

Temporary Protection Malta

This annex on temporary protection complements and should be read together with [the AIDA Country Report on Malta](#).

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Temporary Protection Procedure

A. General

Title (EN)	Web Link
Temporary Protection For Displaced Persons (Minimum Standards) Regulations, S.L. 420.05, 2005	https://tinyurl.com/5ymue9sn
Temporary Protection for Displaced Persons (Minimum Standards) (Amendment) Regulations, Legal Notice 188 of 2022. This amendment transposes Article 27 of the Directive.	https://tinyurl.com/5h6n48n4

The Temporary Protection for Displaced Persons (Minimum Standards) Regulations¹ were adopted by the Home Affairs Ministry in May 2005 as subsidiary legislation to the International Protection Act. In terms of content, the Regulations faithfully transpose the Directive provisions to the letter. The Regulations specify that the CEO's declaration will also specify the groups of persons eligible for Temporary Protection.

On 8 March 2022, Malta activated the Regulations following the relevant Council decision.² The Regulations state that the existence of a “*mass influx of displaced persons shall be made by the Chief Executive Officer*”, being the CEO of the International Protection Agency. The only public information available regarding the CEO's declaration is an undated page on the Home Affairs Ministry's website.³

The declaration states that the following persons are eligible for temporary protection:

- a) Ukrainian nationals residing in Ukraine before 24 February 2022;
- b) stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022; and
- c) family members of the persons referred to in points (a) and (b).

Furthermore, “*family members*” is defined as the following persons who were already present and residing in Ukraine before 24 February 2022:

- a) the spouse of a person referred to in point (a) or (b), or the unmarried partner in a stable relationship;
- b) the minor unmarried children of a person referred to in point (a) or (b), or of his or her spouse, without distinction as to whether they were born in or out of wedlock or adopted;
- c) other close relatives who lived together as part of the family unit at the time of the circumstances surrounding the mass influx of displaced persons, and who were wholly or mainly dependent on a person referred to in point (a) or (b) at the time.

Finally, the declaration also states that Temporary Protection shall also be granted to stateless persons third country nationals (other than Ukraine), as long as they are able to prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit issued in accordance with Ukrainian law, and who are unable to return in safe and durable conditions to their country or region of origin.

¹ Temporary Protection for Displaced Persons (Minimum Standards) Regulations, Subsidiary Legislation 420.05, 6 May 2005, available at: <https://bit.ly/3AlbNRg>.

² European Union Agency for Asylum, Information on Temporary Protection: Malta, June 2022, available at: <https://bit.ly/3H2RLP4>.

³ Ministry for Home Affairs, Security, Reforms and Equality, Temporary Protection Directive (2001/55/EC) – Ukraine Nationals, available at: <https://bit.ly/3N4ckyr>.

Furthermore, following the amendment of the operating plan with EUAA, the Agency committed to provide specific support for the registration and processing of TP applications. This support includes:⁴

- ❖ Standard operating procedures on the implementation of the Temporary Protection Directive established and fully in line with the Council Implementing Decision (EU) 2022/382 of 4 March 2022;
- ❖ Regular coordination meetings held among the concerned representatives of the national authorities and EUAA to ensure effective collaboration and coordination;
- ❖ The Maltese authorities make the necessary office space available for the Agency's deployed personnel and provide the necessary equipment for implementation of the activities, unless otherwise agreed;
- ❖ A bi-directional data sharing on the outputs of EUAA deployed personnel under the performed operational activities and detailed overall national data on the respective statistical indicator;
- ❖ Support the delivery of information sessions on the provisions of the TPD with the use of leaflets/info-material developed by the national authorities in a language likely to be understood;
- ❖ Support TP registrations;
- ❖ Support in assessing the eligibility criteria for TP applications;
- ❖ Support the issuing of TP decisions;
- ❖ Support the issuing and the delivery of TP certificates;
- ❖ Support provided in the dissemination of two campaigns: 1) Survey of Arriving Migrants for Displaced People from Ukraine (SAM Ukraine Project); 2) Awareness raising campaign run by the European Commission-DG HOME against trafficking in human beings and targeting people fleeing Ukraine;
- ❖ Additional support for the implementation of TP activities, conditional upon agreement between EUAA and the Maltese authorities.

In early 2023, the NGO SOS Malta conducted a survey among the Ukrainian community in Malta (with 81 respondents), whose results are summarised below:

- ❖ Most respondents reached Malta between 6 and 11 months before the survey;
- ❖ 60% of respondents were renting an apartment, whilst 16.3% rent with other unrelated persons. The remainder are in provided accommodation (NGO, Maltese people, friends);
- ❖ Most expressed that no discrimination issues were faced when seeking accommodation;
- ❖ Main moments for social engagement with co-nationals: individual and general meetings and rallies;
- ❖ 31% of respondents sought psychological support;
- ❖ Overall, the concerns expressed were:
 - Generally, lack of information on anything;
 - Employment: language requirements (English), employers not recruiting due to fear of return to Ukraine;
 - Educational: children arriving mid-way through the academic year meant they were not admitted to school, administrative delays in registering children, traumatised children, burdensome documentation requirements, adults unable to continue their studies;
 - Healthcare: expensive medicines, long waiting lists, dismissive attitude of healthcare staff;
 - Mental health situation remains an obstacle to achieving normality;
 - Discrimination: some with expensive possessions from home (e.g. a car) were criticised as not being worthy of protection or support;
 - No affordable housing;
 - No legal aid.

⁴ Information provided by the EUAA in July 2024.

Throughout 2023, persons granted TP struggled with access to basic support largely due to the extremely limited social support provided under the national social security system. The humanitarian group Ukrainian Refugees in Malta provided essential support to the community, largely by receiving and distributing food donations.⁵

Between 24 February 2022 and the end June 2024, a total of 2,062 were granted temporary protection in Malta. Out of this number, 1,533 currently have a valid protection certificate. Of the 1,533 persons with a valid protection certificate, 834 are female, 205 are minor females, 287 are male and 207 minor males.⁶

In 2023, 573 persons applied for TP and the IPA took 573 positive decisions. Legal practitioners noted that, as in 2022, persons deemed ineligible to apply for TP were barred for submitting their applications and documentation.

B. Qualification for temporary protection

The persons eligible for temporary protection are those outlined in the CEO's declaration, mentioned above. This criterion has been strictly applied and no changes in practice were seen throughout 2023.

All persons applying for temporary protection and not fulfilling the eligibility criteria, including persons who left Ukraine before 24 February, were prevented from applying for temporary protection and instructed to seek international protection as per the regular channels.

The Regulations and the CEO's Declaration mirror the Decision's wording. TCN's and stateless persons could be eligible for temporary protection as long as they fulfil the stipulated requirements.

In 2022, TCN parents of Ukrainian nationals were not deemed to be eligible for temporary protection in terms of the "family member" definition. These persons were then required to show, if possible, that they fulfilled the criteria relating to all other TCNs. Attempts were made by some applicants to argue that separation from their children would constitute a situation falling under "unable to return in safe and durable conditions to their country or region of origin". This was not accepted by the International Protection Agency. It is understood that these persons left Malta to seek protection elsewhere. NGOs did not report any similar cases for 2023.

In 2023, NGOs providing legal services confirmed that no stateless persons approached their offices for assistance relating to temporary protection.

Persons fleeing Ukraine who are not eligible for temporary protection were given a number of options:

1. International protection through the regular channels;
2. Travel to another EU Member State to seek temporary protection;
3. Return to Ukraine and travel back to Malta if the condition "*residing in Ukraine before 24 February 2022*" is met.

In practice, several persons travelled back to Ukraine through informal travel arrangements whilst many others applied for international protection.

The temporal scope of temporary protection under the TPD was not extended.

⁵ Ukrainian Refugees in Malta Facebook page: <https://tinyurl.com/s5p3ad6k>; The Alfred Mizzi Foundation, 'The Alfred Mizzi Foundation Donates to Ukrainian Refugees in Malta', 12 September 2023, <https://tinyurl.com/yeyrm46y>.

⁶ Information provided by the International Protection Agency on 11 July 2024.

In February 2022, a Community Crisis Centre was created with the help of the Honorary Consulate of Ukraine in Malta, to better coordinating reception efforts.⁷ As of March 2022, the International Protection Agency started to provide specific information regarding applications to Ukrainian Nationals that wish to apply for the Temporary Protection under the Temporary Protection Directive (2001/55/EC).⁸

On 18 March 2022, the Maltese authorities requested support from EUAA, with personnel and services to support the implementation of the Temporary Protection Directive in Malta, via a letter addressed to the Executive Director of the EUAA.⁹

C. Access to temporary protection and registration

1. Admission to territory

The vast majority of applicants reached Malta by plane in a regular manner. No particular immigration checks were applied, and no restrictions for what concerned access to the territory were reported.

Applicants and beneficiaries who returned to Ukraine could re-enter the country. Malta lifted COVID-19 restrictions very early in 2022 and quarantine at an alternative accommodation was allowed.

2. Freedom of movement

No reports or incidents were noticed. Applicants and beneficiaries are free to move and reside in any part of the country.

In 2022, the IPA clarified that TP beneficiaries returning to Ukraine would have their protection status withdrawn, irrespectively of the duration and reason of the return to Ukraine. The IPA further clarified that, if the person managed to return to Malta, they could reapply for TP upon their return.¹⁰ Practitioners were unable to confirm whether any persons had their TP withdrawn for this reason, or whether they managed to return to Malta.

3. Registration under temporary protection

The International Protection Agency registered applicants through a straightforward procedure at front desk level. Applicants are required to set an appointment – in person, via telephone or email – during which they are expected to provide the documents confirming their eligibility for temporary protection. If the submitted documentation fulfilled the eligibility requirements, temporary protection was immediately granted.

Where a person expressed the intention to apply for temporary protection at the border, immigration officials at the airport would share the contact details of the International Protection Agency. No time limits are stipulated for individuals to make their applications.

Applicants are expected to provide the following documents:¹¹

- ❖ original identification documents (passport, identity card, etc.)
- ❖ travel documents that show their travel route
- ❖ original or printed copies of birth certificates of minor children

⁷ Information distributed by the centre can be found at: <https://bit.ly/3wPKGgA>.

⁸ Information available on the Home Affairs Ministry of Malta at: <https://tinyurl.com/24ef7ze5>.

⁹ The letter is not publicly available, but referred to in the 2022-2024 Operational Plan (Amendment 3), page 4. Available at: <https://tinyurl.com/shh94jk7>.

¹⁰ Malta Refugee Council, Ukraine Info: Holders of Temporary Protection temporarily returning to Ukraine, 5 August 2022, available at: <https://tinyurl.com/4brw7ee5>.

¹¹ Information provided by the International Protection Agency to the Malta Refugee Council, available at: <https://bit.ly/3UXAWea>.

- ❖ printed copies (documents cannot be printed at the IPA) of:
 - the first page of their passport – identity card (with the personal detail information/biodata page) and;
 - of the page(s) including the stamp related to entry in the EU and/or the pages with the VISA issued by an EU Member state.

No document was provided upon registration. In most cases this did not give rise to any challenges, since the timeframe between registration and a decision was usually extremely brief.

Persons denied temporary protection who subsequently appealed this negative decision were also not provided with any document relating to their status in the country pending the appeal.

The Regulations do not stipulate any right or procedure to appeal against negative decisions on temporary protection. In 2022, challenges were faced by some applicants who were deemed not to be eligible for temporary protection and were not provided with any decision in writing explaining reasons in fact and law for the decision on ineligibility.

When approached on this matter, in 2022 the International Protection Agency informed legal practitioners that the Directive does not place an obligation on the competent national authorities to give reasons in writing as to why a request for temporary protection is not being acceded to. The IPA further noted that the Temporary Protection Directive does not give the possibility to file an appeal in those instances where the competent national authorities conclude that someone is not eligible for Temporary Protection, referring to the Directive's Article 29 limiting appeals to situations where someone is excluded from the benefit of Temporary Protection.

It appears that the International Protection Appeals Tribunal has not, so far, declared any such appeal as ineligible or inadmissible yet no information is available as to whether the IPAT decided on the substance of any TP appeals in 2023.

4. Legal assistance

Applicants are entitled to privately secure legal assistance, and no legal aid is provided by the State. Furthermore, applicants for international protection are only entitled to State legal aid at second instance.

In practice, since the establishment of temporary protection, most applicants approached the NGOs aditus Foundation and Jesuit Refugee Service Malta for information and legal assistance. The Ukrainian community in Malta also provided information to applicants and referred individual cases where necessary. Some applicants were able to pay private lawyers.

NGOs provided the only free legal services. As was the case in 2022, in 2023 the only practical obstacles possibly encountered included identifying suitable interpreters/translators, including for documents, and waiting lists since the NGOs providing the services also provide their services to several other groups of people.

5. Information provision and access to NGOs

Regulation 10 states requires the State to provide beneficiaries *“with a document, in a language likely to be understood by them, in which the provisions relating to temporary protection, and which are relevant to them are clearly set out.”*

The International Protection Agency produced two leaflets in English, disseminated to persons together with the decision and temporary protection certificate: 'Frequently Asked Questions' and 'Rights of persons enjoying temporary protection'.¹²

The Malta Refugee Council regularly posted information updates on its website and social media sites, under the heading 'Ukraine Info'.¹³ The NGO aditus foundation published a Fact Sheet on Temporary Protection.¹⁴ During the early months of the arrivals to Malta, the Malta Refugee Council organised a series of information meetings with representatives of the Ukrainian community and government officials, with the aim of explaining issues such as social support, accommodation, documentation, etc. Throughout 2023, the Council maintained communication with the community discussing individual cases and also broader challenges and issues experienced.

In 2022, the Ukraine Community Crisis Centre Malta was established with the help of the Honorary Consulate of Ukraine in Malta.¹⁵ It provided support relating to information and practical assistance mainly to newly-arrived applicants. The Centre was less active in 2023.

Similarly to 2022, in 2023 the main challenges regarding information provision related to the absence of information in Ukrainian, the limited availability of interpreters/translators and the seemingly uncoordinated approach of Government entities on the content of protection and related procedures.¹⁶ However, in 2023 several NGOs providing support to migrants and refugees noticed an increase in the number of service-users from Ukraine including for language classes and social support.

At the Malta International Airport, immigration officials refer applicants to the International Protection Agency. No interpretation service is currently available at the airport.

D. Guarantees for vulnerable groups

There is no specific mechanism for temporary protection applicants, yet it is assumed that the regular procedures for identifying vulnerable asylum-seekers could be applied (see [Identification of vulnerable applicants, AIDA Country Report – 2023 Update](#)).

No specific procedure was set-up to address the needs of individuals fleeing from Ukraine suffering from mental health problems, including survivors of torture and other traumatised persons. Throughout 2023, NGOs providing services to TP beneficiaries commented that mental health issues ranked as the highest priority of the community, particularly due to the on-going conflict, the separation from family members and the challenges of integrating and moving in in Malta.

¹² The two leaflets are available on this news post of the Malta Refugee Council: <https://bit.ly/3LuhD9n>.

¹³ Malta Refugee Council, Latest News from Malta Refugee Council: <https://bit.ly/3H4nbEV>.

¹⁴ aditus foundation, Fact Sheet No. 24 – Temporary Protection for Persons Fleeing Ukraine, May 2022: <https://bit.ly/3H55cOB>.

¹⁵ Facebook page of the Ukrainian Community Crisis Centre Malta: <https://bit.ly/41rmzB3>.

¹⁶ Malta Refugee Council, Malta needs to coordinate its response to Ukrainian refugees: We urge Government to establish a Humanitarian Coordination Committee, with effective Civil Society participation, 21 March 2022, available at: <https://bit.ly/43Q46Qr>.

Content of Temporary Protection

A. Status and residence

1. Residence permit

Indicators: Residence permit

- | | |
|--|--------------------------|
| 1. What is the duration of residence permits granted to beneficiaries of temporary protection? | Valid until 4 March 2025 |
| 2. How many residence permits were issued to beneficiaries from the activation of the Temporary Protection Directive until 31 December 2023? | Not available |

Beneficiaries of temporary protection apply for an appointment at the public agency Identity Malta. Upon presentation and verification of the required documents, the residence permit is issued within days. The required documents are:¹⁷

- ❖ Identity Malta Form ID 1A (filled). This is downloadable from the Identity Malta site;
- ❖ Identity Malta Form CEA (filled). Available as above;
- ❖ Lease agreement;
- ❖ Rental declaration form (filled by the lessor). Available as above;
- ❖ IPA certificate;
- ❖ IPA decision letter;
- ❖ Payment of €27.50 per person (also children);
- ❖ Deed of purchase of the property (if landlord is not a Maltese national).

Residence permits had an initial validity of one year (until 4 March 2023); after this date, all expired permits can be automatically renewed upon renewal of temporary protection certificate until 4 March 2025.

In terms of law, all rights of beneficiaries are associated with the temporary protection and not with the residence permit. In practice, however, all rights require a residence permit for their enjoyment.

No additional conditions are imposed for the enjoyment of rights.

TP beneficiaries wishing to move to another EU MS are required to relinquish their temporary protection in Malta by writing to the International Protection Agency. This also applies for TP holders wishing to move to Malta. Specifically, the International Protection Agency stated that, “*Malta is connected to the EU TP solidarity platform and data of persons granted TP in Malta is regularly being uploaded to the system. In the case of a hit with another Member State, the competent authorities of that Member State are notified accordingly so that the TP status and residence permit in that Member State can be withdrawn/de-registered.*”

*Without prejudice to the above, it is recommended that before requesting TP in Malta, the person concerned confirms that he/she is eligible for TP in Malta and informs the competent authorities of the Member State where he/she was originally granted TP of his/her intention to request TP in Malta.*¹⁸

NGOs working with TP beneficiaries confirmed that they were in touch with small numbers of beneficiaries who had relocated to Malta from other EU MS.

¹⁷ Malta Refugee Council, Ukraine Info: Residence Permits for Temporary Protection holders, 29 April 2022: <https://bit.ly/3N3ojwj>.

¹⁸ Information provided by the IPA to the Malta Refugee Council, reproduced at: <https://bit.ly/3HcXKAQ>.

2. Access to asylum

The Regulations provide that persons enjoying temporary protection shall be able to lodge an application for asylum at any time. They also state that *“the examination of any asylum application not processed before the end of the period of temporary protection shall be completed after the end of that period.”*¹⁹ Furthermore, the Home Affairs Ministry confirms that temporary protection cannot be enjoyed simultaneously as the asylum applicant status.²⁰

The Regulations further provide that after an asylum application has been examined and refugee status or, where applicable, any other kind of protection is not granted to a person eligible for or enjoying temporary protection, then, without prejudice to their right to appeal, that person shall enjoy or shall continue to enjoy temporary protection for the remainder of the period of protection.²¹

In 2023, there were no reports of TP holders wishing to apply for asylum, mainly since the TP procedure was speedier and provided more certain results. According to the IPA, in 2023, 30 applications were submitted by Ukrainian nationals and 89 such applications were pending at the end of the year. No decisions on international protection were taken by IPA in relation to Ukrainian nationals. Ukrainian citizens applying for international protection were processed in the same manner and together with all other asylum applicants.

B. Family reunification

Temporary protection beneficiaries cannot apply for family reunification using existing provisions beyond the TPD framework, as they are entitled only to the same rights as [subsidiary protection beneficiaries](#).

C. Movement and mobility

Beneficiaries of temporary protection have freedom of movement within Malta and towards other EUMS once registered.

In 2022, the International Protection Agency stated that a return to Ukraine – irrespectively of duration or purpose – could result in a withdrawal of TP,²² with the possibility of the person applying for TP once again. Nonetheless, withdrawal cases came to the attention of NGOs or legal practitioners.

¹⁹ Regulation 18 of the Temporary Protection for Displaced Persons (Minimum Standards) Regulations, Subsidiary Legislation 420.05 of the Laws of Malta.

²⁰ Information available on the Home Affairs Ministry of Malta at: <https://tinyurl.com/24ef7ze5>.

²¹ Regulation 20(2) of the Temporary Protection for Displaced Persons (Minimum Standards) Regulations, Subsidiary Legislation 420.05 of the Laws of Malta.

²² Malta Refugee Council, Ukraine Info: Holders of Temporary Protection temporarily returning to Ukraine, 5 August 2022, available at: <https://bit.ly/40wpfMF>

D. Housing

Indicators: Housing

1. For how long are temporary protection beneficiaries entitled to stay in reception centres?	6 months
2. Number of beneficiaries staying in reception centres as of 12/2023	0
3. Number of beneficiaries staying in private accommodation as of 12/2023	Not available

TP holders are entitled to seek accommodation in the open reception centres managed by the Agency for the Welfare of Asylum-Seekers (AWAS) in accordance with the general rules applicable to international protection beneficiaries.

Beneficiaries of TP are not entitled to access reception conditions in the same way as asylum-seekers. Instead, TP holders are entitled to the same rights as SP beneficiaries, and to accommodation in the open reception centres for the maximum permissible period.

AWAS is responsible for the provision of reception to beneficiaries of TP.

Beneficiaries are entitled to stay in reception centres for 6 months, with the possibility of this being reviewed on a case-by-case basis.

No places were specifically dedicated to TP beneficiaries in reception centres. Aside from Identitá, the national agency issuing residence permits, there is no centralised authority monitoring the housing situation of TP beneficiaries.

In 2022, TP applicants and holders generally used hotels and private accommodation, as most had contacts here in Malta (being family or friends). These were not coordinated or in any way related to the general reception scheme and entirely private initiatives. Although there were no formal obstacles to accessing open reception centres, NGOs working with the Ukrainian community reported that TP applicants and holders refused to be accommodated in open reception centres due to the poor living conditions these offer.

The vast majority of applicants and holders secured accommodation privately, either through friends and/or family already based in Malta. NGOs received several offers of accommodation from residents in Malta willing to accommodate people fleeing Ukraine, yet there was no centralised platform to coordinate or monitor these spaces. Ad hoc initiatives were also being implemented.²³

The March 2023 survey conducted by the NGO SOS Malta indicated that 60% of respondents were renting an apartment, 16.3% were renting with persons who were not family members, 10% were being accommodated by friends and 7.5% had accommodation provided by Maltese people. This is also reflected in the geographical spread of the community in Malta, with 45.9% of respondents living in the northern part of the island, generally known for lower rent prices.²⁴

In 2022, the Ukrainian Community set up a website for persons to refer to when seeking accommodation, yet no information regarding its effectiveness or operation is available. The website was eventually shut down and is no longer available.

Reception in private accommodation is not organised by the State. It would only be involved if, as with all other situations, the situation raised issues of security or violation of rent laws.

²³ For example, see: <https://bit.ly/3UXCHb3>.

²⁴ The survey results are not published, yet were shared with the Malta Refugee Council and NGOs working in the sector.

No compensation was provided to private hosts. Funds were made available at the beginning of the arrivals, to cover hotel and other accommodation costs linked to quarantine measures.²⁵

In a first survey (September 2022) amongst the Ukrainian community, the NGO SOS Malta found that 45% of TP holders were renting an apartment themselves, 31% were in a private apartment or house with or without a foster family and 17% were renting an apartment with another Ukrainian family. The rest of the respondents indicated that they were hosted in a house or apartment provided by the authorities (this remains unclear) or were renting a hotel or Airbnb.²⁶

The main challenges faced in securing housing were:

- ❖ Open reception centres offer substandard living conditions;
- ❖ No State-coordinated accommodation system;
- ❖ Exorbitant rent prices, coupled with difficulties securing livelihood;
- ❖ Private hosts not provided with any form of support;
- ❖ No monitoring of private offers.

E. Employment and education

1. Access to the labour market

Access to the labour market is guaranteed under the same conditions as subsidiary protection holders. TP holders are granted an employment licence in their own name by the public entity Jobsplus.

No specific regulation or policy is in place to facilitate access to the labour market for TP beneficiaries, yet no specific professions have been exempted from qualification recognition. TP beneficiaries are not entitled to equal treatment to nationals with regard to employment, meaning employment within the public service is not permitted.

2. Access to education

The Regulations state that children TP holders are entitled to access education at par with Maltese nationals. Adults may be allowed to access the public education system by the IPA CEO.

TP beneficiaries are entitled to education under the same conditions as nationals if they are under the age of 18. In their input to the survey prepared by SOS Malta, respondents flagged the issue that Ukrainian children were attending schools remotely at a Ukrainian school, limiting their available free time and heightening stress.

Language difficulties and administrative issues in securing documentation (in the early months of arrivals) were the main issues faced in accessing the education system. The Migrant Learners Unit, a public initiative offering language classes to prepare newly-arrived migrants for mainstreaming education, stepped up its registration efforts to meet the new increased demand for registrations.²⁷

²⁵ Ministry of Foreign and European Affairs and Trade, The Ministry for Foreign and European Affairs is offering to cover the accommodation costs of Ukrainian nationals and their dependents fleeing from the current conflict in Ukraine, 2 March 2022, available at: <https://bit.ly/3Amj2Z7>.

²⁶ Malta Council for Refugees, Ukraine info: SOS Malta publishes survey results persons who fled Ukraine to Malta, September 2022, available at <https://bit.ly/40nwPZW>.

²⁷ See Malta Refugee Council, Ukraine info: Registering children at the Migrant Learners' Unit here: <https://bit.ly/3oBOOyM>.

Vaccinations, whilst necessary to access education, were freely administered.²⁸

NGOs stepped in to provide language education classes to adults, with Blue Door Education confirming that it received large numbers of applications from Ukrainian nationals.

If the child beneficiary has special needs they would be treated as Maltese children with particular needs.

TP holders above the age of 18 are treated as [subsidiary protection holders for purposes of access to education](#). They may apply for an exemption of fees for attending public educational institutions.²⁹

Refugees, SP and TP holders have their fees waived when seeking to have their educational certificates recognised through the Malta Qualifications Recognition Information Centre (MQRIC).³⁰

The policy on exemption of fees, above, also applies here.

Language challenges remain the main obstacles to full enjoyment of education rights. The SOS Malta survey noted the challenges faced by children reaching Malta in the middle of the academic year and not permitted to access school before the end of the year. Respondents also commented on the administrative requirements for registering children and that the mental health needs of their children were not adequately seen to by the educational authorities.

F. Social welfare

The Regulations state that TP beneficiaries are entitled to “*necessary assistance*”, translated by policy to mean the same level of benefits as SP holders, being ‘social assistance’.³¹ This is a lower level of social welfare provided to Maltese nationals and recognised refugees.

Services are provided by the Foundation for Social Welfare Services,³² whilst welfare schemes and support are provided by the Department of Social Security.³³

TP beneficiaries face obstacles such as lack of information and lack of clarity by State entities in accessing social assistance. In 2023, representatives of the Ukrainian community noted several TP holders were ordered to return sums of money that had been paid to them by Malta by way of social security contributions, on the premise that they were not been entitled to the support. According to the representatives, it appears the issue might be linked to TP holders who were struggling to survive on the provided social assistance and attempted to secure alternative employment.

G. Health care

The Regulations state that TP holders are entitled to “*necessary*” medical care, specifying that it includes, as a minimum, essential treatment of illness and emergency care. The Regulations also add that persons with particular requirements, such as vulnerable persons, are entitled to medical support.

No significant challenges were reported in relation to access to health care. As with 2022, in 2023 the main issues noted were in relation to mental health support, as these services are generally either

²⁸ Malta Refugee Council, Ukraine Info: Updated info re. Health issues for persons coming to Malta from Ukraine, 22 March 2022: <https://bit.ly/3Ne1qGy>.

²⁹ See <https://bit.ly/40CmZUa>.

³⁰ See Malta Refugee Council, Ukraine info: fees for the recognition of qualifications waived for Temporary Protection Holders at: <https://bit.ly/3LtDNrX>.

³¹ Department of Social Security, Social Assistance, available at: <https://bit.ly/3TESbRQ>.

³² Foundation for Social Welfare Services, here: <https://fsws.gov.mt/en>.

³³ Department for social security – MALTA, here: <https://bit.ly/40CPvF6>.

inaccessible due to long waiting lists, or not sufficiently specialised to deal with particular issues faced by refugees and TP holders.