

## **VOICES FROM THE FIELD**

### **Refugees with a Disability in Malta: Challenges and Opportunities**

*UNHCR (Malta)*

#### **Brief Introduction and Contextualisation**

In recent years, Malta has experienced a steady arrival of people, originating primarily from sub-Saharan African countries, more recently also many from the Middle East, taking to the Mediterranean Sea on un-seaworthy boats in search of protection from persecution, conflict and/or a chance to find better living conditions. These people are often exposed to exploitation and abuse at the hands of unscrupulous smugglers or human traffickers.

UNHCR estimates that in 2014 alone over 3,500 persons perished at sea while attempting to cross the Mediterranean. More than 19,000 people have arrived irregularly in Malta since 2002, the majority rescued by the Armed Forces of Malta, with the highest peak observed in 2008. In the early years of the new millennium, Malta responded to the irregular arrival of asylum-seekers and the new challenges by establishing relevant legislation, policies and infrastructure. Since then, more than 2500 beneficiaries of international protection have been assisted to leave Malta to settle elsewhere, the majority having departed for the United States. Many others have opted to leave Malta on their own accord. As of 2014, UNHCR estimates that around 30% of the people who arrived by boat in an irregular manner remain in Malta.

The detention policy and reception conditions have been the subject of much scrutiny and debate. International and non-governmental organizations have repeatedly raised concerns about the mandatory detention policy and poor reception conditions, which have improved in some respects in recent years. Meanwhile, concerns have also been raised about the lack of a comprehensive policy framework to facilitate permanent settlement and local integration of beneficiaries of protection in Malta. While it is acknowledged that key fundamental rights are in place – among them access to education, health care, and the labour market – there are still significant obstacles to long term solutions, such as limited prospects for family reunification and naturalisation in the country.

There are examples of beneficiaries of protection who are engaging effectively with Maltese society and achieving self-reliance and independence through education and work. However, many others are making little progress towards long term settlement in Malta. Some are also faced with significant protection problems due to their own specific circumstances.

#### **The project**

Various entities in Malta have for some time undertaken efforts to improve the protection environment for refugees and other beneficiaries of protection, including through promoting an age, gender and diversity (AGD) sensitive approach. In 2013, UNHCR Malta, embarked on an Age, Gender and Diversity project. The overall aim was to explore, understand, and

outline specific protection needs of persons of concern, to review how these are currently being addressed by service providers, to identify existing gaps in this regard, and to explore how the relevant response and support capacities can be further enhanced

This project was implemented collaboratively between UNHCR and Integra Foundation, Malta through Participatory Action Research, wherein persons of concern<sup>1</sup> and partner agencies took an active role in the research process, engaging in community-based analysis that included the design and implementation of research and support strategies. The methodology included individual interviews with persons of concern, including 2 persons with a physical impairment, focus groups, broader stakeholder workshops, as well as targeted pilot activities developed on the basis of UNHCR's Age, Gender and Diversity approach. Analysis of findings was ongoing throughout the research process, also with involvement by persons of concern who formed part of the research team.

On this basis, the project included the following main components:

- Conducting Participatory Action Research: designing the research methodology, including data collection, analysis and interventionist strategies in the form of pilot projects, designed and implemented as part and parcel of the research process.
- Exploring various service providers' current engagement with asylum-seekers and refugees through an AGD lens.
- Adopting an AGD lens, engaging with persons of concern to identify particular protection needs and their efforts to address these. Disability and its multiple intersections were given importance here.
- Conducting pilot activities to address protection gaps identified within the research process, both to provide immediate individual support and to learn from the experiences of persons of concern as they engage with mainstream Maltese society.

The outcomes of the research are presented in a final report which will be published in March 2015.

As part of a reflexive research process, three small-scale pilot projects, informed by the initial research findings and preliminary analysis, were designed and implemented to respond to specific needs of persons of concern. The following themes were prioritized in this regard:

- *Identifying the needs of persons of concern with a disability* (this theme will be further expounded in this article)
- Engaging young people in a community project involving sport activities, and
- Analysing individual experiences with provision of support for LBGTI persons of concern.

### ***General Findings on Disability***

This section presents extracts from interviews conducted with two men, both with physical impairments. The findings of the research illustrate how disabled people encounter additional obstacles in accessing their protection needs:

*I used to live in Hal Far<sup>2</sup>, this was a problem for me, it was very cold and too far*

*away. I would spend my days resting but at night couldn't sleep because my head would be full, worrying about my life...there is nothing for me here...and my legs cause me pain, I cannot walk far, at night time I would not sleep with the pain. They gave me a frame, but it hurts my hip. Then they moved me to Balzan, it is better here, I am warmer and I can go around Balzan a bit and can reach places like the shops to buy food."* Male, 30 years of age

Both interviewees were born with a chronic disability, they described how they were denied the possibilities of formal education in their country of origin. As a result, their ability to read or write was compromised. For example, in the following passage, a man with a hearing impairment describes his experiences as a child:

*In 1993 I learnt how to communicate in English. There was a UN mission to Somalia, and a UN soldier taught me to write, read and sign in English. I learnt in two years. Before then, I couldn't communicate with anyone. I was seen as a burden to my family and my uncle took me and raised me.* Male, 33 years of age

The research participants claimed they were unable to access employment as the work opportunities available to men is generally limited to construction and other manual labour, and thus also gendered:

*I have never worked in Malta, I can't work in construction or painting because of my legs, this is why it is important that I get operation for my legs, so that I can work.* Male, 30 years of age

The following excerpt further highlights the obstacles faced by a man with a hearing impairment, who feels his problems in accessing work are further aggravated because of racism:

*I can't find work because I am a migrant and deaf. It is already difficult as a migrant, and even more when one is deaf. I have given out many CVs, but no one has contacted me. It's more difficult because I cannot speak on the phone.* Male, 33 years of age

A lack of a consistent income also meant that the men could not financially afford the travel costs required to access language and literacy courses outside the centre.

Lack of employment emerged as a long term protection risk, impacting the acquisition of basic needs and leading to dependency and isolation. The following quote further highlights how this can be further exacerbated by racism and xenophobia:

*I do not have enough money for the bus, my money goes on food. Every three months I buy one piece of clothes. But if I buy clothes, then I do not have enough money to eat. I do not send money home to my family because I do not have enough money...I do not have Maltese friends, I try to speak to them but they don't want to...I am (ethnic identity) and have two friends. I also speak Somali, Arabic and Maltese. There are many people in the centre who help me carry my shopping.* Male, 30 years of age

Moreover, participants raised concerns about individual costs associated with disability, such as paying for better accommodation, additional transport costs, and medical costs to see a private doctor. Some also reported that medication is not consistently provided for free in all cases. The regular social assistance and unemployment benefits available to beneficiaries of subsidiary protection do not take into account the additional needs linked to disability.

Disability also impacted directly on accessibility and mobility. This participant describes his problems in visiting a place of worship:

*I am Muslim but I do not go the Mosque because it is too far away. When I lived in Hal Far I used to go because there was one in the centre. I would like to go. I pray from my home and I use a chair. If I go to the Mosque then I have to sit on the floor, but this is very difficult for me. Male, 30 years of age*

Both of the men had accessed the health services and also, in some cases, had undergone necessary surgery. They were generally pleased with the services they received although they expressed frustration with what they considered to be lengthy and often confusing bureaucratic procedures and delays. Despite receiving support from the state services and NGOs, staff at these facilities were often over stretched and unable to follow up on individual cases.

Each of the men participating felt that their broader needs, such as access to employment, were not being prioritized and largely not addressed or facilitated. An interview with KNPD, the National Commission for Persons with a Disability, suggested that considerable efforts had been made to ensure that persons of concern are provided with assistive devices such as wheelchairs, and that in principle they have equal access to the services available to the broader Maltese community. In the following passage, whilst it is emphasized that the Commission is ready to provide for all persons of concern, there also appears to be limited awareness when it comes to the specific needs of refugees and migrants in Malta:

*It's a very good relationship in the sense that whenever they [NGO service providers] have someone who has an impairment they would call KNPD and take it up with them...We don't know exactly how many refugees have the card, they don't disaggregate, they only make difference between men and women, because services are open to all. There aren't statistics on persons with disabilities among the asylum-seeker population...I don't think that could be harder for asylum-seekers who live in Malta to access services, even for disabled. Representative, KNPD*

Reviewing the data, it was evident that people of concern were in fact not able to access services on an equal footing due to a number of factors, including the realities of living in an open centre, lack of language knowledge to communicate effectively, the absence of family support, lack of material resources and a general lack of information about rights and services available. Indeed the broader findings of the research also suggest that the absence of productive activities (for example employment, education or leisure/sports activities) can lead

to anxiety and mental health problems.

### ***Piloting support activity for Beneficiaries of International Protection with a Disability***

Following the initial data collection phase, and preliminary analysis, UNHCR developed a pilot project that focused specifically on refugees with a disability. The aims of the pilot project included those of assessing prospects for their empowerment and participation, by conducting individual needs assessments and analyzing their experiences with mainstream support and service mechanisms in Malta.

The specific pilot project objectives were to:

- Conduct individual interviews and support counselling sessions with beneficiaries of protection status who have a disability and who have come into contact with UNHCR, either directly or through referrals.
- Engage with Government authorities and civil society organizations to establish the relevant legal and policy framework and the mainstream services that are currently available to beneficiaries of protection who have a physical and/or sensory disability.
- Present the main findings with concrete recommendations for all relevant stakeholders.

Several international and national law and policy instruments were identified as relevant to the situation of people affected by disability. These include:

- UN Convention on the Rights of Persons with Disabilities (UNCRPD)
- European Union Regulations
- UNHCR Executive Committee Conclusion No 110
- Malta Equal Opportunities Act, Chapter 413 (Persons with disability)
- National Policy on the Rights of Persons with Disability

The methodology of this pilot activity was developed to effectively place people of concern at the centre of the decisions that affect their lives, refugees led all the actions taken under the pilot project on the basis of their own priorities. For some this meant requesting support with identifying relevant service providers, for others it involved UNHCR accompanying individuals as they approached mainstream service entities.

The people participating also took part in reviewing the findings of the assessment and in developing the final recommendations. UNHCR also shared these with a separate refugee consultation group to receive a broader input also from people who do not have a disability, providing an additional community perspective to the findings

People of concern to UNHCR were selected as participants with a view to including perspectives on several different physical impairments. Some of those participating have

different mobility impairments, others have visual or audio/speech impairments. While it is acknowledged that disability can be a combination of physical, psychological as well as intellectual and sensory elements, for practical reasons it was decided to focus this small scale pilot study on physical impairments.

On this basis eight disabled individuals took part in the activity. These included: two men with visual impairments (Origin: Eritrea, Somalia); four men and one woman with physical impairments (Origin: Somalia, Eritrea, Ethiopia); and one man with hearing/speech impairment (Origin: Somalia).

UNHCR approached 12 different service providers and educational institutions in Malta. These included government agencies such as Access, Support, ETC and the Housing Authority. Civil society organizations were also consulted, including KNPD, the Richmond Foundation, the Malta Guide Dog Foundation, Malta Deaf Association and Inspire Foundation.

### **What we learnt:**

Here is a short, but, we hope straight to the point breakdown of the key points that emerged from the pilot activity:

- Employment opportunities and self-reliance were identified as a main priority by many refugees.
- Most of the relevant mainstream services are in principle available to beneficiaries of protection.
- Resources and language barriers were identified as key obstacles to effectively accessing support.
- Many have little knowledge about services available, both in general and those specifically for disability.

The pilot activity concluded that there are relevant support mechanisms for refugees with a disability in Malta. However, lack of awareness, resource constraints and language barriers present significant obstacles to effective service provision.

Specific recommendations to address the situation include:

- Establishing a multi-disciplinary team for assessing needs of all individuals with a disability, including refugees, and providing support counselling for them to develop an individual care and action plan, with interpretation and cultural mediation services where required.
- Establishing employment initiatives to also include beneficiaries of protection with a disability.
- Providing a stronger framework for specialized language and vocational training.

- Providing information regarding services available to persons with a disability to all asylum-seekers and refugees as well as to service providers and NGOs.
- Raising awareness through public campaigns about the rights and needs of disabled people (including refugees), and real and perceived barriers to accessing services.
- Ensuring that accommodation centres, housing, local transport and other services are accessible to disabled people, through better monitoring of the situation of individuals and enforcement of relevant legislation and policy.

## Notes

<sup>1</sup> ‘Persons of Concern’ is a general term adopted to describe all people whose protection and assistance needs are of interest to UNHCR

<sup>2</sup> Hal Far is a locality in Malta that houses a number of open centres. The interviewees were housed in containers. Toilet and washing facilities are not included in the containers but are shared in common areas.

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