

Refugees : then and now

Ms Danielle Vella's crusade against the current detention policy of illegal immigrants as evidenced by her contribution to The Times, 17 October, merits some comments and clarifications.

The Immigration Act which has been on our statute book for the past 33 years, not only allows any person against whom a removal order has been issued for entering Malta illegally to be detained, but **obliges** the immigration authorities to do so. The fact that an illegal immigrant has requested asylum should not release him for detention; as past and recent experience has shown. The only prospect of an illegal immigrant being definitely accepted in Malta is to claim refugee status. Were we to release such applicants, any person entering Malta illegally would be granted immediate release - without any official documents - just because he fills in a form requesting asylum. This would push our illegal immigration arrivals to gigantic proportions. This is the official position of Ms Vella and, I believe, the Jesuit Refugee Service. I do not question their dedication to their cause, but so am I devoted to my public duties .

Indeed it is pertinent to point out that while in 2002 1680 people landed in Malta illegally, this year this figure has dramatically gone down to under 370, most of them arriving in Malta following rescue at sea by the Armed Forces owing to inclement weather or other distress. Is this due to Malta's firm policy against illegal immigration? I cannot say. But the word spreads around.

May I add that the current Administration has revolutionized the legal position of genuine refugees in the past three years. When I was appointed Minister responsible for immigration in 1998, there was no law recognizing the position of a refugee. Indeed there had been a deliberate decision by the previous administration NOT to enact such law. My Ministry pushed forward a law which prevents deportation of asylum seekers, grants immediate release without further formality to anyone who is recognized as a refugee or as deserving of temporary humanitarian protection. A travel document is granted to anyone deserving such protection. All refugees are now entitled to work in Malta, and to receive social assistance.

What a far cry from the non -recognition by law of refugee status way back in 1998!! If only we could criticize less and be more grateful for what has been achieved!

The 2002 landings created an emergency for our law enforcement agencies and the immigration authorities. Centres had to be opened; human resourced diverted from other useful roles and functions the AFM and the Police. The new Refugee Commissioner's office was engulfed with 1000 applications in twelve months which all had to be minutely examined. Appeals were lodged against all refusals; indeed in one case, following a double refusal by the Commissioner for Refugees and the Appeals Board, a constitutional case (which is still pending after one year) was filed by over 50 immigrants preventing the Immigration Police from deporting such applicants to their country of origin.

This year's respite in arrivals has enabled the Office of the Refugee Commissioner to laboriously process the pending applications. Our disposal rate of asylum applications is as good, if not better than that of our European counterparts and our protection approval rate is certainly better and more favourable to the asylum seeker than in other neighbouring countries. .

I would be the last person to question the motives of JRS; having been bred in Jesuit institutions, and still considering myself close to this fascinating religious order, full of Ignatian zeal and fervour. I admire JRS's world-wide campaign in favour of asylum seekers and refugees. I would however appreciate a more balanced view of things and above all a better disposition to offer accommodation to refugees and protected persons who, once released from detention have to find a home to start a new life; till now only government through its open centres housing 200 such persons and the Emigrants' Commission and the Good Shepherd Institute at Balzan have offered such assistance. If JRS can be of service in this direction, it would be greatly appreciated and such action would certainly enhance its image in Malta and abroad.

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