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The integration of applicants for international protection in the labour market

Common Template for EMN Study 2022

Final Version, 9 August 2022

Subject: The integration of applicants for international protection in the labour market

Action: EMN NCPs are invited to submit their completed contributions by 25 November 2022.

If needed, further clarifications can be provided by directly contacting the EMN Service Provider (ICF) at emn@icf.com.

1. BACKGROUND AND RATIONALE FOR THE STUDY

The study focuses on the integration of applicants for international protection in the labour market.

As stated in the EU Action plan on Integration and Inclusion 2021-2027 "The EU's work on integration and inclusion is underpinned by a shared set of principles and values, which should also guide the work of EU Member States when they design, implement or review their strategies for integration."¹ Research has shown that labour market integration is one of the key elements of migrant integration and successful participation in society. For many migrants, building a new life entails the important aspect of finding appropriate work in the host country, because it is related to their economic independence, health and overall wellbeing.²

¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Action plan on Integration and Inclusion 2021-2027, COM(2020) 758 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0758&from=EN>, last accessed on 28 July 2022.

² Dustmann, C., Fasani, F., Frattini, T., Minale, L., Schönberg, U., Sunde, U., and Trigari, A. 'On the economics and politics of refugee migration' (2017), *Economic Policy*, 32, p. 497. de Vroome, T., and van Tubergen, F. 'The employment experience of refugees in the Netherlands' (2010), 44, p. 376. Ager, A., and Strang, A. 'Understanding integration: A conceptual framework' (2008), *Journal of Refugee Studies*, 21, p.166.

In the EU, access to the labour market is a shared competence, regulated for different groups under various legislative acts. For applicants of international protection access to the labour market is regulated under Reception Conditions Directive Recast (2013/33/EU).³ The idea of allowing access to the labour market for the applicants of international protection is connected with the aim of promoting the self-sufficiency of applicants even whilst their applications are being processed. This contributes also to having better prospects for eventual integration of those who will ultimately be granted protection.⁴

Hence, access to the labour market with an aim to increase applicants' self-reliance and possible integration prospects is regulated in EU Member States by the Reception Conditions Directive Recast (2013/33/EU) currently in force. However, in terms of practical implementation, EU Member States have considerable flexibility in deciding whether to allow this access once the nine months deadline set as a maximum in the Reception Conditions Directive Recast (2013/33/EU) is reached, directly after the application is lodged, or sometime in between. Although almost all EU Member States give applicants access to the labour market during the asylum procedure, the period after which access to employment is granted, varies considerably from one Member State to another.⁵

EU Member States experienced an unprecedented influx of incoming applicants for international protection in the period of 2014-2016,⁶ which, in addition to immense pressure on the asylum systems, also led to changes in the integration programmes and activities offered to applicants for international protection. According to the results of a study carried out by the European Migration Network (EMN) in 2018,⁷ one of the main areas where the changes were detected was access to the labour market, with the study reporting on different measures taken after 2015 to improve such access for applicants of international protection. For example, Belgium reduced the waiting period between the lodging of the application for international protection and access to the labour market from six to four months, while Latvia reduced this period from nine to six months. In Germany, the Integration Act of 6 August 2016 foresaw the creation of 100 000 work opportunities for applicants for international protection

³ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) OJ L 180, 29.6.2013, p. 96–116.

⁴ Recital 23 in the Directive 2013/33/EU.

⁵ Please see the results of relevant past ad hoc queries on that topic:

European Migration Network, 'Ad-Hoc Query on Residence permit and labour market needs'. Requested by COM on 11 December 2020. Link: https://ec.europa.eu/home-affairs/system/files/2021-02/202075_residence_permit_and_labour_market_needs_en.pdf

European Migration Network, 'Ad-Hoc Query on access of international protection applicants to the labour market', Requested by LU EMN NCP on 19th July 2016. Link: https://ec.europa.eu/home-affairs/system/files/2020-09/2016.1091b_lu_access_of_international_protection_applicants_to_the_labour_market.pdf

European Migration Network, 'Ad-Hoc Query on access to the labour market for asylum seekers', Requested by AT EMN NCP on 23rd January 2015. Compilation produced on 3rd June 2015. Link: https://ec.europa.eu/home-affairs/system/files/2020-09/654_emn_aHQ_access_to_the_labour_market_for_asylum_seekers_wider_dissemination.pdf

European Migration Network, 'Ad-Hoc Query on the rules of access to labour market for asylum seekers'. Requested by FR EMN NCP on 25th October 2010. Compilation produced on 10th December 2010. Link: https://ec.europa.eu/home-affairs/system/files/2020-09/269_emn_ad-hoc_query_rules_of_access_to_labour_market_for_asylum_seekers_25oct2010_wider_disseminat_en.pdf

⁶ Overall figures of Eurostat show a total of 431 095 first time asylum applicants in 2013 and 626 960 in 2014 in the European Union. In 2015 and 2016 more than 1.2 million first time applicants for international protection were registered.

⁷ European Migration Network, 'Changing Influx of Asylum Seekers 2014-2016', 2018, https://ec.europa.eu/home-affairs/system/files/2020-09/00_eu_changing_influx_study_synthesis_final_en.pdf, last accessed on 28 July 2022.

to bridge the long waiting period of several months between the lodging of a claim and the decision on the status. Austria and Sweden focussed on better matching of qualifications with employment and, alongside Belgium, introduced measures for a swifter recognition of applicants' qualifications. Belgium offered an alternative to the recognition of a diploma to the applicants for international protection. Namely, they introduced a trajectory which could include, depending on the profession / field of study, participation in a limited number of courses on a related master discipline, attending one or more seminars, practical training sessions, or authoring a paper. With the aim of better matching applicants' qualifications with available jobs, Sweden introduced a fast-track scheme. Finally, Finland piloted a prepaid debit card, to which the employer could transfer the salary, to overcome the obstacle posed by the fact that applicants for international protection were not allowed to open a bank account. Although, the above-mentioned study brought out several changes EU Member States carried out in the period of 2014-2016, an in-depth study for the more recent years is needed to examine further the laws, policies and practices (measures) of the EMN Member States and Observer Countries and developments when it comes to the integration in the labour market of applicants for international protection.

As noted above, the first point of divergence between the EU Member States is *when* labour market access is granted. Further issues relate to variations in the laws, policies and measures which guarantee that this access, when granted, is *effective*.

Under the expression 'effective access', there are several questions that need to be looked at. As the practical implementation of access to the labour market is under national laws, questions arise about whether EMN Member States and Observer countries,⁸ for example, use labour market tests, and what kind of impact they have in practice. Another basis for divergence comes from the rights that applicants in different EU Member States are entitled to when accessing the labour market and whether they are guaranteed equal treatment with nationals of the Member State or similar to as other third-country nationals who are working in the European Union (EU) (for example under the Single Permit Directive⁹ or the Seasonal Workers Directive).¹⁰ Another issue which allows divergences between the EMN Member States and would need to be explored further, is whether applicants for international protection are excluded from some specific labour market sectors and, if so, if this is limited in time (for example in some cases for certain seasonal sectors). Another question would be on the rights of the applicants in different EU Member States as regards the length of employment permits and hence, contract duration, equal treatment for freedom of association and affiliation, education and vocational training, the recognition of professional qualifications (including formal qualifications that cannot be documented) and diplomas and social security.

Access to the labour market for the applicants of international protection would need to be in full compliance with labour market standards (such as a minimum wage,

⁸ The EMN National Contact Points (EMN NCPs) coordinate the EMN activities at national level in all EU Member States (except Denmark) and the EMN observers, namely Norway, Georgia and the Republic of Moldova. For more information, please see: https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-members_en , last accessed 14 July 2022.

⁹ Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State OJ L 343, 23.12.2011, p. 1–9.

¹⁰ Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers OJ L 94, 28.3.2014, p. 375–390.

working conditions), which should also help to avoid distortions in the labour market. Research suggests that differences between EU Member States' rules on access to the labour market may also create incentives for secondary movements of asylum seekers.¹¹

While several EU Member States do not apply any specific restrictions¹² with regard to the applicants' access to the labour market but as integration measures vary, it is important to have an up-to-date and clearer overview of the ways the integration to the labour market is currently provided and facilitated by the EMN Member States and Observer Countries.

In a study carried out by the EMN and published in 2019, which explored the labour market integration of third-country nationals in the EU Member States, the following most common obstacles were identified:¹³

- The accreditation of job qualifications/assessment of skills of those arriving from outside the EU;
- Tackling discrimination within recruitment processes and;
- Managing varying levels of language skills in integration measures.

These difficulties were found to be more pronounced when dealing with migrant women or vulnerable groups.¹⁴ It is likely that similar difficulties can come into play when it comes to ensuring effective access to the labour market for applicants of international protection.

The integration of applicants for international protection in the labour market is a topic that has also emerged in the context of discussions on the 2016 Reception Conditions Directive Recast proposal¹⁵ as one where laws and practices differ from one EU Member State to another. In a briefing¹⁶ by the European Parliamentary Research Service (labour market integration of asylum-seekers and refugees) it was brought out that although national asylum rules have become more harmonised when it comes

¹¹ European Migration Network, 'EMN Policy brief on migrant's movements through the Mediterranean, 2016, <https://emnbelgium.be/publication/migrants-movements-through-mediterranean-emn-policy-brief-update>. See also: Advisory Committee on Migration Affairs, 'Advisory report: Increasing onward migration of asylum seekers in the EU', 2019, <https://www.adviescommissievoorvreemdelingenzaken.nl/publicaties/publicaties/2019/11/05/increasing-onward-migration-of-asylum-seekers-in-the-eu>, European Parliament, 'Secondary movements of asylum-seekers in the EU asylum system', 2017, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/608728/EPRS_BRI\(2017\)608728_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/608728/EPRS_BRI(2017)608728_EN.pdf), Brekke J.P., Brochmann G., 'Stuck in Transit: Secondary Migration of Asylum Seekers in Europe, National Differences, and the Dublin Regulation', (2015), *Journal of Refugee Studies*, 28 (2), p. 145.

¹² Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast) COM(2016) 465 final 2016/0222 (COD) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016PC0465&from=EN>

¹³ European Migration Network, 'EMN Study on Labour Market Integration of Third-Country Nationals in EU Member States', 2019, https://home-affairs.ec.europa.eu/news/emn-study-labour-market-integration-third-country-nationals-eu-member-states-2019-02-14_en, last accessed on 04 August 2022.

¹⁴ This is also confirmed by other studies for example European Commission and Joint Research Centre, 'Gaps in the EU Labour Market Participation Rates: an intersectional assessment of the role of gender and migrant status', 2020, [https://publications.jrc.ec.europa.eu/repository/handle/JRC121425; EMN Study on Integration of Migrant Women in the EU: Policies and Measures \(to be published in June 2022\)](https://publications.jrc.ec.europa.eu/repository/handle/JRC121425;EMN%20Study%20on%20Integration%20of%20Migrant%20Women%20in%20the%20EU%20Policies%20and%20Measures%20(to%20be%20published%20in%20June%202022))

¹⁵ Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast) COM(2016) 465 final 2016/0222 (COD) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016PC0465&from=EN> (Reception Conditions Directive Recast).

¹⁶ European Parliament, 'Briefing on the labour market integration of asylum-seekers and refugees', 2022, https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/690651/EPRS_BRI%282021%29690651_EN.pdf, last accessed on 04 August 2022.

to access to the labour market to the applicants of international protection since 2013, differences in the approach to granting access persist across the EU¹⁷.

Against this backdrop, the study aims to research and compare EMN Member States and Observer countries' laws, policies and practices (measures) regarding the labour market integration of applicants for international protection in the period January 2017-June 2022.

2. STUDY AIMS AND OBJECTIVES

The overall aim of the study is to inform the target audience (e.g. practitioners, policy officers, decision makers at both EU and national level, including the European Commission and the European Union Agency for Asylum (EUAA), academic researchers, civil society organisations and the general public) on the labour market access of applicants for international protection, identifying existing laws, policies and measures regarding the labour market integration of applicants, good practices and challenges in the period of January 2017- June 2022.

The study's main objectives are:

- To map current national legal and policy frameworks in the EMN Member States and Observer Countries as regards providing access to the labour market for international protection applicants.¹⁸
- To map current national measures¹⁹ in the EMN Member States and Observer Countries as regards supporting effective access to the labour market for international protection applicants, and potential obstacles that hinder access.
- To identify the key actors, including where relevant on the local and regional level in the EMN Member States and Observer Countries, responsible/involved in the design and implementation of support measures aimed at facilitating the labour market integration of international protection applicants.
- To provide examples of good practices and challenges from EMN Member States and Observer Countries on the measures adopted at national level, but also, where applicable, at the regional or local levels, to facilitate access to the labour market for applicants of international protection.

¹⁷ European Migration Network: 'Ad-Hoc Query on Residence permits, borders and working conditions - Gaps in information', Requested by COM on 11 December 2020, https://www.emn.lt/uploads/Products/product_1833/202076_residence_permits_borders_and_working_conditions_gaps_in_information.pdf ; 'Ad-Hoc Query on residence permits and labour market needs' from 11 December 2020 (not published); Ad-Hoc Query on Labour market integration policies aimed at third-country nationals – update', Requested by Adolfo Sommarribas on 10 May 2020, https://www.emnnetherlands.nl/sites/default/files/2020-10/%5bWIDER%20COMPILATION%5d%20labour_market_integration_policies_aimed_at_third-country_nationals_-_update.pdf ; 'Ad-Hoc Query 2019.5 on Right to work for asylum seekers', Requested by Simon Woollaccott on 16 January 2019, <https://www.emnnetherlands.nl/sites/default/files/2019-09/2019%205%20Right%20to%20work%20for%20asylum%20seekers.pdf> .

¹⁸ Taking into account what is foreseen in the Article 15 of the Reception Conditions Directive Recast (2013/33/EU).

¹⁹ EMN definition of 'measures' includes systematic initiatives (multi-year / long term), projects (ad-hoc) and legislative (structural) measures that are used to implement the integration policies (including those funded by governments but implemented by NGOs on behalf of the governments).

3. SCOPE OF THE STUDY

This study addresses third country nationals that have applied for international protection in the EMN Member States and Observer Countries and would benefit from the access to the labour market in the meaning of Article 15 of the Directive Reception Conditions Directive Recast (2013/33/EU) currently in force in the EU or in the meaning of any other equivalent national act that regulates access to the labour market for the international protection applicants.

The reporting period for this study ranges from 2017 to 2022, depending on the area of analysis (i.e. data, policies, laws, measures):

- Data: 2017–June 2022
- Policies/laws: As of August/September/October 2022
- Measures: As of August/September/October 2022

This period covers years after the high migration flows seen in 2015-2016 and after the Reception Conditions Directive Recast proposal by the European Commission. In addition, this period will give an overview of the most recent changes in the EMN Member States and Observer Countries' laws, policies and practices as regards facilitating access to the labour market.

This study will present and compare laws, policies and measures for labour market integration for applicants of international protection in EMN Member and Observer Countries, discuss relevant evidence on the ways integration to the labour market is provided and draw good practices and challenges.

4. METHODOLOGY

This study is based on national reports prepared by the EMN National Contact Points (NCPs).

The identification of a measure as a "good practice" in the context of this study will draw inspiration from the European Website on Integration, where a good practice is defined as a measure that is "effective, efficient, sustainable and/or transferable, and that reliably lead[s] to a desired result". The selection of the measure should be made by an expert working in the field (e.g. policy-maker; service provider; civil society organisation; migrant organisations) or based on studies or evaluations.²⁰

In the context of this study the terms 'laws, policies and measures' are defined as follows:

- 'Laws' regulate the legislative framework providing the access to the labour market of the applicants for international protection.
- 'Policies' refer to targeted integration strategies and action plans but also broader policy instruments relevant to the integration in the labour market.
- 'Measures' refer to systematic initiatives (multi-year / long term), projects (ad-hoc) and legislative (structural) measures that are used to implement the (labour market) integration policies (This includes for example loans that are granted to applicants of international protection for starting a business. This includes also

²⁰ European Commission, 'European Website on Integration – What are 'good practices'?', 2014, https://ec.europa.eu/migrant-integration/page/what-are-good-practices_en, last accessed 04 August 2022.

those measures funded by governments but implemented by NGOs on behalf of the governments).

5. EU LEGAL AND POLICY CONTEXT

According to article 78 the Treaty of the Functioning of the EU (EUTF)²¹ the EU shall develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of *non-refoulement*. This policy must be in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees, and other relevant treaties. According to the second paragraph of the same article, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures for a common European asylum system comprising standards concerning the conditions for the reception of applicants for asylum or subsidiary protection. With this aim in mind and in order to promote the self-sufficiency of applicants and to limit wide discrepancies between EU Member States, the Reception Conditions Directive Recast (2013/33/EU)²² provides for rules on the applicants' access to the labour market. According to article 2 of the Reception Conditions Directive EU Member States shall decide the conditions for granting access to the labour market for the applicant, in accordance with their national law, while ensuring that applicants have effective access to the labour market.

According to article 15 in the current Reception Conditions Directive Recast (2013/33/EU) EU Member States shall ensure that applicants have access to the labour market no later than nine months from the date when the application for international protection was lodged, if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant.

According to the Reception Conditions Directive Recast (2013/33/EU) article 15(2), EU Member States shall decide the conditions for granting access to the labour market for the applicant, in accordance with their national law, while ensuring that applicants have *effective access* to the labour market. When it comes to ensuring access to the labour market to the applicants of international protection, for reasons of labour market policies, EU Member States may give priority to EU citizens and nationals of State parties to the Agreement on the European Economic Area (EAA), and to legally resident third-country nationals. According to Article 15(3) of the same Directive access to the labour market for applicants of international protection shall not be withdrawn during appeals procedures, where an appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified.

In the Reception Condition Directive Recast proposal COM(2016) 465 final, the European Commission has proposed to further reduce the time-limit for access to the labour market from no later than nine months to no later than six months from the lodging of the application. In the same proposal, EU Member States were also encouraged to grant access to the labour market no later than three months from the lodging of the application where the application is likely to be well-founded.

Other relevant policy instruments include:

²¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN>

²² Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (recast) OJ L 180, 29.6.2013

- The Pact on Migration and Asylum,²³ that was proposed by the European Commission on 23 September 2020, but which also includes proposals by the Commission from 2016. With the Pact, the Commission is proposing a fresh start on migration, bringing together policy in the areas of migration, asylum, integration and border management. From 2016, among others a proposal for the Reception Conditions Directive Recast (2013/33/EU) was kept, which regulates the access to the labour market.
- EU Action plan on Integration and Inclusion 2021-2027²⁴ promotes an integrated approach to migrants' inclusion and aims to create close synergies with existing and upcoming EU strategies to foster equality and social cohesion to ensure everyone is fully included and participates in European societies.
- EU Anti-racism Action Plan 2020-2025,²⁵ which was published on 18 September 2020 by the European Commission to step up action against racism in the EU.

6. PRIMARY QUESTIONS TO BE ADDRESSED BY THE STUDY

The study seeks to address four primary questions:

- What does the available data /research tell about the situation of international protection applicants in the labour markets of EMN Member States and Observer Countries?
- To what extent are international protection applicants specifically addressed in national integration policies with regard to labour market integration in EMN Member States and Observer Countries (e.g. strategies, action plans and government programmes)?
- How is access to employment and self-employment for applicants of international protection regulated in the EMN Member States and Observer Countries?
- To what extent /and what kind of targeted labour market integration measures are available in the EMN Member States and Observer Countries, specifically addressing applicants of international protection, and what has been identified as good practices/challenges in this area?

7. RELEVANT SOURCES AND LITERATURE

EMN STUDIES AND INFORMS

- European Migration Network and OECD, 'Skills mobility partnerships: exploring innovative approaches to labour migration', Inform, 2022, https://ec.europa.eu/home-affairs/system/files/2022-03/2022_March_Joint_EMN-OECD_Inform_Skills_Mobility_Partnerships.EN_.pdf

²³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a New Pact on Migration and Asylum, COM/2020/609 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0609>.

²⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Action plan on Integration and Inclusion 2021-2027, COM/2020/758 final, [EUR-Lex - 52020DC0758 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0758).

²⁵ European Commission, EU Anti-racism Action Plan 2020-2025, [EU Anti-racism Action Plan 2020-2025 | European Commission \(europa.eu\)](https://ec.europa.eu/anti-racism/), last accessed on 04 August 2022.

- European Migration Network, 'Labour market integration of third-country nationals in EU Member States' Synthesis report, 2019, https://ec.europa.eu/home-affairs/system/files/2019-02/00_eu_labour_market_integration_final_en.pdf
- European Migration Network, 'Social benefits and rights for beneficiaries of international protection', Inform, 2018, https://ec.europa.eu/home-affairs/system/files/2020-09/00_eu_social_benefits_inform_en.pdf
- European Migration Network, 'Changing Influx of Asylum Seekers 2014-2016', Synthesis Report, 2018, https://ec.europa.eu/home-affairs/system/files/2020-09/00_eu_changing_influx_study_synthesis_final_en.pdf
- European Migration Network, 'Integration of beneficiaries of international/humanitarian protection into the labour market: policies and good practices', Synthesis Report, 2015, https://ec.europa.eu/migrant-integration/sites/default/files/2016-09/emn-studies-00_integration_of_beneficiaries_of_international_protection_eu_2015_en_final.pdf

AHQs:

- Ad-Hoc Query on Residence permit and labour market needs. Requested by COM on 11 December 2020. Link: https://ec.europa.eu/home-affairs/system/files/2021-02/202075_residence_permit_and_labour_market_needs_en.pdf
- Ad-Hoc Query on access of international protection applicants to the labour market Requested by LU EMN NCP on 19th July 2016. Link: https://ec.europa.eu/home-affairs/system/files/2020-09/2016.1091b_lu_access_of_international_protection_applicants_to_the_labour_market.pdf
- Ad-Hoc Query on access to the labour market for asylum seekers Requested by AT EMN NCP on 23rd January 2015. Compilation produced on 3rd June 2015. Link: https://ec.europa.eu/home-affairs/system/files/2020-09/654_emn_ahq_access_to_the_labour_market_for_asylum_seekers_wider_dissemination.pdf
- Ad-Hoc Query on The rules of access to labour market for asylum seekers Requested by FR EMN NCP on 25th October 2010. Compilation produced on 10th December 2010. Link: https://ec.europa.eu/home-affairs/system/files/2020-09/269_emn_ad-hoc_query_rules_of_access_to_labour_market_for_asylum_seekers_25oct2010_wider_dissemination_en.pdf

8. AVAILABLE STATISTICS

- Eurostat - Asylum applicants by type of applicant, citizenship, age and sex - annual aggregated data (rounded) (migr_asyappctza)
- National statistics, applications/grants/refusals of the applications to access the labour market/self-employment as well as the employment rates of applicants for international protection, if available (see Q3)

9. DEFINITIONS

The following key terms are used in the common template. The definitions are taken from the EMN Asylum and Migration Glossary,²⁶ unless specified otherwise in footnotes.

- **Access to procedures for recognition of qualifications:** In the EU migration context, conditions and requirements governing the admission to procedures for recognition of professional diplomas, certificates and other evidence of formal qualifications for third-country nationals (legally resident third-country nationals, beneficiaries of international protection) in EU Member States in accordance with the relevant national procedures.
- **Access to employment (also referred to in the study as labour market):** In the EU migration context, authorization of third-country nationals (legally resident migrants, beneficiaries and applicants for international protection to engage in employed or self-employed activities in EU Member States subject to the rules generally applicable to the profession and public service, as well as employment and working conditions.
- **Applicant for international protection:** A third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken.
- **Integration:** In the EU context, a dynamic, two-way process of mutual accommodation by all immigrants and residents of EU Member States.
- **Integration indicators:** Benchmarks used to measure the integration of migrants in specific policy areas, such as employment, education, social inclusion and active citizenship.

10. ADVISORY GROUP

A core AG, consisting of four NCPs, COM and the Service Provider has been established to follow the development of the common template very closely and provide dedicated input and support.

- COM
- ICF/ EMN Service Provider
- AT NCP
- IE NCP
- IT NCP
- CY NCP
- ME NCP (Observer Country)

The following third parties will be invited to contribute to this study:

- European Union Agency for Asylum (EUAA)
- European Union Agency for Fundamental Rights (FRA)

²⁶ EMN Asylum and Migration Glossary, https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary_en, last accessed on 04 August 2022.

- European Commission’s Joint Research Centre (JRC)
 - European Integration Network (EIN)
 - Organisation for Economic Co-operation and Development (OECD)
- European Network of Public Employment Services (PES Network)

11. TIMETABLE

The following tentative timetable has been proposed for the Study going forward:

| Date | Action |
|-----------------------------|--|
| Study specifications | |
| 12 May 2022 | Circulation of the first draft to the AG for written feedback (one-week deadline for review) |
| 30 May 2022 | First AG meeting and discussions on the written feedback |
| 01 June 2022 | Circulation of the second draft to the AG (one-week deadline for review) |
| 20 June 2022 | Second AG meeting and discussions on the written feedback |
| 27 June 2022 | Circulation of the third draft to the AG and study lead (three days for review) |
| 11 July 2022 | Circulation of the final draft to NCPs (two weeks deadline for review) |
| 08 Aug 2022 | Launch of the study |
| National reports TBC | |
| 25 Nov 2022 | Submission of national reports by EMN NCPs |
| Drafting of study | |
| 09 Dec 2022 | Draft of the study to COM and AG members (one-week deadline for review) |
| 16 Dec 2022 | Deadline for comments |
| 7 Jan 2023 | Circulation of the first draft to all NCPs (two-weeks deadline for review) |
| 23 Jan 2023 | Deadline for comments |
| 3 Feb 2023 | Circulation of the second draft to COM and all NCPs (two-weeks deadline for review) |
| 17 Feb 2023 | Deadline for comments |
| 3 March 2023 | Circulation of the third (final) draft SR to COM and all NCPs (two-weeks deadline for review) |
| 17 March 2023 | Deadline for comments |
| 31 April 2023 | Publication |

12. TEMPLATE FOR NATIONAL CONTRIBUTIONS

Common Template of EMN Study 2022

The integration of applicants for international protection in the labour market

NATIONAL CONTRIBUTION FROM MEMBER STATE*²⁷

Disclaimer: The following information has been provided primarily for the purpose of contributing to this EMN Study. The EMN NCP has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the EMN NCPs' Member State.

Top-line factsheet [max. 1 page]

Through the Learning-Exchanging-Integrating project, the Human Rights Directorate has been able to provide free language courses of English and Maltese languages under the I Belong Programme to assist in improving the legal status and employment opportunities of the participants. Such project is targeting applicants for international protection in general as well as third country and EU nationals. Several educational institutions are engaged in such project such as the University of Malta, Malta College of Arts, Science and Technology as well as the Directorate for Research, Lifelong Learning and Employability within the Ministry for Education. Moreover, through the Learning-Exchanging-Integrating project, the Human Rights Directorate has been able to provide Cultural Orientation courses under the I Belong Programme. The target group is applicants for international protection in general as well as third country and EU nationals.

Jobsplus provides free training courses and schemes to all individuals residing in Malta who seek to re-skill or up-skill given that they meet the eligibility criteria. Additionally, applicants for international protection are eligible to participate in the VASTE project and the Asylum, Migration, and Integration Fund (AMIF). The aim of such projects is to equip vulnerable groups with the necessary skillsets through a number of courses, including language courses and targeted approaches by psycho-social teams to enter the labour market. Asylum seekers and those with a protection status are provided with guidance support under the AMIF project - supported employment services for migrants. Those interested are provided with a support to develop a CV, and personal action plan amongst others.

²⁷ Replace highlighted text with your **Member State** name here.

Support is also provided in employment. In this regard, self-employed persons are allowed a grace period of 3 months within which one can determine if the activity is viable, before paying the relative social security contributions. If determined that the activity is not viable, the person can close the activity without being liable to pay the social security contributions for the duration of the activity. If determined viable, the contributions for the preceding 3 months are due accordingly.

There are 3 rates of social security contributions which relate to a different income bracket. Therefore, persons earning a lower number of profits are not taxed at the same rate as high income earners. Moreover, the Maltese scheme provides for a reduced rate of contributions when the self-employed person decides to take up an activity as a full-time farmer registered with the Department of Agriculture. Business First, offers administrative assistance to prospective self-employed workers by acting as the single central contact point through which self-employed persons carry out all the required procedures for the setting up, running and the development of business in Malta.

All Third Country Nationals require an Employment Licence to be able to legally access the Maltese labour market this also includes applicants for international protection. In case of applicants for international protection the employment licence is restricted to a specific employer and a specific job, although self-employment is also possible. These licences are generally issued for 3 – 6 months depending on the status of the application for asylum.

Section 1: Integration of applicants for international protection - data and debates

This section aims to provide an overview of the main trends with regard to international protection applicants, as well as present information on public debates (if any).

- Q1. Please provide an overview of the main trends (number of applications for international protection, age, sex, citizenship) in international protection applicants in your country in the period January 2017-June 2022 as extracted from Eurostat and included in the statistical Annex.

- Q2. Is the labour market situation²⁸ of international protection applicants monitored with official data (gathered by the authorities and reliable)? If so, please provide an overview in terms of indicators that are used in your country, focus on specific groups, data collection intervals etc.

Labour market data gathered by Jobsplus vis-a-vis the employment of applicants of International Protection is based on the engagement forms submitted. Data could be segregated by nationality or status. Eurostat data is gathered by the National Statistics Office.

- Q3. Are statistics available on applications/grants/refusals of the applications to access the labour market/self-employment as well as the employment rates of applicants for international protection? Yes/No
If yes, then please provide the totals per year in the period 2017-2022.

Jobsplus gathers administrative data related to employed individuals including individuals who have applied for an international protection status and are in employment. Administrative data can be viewed in the attached excel sheet. Data is segregated by years, and employment status. The latest available administrative data from Jobsplus' end cover July 2022.

- Q4. What are the main public and policy debates regarding applicants for international protection's labour market integration (e.g. time frame for access, opportunities and challenges)?

Section 2: Integration policies in the EMN Member States and Observer Countries

This part of the study describes the Member State's organisational approach towards labour-market integration policy and analyses how applicants of international protection are addressed in national labour market integration policies for third-country nationals.

- Q5. Does your state have a specific policy/ strategy to support the labour market integration of third-country nationals? Yes/No^{29 30}
- a. if yes, does it encompass applicants of international protection? Yes/No
 - i. if yes, please provide a brief outline of the strategy / policy in place in your country to integrate applicants of international protection into the labour market.
 - ii. if no, please answer question 5b below
 - b. if no, how is the labour market integration of applicants for international protection addressed? Is there a mainstreaming labour market integration approach applicable? Yes/No
 - i. if no, please provide a reason, if available, and describe briefly how international protection applicants are treated in practice with regard to labour market integration.

²⁸ For example: participation rates/unemployment rates of applicants for international protection.

²⁹ Please note that measures aimed at supporting labour market integration of applicants are discussed in section 4.

³⁰ Please note that regional/local level strategies/policies should be reported only if national is not available.

Integration does not fall solely within the remit of Jobsplus. However, when it comes to labour market integration, Jobsplus (Malta's Public Employment Services) abides by the EU directives. Furthermore, Jobsplus provides free training courses and schemes to all individuals residing in Malta who seek to re-skill or up-skill given that they meet the eligibility criteria. Additionally, applicants for international protection are eligible to participate in the VASTE project and the Asylum, Migration, and Integration Fund (AMIF). The aim of such projects is to equip vulnerable groups with the necessary skillsets through a number of courses, including language courses and targeted approaches by phyco-social teams to enter the labour market.

- Q6. Have there been any major changes in the strategy/policy to support the labour market integration of third-country nationals within the temporal scope of the study (January 2017 – June 2022)? Yes/No
- a. If yes, please explain briefly the content, including what was the driver and objective for these changes?

No major changes to report.

- Q7. Are specific governance structures in place to support the labour market integration of international protection applicants? If yes, please provide an organigram or overview of the institutional framework for developing and implementing relevant strategy/policies/measures on the labour market integration of applicants for international protection.
- describe the key stakeholders and their role (government departments, public authorities, trade unions, employers' associations, NGOs, others?)
 - indicate the responsibilities of the different key actors, noting whether their role is specific to international protection applicants or more general.

Include national / regional /local structures where relevant.

Kindly refer to feedback provided in questions 8 and 13.

Section 3: Accessing the labour market (employment and self-employment)

This part of the study describes how applicants of international protection can access the Member States' and Observer Countries' labour markets as well as enter self-employment.

Section 3.1. Procedures for accessing the labour market

- Q8. Please describe the procedure required to enter the labour market/self-employment for an applicant for international protection in your state.
- Does your state regulate differently access to employment or self-employment?
 - Please provide in your response an overview of the applicable legal framework and make a clear distinction between what is prescribed in laws, policy documents and practice.

All Third Country Nationals require an Employment Licence to be able to legally access the Maltese labour market this also includes applicants for international protection. In case of applicants for international protection the employment licence is restricted to a specific employer and a specific job, although self-employment is also possible. These licences are generally issued for 3 – 6 months depending on the status of the application for asylum. Once the applicant has been granted national or international protection, such Employment Licence is issued in the beneficiary's name. The licences are generally issued for one year and may be issued for a longer period depending on the validity of the residence card/status card given following the granting of protection.

Section 3.1.1. Employment (If the access is regulated differently for employment and self-employment)

- Q9. What is the minimum period from lodging an application for international protection after which an applicant has access to the labour market?³¹

³¹ According to the Reception Conditions Directive Recast (2013/33/EU) article 15(1) Member States shall ensure that applicants have access to the labour market no later than 9 months from the date when the application for international protection was lodged if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant.

As an individual applying for international protection is entitled to have access to the labour market an employment licence within 9 months of having lodged an application for protection with the relevant authorities.

Q10. Please describe the reasoning related to the minimum period of accessing the labour market and conditions of access to the labour market/self-employment.

Malta abides by the EU directives in place.

Q11. Is the right to access the labour market automatic after a specified period?
Yes/No

Individuals applying for international protection in Malta still need an Employment License to access the labour market. However, beneficiaries of international protection are to date exempted from labour market testing and therefore, their access to an employment licence is automatic.

Q12. What kind of documents are necessary in order to access the labour market?³²

The documentation that needs to be submitted depends on the status of the applicant. Applicants for international protection (asylum seekers) need to present an identification document (such as a document issued by the International Protection Agency (IPA) or the Police) showing that they have applied for asylum in Malta.

³² According to Reception Conditions Directive Recast (2013/33/EU) article 6, Member States shall ensure applicants have a document that proves they are applicant.

- Q13. Is a work permit or another type of administrative application/decision necessary for accessing the labour market? Yes/No
- a. if yes, please specify:
 - i. who is required to submit the application, the applicant/employer/jointly by both?
 - ii. which authority is responsible for granting access to the labour market?
 - iii. what are the criteria for obtaining the work permit?
 - iv. what is the average duration of the procedure to grant access to the labour market? If applicable, please also add any official time limits according to law/policy.

As previously mentioned, an Employment Licence is required for any third country national to access the labour market.

i: If the individual is still an applicant of international protection (asylum seeker), the employer needs to endorse the application for the employment licence and the application may be submitted jointly.

ii: Jobsplus is the entity responsible for the issuing of such Employment Licence. Applications for such licences are referred to various stakeholders (such as the Police Immigration Office and the International Protection Agency) that assist in the processing of the application.

iii: Applications for asylum seekers (applicants of international protection) may be subject to labour market tests (although to date they are exempted) and require approvals from stakeholders (as indicated in point ii).

iv: Employment Licences for applicants of international protection are generally processed within 4 – 6 weeks

Section 3.1.2. Self-employment (if the access is regulated differently for employment and self-employment)

- Q14. Is self-employment of international protection applicants permitted in your state? Yes/No
- a. if yes:
 - i. what is the minimum period from lodging an international protection application after which an applicant has access to self-employment?
 - ii. which authority is responsible for granting access to self-employment?

Applicants for international protection may engage in self-employment once an employment licence is issued by Jobsplus. Such individuals do not need to meet any additional criteria. The latter can apply for an employment licence within 9 months of lodging their application for protection with the relevant authorities.

Section 3.2. Conditions and limitations in accessing the labour market

Please provide a reference to the legal base (where relevant, linking it to what is described in Q8, if applicable, and make a clear distinction between what is prescribed in laws, policy guidance and practice).

- Q15. If applicable, please describe the period of validity and conditions of the authorisation to access the labour market/self-employment.

Employment Licences are generally issued for a period of 1 year. In the case of applicants for protection (asylum seekers), the employment licence is generally issued for 3 – 6 months depending on the status of the application for asylum. Once an individual is granted national or international protection, the employment licence is issued for a period of one year or up to the validity of the status card (as indicated in Q8). This applies also to self-employment.

Q16. Is the authorisation limited to certain employment sectors or occupations? In other words, are applicants for international protection excluded from some labour market sectors or from certain occupations? Yes/No.

If yes, from which ones?

There are no restrictions with regards to sectors/occupations asylum seekers can engage in.

Q17. Is employment restricted to a single employer?

In the case of applicants for international protection (asylum seekers), the Employment Licence is restricted to specific employer and a specific job. However, once the individual is granted protection, the employment is not restricted to a single employer given that the employment licence in such cases is issued under the name of the beneficiary.

Q18. If applicable, please describe the conditions and procedures of the renewal of the authorisation to access the labour market. Are they the same for all employment sectors and occupations?

The conditions and procedures are the same for all employment sectors and occupations. The relevant documents must be provided accordingly as highlighted in previous replies. Moreover, an administrative fee of EUR 58 for a new employment licence and EUR 34 for a renewal of the employment licence needs to be paid.

Q19. Does your Member State give priority to EU and EEA citizens (Art. 15/2 clause 2 of the Reception Conditions Directive Recast (2013/33/EU)) and to other legally resident third-country nationals in accessing the labour market? Yes/No
a. if yes, please specify how priority is given in law/policy and in practice (labour market test, minimum share of employment by EU/EEA nationals, occupations lists etc.)?

In relation to economic migrants, Jobsplus abides by EU legislation and gives priority to EU and EEA citizens. Prior to engaging a TCN, employers need to prove evidence they have attempted to fill any vacant positions with Maltese, EU, EEA and Swiss nationals by at least providing evidence they advertised the vacant position. Moreover, TCN economic migrants are subject to labour market testing. However, as indicated above, applicants for international protection may be subject to labour market testing although to date they are being exempted.

Q20. Are there any other limitations in place, either in law or in specific measures relating to applicants of international protection for accessing labour market / self-employment?

No, there are no other limitations in place from Jobsplus' end.

Section 4: Support measures to enhance labour market integration and self-employment

This part of the study looks at examples of labour market integration measures targeting applicants of international protection.

Please indicate (where applicable) in the table below the main policy or legislative measures,³³ and their rationale and aims, that make up your policy / strategy (according to answer to Q5 above) to support the labour market integration/self-employment of applicants for international protection, by integration area. Please focus on measures that specifically aim at facilitating labour market access for the international protection applicants.

| Area/component | Overview of the main measures Please describe the rationale, scope and aim under each area. | Stakeholders Please describe the stakeholders involved, where applicable at state, regional and local level (public authorities, trade unions, employers' associations, NGOs, others?) | Target group Please indicate whether the measures address applicants for international protection in general or particular categories of applicants for international protection (e.g. women or minors of working age)? |
|-------------------------|--|--|--|
| 1. Language acquisition | Through the Learning-Exchanging-Integrating project, the Human Rights Directorate has been able to provide free language courses of English and Maltese languages under the I Belong Programme to assist in improving the legal status and employment opportunities of the participants. | Educational institutions have been the main stakeholders in this area, namely the University of Malta, Malta College of Arts, Science and Technology as well as the Directorate for Research, Lifelong Learning and Employability within the Ministry for Education. | The target group is applicants for international protection in general as well as third country and EU nationals. The age requirement is to be eighteen (18) years and older. Nevertheless, participants who are younger than 18 can apply with a guardian and enrolled in a course once they turn 18. |

³³ Please make sure legislative and policy actions are distinguished from each other.

| Area/component | Overview of the main measures Please describe the rationale, scope and aim under each area. | Stakeholders Please describe the stakeholders involved, where applicable at state, regional and local level (public authorities, trade unions, employers' associations, NGOs, others?) | Target group Please indicate whether the measures address applicants for international protection in general or particular categories of applicants for international protection (e.g. women or minors of working age)? |
|---|---|--|---|
| | AMIF – Language Courses | Jobsplus | All TCNs are eligible for the language courses under the AMIF given that they meet the eligibility criteria. |
| 2. Vocational education and training (including reskilling schemes) | Free Training Courses VASTE Programme | Jobsplus | <p>All individuals residing in Malta, including applicants for international protection, are eligible to participate in Jobsplus' free of charge training courses aimed at upskilling and reskilling the labour force given that they meet the eligibility criteria including being of working age.</p> <p>Under the VASTE Programme, Jobsplus personnel together with the Lino Spiteri Foundation works with individuals who are the furthest away from the labour market including migrants to provide support for effective integration through the provision of pre-employment training, mentoring, job coaching and other psycho-social support.</p> |

| Area/component | Overview of the main measures Please describe the rationale, scope and aim under each area. | Stakeholders Please describe the stakeholders involved, where applicable at state, regional and local level (public authorities, trade unions, employers' associations, NGOs, others?) | Target group Please indicate whether the measures address applicants for international protection in general or particular categories of applicants for international protection (e.g. women or minors of working age)? |
|--|---|--|--|
| 3. Civic integration courses | Through the Learning-Exchanging-Integrating project, the Human Rights Directorate has been able to provide Cultural Orientation courses under the I Belong Programme. | Educational institutions have been the main stakeholders in this area, namely the University of Malta and the Malta College of Arts, Science and Technology. | The target group is applicants for international protection in general as well as third country and EU nationals. The age requirement is to be eighteen (18) years and older. Nevertheless, participants who are younger than 18 can apply with a guardian and enrolled in a course once they turn 18. |
| 4. Support for recognition of diplomas, certificates and other evidence of formal qualifications including those formal qualifications that cannot be documented (lost or destroyed in the context of existing procedures for recognition of foreign qualifications) Please note in the overview column if the procedure is a general one or specific to international protection applicants. | | | |
| 5. Skill assessments to validate prior (non-accredited) learning and experience | Trade Testing System | Jobsplus | The scope of the Trade Testing is to assess the knowledge, skills, and competences a person acquires through non-formal and informal |

| Area/component | Overview of the main measures Please describe the rationale, scope and aim under each area. | Stakeholders Please describe the stakeholders involved, where applicable at state, regional and local level (public authorities, trade unions, employers' associations, NGOs, others?) | Target group Please indicate whether the measures address applicants for international protection in general or particular categories of applicants for international protection (e.g. women or minors of working age)? |
|--|---|--|---|
| | | | learning. Persons with international protection may apply for this assessment as long as they fulfil the eligibility criteria, i.e. for trade testing candidates have at least 1 year work experience in a specific occupation or 3 years of work experience under the validation process. Jobsplus also conducts assessments under the validation process on behalf of the Malta Further and Higher Education Authority (MFHEA). |
| 6. Information and counselling (labour market orientation, tailored advice, other) | AMIF – Supported Employment Services for Migrants | Jobsplus | Asylum seekers and those with a protection status are provided with guidance support under the AMIF project - supported employment services for migrants. Those interested are provided with a support to develop a CV, and personal action plan amongst others. |
| 7. Incentive measures for employers (e.g. tax reductions, labour matching services, recruitment support) | | | |

| Area/component | Overview of the main measures Please describe the rationale, scope and aim under each area. | Stakeholders Please describe the stakeholders involved, where applicable at state, regional and local level (public authorities, trade unions, employers' associations, NGOs, others?) | Target group Please indicate whether the measures address applicants for international protection in general or particular categories of applicants for international protection (e.g. women or minors of working age)? |
|---|--|--|---|
| <p>8. Support for self-employment (for example preferential taxation and social security contributions, administrative support with establishing a company etc, business plan development, other).</p> <p>Please note in the overview column if the support differs from the regular support to self-employment available to national population, EU citizens or other third-country nationals.</p> | <p>Self-employed persons are allowed a grace period of 3 months within which one can determine if the activity is viable, before paying the relative social security contributions. If determined that the activity is not viable, the person can close the activity without being liable to pay the social security contributions for the duration of the activity. If determined viable, the contributions for the preceding 3 months are due accordingly.</p> <p>The rate of social security contributions due is determined according to the net income earned in the previous year, instead of on the gross income. In so doing, the self-employed person can deduct the expenses from the gross income and therefore does not pay a higher rate of</p> | <p>Department of Social Security</p> <p>Commissioner of Inland Revenue</p> <p>Department of Agriculture</p> <p>Business First</p> | <p>Self-employed workers in general.</p> |

| Area/component | Overview of the main measures Please describe the rationale, scope and aim under each area. | Stakeholders Please describe the stakeholders involved, where applicable at state, regional and local level (public authorities, trade unions, employers' associations, NGOs, others?) | Target group Please indicate whether the measures address applicants for international protection in general or particular categories of applicants for international protection (e.g. women or minors of working age)? |
|-----------------------|--|--|---|
| | <p>contributions on the basis of the expenses as well. There are 3 rates of social security contributions which relate to a different income bracket. Therefore, persons earning a lower amount of profits are not taxed at the same rate as high income earners.</p> <p>Moreover, the Maltese scheme provides for a reduced rate of contributions when the self-employed person decides to take up an activity as a full-time farmer registered with the Department of Agriculture.</p> <p>Business First offers administrative assistance to prospective self-employed workers by acting as the single central contact point through which self-employed persons carry out all the required procedures for the</p> | | |

| Area/component | Overview of the main measures Please describe the rationale, scope and aim under each area. | Stakeholders Please describe the stakeholders involved, where applicable at state, regional and local level (public authorities, trade unions, employers' associations, NGOs, others?) | Target group Please indicate whether the measures address applicants for international protection in general or particular categories of applicants for international protection (e.g. women or minors of working age)? |
|---|---|--|---|
| | setting up, running and the development of business in Malta. | | |
| 9. Indirect support (e.g. childcare, transport) | Free Childcare Scheme | Jobsplus | Free childcare services for children aged between 0 months – 2 years 11 months are provided to individuals who are either in employment or education |

Section 5: Good practices and challenges

What integration support programmes, projects, legislative or other practical initiatives are available that specifically facilitate effective access to the labour market for applicants of international protection and have been identified by experts as a “good practice” in accordance with the definition provided in paragraph 3 “Scope of the study”? Please provide up to three examples (see the templates below and please adjust accordingly).

| Measure 1 | |
|--|--|
| Overview | |
| Name | I Belong Programme |
| Type | <i>Programme and systematic measures (multi-year / long term)</i> |
| Area | Language acquisition |
| Access | The target group is applicants for international protection in general as well as third country and EU nationals. The age requirement is to be eighteen (18) years and older. Nevertheless, participants who are younger than 18 can apply with a guardian and enrolled in a course once they turn 18. |
| Target group | <input type="checkbox"/> Tailor-made labour market integration measure (only applicants for international protection) <input checked="" type="checkbox"/> Mainstream labour market integration measure (for all) If the measures is for all, please describe how applicants for international protection benefit |
| Coverage | <i>National</i> <i>If “other”, please add further information here</i> |
| Link | https://humanrights.gov.mt/en/Pages/Intercultural%20and%20Anti-Racism%20Unit/I-Belong-Programme.aspx |
| Source and justification | Please indicate the source/who proposed the practice as good and explain why the measure is considered a “good practice” (see Section Methodology). |
| Description | |
| <p>M1.Q1. Please describe how third-country nationals can access the measure, notably:</p> <p>a) <i>Elaborate in brief on the conditions and process of accessing the measure for applicants for international protection</i></p> <p>b) <i>Is the measure voluntary or compulsory? Is it provided free of charge?</i></p> <p>c) <i>If applicable, indicate if the measure is different from the regular support available to national population, EU citizens or third country nationals?</i></p> <p>d) <i>Are there any reasons for to be excluded/to lose access to the measure? If so, which ones?</i></p> | |

Any migrant residing in Malta with a valid residence permit is allowed to apply for the I Belong programme. The courses provided are free of charge. However, should a participant fail to attend the course without providing a justification or fail to obtain a passing grade, then the applicant would need to repeat the course against payment.

M1.Q2. Please describe briefly the context in which the measure has started:

- a) *When was the measure introduced and what was/is its duration?*
- b) *What was the need/purpose to start/implement such measure (e.g. labour market needs in the Member State, need for integration, changes in integration policies)?*
- c) *When is the measure provided (e.g. upon arrival, upon arrival until (please add till when), no determined time limitation)?*
- d) *Key activities*

- a) *The measure was introduced in 2018 and remains in effect.*
- b) *The need to start and implement this measure was to assist participants in acquiring language skills to improve their legal status in Malta as well as to increase their employment opportunities.*
- c) *This measure is provided when the participant applies at any point in their duration in Malta.*
- d) *The Courses are provided in three stages:*
 - *The Foundation stage, consisting of literacy training in English and Maltese and digital literacy, is aimed for participants who require assistance in learning how to read and write.*
 - *Stage One consists of Maltese language and English language courses (those who have good command of English are not required to take the course. In addition, participants who provide a qualification at MQF Level 1 in the Maltese language they are not required to take the Stage 1 Maltese Language course). Stage One also includes Cultural Orientation course.*
 - *Stage Two of the I Belong Programme, meanwhile, focuses on two subjects: Maltese language and Cultural Orientation.*

Upon completion of Stage Two, students are awarded certifications at MQF Level 2. Besides improving their proficiency in Malta's official languages and knowledge about Maltese culture, these qualifications support migrants in fulfilling one of the requirements for specific statuses such as Specific Residence Authorisation and Long-Term Residence.

M1.Q3. Please briefly describe the implementation modalities, notably:

- a) *By whom is it implemented (agency, government institution, NGOs, private sector etc.), and what are the coordination structures?*
- b) *If applicable, are there any reimbursement (totally or partially)/cost sharing possibilities?*
- c) *How and by whom is it promoted?*

a) The Human Rights Directorate (within the Ministry for Home Affairs, Security, Reforms and Equality) has been actively engaged in contracting the provision of further classes, whilst work on the development of future services is ongoing. Clearly, with approximately one-fifth of the population consisting of non-Maltese born persons (EU and non-EU), the need for services to support intercultural inclusion is required both from an industry/economic perspective as well as from the fundamental rights perspective.

- b) *This Programme was initially funded through EU funds as part of the project Learning-Exhchanging-Integrating, financed under the Asylum, Integration and Migration Fund , but subsequently started being funded through national funds.*
- c) *The Programme is being promoted by the Human Rights Directorate.*

M1.Q4. Please briefly describe the impact of the measure and notably:

- a) *Did it meet the anticipated objectives? YES/NO/Partly*
- b) *What are the main outcomes*
- c) *Monitoring and evaluation of impact (please describe the evaluation tools and methodology, if possible specify what indicators have been adopted and how those were measured)*
- d) *Challenges during implementation and remedies applied*
- e) *Likelihood of continuation of the measure. If discontinued, please explain why*

The anticipated objectives were met. The evaluation tools take place through an evaluation form once the course comes to an end, and the learners ensure class attendance by all participants. Should participants not attend, follow up is done with these participants. The challenges that COVID-19 posed resulted in transforming the programme into an online service to ensure continuation of lessons.

| Measure 2 | |
|---------------------|--|
| Overview | |
| Name | <i>Please insert name of the measure here.</i> |
| Type | <i>Choose from drop down menu here</i> |
| Area | <i>Choose from drop down menu here</i> |
| Access | <i>Please describe who has access to the measure, i.e. all applicants for international protection or particular categories</i> |
| Target group | <input type="checkbox"/> <i>Tailor-made labour market integration measure (only applicants for international protection)</i> <input type="checkbox"/> <i>Mainstream labour market integration measure (for all)</i> <i>If the measures is for all, please describe how applicants for international protection benefit</i> |
| Coverage | <i>Choose an item.</i> <i>If "other", please add further information here</i> |
| Link | <i>Please provide hyperlink to source/project here, if available</i> |

| | |
|---|---|
| Source and justification | Please indicate the source/who proposed the practice as good and explain why the measure is considered a "good practice" (see Section Methodology). |
| Description | |
| <p>M2.Q1. Please describe how third-country nationals can access the measure, notably:</p> <ul style="list-style-type: none"> a) <i>Elaborate in brief on the conditions and process of accessing the measure for applicants for international protection</i> b) <i>Is the measure voluntary or compulsory? Is it provided free of charge?</i> c) <i>If applicable, indicate if the measure is different from the regular support available to national population, EU citizens or third country nationals?</i> d) <i>Are there any reasons for to be excluded/to lose access to the measure? If so, which ones?</i> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 10px;"></div> <p>M2.Q2. Please describe briefly the context in which the measure has started:</p> <ul style="list-style-type: none"> a) <i>When was the measure introduced and what was/is its duration?</i> b) <i>What was the need/purpose to start/implement such measure (e.g. labour market needs in the Member State, need for integration, changes in integration policies)?</i> c) <i>When is the measure provided (e.g. upon arrival, upon arrival until (please add till when), no determined time limitation)?</i> d) <i>Key activities</i> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 10px;"></div> <p>M2.Q3. Please briefly describe the implementation modalities, notably:</p> <ul style="list-style-type: none"> a) <i>By whom is it implemented (agency, government institution, NGOs, private sector etc.), and what are the coordination structures?</i> b) <i>If applicable, are there any reimbursement (totally or partially)/cost sharing possibilities?</i> c) <i>How and by whom is it promoted?</i> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 10px;"></div> <p>M2.Q4. Please briefly describe the impact of the measure and notably:</p> <ul style="list-style-type: none"> a) <i>Did it meet the anticipated objectives? YES/NO/Partly</i> b) <i>What are the main outcomes</i> c) <i>Monitoring and evaluation of impact (please describe the evaluation tools and methodology, if possible specify what indicators have been adopted and how those were measured)</i> d) <i>Challenges during implementation and remedies applied</i> e) <i>Likelihood of continuation of the measure. If discontinued, please explain why</i> <div style="border: 1px solid black; height: 20px; width: 100%; margin-bottom: 10px;"></div> | |

| Overview | |
|---|---|
| Name | <i>Please insert name of the measure here.</i> |
| Type | <i>Choose from drop down menu here</i> |
| Area | <i>Choose from drop down menu here</i> |
| Access | Please describe who has access to the measure, i.e. all applicants for international protection or particular categories |
| Target group | <input type="checkbox"/> Tailor-made labour market integration measure (only applicants for international protection) <input type="checkbox"/> Mainstream labour market integration measure (for all) If the measures is for all, please describe how applicants for international protection benefit |
| Coverage | <i>Choose an item.</i> <i>If "other", please add further information here</i> |
| Link | <i>Please provide hyperlink to source/project here, if available</i> |
| Source and justification | Please indicate the source/who proposed the practice as good and explain why the measure is considered a "good practice" (see Section Methodology). |
| Description | |
| <p>M3.Q1. Please describe how third-country nationals can access the measure, notably:</p> <ul style="list-style-type: none"> a) <i>Elaborate in brief on the conditions and process of accessing the measure for applicants for international protection</i> b) <i>Is the measure voluntary or compulsory? Is it provided free of charge?</i> c) <i>If applicable, indicate if the measure is different from the regular support available to national population, EU citizens or third country nationals?</i> d) <i>Are there any reasons for to be excluded/to lose access to the measure? If so, which ones?</i> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 10px;"></div> <p>M3.Q2. Please describe briefly the context in which the measure has started:</p> <ul style="list-style-type: none"> a) <i>When was the measure introduced and what was/is its duration?</i> b) <i>What was the need/purpose to start/implement such measure (e.g. labour market needs in the Member State, need for integration, changes in integration policies)?</i> c) <i>When is the measure provided (e.g. upon arrival, upon arrival until (please add till when), no determined time limitation)?</i> d) <i>Key activities</i> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 10px;"></div> | |

M3.Q3. Please briefly describe the implementation modalities, notably:

- a) *By whom is it implemented (agency, government institution, NGOs, private sector etc.), and what are the coordination structures?*
- b) *If applicable, are there any reimbursement (totally or partially)/cost sharing possibilities?*
- c) *How and by whom is it promoted?*

M3.Q4. Please briefly describe the impact of the measure and notably:

- a) *Did it meet the anticipated objectives? YES/NO/Partly*
- b) *What are the main outcomes*
- c) *Monitoring and evaluation of impact (please describe the evaluation tools and methodology, if possible specify what indicators have been adopted and how those were measured)*
- d) *Challenges during implementation and remedies applied*
- e) *Likelihood of continuation of the measure. If discontinued, please explain why*

Q20. Are there any specific protocols, synergies between agencies/institutions to support labour market integration of international protection applicants that have been identified as good practices?

Q21. What kind of challenges have been identified in your country when it comes to access to the labour market by applicants for international protection? Please provide a distinction³⁴ between legislative challenges and challenges in practice and specify how those challenges have been identified.

³⁴ Where applicable

Section 6: Conclusions

This part of the study compiles the main findings from sections 1-5.

Q22. Please synthesise the findings of your national report by drawing conclusions from your responses:

- a) What are the main trends with regard to the situation of international protection applicants in the context of labour market integration and what are the main debates regarding their labour market integration identified in your country (Section 1)?

Please describe.

- b) If at all and to what extent are international protection applicants specifically addressed in national integration policies with regard labour market integration (Section 2)? What are the key characteristics of the national integration policies for promoting labour market participation for the applicants of international protection (Section 2) and how is the access to employment and self-employment for applicants of international protection regulated/supported (Section 3)

Please describe.

- c) To what extent are targeted measures to support labour market participation available in your country, specifically addressing applicants for international protection (Section 4) and what has been identified as challenges as well as good practice in this area (Section 5)?

Please describe.

Annex: Eurostat statistics

Eurostat Data for each EU Member State will be extracted centrally by the Service Provider and an Excel-Sheet prepared for each country and shared with the NCPs.

The Statistical Annex consists of the following:

Annex 1.1: Eurostat data asylum and first time asylum applicants
[[MIGR_ASYAPPCTZA](#)]