malta.
Asylum Seeker	<p>Upon arrival, individuals can lodge an asylum application with the International Protection Agency (IPA). Once lodged, they are given asylum seeker status. Asylum seekers are provided with an identification document, usually renewed every 6 months, whilst their status is pending. They could also be given a "yellow book" by the Immigration Police.</p> <p>The police number, Refcom number and a number (listed at the back of the yellow book) may be used as identification numbers. Asylum seekers are entitled to:</p> <ul style="list-style-type: none"> ○ Access to the labour market (work permit in the employer's name for that specific job). ○ There is no access to the labour market for 9 months for those from safe countries. ○ Access to state education ○ Emergency healthcare and essential treatment of illness and serious mental health disorders <p>Asylum seekers are not entitled to:</p> <ul style="list-style-type: none"> ○ Social welfare benefits ○ Family reunification ○ Driver's licence ○ Marriage licence <p>Asylum seekers can hold this status for quite some time while the decision of their asylum case is pending. They will attend a preliminary interview, followed by a second interview.</p> <p>Once their asylum case is decided, there are two possible outcomes:</p> <ul style="list-style-type: none"> ○ Granting of protection (refugee status, subsidiary protection, temporary protection or temporary humanitarian protection). ○ The application is rejected (with the possibility of appeal unless the application is rejected as manifestly unfounded).
Rejected Asylum Seeker	If an asylum seeker is rejected after the appeals process, they become a rejected asylum seeker. They may be given a "yellow book" by the Immigration Police, which serves as an identification document. Rejected asylum seekers possessing this "yellow book" can access employment (3-month work permit in the employer's name), emergency healthcare, and state education.

⁹⁸ Pp 7-8, Caruana, J., Struggling to survive: an investigation into the risk of poverty among asylum seekers in Malta, JRS Malta and aditus foundation, 2016.

	<p>Some asylum seekers' claims are assessed with an accelerated procedure, whereby they will be rejected as manifestly unfounded and not provided with a document, which then entitles them to very little – no access to the labour market, healthcare, etc.</p>	
<p>International Protection</p>	<p>Applies to refugee status or subsidiary protection. The granting of international protection across the EU is regulated by the Recast Qualification Directive (2011). This Directive establishes a set of uniform standards regulating who qualifies for these statuses and lays down the minimum rights of holders, which are applicable in all MS, including Malta. The provisions of the Qualification Directive were transposed into Maltese law through the Procedural Standards for Granting and Withdrawing International Protection Regulations (S.L. 420.07).</p>	
	<p>Refugee</p>	<p>Refugees are people who have fled war, violence, conflict or persecution and have crossed an international border to find safety in another country. Refugees are defined and protected in international law. Holders of refugee status are entitled to:</p> <ul style="list-style-type: none"> ○ A renewable residence permit was issued for 3 years. ○ Travel documents ○ Access to the labour market (employed and self-employed). Work permits in their name are valid for one year. ○ Access to education ○ Access to healthcare under the same conditions as Maltese nationals ○ Family reunification.
	<p>Subsidiary Protection</p>	<p>Subsidiary Protection is an EU status granted to persons who do not qualify for refugee status but would face serious harm if returned to their country of origin. Holders of Subsidiary Protection are entitled to:</p> <ul style="list-style-type: none"> ○ A renewable residence permit was issued for 3 years. ○ Travel documents ○ Access to the labour market (employed and self-employed). Work permits in their name are valid for one year. ○ Access to education. ○ Beneficiaries of subsidiary protection are only entitled to core medical services, being emergency, lifesaving, public health, affecting human dignity, etc. ○ Social benefits are limited to core benefits. They are also eligible for contributory benefits if employed and paying social security contributions. ○ Not entitled to Family Reunification.

	Temporary Protection	<p>The TP status is for persons displaced from Ukraine on or after 24th February 2022. Holders of the Temporary Protection status will be entitled to:</p> <ul style="list-style-type: none"> ○ Residence permit (renewable every year, as per EU decision to extend TP) ○ Access to the labour market and accommodation ○ Social and welfare assistance ○ Medical care (including, as a minimum, essential emergency care and essential treatment of illness) ○ Access to education for children and teenagers.
National Protection		<p>Applies to protection granted by Malta (national authority) in terms of national law or policy – and are also referred to as non-harmonised forms of protection, as they are particular to the country where they are granted and not regulated by uniform standards across the EU. In Malta, national protection is known as Temporary Humanitarian Protection or Temporary Humanitarian Protection New (THP/THPN).</p> <p>THP and THPN are granted on the recommendation of the Refugee Commissioner to asylum seekers whose application for international protection has been rejected. The Refugee Commissioner may recommend granting THP where the applicant is a minor, where the applicant should not be returned to their country of origin on medical grounds or where the applicant should not be returned to their country of origin on other humanitarian grounds.</p>
	Temporary Humanitarian Protection	<p>Temporary Humanitarian Protection (THP) is a national status granted to rejected asylum-seekers who may not be returned to their country of origin for humanitarian reasons. The International Protection Act lists the following as possible reasons for which to be granted THP:</p> <ul style="list-style-type: none"> ○ An unaccompanied minor who is unable to go back to their country when the best interests of the child are taken into consideration. ○ An individual who is very sick, on a terminal level, or has a very serious medical issue which cannot be catered for in their country of origin. ○ A person who cannot be returned due to other humanitarian reasons, such as a debilitating disability. <p>THP holders are entitled to a renewable one-year residence permit and the same rights enjoyed by beneficiaries of subsidiary protection.</p>
	Specific Residence Authorisation	<p>SRA recognises the needs of a specific group of rejected asylum-seekers residing in Malta for 5 years and actively contributing to Maltese society. In October 2020, the SRA policy was amended, and no new applications can be accepted, only renewals. SRA holders must continue meeting the employment criteria to renew the SRA status.</p>

		<p>To renew their SRA status, applicants must demonstrate that they have been employed frequently (minimal accumulation of 9 months per year during the preceding 5 years) and prove various other "integration efforts".</p> <p>SRA holders are entitled to the following:</p> <ul style="list-style-type: none"> ○ Residence permit valid for 2 years with the possibility of renewal ○ Access to core welfare benefits similar to beneficiaries of subsidiary protection ○ Employment licence ○ Access to education and training ○ Access to medical care.
	Temporary Humanitarian Protection New	Since 2012, the granting of THPN in new cases has been largely suspended.
	Open Centre Residents	An open centre is a collective accommodation facility where asylum seekers and migrants released from detention are accommodated. In addition to asylum seekers, open centres accommodate protection beneficiaries and rejected asylum seekers. Open centre residents are not subject to any restrictions on their liberty, and they may leave the centre whenever they choose. Upon release from detention, all migrants, even those without a legal right to stay, are provided with a document by the immigration police, known as an immigration certificate. This document contains a photograph, personal details and a record of any extensions of stay granted by the immigration police. It is neither valid for travel nor a formal means of identification.
	Tolerated Stay	The immigration authorities acknowledge migrants who are present and stay in Malta. However, they have no formal legal right to stay and are, therefore, still subject to removal should this become possible. It is not a formal status established by law but rather an administrative response to the reality that some migrants against whom a Removal Order has been issued cannot be returned to their country immediately due to logistical difficulties or other legal or practical obstacles. As the immigration authorities acknowledge their presence and they are granted a temporary permit to stay, these migrants cannot be considered to be in an irregular or illegal situation.

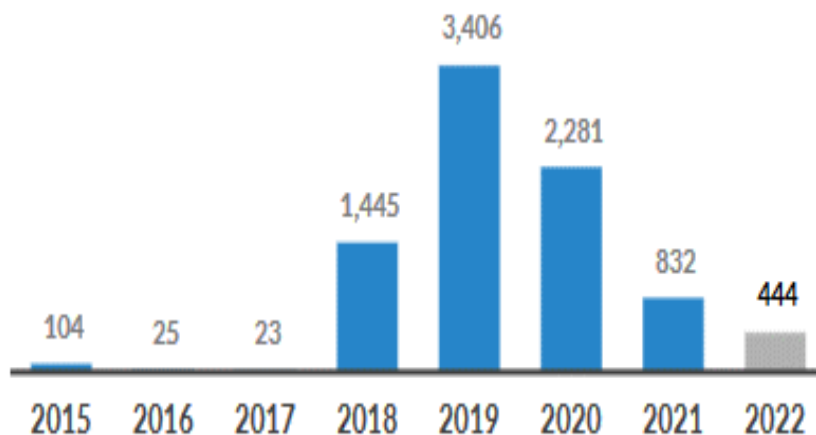
Malta has seven reception centres (down from eight in 2017). Five of these are run by the Agency for the Welfare of Asylum Seekers (AWAS). NGOs run the remaining two. These two centres run by NGOs fall within AWAS' overall reception system. **Table 01** presents the actual occupancy rate at each of the centres.

Table 01: Occupancy of Asylum Seekers at each of the Malta Open Centres in 2021⁹⁹

Open Centre	Occupancies
Dar il-Liedna	16 UMAS in the process of applying for asylum.
Hal Far Tent Village	254, including 82 UMAS or in the Age Assessment Team (AAT) procedure, 164 male adult applicants, 4 THPs and 4 rejected asylum seekers.
Hangar Open Centre	238 applicants for international protection.
Hal Far Open Centres	102, including 101 applicants for international protection and 1 THP
Initial Reception Centre	84 in the process of applying for international protection.
Balzan Open Centre	57, including 38 applicants for international protection, 3 refugee status, 5 Subsidiary protection, 1 THP and 10 rejected asylum seekers.

Figure 01 presents the number of asylum seekers in Malta who arrived by sea. As can be seen between 2015 and 2022, the number of asylum seekers peaked in 2019, when 3,406 persons reached Malta, and has decreased since then. In 2022, asylum seekers stood at 444, practically 50% of the 2021 figure.

Figure 01: Asylum Seekers Arrival by Sea in Malta¹⁰⁰

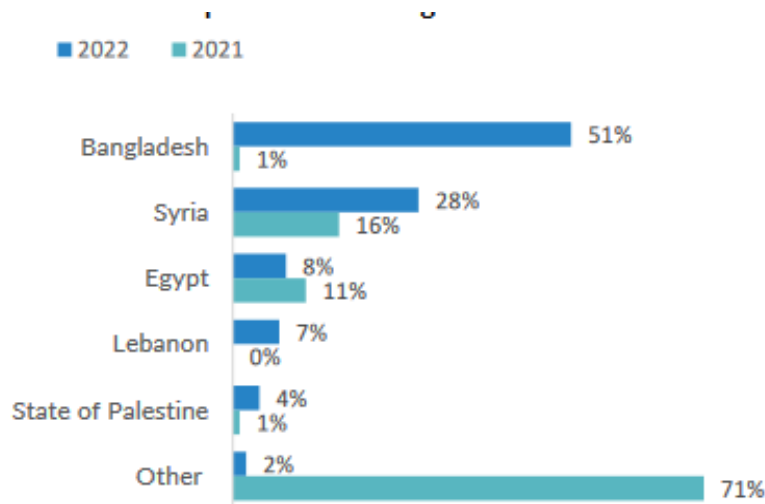


⁹⁹ Pg 91, Country Report: Malta, Asylum Information Database, 2022 Update, aditus and European Council on Refugees and Exiles, 2023.

¹⁰⁰ Pg 1, Malta Fact Sheet: UNHCR, 31st December 2022. Accessed on 3rd November 2023: https://www.unhcr.org/mt/wp-content/uploads/sites/54/2023/02/Malta-Factsheet_2022_update-2.pdf.

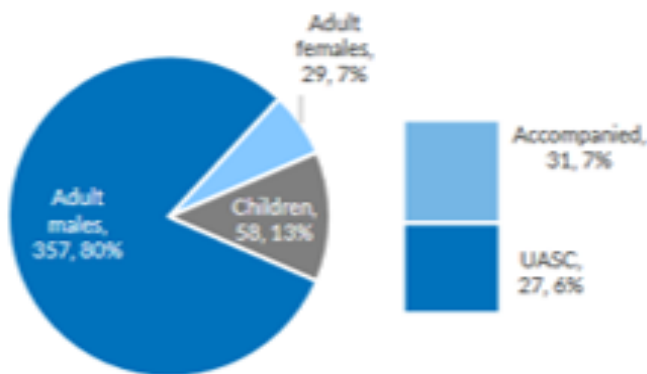
Figure 02 presents the asylum seekers who reached Malta by sea by country of origin. Of note is the significant increase in the number of seekers from Bangladesh and Syria.

Figure 02: Asylum Seekers Arrival by Country of Origin¹⁰¹



In 2022, 80% (357) of arrivals were adult males, 7% (29) adult females, and 13% (58) children (incl. unaccompanied and separated children). In comparison to 2021, although the number of adult females remains low (5% in 2021), there was a sharp increase in the arrival of adult males (65% in 2021). 17 persons were assessed as unaccompanied minors, and 10 were separated children. Moreover, 33 persons changed their date of birth during their registration before the International Protection Agency (IPA) in 2022. Of those, nine have been age-assessed as minors.¹⁰²

Figure 03: Demographics of Asylum Seekers who arrived in Malta in 2022¹⁰³



Nationals from Syria, Eritrea and Bangladesh were amongst the top three nationalities applying for international protection in Malta in 2022.¹⁰⁴

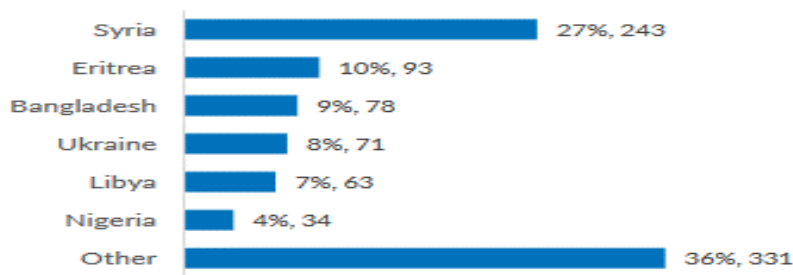
¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Pg 2, Ibid

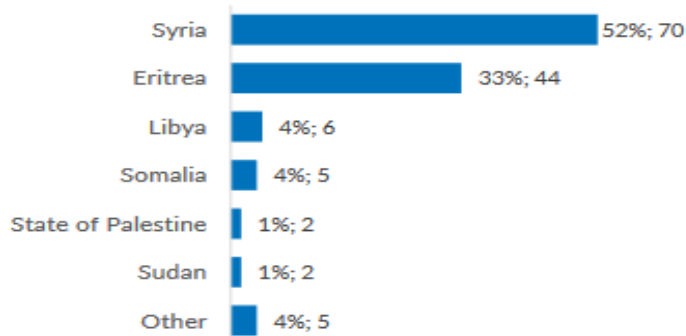
Figure 04: First-Time Asylum Applications in 2022¹⁰⁵



Total first-applications lodged: 913

The refugee population is mainly composed of Syrian, Eritrean and Libyan nationals. As of 31st December 2022, the recognition rate (grants of Refugee Status or Subsidiary Protection status) stood at 6%, compared to 8% for 2021. In contrast, the rejection rate increased from 20% in 2021 to 34% of the decisions issued in 2022.¹⁰⁶

Figure 05: Granted International Protection in 2022: Refugee and Subsidiary Protection¹⁰⁷



Total grants of protection*: 134

**excluding the Ukrainian cases under the TPD*

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for official statistics, please refer to the original sources. These include the International Protection Agency. Some numbers may be rounded off.

The Temporary Protection Directive (TPD) for those fleeing the war in Ukraine, Malta granted 2,285 Temporary Protection Certificates as of October 2023.¹⁰⁸ 99% of those were granted to Ukrainian citizens, with the remainder to qualifying third-country nationals.¹⁰⁹

¹⁰⁵ Ibid.

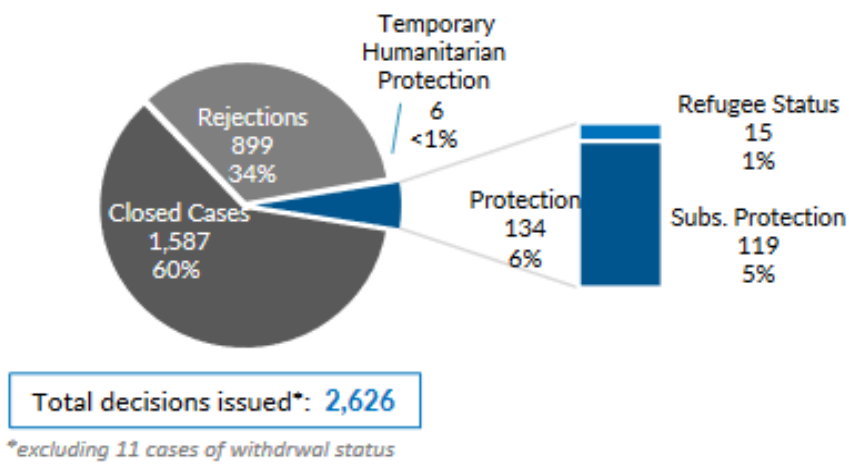
¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Operational Data Portal. Accessed on 3rd November 2023: <https://data.unhcr.org/en/situations/ukraine#category-8-465471>

¹⁰⁹ Malta Fact Sheet: UNHCR, 31st December 2022. Accessed on 3rd November 2023: https://www.unhcr.org/mt/wp-content/uploads/sites/54/2023/02/Malta-Factsheet_2022_update-2.pdf.

Figure 06: Granted International Protection in 2022: Refugee and Subsidiary Protection¹¹⁰



¹¹⁰ Ibid.