

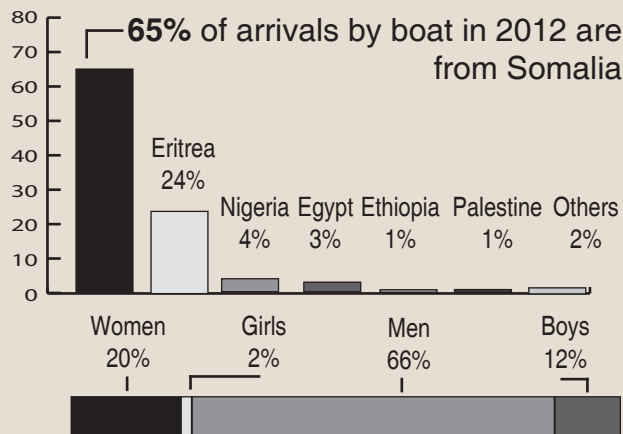
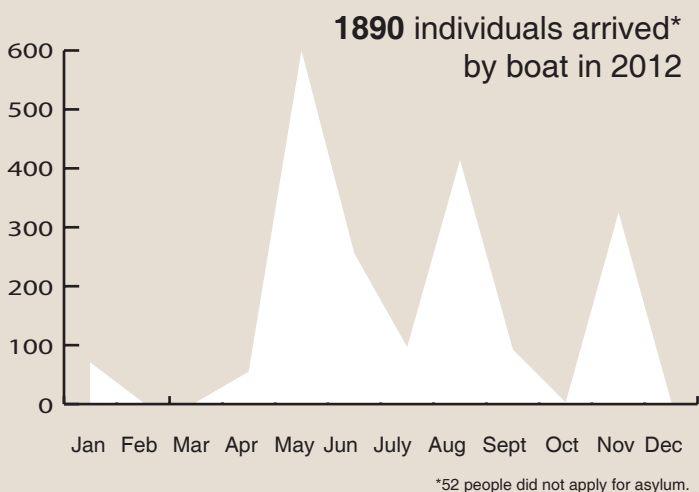
MALTA asylum trends 2012



Asylum seekers



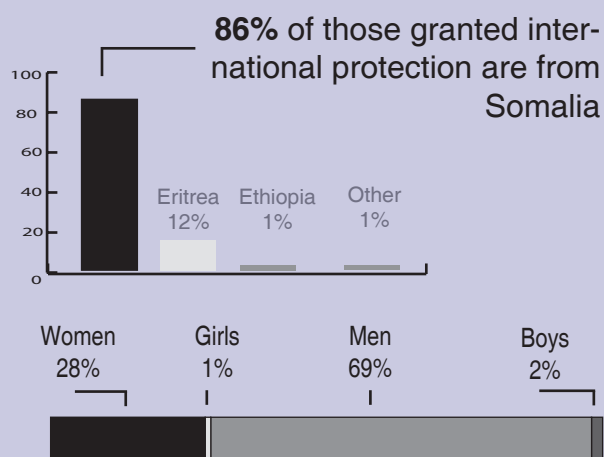
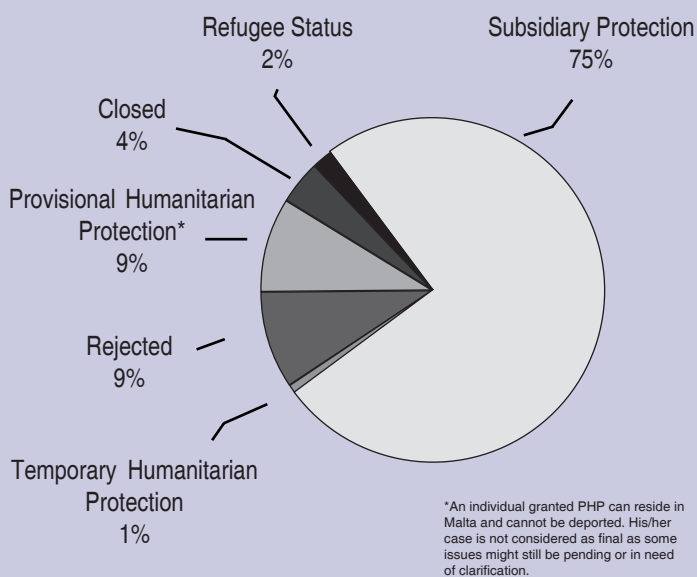
16,617 individuals arrived by boat in Malta since 2002. It is estimated that around **30%** of them remain in Malta



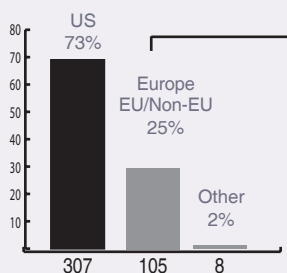
Protection status



78% of all asylum seekers were granted some form of protection in 2012. A further **9%** were granted Provisional Status



Reception & Solutions

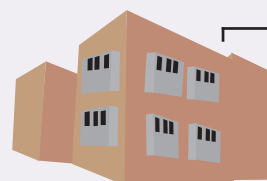
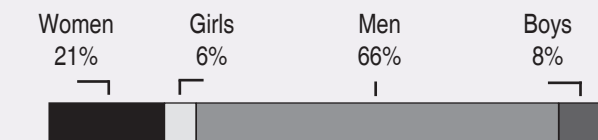


420 people have been resettled/relocated from Malta in 2012
1,830 have been resettled/relocated since 2005

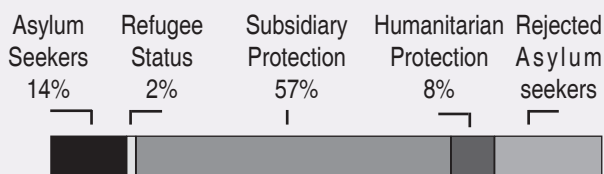
266 individuals were deported to their country of origin in 2012*

40 individuals have returned in 2012 through the Assisted Voluntary Return and Sustainable Reintegration in the Country of Origin

*This figure includes third country nationals who did not apply for asylum and rejected asylum seekers.



1,752 people live in the open centres



Source: Ministry for Home Affairs, Immigration Police, AWAS, Office of the Refugee Commissioner in Malta, IOM, UNHCR. Data as end 2012.
 More Data is available on www.unhcr.org/mt

Glossary

A **Refugee** according to the 1951 Convention (and also Maltese legislation) is a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality or habitual residence and is not able to, or because of such fear, is not willing to avail himself of the protection of that country.

An **Asylum-Seeker** is a person who is seeking international protection. In countries with individualized procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it. Not every asylum-seeker will ultimately be recognized as a refugee (or given another form of protection), but every refugee is initially an asylum-seeker.

Detention is a restriction on freedom of movement, usually through enforced confinement. In Malta, all individuals, including asylum seekers, who arrive in Malta without permission from immigration authorities may be detained in terms of immigration law and policy for a period of up to 12 months, or 18 months if their application for asylum is rejected. **UNHCR does not** consider it appropriate for any country to detain all asylum seekers who arrive without entry documents.

For more on this point refer to the Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention (2012), available at: www.unhcr.org.mt or www.refworld.org

Durable Solutions: Any means by which the situation of refugees can be satisfactorily and permanently resolved to enable them to live normal lives. UNHCR traditionally pursues three durable solutions: voluntary repatriation, local integration and resettlement.

A **Migrant** is a person who, for reasons other than those contained in the refugee definition, voluntarily leaves his country in order to take up residence elsewhere. He may be moved by the desire for change or adventure, or by family or other reasons of a personal nature. If he is motivated exclusively by economic considerations, he is an economic migrant and not a refugee.

Non-Refoulement is a core principle of international law that prohibits States from returning refugees (and also asylum-seekers) in any manner whatsoever to countries or territories in which their lives or freedom may be threatened. The principle of non-refoulement is a rule of customary international law and is therefore binding on all States, whether or not they are parties to the 1951 Refugee Convention.

Unaccompanied and Separated Children are persons below the legal age of majority who are not

in the company of an adult who, by law or custom, is responsible for them, such as parents, guardians or primary caregivers.

An **Irregular migrant** is a person who (a) has entered the territory without a valid visa/document (b) overstayed his/her visa (c) has remained on the territory despite an expulsion request or order.

A **Stateless person** is an individual who has no effective nationality and therefore cannot benefit from rights deriving from citizenship.

Why it is wrong to use terms such as:

“Illegal Immigrant” - A term widely used in both public and official discourse to refer to persons who have entered a country without proper visas or identity papers. The term is, however, misleading as in most countries the nature of detention is administrative and not criminal. Also, the 1951 Refugee Convention says that States cannot penalize refugees and asylum-seekers just because of unauthorized entry.

“Clandestine” - This term has a strong negative connotation, invoking a sense of criminality. Sometimes refugees and asylum seekers are often referred as “clandestines” even if they would have permission to remain in the territory of a country.

One can use terms such as “irregular migrants” instead of “illegal immigrants”. Other terms, such as “people”, “persons”, “individuals”, “migrants”, “undocumented” might be more neutral. Depending on the case and circumstances, appropriate terms are “refugees”, “asylum-seekers”, “persons seeking protection”.

UNHCR’s general objectives in Malta

Monitoring the access to protection and conditions of asylum in Malta;

Promoting a protection sensitive asylum system and related policies;

Strengthening the capacities of government and partner agencies;

Improving the availability of durable solutions, including through local integration and resettlement or intra-EU relocation;

Increasing the general awareness about asylum issues in the country.

Malta is a signatory to the 1951 Convention relating to the Status of Refugees and its 1967 protocol since 1971. It officially lifted its geographical reservation on 13 December 2001. Malta is not a signatory to any of the UN Statelessness Conventions.

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