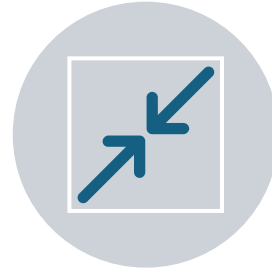


IMPLEMENTATION OF THE EU PACT ON MIGRATION AND ASYLUM

MALTA UPDATE

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BB1. Eurodac



OVERALL ENTRY INTO
OPERATION WAS **SMOOTH AND
SUCCESSFUL.**



WORKSTATIONS FULLY
CONFIGURED AT GHQ.



PROCUREMENT PROCESS HAS
STARTED; **EQUIPMENT TO BE
PURCHASED VIA EU-FUNDED
TENDER.**



TRAINING ONGOING, PLANNED
TO FINISH **BY END OF YEAR.**

BB2. Border Procedure/ Screening

Under this building block two targets are envisaged:

- the Provision of information by the Malta Police Force as per the Screening Regulation, including inter alia on the duration and procedures of the Screening Process as well as the right to apply for international protection; and
- enhancing the resources of the International Protection Agency in terms of data collection, including by increasing support to the Agency's IT needs.

BB3. Reception

Transposition of the RCD into national law by making the necessary legal amendments to Subsidiary Legislation 420.06.

EU funds - to refurbish the various open centres, improve the quality of the service being provided by AWAS and enhance the services being provided by said Agency.

BB4. Fair, Efficient and Convergent Asylum Procedures

Human resources at the International Protection Agency – Calls issued to recruit new staff for IPA to be better equipped to process asylum applications within the new timeframes, in particular those relating to the border procedure, the accelerated procedure, the regular procedure and the admissibility assessment.

Updated existing guidelines and SOPs to conform with the changes envisaged in the Pact.

BB5. Efficient and Fair Return Procedures

Streamlining of the return procedure - a system wherein return decisions will be issued by the Principal Immigration Officer either together with, or without undue delay after, the decision of the International Protection Agency rejecting the application as inadmissible, unfounded or manifestly unfounded.

To further improve the efficiency of the appeal process - appeals against return decisions issued following a negative decision by the International Protection Agency will no longer be heard by the Immigration Appeals Board but will start to be heard by the International Protection Appeals Tribunal, thus ensuring that both appeals are heard concurrently by the same body.

BB6. A Fair and Efficient System: making the new responsibility rules work

In view of the addition of a new responsibility criterion (diplomas or other qualifications) and the shorter timeframes envisaged for sending and replying to a take charge request and a take back notification, the resources of the Dublin Unit within the International Protection Agency will be further beefed up with the recruitment of new personnel.

Current staff complement is sufficient.

BB7. Making Solidarity Work

Necessary preparations are underway to fulfil the relocation pledges falling under the current Solidarity cycle.

Personnel of the Migration Directorate within the Ministry for Home Affairs, Security and the IPA were assigned to ensure coordination and carry out solidarity related tasks as required, including the relocation of beneficiaries of international protection or asylum seekers from/to Malta to/from other Member States, as necessary.

BB8.

Preparedness, Contingency Planning and Crisis Response

Contingency Plan On Asylum drafted and communicated to EUAA in April 2025.

BB9. New Safeguards and increased Monitoring of Fundamental Rights

Guarantee the provision of free legal aid to all asylum applicants at appeals stage, including those whose application has been rejected as manifestly unfounded or as inadmissible. Nonetheless, such appeals will be processed within shorter timeframes compared to appeals against applications processed under the regular procedure.

BB9. New Safeguards and increased Monitoring of Fundamental Rights

- Applicants whose application has been rejected as manifestly unfounded or as inadmissible will be able to file an appeal against said decision, to file submissions at appeals stage, and to attend hearings if deemed necessary by the International Protection Appeals Tribunal (IPAT); and
- applicants whose application will be rejected as manifestly unfounded will not have an automatic right to remain on Maltese territory pending the conclusion of appeal proceedings. Instead, the IPAT will determine ex-officio within a stipulated timeframe if such a right should be granted.

BB9. New Safeguards and increased Monitoring of Fundamental Rights

In order to comply with the new obligations emanating from the Screening Regulation and the Asylum Procedures Regulation, in particular the establishment of a monitoring mechanism, the function of the Monitoring Board for Detained Persons will be extended to:

- monitor compliance with Union and international law, including the Charter of Fundamental Rights, in particular as regards access to the asylum procedure, the principle of non-refoulement, the best interest of the child and the relevant rules on detention, including relevant provisions on detention in national law, during the screening; and
- to ensure that substantiated allegations of failure to respect fundamental rights in all relevant activities in relation to the screening are dealt with effectively and without undue delay; trigger, where necessary, investigations into such allegations and monitor the progress of such investigations.

BB9. New Safeguards and increased Monitoring of Fundamental Rights

The Ombudsman and the National Human Rights Agency, once established, shall also be part of the monitoring process as observers.

BB9. New Safeguards and increased Monitoring of Fundamental Rights

The human resources of the Agency for the Welfare of Asylum Seekers further enhanced to:

- ensure that enough representatives for unaccompanied minors are available given the fact that the Reception Conditions Directive (recast) now establishes a maximum number of unaccompanied minors for whom a representative can be responsible;
- strengthen the age assessment process by recruiting more professional assessors, thus ensuring that the process can be concluded within the timeframe envisaged in the Reception Conditions Directive (recast); and
- provide legal counselling, when requested, in line with the new legal obligations stemming from the Pact.

BB9. New Safeguards and increased Monitoring of Fundamental Rights

The Agency for the Welfare of Asylum Seekers and the IPA updated the information provision material in line with the new requirements envisaged in the Pact. Moreover, the International Protection Agency will be increasing its staff complement with the aim of enhancing its current dedicated information provision team.

BB9. New Safeguards and increased Monitoring of Fundamental Rights

The last target under this building block envisages the further enhancement of the Quality Control Unit within the International Protection Agency to improve the overall efficiency of the administrative stage of the asylum procedure.

BB10. Resettlement, Inclusion and Integration

Internal resettlement guidelines were updated to cover the whole resettlement process, including registration, information to be provided to beneficiaries, and the new time limits for concluding resettlement or humanitarian admission.