

RIGHTS OF BENEFICIARIES OF INTERNATIONAL PROTECTION

As a beneficiary of international protection (refugee status or subsidiary protection) in Malta, you are entitled to the following rights:

- To remain in Malta with **freedom of movement**, and to be granted, as soon as possible, **personal documents**, including a **residence permit** for an initial period of three years.
- To be given a **Convention Travel Document** (if you are granted refugee status) and a **Travel Document** (if you are granted subsidiary protection status), with which you can leave and return to Malta without the need of a visa.
- To access **employment, social welfare, integration programmes, State education and training** and **State medical care**. Beneficiaries of subsidiary protection are only entitled to **core benefits**.
- If you have **family members in Malta** at the time you are granted international protection, then such family members will be entitled to **the same rights and duties** as you, so that family unity may be maintained.

112 is the number to call for **all emergency services** in Malta (ambulance, fire, and police).

Notes:

CONTACT INFORMATION

International Protection Agency (IPA)

Receives, examines and decides on applications for International protection.



Address: Fafner House,
Triq Nazzjonali, Hamrun
Telephone: +356 2125 5257
Email: frontoffice@ipa.gov.mt

Agency for the Welfare of Asylum Seekers (AWAS)

Manages reception centers, provides health and psychosocial support, provides information on housing, employment and educational opportunities.



Address: Block C, Belt is-Sebħ, Floriana
Telephone: +356 2568 7200
Email: awas@gov.mt

Legal Aid, Ministry for Home Affairs

Governmental office responsible for the provision of free legal assistance on asylum claims at appeal stage.



Address: 12, 28 Vincenti Buildings,
Strait Street, Valletta
Telephone: +356 2568 9737
Email: legalaid.mhsr@gov.mt

International Organization for Migration (IOM)

Coordinates Assisted Voluntary Return and Reintegration (AVRR) and other projects.



Address: 42 Rue D'Argens, Msida
Telephone: +356 7997 8079, +356
2790 0050
(AVRR) +356 7937 4613
Email: iommalta@iom.int

United Nations High Commissioner for Refugees (UNHCR)

Provides information and counselling on issues related to asylum-seekers' and refugees' rights and obligations, asylum procedures, and integration opportunities in the country.



Address: "The Dolphins",
Triq Sir Ugo Mifsud, Ta' Xbiex
Helpline Phone: +356 9999 6343
Email: mtavaprt@unhcr.org
Monday—Friday 8:00—16:30

YOU HAVE ARRIVED IN MALTA DO YOU NEED PROTECTION?

Here is some information

WHAT ARE THE RIGHTS AND DUTIES OF FOREIGN NATIONALS WHEN THEY ENTER MALTA?

Welcome, you have arrived in Malta. That means you are within the European Union.

Anyone who arrives in Malta must present themselves to the **national authorities** to be identified. Do not be afraid of the police, as they can help and protect you. It is important that you state if you are travelling with family members.

To be identified, you must state your first name, last name, the names of your parents, date of birth, the country in which you were born, and the country of which you are a citizen or habitual resident in a correct and complete manner. If you have any **documents** at this stage, you will be asked to present them. The documents will remain at the custody of the authorities.

The identification procedure consists of taking your **photo**, and, in case you are above the age of 14, your **fingerprints**. This is standard procedure for all new arrivals. It is important that you understand what is being communicated to you and that your statements are correctly reported in the documents you sign. Therefore, if something is not clear to you or you have doubts, you can ask for clarifications with the **help of an interpreter**.

If you are **under 18 years of age** and you are travelling alone or with relatives other than your parents, immediately report this to the authorities. Persons under the age of 18 arriving in Malta on their own and seeking asylum, have the right to be protected and to access reception centers dedicated to them. They also have the right to remain in Malta and be assisted by a guardian. If you have a **health problem or other specific needs**, report it immediately to the authorities.



ACCOMMODATION UPON DISEMBARKATION

After disembarkation, you will be transferred to an initial reception centre where you will go through medical tests to ensure that you do not have any infectious diseases. During this period, you will **not be allowed** to leave the centre.

After you are medically cleared, the concerned authorities will decide to transfer you to one of the reception centres managed by the **Agency for the Welfare of Asylum Seekers (AWAS)** or to one of the immigration detention centres managed by the **Detention Services Agency (DSA)**. If you are transferred to a detention centre, you will be issued a **Detention Order** in writing by the Principal Immigration Officer.

If you have **health problems** or **specific needs**, you can talk about them at any time during the procedure. In fact, if you suffer from serious illnesses or mental distress, or have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, you have the right to receive appropriate assistance and specialized services.

RIGHT TO ASYLUM

If you have left your country owing to fear of persecution or other serious threats to your life or freedom, you may seek **international protection** by applying for asylum in Malta.

Specifically, you can apply for asylum if:

- you cannot or do not want to return to your country because you are afraid of being persecuted due to your race, religion, nationality, membership of a particular social group, or political opinion.
- you cannot or do not want to return to your country because you are afraid that you will suffer serious harm, such as:
 - the death penalty or execution;
 - torture or inhuman or degrading treatment or punishment;
 - serious and individual threat by reason of indiscriminate violence in situations of international or internal armed conflict.

After expressing your intention to apply for asylum, you are considered to be an **asylum-seeker** by the authorities. For as long as you are an asylum-seeker, you have **the right to remain in Malta**.

If you are considering return to your home country and would like to discuss the options available to you, you may inform either:

Returns Unit of the Ministry for Home Affairs, Security & Employment
Telephone: +356 2568 9777, email: returns@gov.mt
or
International Organization for Migration (IOM)
Telephone: +356 7937 4613, email: iomalta@iom.int

ACCESS TO PROCEDURES

Your request for international protection will be registered by the competent governmental authority, the **International Protection Agency (IPA)**.

IPA will invite you for a registration interview during which you will be asked to provide **detailed personal information**, including your nationality, ethnic group, language, religion, and marital status. The IPA will also ask you about your journey to Europe; whether you have been detained in your country of origin or in any transit country during your journey; if you belong to any political, religious, armed or social groups; and if you have family members in Malta or in another European country.

The IPA will ask you to explain the reasons for seeking protection in Malta. At this stage it is important that you state as **clearly and honestly** as possible the circumstances and reasons why you left your country of origin/former habitual residence and the reasons why you are unable or unwilling to return.

It is important that you understand what is being said to you and that your statements are correctly recorded on your registration form. If any points are not clear, ask the interpreter to clarify.

All information you provide will be treated with the utmost **confidentiality**.

At the end of the interview, copies of the registration documents will be given to you. Keep them in a safe place.

ACCELERATED PROCEDURES

When an application for international protection appears to be **manifestly unfounded**, it will be examined by IPA under **accelerated procedures**. Under the International Protection Act, a claim might be manifestly unfounded if the asylum-seeker comes **from a safe country of origin***. When in the accelerated procedures, after your claim has been deemed to be manifestly unfounded, IPA shall decide on your claim in 3 working days. This decision shall be immediately referred to the **International Protection Appeals Tribunal (IPAT)** which shall examine and review the decision of IPA **within 3 working days**.

The decision of the IPAT on whether the application is manifestly unfounded is **final** and **conclusive**. Hence, **no appeal or form of judicial review** against the decision shall lie before the Tribunal or before any other court of law.

*Safe countries of origin:

All EU Member States, Algeria, Australia, Bangladesh, Benin, Botswana, Brazil, Canada, Cabo Verde, Chile, Costa Rica, Egypt, Gabon, Ghana, Iceland, India, Jamaica, Japan, Liechtenstein, Morocco, New Zealand, Norway, Senegal, Tunisia, Uruguay, United States

DUBLIN REGULATION

The "**Dublin procedure**" establishes the criteria to identify the country within Europe where an asylum claim may be examined. Generally, the country responsible for assessing your asylum application is the country where you first entered Europe.

However, if you have family members living in other **European countries***, or if you have documents (residence documents/visa) issued by other European countries, your application may be examined by the other country, where you may be legally and safely transferred.

For this reason, it is important that you inform the authorities as soon as possible if you have a **family member** living in another European country.

**Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lichtenstein, Lithuania, Luxemburg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and Switzerland.*

RIGHTS OF ASYLUM-SEEKERS

As an asylum-seeker in Malta, you have the following rights:

- To **legally reside** in Malta until the authorities have made a final decision on your asylum claim. This means you cannot be returned to another country against your will, while you wait for the final decision.
- To be provided with **documentation** (Asylum Seekers' Document) in your own name certifying your status as an asylum-seeker and/or that you are allowed to stay in Malta while your asylum application is being examined. Asylum-seekers who are in **detention** or **prison** are not entitled to an Asylum Seekers' Document (ASD). An ASD will only be issued **upon release** provided that the person concerned is still an asylum seeker.
- Access to state **education** and **training** in Malta and to receive state **medical care and services**. Asylum seekers are entitled to **emergency healthcare** only.
- To **consult** the UNHCR or any other national or international organisation providing legal advice and to seek **legal assistance** during all stages of the asylum procedure. **Free** legal assistance by the Maltese **Government** is only provided at **appeals stage**.
- To be **informed**, in a reasonable time, of the decision on your application for international protection, in a language that you understand or are reasonably expected to understand.

You cannot leave Malta as long as you are an asylum-seeker.