

UNIVERSITY OF MALTA
MEDITERRANEAN ACADEMY OF DIPLOMATIC STUDIES
2022/2023

MALTA'S FOREIGN POLICY ON IRREGULAR MIGRATION
POST ARAB SPRING

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August 2023

A dissertation presented to the Mediterranean Academy of Diplomatic
Studies at the University of Malta, in partial fulfilment of the
requirements for the Degree of the Master of Arts in Diplomatic Studies

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Abstract

The phenomenon of irregular migration, particularly from North African countries, has been a contentious issue both in Malta and at the European level. Due to its location in the Mediterranean, Malta has experienced an influx of irregular migrants and asylum seekers over the years. Given its small size, limited land area, and high population density, Malta is more vulnerable to irregular migration flows than most European nations. These challenges extend to social, cultural, and environmental spheres, necessitating support and aid from the European Union. Malta deems the issue of irregular migration as one of its main priorities, recognizing the threats it poses to national stability, the labour market, as well as the moral obligation to combat human trafficking.

Malta's foreign policy on irregular migration adopts a multifaceted approach, involving active participation in the European Parliament, engagement in EU-wide and Mediterranean summits, burden-sharing with fellow EU Member States, and negotiation of agreements to address the issue. By engaging Maltese MEPs in European Parliament sessions and committees, Malta influences EU policies to address the issues which are causing irregular migration and shape more effective approaches. Hosting and participating in EU-wide and Mediterranean summits allows Malta to facilitate regional dialogue and cooperation, fostering a collective understanding of the challenges posed by irregular migration and the need for joint action. The collaborative burden-sharing approach reflects Malta's commitment to addressing irregular migration in partnership with other EU Member States. Through dialogue and negotiation, Malta seeks agreements that distribute the

responsibility of accommodating irregular migrants fairly, demonstrating both solidarity and pragmatism.

Malta's foreign policy demonstrates its capacity to foster mutual understanding and shared responsibility, easing the strain on its resources while ensuring humane treatment for irregular migrants. As the EU continues to face migration challenges, a comprehensive and cooperative approach remains essential, and Malta's experiences underscore the need for collective action and shared values in effectively managing irregular migration.

Acknowledgements

I would like to express my sincere gratitude to my family, especially my parents Ray and Lucienne, brother David, as well as my grandparents Victor and Gaetana. Their steadfast support, personal sacrifices, and constant encouragement have been invaluable during my academic journey.

Furthermore, I must express my gratitude to Prof. Stephen Calleya, my dissertation supervisor, for his support, guidance, and constructive feedback while researching for this dissertation.

In extension to Prof. Calleya, my sincere gratitude is extended to the academic staff of the Mediterranean Academy of Diplomatic Studies for sharing their vast knowledge, and for their continued commitment towards my academic success. I would also like to acknowledge the endless patience and support of the MEDAC administrative staff throughout this academic year.

Furthermore, I wish to express my profound gratitude to the unwavering support and assistance provided by my dear friends, as well as the encouragement and camaraderie from my teammates and coaches at Depiro Basketball Club during my academic journey. Particularly in recent times, their invaluable aid has been instrumental in navigating through these last few months of my studies. Additionally, I extend my thanks to my fellow course colleagues, whose constant help and encouragement have been a source of inspiration throughout this period. Their collective contributions have played a vital role in my progress and accomplishments.

A heartfelt tribute is extended to my beloved late grandparents, Alfred and Mary, as well as my late aunts, Mary and Jane. Their profound impact on my formative years, nurturing, and overall well-being is deserving of special recognition and gratitude.

Table of Contents

ABSTRACT	I
ACKNOWLEDGEMENTS	III
LIST OF FIGURES	VII
LIST OF TABLES	VIII
LIST OF ABBREVIATIONS	IX
CHAPTER 1: INTRODUCTION	1
1.2 Aims of the Study	3
1.3 Reasons for choosing this topic.	4
1.4 The Structure of this Dissertation	6
CHAPTER 2: LITERATURE REVIEW	8
2.1 INTRODUCTION	9
2.1 FOREIGN POLICY	10
2.1.1 International Relations Theories and Foreign Policy	10
2.1.2 Influences on Foreign Policy Decisions	18
2.1.3 The Foreign Policy and Strategy of the Republic of Malta	22
2.2 IRREGULAR MIGRATION, THE EU, AND MALTA	27
2.2.1 Defining Irregular Migration	27
2.2.2 Human Trafficking and Smuggling	28
2.2.3 The Central Mediterranean Route	30
2.2.4 Irregular Migration in the EU	32
2.2.5 Solidarity in the EU's Asylum Policy	33

2.2.6 Main EU Legislation related to Irregular Migration	34
2.2.7 Irregular Migration and Malta	36
2.2.8 Maltese Public Opinion and Main Political Parties' Approaches	43
2.3 THE ARAB SPRING AND ITS RELATION TO IRREGULAR MIGRATION AND THE EU	51
2.3.1 The Arab Spring	51
2.3.2 The Arab Spring and Irregular migration in the context of the EU	53
2.4 Conclusion	55
CHAPTER 3: RESEARCH METHODOLOGY	57
3.1 INTRODUCTION	58
3.2 Brief Overview	58
3.3 Explaining the Research Question	59
3.4 Data Collection	59
3.5 Thematic Analysis	64
3.6 Thematic Analysis Process	65
CHAPTER 4 ANALYSIS	70
4.1 INTRODUCTION	71
4.2 Migration in Motion: Malta's collaborative approach aimed at addressing irregular migration.	72
4.3 The significant role of Maltese MEPs and the European Parliament	80
4.4 The Maltese Summit Experience: Uniting Nations, Converging Ideas, Inspiring Action	85
4.5 Navigating the Waves: The Maltese Presidency and the Migration Challenge in the European Council	94
4.6 Thematic Analysis	98

4.7 Conclusion	99
CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS	102
5.1 Salient Points	103
5.2 Recommendations	104
5.3 Conclusion	108
BIBLIOGRAPHY	109

List of Figures

Figure 1 Dead and Missing Irregular Migrants from the Central Mediterranean Route since 2014	14
Figure 2 International Decision Making and a “Funnel of Causality”	30
Figure 3 Migratory Routes from the Mediterranean to Europe	40
Figure 4 Arrivals in Europe according to the three main Mediterranean Routes	41
Figure 5 Yearly Irregular Maritime Migrant Arrivals in Malta	49
Figure 6 Issues which made voters vote in the 2019 European Parliament elections	50
Figure 7 Malta's Search and Rescue Region	51
Figure 8 Irregular Migrant Arrivals in the EU between 2015 and 2023	63
Figure 9 Main texts/documents used by the researcher in this dissertation to conduct his research.	72

List of Tables

Table 1 Number of irregular migrants who were relocated from Malta to other EU Member States between 2018 and 202193

List of Abbreviations

Asylum, Migration and Integration Fund	AMIF
Common European Asylum System	CEAS
Common European Asylum System and the EU Border and Coast Guard Agency	FRONTEX
European Asylum Support Office	EASO
European Agenda on Migration	EAM
Euro-Mediterranean Process	EMP
European Union	EU
International Governmental Organisations	IGOs
International Organization for Migration	IOM
Middle East and North Africa	MENA
Mediterranean Academy of Diplomatic Studies	MEDAC
Non-Governmental Organisations	NGOs
North Atlantic Treaty Organisation	NATO
Organisation for Security and Co-operation in Europe	OSCE
Safety of Life at Sea	SOLAS
Search and Rescue	SAR
Search and Rescue Region	SRR
Union for the Mediterranean	UfM
United Nations	UN
United Nations Security Council	UNSC
United States Refugee Admissions Programme	USRAP
World Trade Organisation	WTO

CHAPTER 1: INTRODUCTION

The phenomenon of irregular migration, specifically relating to migrants from North African countries, has been a contested topic both at a Maltese level, and at European level. As a result of its geographic location in the middle of the Mediterranean, and at a crossroads between the European and African continent, Malta has experienced a steady influx of irregular migrants and asylum seekers over the years. As explained by the United Nations (UN), there are a number of reasons as to why migration takes place. Some migrants may opt to migrate in search of work or economic opportunities, or to study, whilst others may seek to migrate to escape conflict, persecution, terrorism, or human rights violations. Nowadays, the phenomenon of climate change may also be perceived as a push factor when discussing migration.¹

With regards to Malta, it encounters three types of irregular migrants. Irregular migrants in Malta consist of people who enter the country legally but remain there longer than is permitted, people who arrive in the country without the necessary documentation, and people who arrive involuntarily or after being rescued by the Maltese coast guard after finding themselves in distress at sea.

When compared to other nations in Europe, Malta is unquestionably in a far more precarious position in terms of its exposure to irregular migration flows because of its size, strategic location, and coastline. In addition, the Maltese Islands have a total land area of three hundred-sixteen square kilometres, a population density of one thousand six hundred and seventy two people per square kilometre², and a built-up area of twenty-four per cent as of 2018, which at the time was the highest in the European Union (EU).³ These characteristics not only serve as a reflection of the

¹ United Nations, 'Migration'.

² World Population Review, 'Malta Population 2023'.

³ Eurostat, 'How Much of Your Region Is Covered by Man-Made Surfaces?'

country's physical limitations, but also as the cause of a wide variety of difficulties in the social, cultural, and environmental spheres.

Within the context of the EU, Malta is in a precarious position due to the fact that its geographic location makes it a prominent EU Member State along the migration path of those fleeing the African continent. Due to the influx of irregular migration Malta has faced throughout the years, it warrants commitment, support, and most importantly, aid from the EU. The issue of migration should not be only a concern of EU Member States located in the Southern Mediterranean, but a concern for all 27 EU Member States. Addressing irregular migration stands as a paramount concern for Malta. This stance is motivated not solely by the disruptive effects of such migratory flows on the nation's stability and labor market, but also by Malta's recognition of its legal and ethical duty to counter human trafficking.”⁴

1.2 Aims of the Study

The central aim of this dissertation is to investigate and assess the extent to which Malta has safeguarded its foreign policy concerning irregular migration via the Central Mediterranean Route, within the context of the EU. To accomplish this overarching aim, the study is designed to achieve different objectives.

Firstly, this dissertation will aim to comprehensively examine Malta’s foreign policy stance and actions in response to irregular migration, particularly through the Central Mediterranean Route.

⁴ Ministry for Justice and Home Affairs and Ministry for the Family and Social Solidarity, ‘Irregular Immigrants, Refugees and Integration - Policy Document’.

By means of a thorough review of official documents, policy statements, and diplomatic engagements, the study will provide an insight into Malta's strategic objectives and priorities in managing irregular migration. Secondly, this dissertation will seek to understand Malta's role and participation in EU initiatives and mechanisms related to irregular migration. By analysing Malta's engagement in EU institutions, including the European Parliament, and other forums, negotiations, and collaborative efforts, the study aims to assess the level of alignment and coordination between Malta's foreign policy and the broader EU migration governance framework, which encompasses laws, regulations, and partnerships that nations adopt to manage and shape migration across countries, settlement, and returns. Furthermore, this study intends to draw from the analysis and findings to propose concrete recommendations for Malta's foreign policy approach on irregular migration. The study aspires to offer actionable suggestions that align with Malta's national interests while promoting cooperation within the EU framework.

1.3 Reasons for choosing this topic.

The decision to explore Malta's foreign policy on irregular migration via the Central Mediterranean Route within the context of the EU stems from several compelling reasons. From a humanitarian perspective, as provided by the International Organization for Migration's (abbreviated as IOM) Missing Migrants Project, irregular migration, especially via the Central Mediterranean Route, has been a pressing issue with far reaching consequences, including more than seventeen thousand deaths recorded since 2014. Additionally, the Central Mediterranean Route is also the route with the highest number of migrants missing at sea, with the Missing Migrants Project of the

International Organisation for Migration claiming that more than twelve thousand people have been lost at sea on this route.⁵

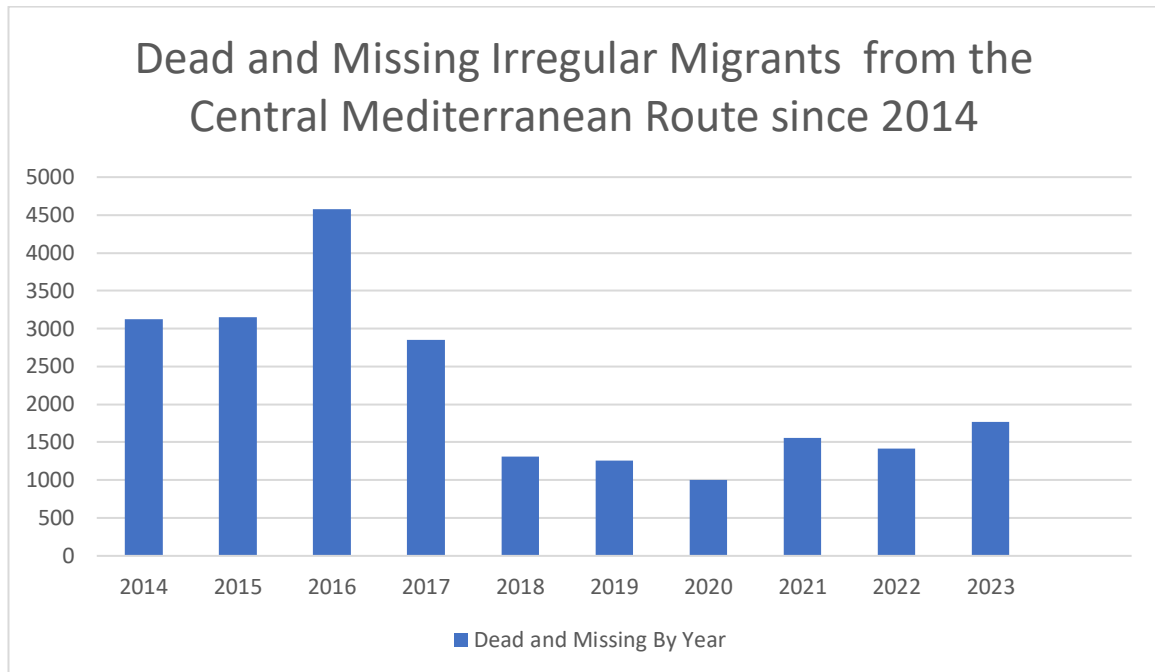


Figure 1 Dead and Missing Irregular Migrants from the Central Mediterranean Route since 2014

The Arab Spring's impact on migration flows in the Mediterranean region has been transformative. The upheaval and instability in North Africa and the Middle East have significantly affected migration dynamics towards Europe, necessitating a closer examination of Malta's foreign policy response in the aftermath of these events. Malta's geographical location in the central Mediterranean makes it a crucial entry point for irregular migrants attempting to reach European shores. Understanding how Malta navigates its foreign policy in this context can shed light on the complexities and dilemmas faced by countries at the frontline of migration flows.

⁵ Missing Migrants Project, 'Migration within the Mediterranean'.

Although there is a vast amount of literature on migration and EU migration governance, there is still a significant gap in understanding the specific intricacies of Malta's foreign policy approach to irregular migration. The hope of the researcher is to bridge the gap and enrich the literature that exists on the topic. Additionally, the researcher's keen interest in international relations, and EU affairs served as a driving force behind the selection of the topic. The researcher's desire to contribute to the academic discourse and gain a deeper understanding of migration-related challenges and policy responses further fuels the motivation behind the selection of the topic.

1.4 The Structure of this Dissertation

Chapter 1 of this dissertation includes a brief overview of irregular migration, particularly involving irregular migrants from North African countries, which has been a subject of debate both within Malta and at the broader European level. Additionally, it provides an overview of the challenges faced by Malta in terms of irregular migration, and Malta's position within the EU on the matter. Additionally, Chapter 1 provides the aims of the study, which includes examining Malta's foreign policy stance and actions in response to irregular migration, particularly through the Central Mediterranean Route, and to understand Malta's role and participation in EU initiatives and mechanisms related to irregular migration. Furthermore, it also provides an explanation as to why the researcher chose the topic.

Chapter 2 of this dissertation involves the literature review, which synthesizes and analyzes existing scholarly works and research to provide a comprehensive understanding of the relevant concepts and contexts surrounding foreign policy, irregular migration, the EU, and Malta. By presenting an overview of the current knowledge and debates in these areas, the literature review

lays the groundwork for the thesis and highlights gaps where the research can contribute valuable insights.

The following chapter of this dissertation, Chapter 3, provides a comprehensive explanation of the approach and the methodology used to conduct the research. This enables anyone interested in examining the dissertation to assess the validity and reliability of the research findings. For this dissertation, a thematic approach was undertaken, in order to identify, analyse, and report any common themes within data.

Chapter 4 provides the actual analysis of the dissertation, in which the main findings of the research are presented, interpreted, and with which conclusions are drawn. In this chapter, the researcher seeks to answer the research question at hand: “To what extent has Malta safeguarded its national interests with regards to irregular migration via the Central Mediterranean Route within the context of the EU?”

The final chapter of this dissertation, Chapter 5, brings all the key elements of the study together. The Conclusion summarizes the research process, findings, implications, and recommendations, highlighting the significance of the research undertaken.

CHAPTER 2: LITERATURE REVIEW

2.1 Introduction

This chapter will provide a conceptual analysis of what exactly is meant by the term "foreign policy", as well as an outline of how Malta's own foreign policy is formulated. In addition, it will discuss irregular migration, with a focus on the Mediterranean region, as well as the possible connections between this phenomenon and the Arab Spring.

This section can be broken down into two distinct parts. The first section will be dedicated to discussing foreign policy in general, as well as Maltese foreign policy and strategies. This will include a discussion of the theoretical aspects of foreign policy and the process of formulating foreign policy, as well as a reference to the most recently published foreign policy strategy document by the Maltese government.

The second section of the literature review will concentrate on defining irregular migration and investigating it, particularly through the "Central Mediterranean Route." It will include a summary of the legalities associated with undocumented migration.

2.1 Foreign Policy

2.1.1 International Relations Theories and Foreign Policy

“Foreign policy is composed of the goals sought, values set, decisions made, and actions taken by states, and national governments acting on their behalf, in the context of the external relations of national societies. It constitutes an attempt to design, manage and control the foreign relations of national societies.”⁶

Foreign policy is often viewed from a series of theoretical perspectives, most notably, through the theories of realism, liberalism, and constructivism. The first school of thought in international relations is realism, which is based on a limited number of fundamental presumptions about politics and mankind in general. According to realism, there is no overarching authority or government that can enforce laws, agreements between states or stop interstate hostilities, hence the international system is anarchic.

Related to realism is the element of groupism. People require the coherence given by collective solidarity in order to survive above subsistence level⁷. A prime example of grouping is a nation state, with the group-cohesion being the sense of nationalism amongst the state’s population. The second component of realism is egoism, or self-interest as a motivator for political conduct and activities. Despite practising altruistic behaviours, egoism and self-interest is embedded in human nature. In “*The Prince*”, Niccolò Machiavelli, described people as “ungrateful, fickle, and deceitful, eager to

⁶ Webber and Smith, *Foreign Policy in a Transformed World*.

⁷ Smith, Hadfield, and Dunne, *Foreign Policy*.

avoid dangers, and avid for gain, and while you are useful to them, they are all with you, offering you their blood, their property, and their sons so long as danger is remote, but when it approaches, they turn on you".⁸ Several realists assert that humanity's selfishness, desire for power, and unwillingness to trust others result in foreseeable results such as conflict and war.⁹

The final assumption is that of power centrism. Throughout history, human affairs have had invariably distinct contrasts of power. Thus, alliances have been established to improve the state's ability to defend itself in order to maintain a balance of power. Whilst realism implies the assumption of greed and self-interest, the loyalty and dependability of one's allies should never be presumed. Similarly, if it is no longer the state's interest to honour such alliances, the state involved should repudiate its commitments to its allies.¹⁰

Moreover, realists argue that power politics in international affairs is completely different from other policy areas. This is because states acknowledge that within a state of anarchy, there exists no higher governing body to hinder others from employing force or the potential for force to subjugate or dismantle them.¹¹ States' attention is only on their own defence, security, and survival as a result of this lack of authority, whose objective would be to safeguard states against one another. Since states are not able to be certain of another state's intention, they normally base their foreign policy on power politics, rather than ideology, history, or culture.¹²

⁸ Machiavelli, *The Prince*.

⁹ Antunes and Camisão, 'Introducing Realism in International Relations Theory'.

¹⁰ Blanton, *World Politics*.

¹¹ Grecio, *Cooperation among Nations: Europe, America and Non-Tariff Barriers to Trade*.

¹² Smith, Hadfield, and Dunne, *Foreign Policy*.

Liberalism is the second major school of thought in international relations. When compared to realism, the liberalist approach is more positive about international politics in general, particularly when it comes to moulding politics, the economy, security, and human rights in international affairs¹³. Contrary to the realist perspective, liberalism argues that international politics is not conflict-ridden, due to an increase in peace and cooperation between states and societies. Whilst in agreement with realism that the state is the main political entity, it also highlights the importance of International Governmental Organisations (IGOs), Non-Governmental Organisations (NGOs), multinational corporations, and domestic actors such as political parties, and interest groups.

The emphasis on implementing the necessary political reforms in order to construct modern, stable democracies is a common factor among the various strands of the liberal school of thought. Two politicians who championed this argument were Woodrow Wilson, and Franklin Roosevelt. Woodrow Wilson argued that a democratic government would reduce the probability of wars occurring, whilst Roosevelt later concurred with this notion, by claiming that the ongoing maintenance and improvement of democracy represent the foremost assurance of international peace. Rather than applying force, liberalism advocated that diplomacy is more suited for achieving a peaceful resolution between two or more parties. This would normally entail political leaders negotiating and compromising with each other to reach the best solution possible, whilst avoiding the use of military force. Furthermore, liberalism believes that international institutions play a vital role in international relations, especially in sustaining harmony and balance amongst states.¹⁴

Liberalism also stresses the importance of free trade between countries, free flow of people, goods, services, ideas, and international cooperation. According to Moravcsik, commercial liberalism

¹³ Patrick Morgan with Alan Collins, *Contemporary Security Studies Sixth Edition*, (Oxford University Press, 2022).

¹⁴ Kevin Bloor, *Theories of Global Politics*, (E-International Relations, 2022)

focuses on “incentives created by opportunities for trans-border economic transactions”.¹⁵ In terms of foreign policy, the liberalist approach emphasizes how the concepts and ideas they support can directly impact international relations. The objectives of liberal foreign policy include preservation, expansion, inspiration, and intervention. Preservation of the pacific union of like-minded liberal states is one of the main priorities of liberal foreign policy. It implies that liberals should be prepared to not only defend themselves, but also forge alliances with other liberal countries in the event of threats or actual cases of external invasion or internal subversion.¹⁶ As a result, in order to tackle global-problems, liberal states need to work to strengthen multilateral institutions including the UN and the World Trade Organisation (WTO), in order to facilitate working with non-liberal states on such matters.

When it comes to expansion, the liberal school of thought argues that resorting to direct efforts (military intervention, overt or covert funding) would result in discrediting and minimising the chance of spreading liberal democratic regimes. Additionally, liberal foreign policy argues that in order for a potential policy to be successful, one should resort to shaping an economic and political environment that indirectly contributes to democratic governance, peacebuilding, and peacekeeping¹⁷. Liberal expansion has been viewed and compared to be the “City on a Hill”. The success of one liberal state, is to be perceived as both an inspiration, and as an example for non-liberal states.

Moreover, the final liberal foreign policy objective is intervention, and whether liberal states should attempt to rescue individuals supporting liberalism, who are being oppressed by their own

¹⁵ Moravcsik, *Taking Preferences Seriously: A Liberal Theory of International Politics*.

¹⁶ Smith, Hadfield, and Dunne, *Foreign Policy*.

¹⁷ Smith, Hadfield, and Dunne.

governments. This is possible under international law, which provides that a state is entitled to use force if required to protect its population from harm and free them from wrongful imprisonment, as well as to defend themselves and assist other aggrieved states.¹⁸

The final theory of international relations is constructivism, being one of the newer theories in international relations, normally associated with the post-Cold War era. It challenges the two traditional theories on a number of issues, mainly on established presumptions about how the world works. The constructivist theory does provide different understandings of the main common themes of international relations, including the balance of power, anarchy, and foreign policy. It views the world as a social construct, referring to ontology and epistemology.¹⁹ Alexander Wendt argues that the possession of 500 nuclear weapons by Britain poses a lesser threat to the United States compared to the possession of five nuclear weapons by North Korea. This distinction arises from the fact that the United Kingdom is an ally of the United States, fostering friendship, while North Korea is not, resulting in enmity. This dynamic of amicability or hostility is influenced by the extent of shared understanding between these nations.²⁰

The constructivist theory also includes a number of premises that help shape the theory. The first belief is in the social creation of reality and the significance of social facts.²¹ This is due to the important role which constructivism gives to social processes of interaction for shared knowledge about the world. Even when it comes to facts, constructivists argue that they are regarded as facts due to social process of interaction and human agreement. Consequently, many constructivists

¹⁸ Cutler, L.N, *The Right to Intervene*, (Foreign Affairs 64: pg96-112)

¹⁹ Theys, 'Introducing Constructivism in International Relations Theory'.

²⁰ Wendt, *Constructing International Politics*.

²¹ Smith, Hadfield, and Dunne, *Foreign Policy*.

provide the same argument for international relations, which embraces a number of social facts. These social facts emerge as a result of “social relationships, rules, and routine practices”, such as in the establishment of the North Atlantic Treaty in 1949. Many argue that North Atlantic Treaty Organisation (NATO) was a result of social relationships, shared practice, and shared understandings amongst its signatories. Therefore, many argue that NATO is a clear example of constructivism due to shared meaning attached to the treaty, the shared identity, and shared values of its members, a process which has since kept developing.

The second element of the constructivism highlights the importance of norms, rules, and the ideation of material structures. Contrary to realism and liberalism, constructivism argues that material forces cannot be used to grasp reality. Constructivism contends that, while material facts play a role in structure, they are meaningless without an awareness of social context, shared knowledge, and the practices that surround it.²² A state that prioritizes human rights may adopt a foreign policy that emphasizes human rights issues in their relations with other states. In this element, social norms are highly significant, as typically, they are characterized as a “standard of appropriate behaviour for actors with a given identity”. Political actors, including states that keep to a specific identity, are expected to act in accordance with norms associated with their identity. The three forms of norms mentioned in constructivism are regulatory norms, constitutive norms, and prescriptive norms. According to Finnemore and Sikkink, ‘regulative norms’ establish guidelines and limitations for behaviour, while ‘constitutive norms’ introduce novel entities, concerns, or classifications of action. Additionally, ‘prescriptive norms’ dictate specific standards,

²² Smith, Hadfield, and Dunne.

implying that no norms are inherently unfavourable from the vantage point of those advocating for them.

²³ However, one can deduce that a norm becomes a common practice when a sufficient number of pertinent state actors adopt and internalise it.

Thirdly, constructivism also gives a lot of importance to identity and interests. Constructivism argues that states can have a number of different identities, formed through the social process of interaction with other states and actors. Due to their distinct identities, these states form their own interests and actions; a small state could be more focused on its survival, whereas the large states' interest could be more focused on global politics, economic, and military dominance. Furthermore, constructivists argue that a state's interest is to always be in line with its identity. When it comes to these assumptions made from a constructivist point of view, a contrast may be detected from the liberal and realist approaches, which contend that states acting in their own interests and working to create and perpetuate a world that is reliably stable constitute the only pre-existing identity for actors in international politics. The theory of constructivism also argues that a state's identity plays an important role in shaping its foreign policy decisions. Identity can be based on a variety of factors, including culture, religion, language, or history.²⁴ A state's foreign policy decisions may be influenced by its desire to preserve or promote its identity, or to assert its identity in the international system.

²³ Finnemore and Sikkink, *International Norm Dynamics and Political Change*.

²⁴ Finnemore, 'Norms, Culture, and World Politics'.

The fourth and final constructivist element is the assumption that structures and actors are mutually constitutive. Institutions, norms, and power relations are examples of wider social, cultural and economic systems that affect and shape individuals' actions and behaviours. On the other hand, agents refer to individuals who actively participate in these structures and shape them through their actions and behaviours. According to constructivism, structures do not determine individuals' behaviour entirely. Instead, individuals, who are considered as agents can actively shape and transform structures. However, it is worth noting that individuals are also shaped by structures and the larger social context in which they exist in. Therefore, structures and agents are not separate, but are mutually constituted entities.

Constructivists argue that ideas, norms, and culture play a significant role in shaping foreign policy decisions.²⁵ A state may decide to pursue a particular foreign policy objective because it sees it as consistent with its national identity or because it aligns with its values and beliefs. Constructivism also provides that a state's perception of the international system and its place within it can influence its foreign policy decisions.²⁶ For example, a state that considers itself as a leader of the international community may be more likely to engage in multilateral diplomacy, while a state that perceives itself as threatened by other states may be more likely to adopt a defensive foreign policy. Constructivists argue that a state's perception of the international system is not fixed but can change over time as a result of interactions made with states and non-state actors. Constructivists argue that international organizations play an important role in shaping the beliefs and norms of states, which in turn shape their foreign policy decisions. International organizations can create new norms, or reinforce existing ones, through their policies and practices.²⁷ They can also influence the

²⁵ Wendt, 'Social Theory of International Politics'.

²⁶ Katzenstein, *The Culture of National Security: Norms and Identity in World Politics*.

²⁷ Finnemore and Sikkink, *International Norm Dynamics and Political Change*.

behaviour of states by providing information, setting standards, and facilitating interactions between states.

2.1.2 Influences on Foreign Policy Decisions

When discussing both the influences and decisions concerning foreign policy, a number of factors or causes may influence them. It is of outmost importance to point out that no single category of causes or factors can fully explain such decision. It is a matter of a number of influences which result in the foreign policy “outputs”. The three main influences on foreign policy are Individual decision makers, internal influences, and global factors.

“Individual decision makers” are the first factor that affects foreign policy and decision-making. The personal traits of leaders involved in international decision-making play a significant role, as their individual values, personalities, beliefs, intelligence, and prior experiences can influence the positions they take on global issues. According to political scientist Arnold Wolfers, writing in 1962, individual decision makers are influential because “factors external to the actor can become determinants only as they affect the mind, the heart, and the will of the decision maker. A human decision to act in a specific way necessarily represents the last link in the chain of antecedents of any act of policy. A geographical set of conditions, for instance, can affect the behaviour of a nation only as specific persons perceive and interpret these conditions.”²⁸

²⁸ Wolfers, *Discord and Collaboration: Essays on International Politics*.

Internal considerations also have an impact on foreign policy and foreign policy decision making. These internal factors include the domestic politics, economic conditions, and military capabilities. Furthermore, domestic politics have a significant impact on foreign policy decisions. The political, economic, and social conditions within a country can influence the priorities, interests, and values of decision-makers. Furthermore, when it comes to domestic politics within a state, there are a number of actors who do have an effect, including the media, businesses, political parties, unions, and religious groups.²⁹

Another important element is a state's economic conditions, which include its trade, investment, debt and employment. Foreign policy decision making may be significantly influenced by international trade relations. A nation's stance on trade agreements and tariffs may be influenced by its desire to enter new markets or to defend domestic industry. Economic concerns can also impact decisions concerning foreign aid and development assistance, as states seek to advance their own economic interests while encouraging economic growth in other countries.³⁰ Additionally, a nation's foreign policy choices may be influenced by its economic progress; while developing nations may concentrate on policies that encourage domestic industries and advance economic growth, developed nations may be more likely to prioritise free trade and investment policies.

Furthermore, a country's military capabilities may also play a key role in a state's foreign policy decisions. Military capabilities refer to a country's ability to project military force and defend itself against external threats. These capabilities can include weapons systems, troops, intelligence assets, logistics and supply chains, and other resources necessary for conducting military operations.

²⁹ Hudson, 'Foreign Policy Analysis'.

³⁰ Baldwin, *Economic Statecraft*.

Military strength or weakness can influence the perception of a state's power and its ability to defend its interests. In "Theory of International Politics" Kenneth Waltz argues that a nation's military strength has a significant role in determining how it will pursue its foreign policy. He believes that the distribution of military strength among states is an important factor in shaping international politics and that states would seek to balance power in order to maintain their security.³¹

Another element which forms part of internal influences on foreign policy is public opinion. In terms of discussing the impact that public opinion has on foreign policy, as well as on decision making, reference is often made to the "Pluralist" and "Elite" models.³² The "Pluralist Model" argues that power is sufficiently distributed throughout a state's society. As a result to this, both public opinion, and mass media are independent of any political or economic groups, enabling them to have the capacity to influence political processes, including foreign policy. On the other hand, "Elite Model" argues that elite groups in society greatly shape and influence both the media and popular opinion. Therefore, media and public opinion are severely constrained, or even unable to influence political and economic processes.

When discussing the media's role in influencing foreign policy, it is common to emphasize the media's essential role in forming public opinion on foreign policy. In a democratic society and state, the public has access to information, education, and discussion on foreign policy concerns in democratic governments where the media is expected to encourage complete and open debate on key subjects. The media also serves a vital function as a watchdog, holding the state government accountable while providing the people with a variety of viewpoints³³ It is also often viewed as

³¹ Waltz, 'Theory of International Politics'.

³² Smith, Hadfield, and Dunne, *Foreign Policy*.

³³ Lichtenberg, *Democracy and the Mass Media*.

playing an important role in agenda setting, when it causes policy makers to pay attention to particular issues in policymaking.

The final influence on foreign policy is global factors. Global factors and conditions provide a number of not only constraints, but also opportunities for foreign policy. International actors are influenced by the constantly evolving state of the world beyond their control. The prevailing global circumstances create a decision-making environment that compels actors to make choices while simultaneously limiting their available policy options.³⁴ Global factors include global warming, North-South relations, and nuclear proliferation. The three-part framework in Fig. 2 below depicts what has been discussed in terms of the influences of foreign powers. Each and every category (global conditions, actor's internal characteristics, and so on) incorporate several factors, which, together with other factors from the different influences, help shape foreign policy decisions by a particular international actor. This framework also provides an indication to the question: "Why was that foreign policy decision reached?". Every foreign policy decision is the outcome of previous events that are a part of the model's categories.

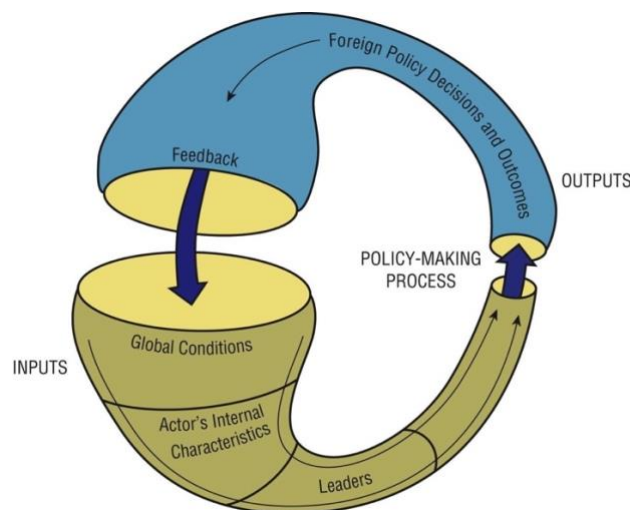


Figure 2 International Decision Making and a "Funnel of Causality".

³⁴ Blanton, *World Politics*.

2.1.3 The Foreign Policy and Strategy of the Republic of Malta

The Republic of Malta's foreign policy has been influenced and nurtured since long before its independence in 1964 and subsequent constitutional reforms.³⁵ It has been developed to reflect the soul of the nation, which has been forged via dialectical thought, and as a result, has shaped its own intrinsic ideals. One of the values often alluded to, is Malta's neutrality, which not only forms part of its constitution, but also enshrined in its membership within the EU. While challenged at the time of the value's establishment, Maltese neutrality is now regarded as critical to the country's international positioning.³⁶ Malta's foreign policy is guided by a commitment to peace, stability, and prosperity, both at home and abroad. As a small island state located at the crossroads of Europe, Africa, and the Middle East, historically, Malta had to navigate complex geopolitical realities and maintain relationships with a wide range of countries and international organizations.

Due to Malta's strategic location in the central Mediterranean, the government has pursued a comprehensive and assertive foreign policy in the Euro-Mediterranean region. Apart from playing a notable role in regional organisations including the Euro-Mediterranean Process (EMP), the Organisation for Security and Co-operation in Europe (OSCE), and the EU Med Group, throughout its post-independence history, Malta has also played an important role in the UN, the world's only truly universal global organization.³⁷ Since EU accession in 2004, Malta's geopolitical relevance has increased, providing the EU Member State with the opportunity to "exploit" these newly established strengths to maximize its political and economic benefits one gains when a country becomes an EU Member State. Being in the middle of the Mediterranean region, enables Malta to project the

³⁵ 'Malta's Foreign Policy Strategy'.

³⁶ 'Malta's Foreign Policy Strategy'.

³⁷ Calleya, *Looking Ahead: Malta's Foreign Policy*.

“European mission” onto its southern and Arab neighbours. Its geographic position and relation with neighbouring countries offer the country several prospects for commerce and business. These opportunities of trade and investment have also been enhanced after 2004, due to trade agreements between the EU in relation to North African and Middle Eastern markets.

In terms of Malta’s Foreign Policy Strategic Goals, the country’s most recent foreign policy plan document, issued in February 2022, Malta’s first foreign policy strategic goal is to “Support values, well-being and prosperity of Maltese citizens.”³⁸ Through targeted international partnerships, this involves all Maltese citizens, whether living in Malta, or abroad, especially the most marginalised and vulnerable. Malta's foreign policy supports the national economic objective of a productive, sustainable, and inclusive carbon-neutral economy by the year 2050. Therefore, it is in line with the country's National Strategy for the Environment 2050’ which believes that a good quality of life and citizen well-being are essential to a flourishing society. Market access and diverse international links, combined with a broader and differentiated economic plan, help Maltese and local-based foreign enterprises compete abroad, making the country more resistant to external shocks. From an economic perspective, Malta is seeking to revisit its long-standing relations with the United Kingdom, especially following the latter’s withdrawal from the EU. ³⁹ Furthermore, Malta’s foreign policy is directed towards projecting the country’s interests and brand through the World Trade Organisation (WTO), including its monitoring, negotiation, and dispute settlement functions, whilst identifying and pursuing economic agreements and trade initiatives with nations, amongst other objectives.

³⁸ ‘Malta’s Foreign Policy Strategy’.

³⁹ ‘Malta’s Foreign Policy Strategy’.

Malta's second foreign policy strategic goal is to "Promote Peace, Security and Dialogue". In the face of challenges all nation states, and particularly small states, Malta consistently champions dialogue, whilst supporting and working to reinforce a "rules-based international system". In the current geopolitical context, Malta must be cautious and reduce threats to the country's security. Thus, Malta requires to deepen bilateral security cooperation with other countries, and to "advance collective security and defend the rules-based international order through contributions to global peace and security and disarmament initiatives." An example of this is Malta's ongoing initiatives to stop the spread of conventional weapons, weapons of mass destruction, and nuclear weapons, amongst others. In order to ensure peaceful coexistence in the world, Malta is party to a number of international agreements, to not only expand security relations, but also to advance the country's foreign policy interests. Malta also strives to uphold the numerous principles of human rights and equality in its society.

Malta prioritises human rights and democracy principles and culture, while also fostering the alliance of societies through religious dialogue and advocating ethical values.⁴⁰ Furthermore, Malta is a co-sponsor of a number of significant United Nations Security Council (UNSC) resolutions aimed at promoting peace, security, the safety of civilians, and human welfare. These include UNSCR 2594 (2021) on peacekeeping transitions, UNSCR 2573 (2021) on the preservation of items vital to the survival of the civilian population, UNSCR 2352 (2020), and UNSCR 2565 (2021) on the COVID-19 pandemic's effects, particularly in the most vulnerable nations.⁴¹ In addition to this, amongst its foreign policy objectives, Malta seeks to "promote people-to-people connectedness through cultural diplomacy initiatives", and "develop closer relationships with neighbouring countries with

⁴⁰ 'Malta's Foreign Policy Strategy'.

⁴¹ Government of Malta, 'Malta 2023-2024 United Nations Security Council'.

neighbouring countries, with a primary focus on stability and security in the Euro-Med region and Africa”.

Throughout its fifty-eight years of independence, Malta has only twice had the opportunity and responsibility to have a seat on the UNSC. The initial period was in 1983-1984. Currently (2023), Malta is one of ten UNSC non-permanent members, five of which are elected each year by the General Assembly for a two-year term (2023-2024). Malta was elected at the UN’s seventy-ninth General Assembly session, seventy-ninth plenary meeting.⁴² The UNSC is the most important international body when it comes to promoting peace and security. Additionally, the UNSC is the only body with the authority to issue binding resolutions on UN member states. Moreover, for its two-year mandate, Malta has chosen security, sustainability, and solidarity as its three main pillars to work on. Malta’s two-year membership of the UNSC gives it the chance, more than ever, to play an essential role in achieving peace and security.⁴³ The final Maltese foreign policy strategic goal is to “maximize opportunities for influence in strategic regions and multilateral fora”.⁴⁴ One of Malta’s priorities is to strive for “partnerships of trust” with all countries, in order to further develop the country’s resilience during unsettling times, while also seeking to sustain and enhance its standing in the international community as a “reliable and principled partner”.⁴⁵ Malta’s neutrality aids in ensuring that the country remains a modest, steadfast, discreet mediator, with the hope of developing its capacities concerning conflict resolution. As one of twenty-seven EU Member States, one of Malta’s objectives is to consistently pursue active and effective participation in EU decision-making processes. Although known for being regarded as a “team player” in the day-to-day

⁴² ‘General Assembly Seventy-Sixth Session 79th Plenary Meeting Thursday, 9 June 2022, 10 a.m. New York’.

⁴³ Government of Malta, ‘Malta 2023-2024 United Nations Security Council’.

⁴⁴ ‘Malta’s Foreign Policy Strategy’.

⁴⁵ ‘Malta’s Foreign Policy Strategy’.

establishment for a stronger EU, Malta aspires to continuously ensure that its national interests and needs, which in some cases are home to only small states or small island states, continue to be raised and heard at EU level. Furthermore, Malta seeks to ensure that the needs of the EU's smallest Member State are not only protected, but also strengthened.⁴⁶ On a global level, as alluded to previously, Malta is also an active participant within the UN, as it firmly believes in international cooperation, and collaboration especially in terms of global threats such as climate change.

The need for active cooperation and dialogue has never been greater than in recent times, as evidenced by the COVID-19 epidemic, a present spike in global inflation, and conflict in Europe for the first time in decades. Additionally, Malta will keep participating effectively in other international and multilateral fora, including the Union for the Mediterranean (UfM), the MED9 Group, and the 5+5 Western Mediterranean Dialogue, to further address issues concerning the Mediterranean and European region, which are amongst its main priorities. Furthermore, Malta is seeking new political and economic opportunities with South American countries, especially following the opening of the country's first resident diplomatic presence in Brasilia, Brazil.⁴⁷ Additional goals within Maltese foreign policy encompass sustaining backing for the EU accession path of Western Balkan nations, as well as instigating reforms in domains like the rule of law, fundamental rights, public administration, and economic governance. Efforts are also directed toward crafting regulatory frameworks for various significant regions like the Gulf and the Asia-Pacific. Furthermore, Maltese foreign policy endeavours to champion the interests of small states and small island developing states in global forums.⁴⁸

⁴⁶ 'Malta's Foreign Policy Strategy'.

⁴⁷ 'Malta's Foreign Policy Strategy'.

⁴⁸ 'Malta's Foreign Policy Strategy'.

2.2 Irregular Migration, the EU, and Malta

2.2.1 Defining Irregular Migration

The Migration Policy Institute provides eight different ways in which non-nationals can be regarded as irregular migrants. These include; (i) a non-national entering the country illegally (illegal border crossing), (ii) a non-national entering the country using false documents, (iii) a non-national entering the country with a legitimate and legal document, but providing false information, (iv) overstaying a visa-free travel period or a temporary residence permit, (v) loss of status because of non-renewal of permit for failing to meet residence requirements or breaching conditions of residence, (vi) absconding during the asylum procedure or failing to leave a host-state after a negative decision, (vii) being born into irregularity, and finally (viii) a state's failure to enforce a return decision for legal or practical reasons.⁴⁹ Although a universal definition of the term "irregular migration" does not yet exist, the term is normally associated with the "movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination".⁵⁰ The form of irregular migration that will be discussed in this dissertation is irregular maritime migration, which involves persons attempting to reach EU borders by sea, notably via the Central Mediterranean Route

In political and media discussions, irregular migration is frequently characterized as a challenge to the authority of states. Essentially, the claim is that states possess the exclusive right to regulate who enters their borders, and that by flouting that authority, irregular migrants jeopardize

⁴⁹ Morehouse and Blomfield, 'Irregular Migration in Europe'.

⁵⁰ International Organisation for Migration, 'International Migration Law - Glossary on Migration'.

sovereignty. As a result, controlling irregular migration is regarded as critical to regaining full sovereignty. It has been proposed, in particular, that irregular migration and asylum may serve as ways in for potential terrorists.⁵¹

Moreover, the topic of irregular migration is highly charged and often creates a division of viewpoints. Those who prioritize border control and national security often find themselves at odds with those who prioritize the human rights of the migrants involved. Additionally, there is a need to promote a fair and unbiased discussion about the factors that lead to irregular migration, its effects, and the most effective ways to tackle the issue.⁵²

2.2.2 Human Trafficking and Smuggling

Whilst it is worth noting that human trafficking and migrant smuggling represents a relatively small portion of irregular migration at a global level, it has gained significant attention in recent years, especially at EU level.⁵³ Whilst the two terms (human trafficking and migrant smuggling) are often confused, a legal distinction between the two terms does exist. In fact, according to the “UN Protocol to Prohibit, Suppress and Punish Trafficking in Persons”, which set up the first common international definition of "trafficking in persons", human trafficking is defined as: “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat, or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a

⁵¹ Koser, ‘International Migration: A Very Short Introduction’.

⁵² Koser.

⁵³ Koser.

person having control over another person, for the purpose of exploitation.”⁵⁴ In terms of migrant smuggling, in its “Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime”, the UN defines the term as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident”.⁵⁵

In terms of irregular migration, it is not possible to tally migrants depending on whether they are either subject of human trafficking and migrant smuggling. This is due to two reasons: firstly, due to the blurring of boundaries between human trafficking or migrant smuggling. This mostly takes place when a migrant does not pay his “smuggler” before migrating, resulting in the migrant arriving in his destination country indebted, which may expose the migrant to exploitation. Secondly, figures related to people who are subject to human trafficking or migrant smuggling, are normally people who are not only found, but who also admit to having been smuggled or trafficked.⁵⁶

With reference to the EU’s campaign against the smuggling of migrants and human trafficking, one may allude to the EU’s “Strategy on Combatting Trafficking in Human Beings”, and the EU’s action plan against migrant smuggling. In April 2021, the European Commission adopted its strategy on combatting human trafficking, with its main focus being on reducing the demand that fosters trafficking, breaking the business model of traffickers, protecting, supporting, and empowering

⁵⁴ United Nations, ‘Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000)’.

⁵⁵ United Nations, ‘Protocol against the Smuggling of Migrants by Land, Sea And Air, Supplementing the United Nations Convention against Transnational Organized Crime’.

⁵⁶ Koser, ‘International Migration: A Very Short Introduction’.

trafficking victims, and promoting international cooperation on the matter.⁵⁷ In terms of the EU's renewed action plan against migrant smuggling, it plans on renewing and improving on its predecessor, which was adopted in 2015. This renewed action plan's objectives include reinforcing the EU's collaboration with partner nations and international organisations, the implementation of legislative frameworks and the sanctioning of smugglers operating inside and outside of EU borders, the prevention of exploitation, and the assurance of migrants' protection, amongst others.⁵⁸

2.2.3 The Central Mediterranean Route

Tens of thousands of individuals have opted to enter the EU illegally via the Central Mediterranean Route. The Central Mediterranean Route is one of the three main Mediterranean routes used by people who attempt to access EU borders irregularly.⁵⁹ In contrast to both the Western and Eastern Mediterranean routes, which have both been used by migrants seeking to enter EU borders since the early 1990s, the Central Mediterranean Route is often perceived to be more recent, since the year 2000. One of the most dangerous and busiest sea routes for irregular migrants travelling to Europe, the Central Mediterranean Route extends from Turkey, and Sub-Saharan Africa, specifically Egypt, Libya, Tunisia, and Algeria, to Italy and Malta.⁶⁰

⁵⁷ European Commission, 'EU Strategy on Combatting Trafficking in Human Beings (2021-2025)'.

⁵⁸ European Commission, 'Migrant Smuggling'.

⁵⁹ Council of the European Union, 'Migration Flows on the Central Mediterranean Route'.

⁶⁰ ACAPS, 'Central Mediterranean Route'.



Figure 3 Migratory Routes from the Mediterranean to Europe

Excluding the year 2015, the Central Mediterranean Route was the most prominent route in the Euro-Med region between 2012 and 2017.⁶¹ The first relatively serious influx of irregular migrants through the Central Mediterranean Route took place in 2008, followed by a spike in arrivals in 2011. It is worth noting that 2011 was the year of the Libyan revolution, a political uprising that lasted eight months which resulted in the overthrowing of Libyan dictator Muammar Gaddafi. Numbers surged once again after two years of relative stability in Libya in 2012 and 2013, with more than 170,000 migrants reaching Italian shores in 2014 alone.

⁶¹ Malakooti and Fall, 'Migration Trends Across the Mediterranean'.

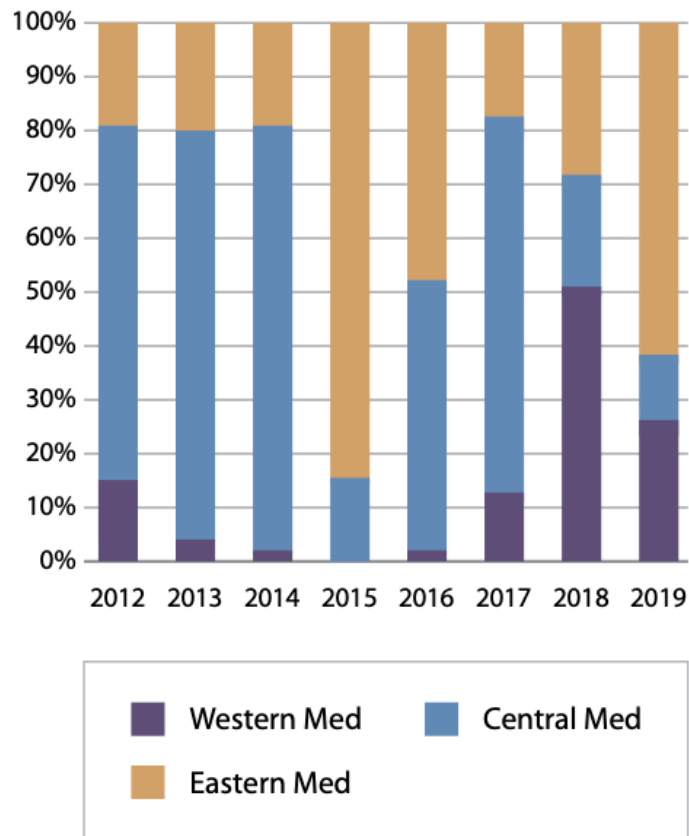


Figure 4 Arrivals in Europe according to the three main Mediterranean Routes⁶²

The Central Mediterranean Route has been a major point of concern for the EU and its Member States, particularly for receiving countries like Malta and Italy. The EU has struggled to develop and implement effective policies to manage the influx of migrants and refugees, which has been further complicated due to the political instability in some of the countries of origin and transit.

2.2.4 Irregular Migration in the EU

In recent years, the EU has experienced a significant influx of irregular migrants, predominantly through the Eastern, Western, and Central Mediterranean Route.⁶³ A segment of

⁶² Malakooti and Fall.

⁶³ European Commission, 'Irregular Migration and Return'.

these irregular migrants is from conflict-affected regions in the African continent and Middle East region. The influx of migrants has raised several debates across the EU, both at a societal level, and at a political level. This debate concerns managing irregular migration, distributing the “burden” of hosting migrants amongst EU Member States, and viewing irregular migration as an opportunity, rather than as a problem. Whilst certain EU Member States have undertaken a welcoming approach to irregular migrants and have supported calls for increased support for asylum seekers, other EU Member States have adopted a somewhat restrictive stance, limiting migration as a result of stricter border controls and asylum policies.⁶⁴

The issue of the distribution of hosting irregular migrants across the EU is a contentious one. Throughout the years, the EU has adopted a number of policies and legislation regarding irregular migration, and a system of shared responsibility for managing migration. Unfortunately, some EU Member States have been reluctant to follow such systems, opting to resist such efforts.

2.2.5 Solidarity in the EU’s Asylum Policy

The removal of internal borders control in the EU has resulted in the gradual development of the EU’s policy on external borders, asylum, and migration. Whilst these developments were enough for a period of time, its flaws were exposed in 2015, during the influx of refugees and irregular migrants, which prompted a response from the EU in terms of laws and policies⁶⁵. Although these various initiatives have proven to be somewhat effective in enhancing border security, limiting irregular migrant arrivals, and fostering collaboration with third countries, the matter of “burden

⁶⁴ European Commission.

⁶⁵ European Parliament, ‘Solidarity in EU Asylum Policy’, 2023.

sharing”, and “shared responsibility” for asylum seekers among EU Member States continues to present its challenges.⁶⁶

For a number of years, the Council of the EU has engaged in ongoing discussions regarding the reform of the existing EU asylum regulations. Whilst all EU Member States acknowledge that the current system in place is failing in ensuring equitable distribution of asylum seekers, there is a lack of clarity relating to the implementation of the solidarity principle to address these shortcomings.⁶⁷ In recent years, EU Member States have discussed ways to operationalize the concept of subsidiarity, and whether solidarity should be incorporated via a permanent or temporary mechanism, and whether the latter should be combined with a shared responsibility among EU Member States. So far, EU Member States have not managed to come to an agreement as to whether solidarity should find expression solely in mandatory relocation of asylum seekers, or also in financial aid. European Commission President Ursula von der Leyen had made it clear that the EU requires a fresh start on migration and asylum, and that it also needs a “new way of burden sharing”. She also insisted that the EU needs to shift from tackling the issue “from a case-by-case solution to a more permanent answer”, whilst ensuring that all EU Member States make significant contributions to support those countries under the most pressure.⁶⁸

2.2.6 Main EU Legislation related to Irregular Migration

Over the years, the EU has worked extensively to introduce, renew, and implement a number of regulations, directives and laws in order to address the issue of irregular migration. An acclaimed

⁶⁶ European Parliament.

⁶⁷ European Parliament.

⁶⁸ European Parliament.

EU legislation is the “*Dublin III Regulation*,” which contains procedures for the protection of asylum applicants and improves the system’s efficiency.⁶⁹ The objective of this legislation is to ensure that people who seek to apply for asylum, can do so by accessing a quick procedure, including a single, pre-determined country evaluating an application on its merits. The legislation also specifies which Member State is in charge of the application's review. Another well-known piece of EU legislation is the Asylum Procedures Directive, which establishes a consistent framework for making efficient and equitable decisions on asylum claims. This is done in a number of ways, including setting clear rules for registering and lodging applications, setting time-limits for the examination of applications, allowing for border procedures, training decision makers, and providing the proper support needed to those in need of special guarantees. This directive also eliminates disparate procedural agreements in EU Member States, whilst providing vulnerable individuals with special procedural needs with the required and deserved attention.⁷⁰

The EU Return Directive, introduced in 2008 is another well-known legislation, which ensures that non-EU nationals who lack the legal requirements to stay in the EU, are returned effectively, through procedures that respect the fundamental rights and dignity of the people involved.⁷¹ The Return Directive has had a positive effect on the return policy in Europe, due to the streamlining of Member State practices. The streamlining of the practices include: “the maximum length of detention; the promotion of voluntary departures and return monitoring; as well as harmonising the length and conditions of entry bans.”⁷²

⁶⁹ European Parliament, ‘Country Responsible for Asylum Application (Dublin Regulation)’.

⁷⁰ European Commission, ‘Asylum Procedures’.

⁷¹ European Parliament, ‘The Return Directive’.

⁷² European Parliament.

2.2.7 Irregular Migration and Malta

Located at the southernmost tip of Europe, off the coast of Africa, Malta, an EU Member State, has experienced an influx of irregular migrants since around 2002.⁷³ In fact, in years preceding 2014, Malta received the highest number of irregular migrant of any industrialised nation in the world as measured by the per-capita ratio.⁷⁴ Prior to EU accession in 2004 the Maltese Islands had already started experiencing a steady influx of irregular migration, with hundreds of migrants reaching Maltese shores between 2002 and 2004. In 2002, the year in which the Maltese island experienced an influx of one thousand seven hundred irregular migrants, discussions on the impact of the so called “klandestini” (irregular migrants), and whether the islands had sufficient resources to deal with the influx were already taking place. The year 2002 was also perceived as a significant year in terms of irregular migration due to controversies surrounding the return of a group of 220 irregular migrants from Eritrea, regardless of the risk of being persecuted on their return.⁷⁵ A survey carried out in 2002 by the *Times of Malta* revealed that almost seventy percent of the Maltese participants believed that Malta should consider this brand of migrants as “law-breaking criminals”. Additionally, only fifty-seven-point three percent of the participants understood the difference between a refugee and an irregular migrant.⁷⁶ In 2003, a year prior to Malta’s accession in the EU, in 2003, the Council of Europe was already criticizing Malta for the way it was treating irregular migrants as a result of the confined living conditions and the lengthy detention policy. Intriguingly, the Council of Europe stated that the term “irregular” should be used instead of the term “illegal,”

⁷³ Taylor, *Small States and the European Migrant Crisis*.

⁷⁴ United Nations Human Rights Office of the High Commissioner, ‘Human Rights Committee Considers Report of Malta’.

⁷⁵ Vella, V, ‘Thassib serju ghal hajjithom’.

⁷⁶ Anon, ‘Overwhelming Majority Feel Immigrants Are Breaking the Law’.

which at the time, was more commonly used in Malta, because the latter term created a distorted perception of these migrants and the reasons, they were leaving their home countries.⁷⁷

Following EU accession on May 1st 2004, calls were being made for the EU to demonstrate solidarity with the Maltese Islands, and other Mediterranean states, who were experiencing the same irregular migrant related issues. In fact, Frenco declared that humanist solidarity was not only required, but essential in tackling irregular migration, and that burden sharing and the need to look at the problem 'collectively' was needed to find a long-term solution to the issue of irregular migration.⁷⁸ Historically, the EU has taken three distinct approaches to irregular migration: dissuading individuals from embarking on irregular migration, regulating the movement of migrants through established protocols, fostering the integration of irregular migrants to avert their isolation and the potential for radicalization are all key components of the approach.⁷⁹ Furthermore, as stated by Calleya, Malta found 'itself in a particularly disadvantageous situation due to the so-called Dublin Convention.'⁸⁰ This was due to the fact that the Dublin Convention of 1997, Dublin II Regulation (343/2003) and the Dublin Regulation (604/2013) created enormous pressure on peripheral EU Member States such as Malta, Cyprus, and Italy, which normally provide the 'first point of entry'⁸¹

In the past, when the EU struggled to find a solution to the problem that would be effective over the long term, Malta relied on its bilateral relationships to try to find a solution that would be more manageable. In the past, Malta participated as a member of the Med-Group, which is a coalition of

⁷⁷ Cachia, *The Europeanisation of Party Politics in Malta*.

⁷⁸ H,Frenco, 'Human Solidarity; Europe and Malta.'

⁷⁹ Yannick Pace, 'European Court's "Far-Reaching" Repubblica Judgment Will Be Basis Of Next Decade Of Decisions'.

⁸⁰ Stephen Calleya and Derek Lutterbeck, 'Managing the Challenges of Irregular Immigration in Malta'.

⁸¹ Alison Gatt, 'Fair Sharing of Asylum Responsibility within the EU: Addressing Malta's Scenario'.

seven EU Mediterranean states that meet regularly to discuss migration policy and coordinate their stances in advance of crucial EU Council sessions. In addition, Malta has reaped the benefits of the United States Resettlement Programme, which was administered by the International Organisation for Migration (IOM) and funded by the United States Refugee Admissions Programme (USRAP). Over three thousand five hundred people in Malta who were living illegally took advantage of the plan to go to the United States between 2007 and 2017, until the programme was effectively terminated by the Trump administration.⁸²

In 2007, a year in which Malta experienced an influx of one thousand, seven hundred and fifteen irregular migrants, former Maltese Minister for Foreign Affairs, Michael Frendo urged Foreign Ministers of the EU to endorse the Maltese proposition advocating the distribution of responsibility amongst all EU Member States⁸³. The Maltese proposal was only backed by a handful of like-minded Mediterranean states, with the rest describing the proposal as “unworkable”, arguing that the proposal would attract even more irregular migrants into the EU.⁸⁴ Two years after the dismissal of the Maltese proposal, Malta reaped the rewards of its efforts to enhance its influence within the EU. In 2009, the European Council pushed for the agreement relating to a pilot project for voluntary internal reallocation of beneficiaries of internal protection, worked towards reaching an agreement on the European Asylum Support Office (EASO) and strengthened border patrol control operations coordinated by the Common European Asylum System and the EU Border and Coast Guard Agency (FRONTEX). The EU Relocation Malta Project, which offered the first tangible project for the relocation of asylum seekers or refugees expressly for Malta, was very well received by the Maltese government, which expressed its satisfaction with the project.

⁸² Pace, ‘Malta’.

⁸³ ‘Irregular Migration: Credibility of the EU “Is on the Line”’.

⁸⁴ ‘Frontex Deputy Head Labels Malta’s Burden-Sharing Proposal “Simplistic”’.

As a result of the Arab Spring in 2011, which started in Tunisia, and spread to a host of other North African and Middle Eastern countries, Malta faced an increased security threat. The Arab Spring resulted in a surge in irregular migration from the Libyan coast towards Malta, which prompted Maltese foreign policy to react accordingly.⁸⁵ Prior to the Arab Spring, in 2010 Malta experienced an influx of forty-seven irregular migrants into its national borders. In 2011, and 2012, the years associated mostly with the Arab Spring, Malta experienced an influx of one thousand five hundred seventy-nine, and one thousand eight hundred and ninety irregular migrants respectively. Following the Syrian conflict which started in 2012, the migration crisis shifted eastwards. In fact, in 2012, the EU experienced a ten percent increase in the number of asylum applications, attributed to the conflict in Syria. In a communication from the European Commission to the European Parliament in 2013, it reported that the Arab Spring and the conflict in Syria had exposed the need for humanitarian and protection responses from the EU and as a result, stressed the necessity of finishing the Common European Asylum System so that all EU members enjoy the same level of protection.⁸⁶ Despite the Syrian conflict 'shifting' the migration crisis eastwards, Malta still experienced a significant influx of irregular migrants, with a total of two thousand and eight irregular migrants reaching Maltese shores.

After 2014, irregular migrant intake dropped, mostly due to the "Mare Nostrum". On October 18, 2013, the Italian Government initiated the Mare Nostrum Operation, a military and humanitarian effort designed to address the escalating humanitarian crisis in the Strait of Sicily, caused by a

⁸⁵ 'Arab Spring Prompts Surge of Illegal Immigrants to EU'.

⁸⁶ European Commission, 'Communication from the Commission to the European Parliament and the Council 4th Annual Report on Immigration and Asylum (2012)'.

significant surge in migration. The operation was concluded on October 31, 2014, and was immediately followed by the launch of Triton, a new operation.⁸⁷

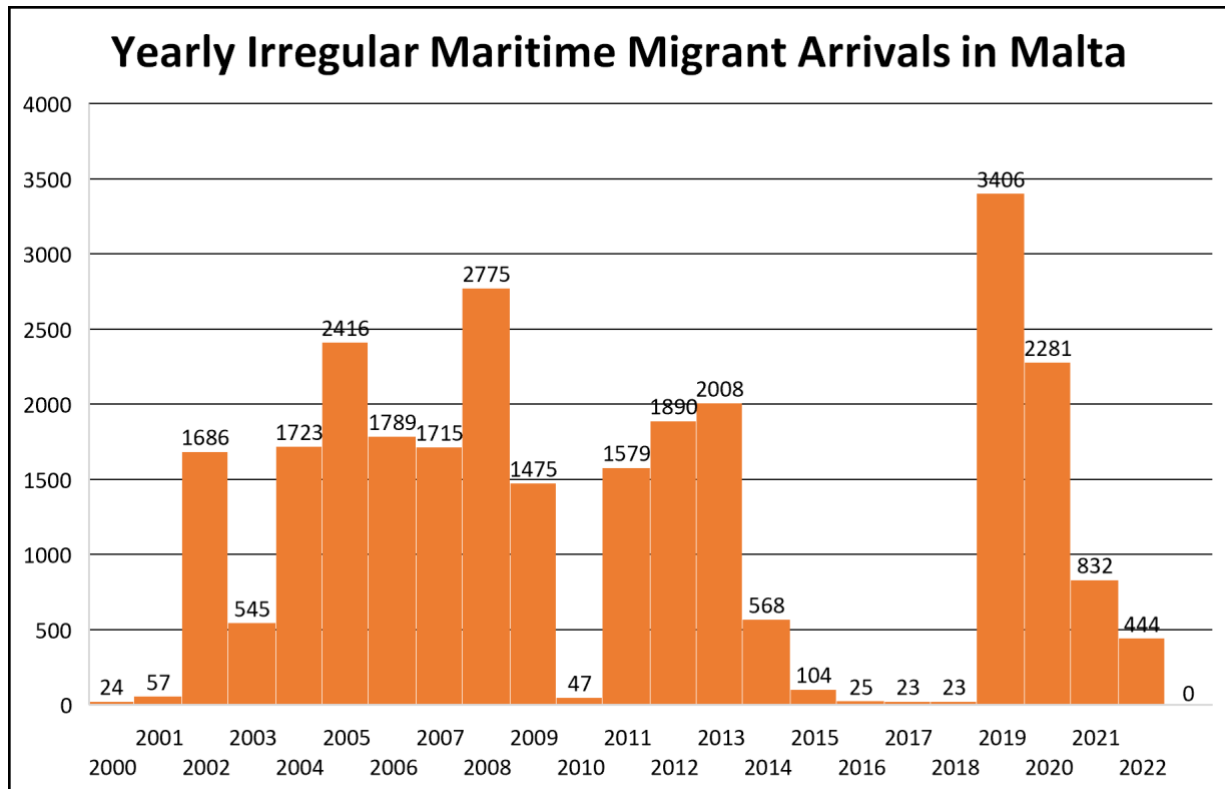


Figure 5 Yearly Irregular Maritime Migrant Arrivals in Malta⁸⁸

A drastic increase in 2018 can be credited to several factors, including a shift in Italy's policy, and the fact that the EU scaled back several of its naval missions in the central Mediterranean. As a result, NGO search-and-rescue boats encountered significant challenges in their operations after 2017. This also disrupted the coordination of search-and-rescue efforts, leading to confusion over which safe port migrants should be transported to, and necessitating new ad-hoc agreements after each rescue. Furthermore, smugglers in Libya changed their departure locations along the coast to evade the Libyan Coast Guard's interception and avoid detection by authorities on land. As the

⁸⁷ Ministero Della Difesa, 'Mare Nostrum Operation'.

⁸⁸ United Nations High Commissioner for refugees (UNHCR), Malta, 'Figures at a Glance'.

smugglers moved further west along the coastline, boats began arriving in Malta or becoming stranded in Maltese territorial waters.⁸⁹ At a societal level, the drastic increase in irregular migrant intake also was proven to be an issue which influenced voters in the 2019 European Parliament elections. In fact, in a Eurobarometer survey, which involved a total of five hundred and three face-to-face interviews, when asked to provide a maximum of six answers, fifty percent of the respondents replied that the main issue which influenced their choice was “immigration”.

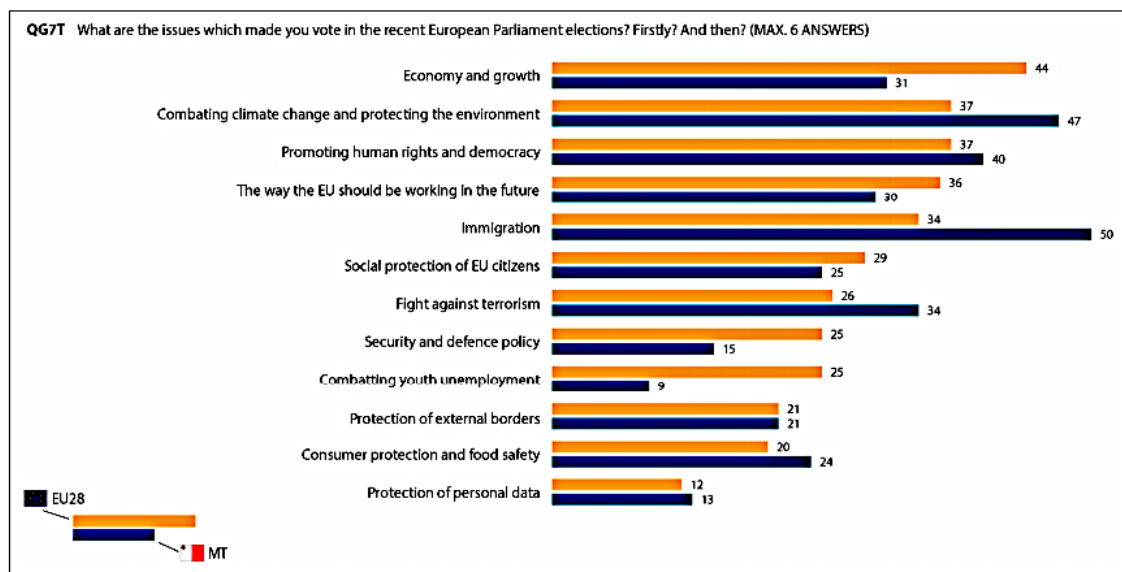


Figure 6 Issues which made voters vote in the 2019 European Parliament elections⁹⁰

Because of its location in the southern Mediterranean, Malta is directly in the path of migration flows from North Africa, mostly Libya. In contrast to its relatively small size of territorial waters, Malta’s Search and Rescue Region (SRR), is vast, covering two-hundred sixty thousand square kilometres. Its vast region encompasses places that are physically closer to Italian ports throughout the Mediterranean basin., rather than Maltese ports.⁹¹ Additionally, it also shares boundaries with Italy, Libya, and Greece.

⁸⁹ Malakooti and Fall, ‘Migration Trends Across the Mediterranean’.

⁹⁰ European Parliament, ‘Eurobarometer 2019 Post-Electoral Survey’.

⁹¹ Garcia Carriazo, ‘Small Island, Big Issue: Malta and Its Search and Rescue Region - SAR’.

In 2004, amendments were affected to the International Convention for the 1974 Safety of Life at Sea (SOLAS) and 1979 SAR conventions. Italy ratified a series of these amendments, however, Malta did not. According to David Attard this means that whilst Italy argues that “the obligation to allow disembarkation is that of the State responsible for the search and rescue region where the rescue operation takes place”, Malta insists, that the disembarkation of people at the nearest safe port, is more expeditious and humane, meaning that “the State which offers the nearest safe port to the distress incident that is obliged to accept the disembarkation of rescued persons”.⁹²

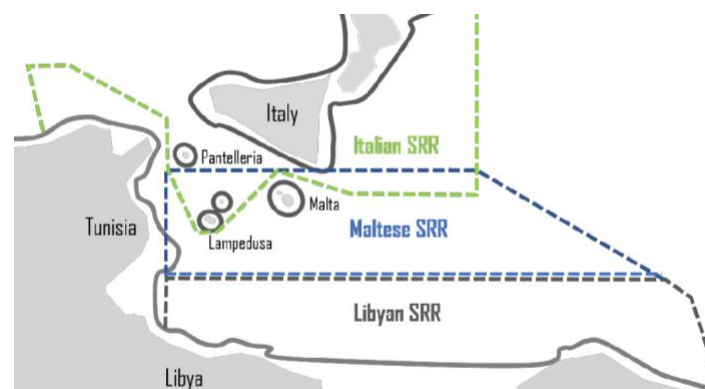


Figure 7 Malta's Search and Rescue Region

This has resulted in a series of diplomatic rows between Malta and Italy over which State is responsible to mount a rescue operation or disembarkation of persons located within Malta's vast SAR region, but who are geographically closer to the Italian island of Lampedusa. Examples of such disputes between the two countries include the Pinar E incident of April 2009, and the December 2018 Sea Watch 3 and Sea-Eye case. In April 2009, a Turkish owned and Panamanian-registered vessel, known as M/V Pinar E rescued over one hundred and forty migrants, located 114 nautical miles from Malta, and 41 nautical miles off the coast of the Italian island of Lampedusa. As a result of their different interpretation of the 2004 amendments, the ship and migrants involved were the subject of a clash between Italy and Malta. Whilst at the time, Malta argued that the vessel should

⁹² Mainwaring, 'Adrift at Sea: Laws, Morals, and Policies in Malta's Search and Rescue Region'.

disembark the rescued migrants at the closest port (Lampedusa), Italy urged Malta to take in the migrants due to the fact that they were rescued in Malta's SAR Region. Although Italy ultimately gave its permission for the disembarkation to take place in Sicily, the decision was made solely due to the painful humanitarian emergency that was occurring on board the cargo ship in question. It was made abundantly clear by Italy that its acceptance of the migrants should in no way be interpreted as setting a precedent or as a recognition of the reason as to why Malta was refusing to accept them.⁹³ In December 2018, two German flagged-vessels, known as Sea Watch 3 and Sea-Eye were also subject to a diplomatic clash between the two neighbouring countries. These two vessels rescued a total of forty-nine migrants between them and were both denied permission to disembark in both Malta and Italy. After nineteen days stranded at sea, the issue was resolved, with the 49 migrants allowed to disembark on Maltese land.⁹⁴

2.2.8 Maltese Public Opinion and Main Political Parties' Approaches

Public opinion refers to the dynamic, yet influential force that shapes societies, whilst also influencing decision making processes in different spheres, including in the sphere of politics, policymaking, public, and foreign affairs. It encompasses the collective attitudes and beliefs of the general population (local, regional, or national), relating to a variety of issues. Understanding public opinion is of the outmost importance, especially when it comes to policy makers, political party leaders, and heads of states alike, whose job is to serve the public, and work on their interests and worries.⁹⁵ Public opinion is known for being dynamic due to the fact that it comprises a variety of

⁹³ Garcia Carriazo, 'Small Island, Big Issue: Malta and Its Search and Rescue Region - SAR'.

⁹⁴ Garcia Carriazo.

⁹⁵ Neumann, E, *The Spiral of Silence: Public Opinion - Our Social Skin*.

diverse perspectives, different demographic groups, and societal/ economic backgrounds. In terms of Malta and the issue of irregular migration in the small island state, public opinion had been juxtaposed against a welcoming attitude towards the tourism industry, which is one of the main pillars of the Maltese economy.

In 2012, the United Nations Refugee Agency prepared a “report on public perception about refugees and migrants in Malta”, in which four hundred respondents were interviewed face to face across the Maltese Islands in January 2012, months before Maltese borders experienced an influx of one thousand eight hundred and ninety irregular migrants. According to this report, just over half the respondents indicated that they think that the country has too many migrants and refugees arriving in their respective localities. Additionally, around twenty percent of the respondents believed that their major concern relating to migration and the Maltese Islands is the country’s limited size and resources. Participants coming from different parts of the country responded differently, symbolizing the difference in concern levels, depending on the geographic location people reside in. For example, respondents who lived in the vicinity of Hal Far did express a higher degree of concern about the “negative impact on the local way of life due to the presence of refugees and migrants.” In fact, more than seventy per cent of people living in areas close to temporary accommodation and detention centres were concerned about the impact such facilities would have on surrounding communities. This finding may not come as a complete surprise. In contrast, the respondents who lived in the northern and central areas of Malta as well as in Gozo reported significantly lower levels of the feeling that they were under threat.⁹⁶

⁹⁶ UNHCR, ‘What Do YOU Think? A Report on Public Perception about Refugees and Migrants in Malta’.

In 2015, at the height of the migration crisis, a European Parliament Eurobarometer survey reported that eighty three percent of Maltese survey participants identified migration as a major challenge for the EU, whilst soaring in ranking across other EU Member States. In fact, according to a Eurobarometer survey published in June 2013, fourteen percent of EU respondents believed migration was a main challenge facing the EU, a number which skyrocketed to forty-seven percent by September 2015. With regards to the distribution of asylum-seekers, commonly known as the issue of burden sharing, around eighty percent of participants coming from EU Member States believe that they should be better distributed among all EU Member States. Whilst around eighty percent is quite a significant number, it was trumped by the Maltese participants, of which ninety-two percent believed that they should be better distributed among all EU Member States.⁹⁷ Three years later, according to a 2018 Eurobarometer survey, Maltese participants viewed the issue of migration in the following manner: sixty-three percent of the participants identified the issue of irregular migration as a problem, whilst twenty-eight percent of the participants believed that irregular migrants enrich Malta's cultural life. Additionally, almost eighty percent of Maltese participants believed that irregular migrants contribute to and worsen Malta's crime. Furthermore, as was reported in the survey, the Maltese society is the least willing of all EU Member States societies to interact with irregular migrants, with only thirty-one percent of participants admitting to interacting with migrants 'less than once a year or never' in childcare centres, schools, or universities.⁹⁸

In March 2021, the Faculty for Social Wellbeing at the University of Malta published a general opinion survey of the Maltese population, assessing participants' opinions relating to different

⁹⁷ Schembri Orland, '83% of Maltese Survey Respondents Believe Migration to Be the Main Challenge for the EU'.

⁹⁸ Debono, 'Migration: 63% of Maltese Think It's a "Problem"'.

topics, including migration. Via a telephone survey, conducted in Maltese and English, six hundred Maltese residents aged sixteen years and older participated in this research in October 2020.⁹⁹ The sample of six-hundred participants was stratified to ensure equal representation according to age, gender and residential districts. From the survey conducted regarding the issue of migration, forty-eight percent of participants stated that irregular migrants are more of a burden to Malta, with only sixteen percent believing that migrants do more to strengthen the country. It is worth noting that the most positive attitudes towards migrants were held by participants who earn a higher income, who come from younger age groups, and who possess a higher level of education. A thought-provoking aspect of the survey pertained to the acceptance of intercultural relationships, particularly involving an African immigrant marrying a Maltese. The findings from the survey provided that thirty-six-point four percent of the respondents expressed outright disapproval to the notion of such relationships. The survey also touched upon the perception of irregular migrants' impact on wages in Malta. Whilst the majority of respondents remained neutral, a quarter of the participants believed that immigration was to blame for low wages. A significant portion of respondents, forty-five-point-eight percent, indicated they were comfortable with the idea of immigrants living close to their homes, embracing diversity within their communities. However, the survey also indicated that a notable percentage, nineteen-point-nine percent, strongly disagreed with this proposition. This disparity reflects the ongoing tension between openness to multiculturalism and apprehensions relating to cultural differences. Another light-shedding aspect of the survey was the revelation of self-perceived racism amongst the Maltese population. Fifty-six-point-nine percent of the participants claimed to be "not at all racist", twenty-five-point-six percent

⁹⁹ European Commission, 'General Opinion Survey of the Maltese Population'.

considered themselves “not very racist”, fifteen percent considered themselves as being “a little racist”, whilst two-point-five percent of the respondents identified as being “very racist.”¹⁰⁰

Maltese political parties have approached the issue of irregular migration differently. The 2011 Libyan crisis, which started with the ousting and assassination of Libyan leader Gaddafi, resulted in neighbouring Malta playing a role as a hub for foreigners wishing to escape the politically unstable country. Prior to the 2013 general elections in Malta, both the Malta Labour Party and the Nationalist Party included the topic of irregular migration in their respective manifestoes. The Malta Labour Party pledged to strengthen maritime border controls and to double its efforts in the EU’s institutions in terms of burden sharing amongst fellow EU Member States.¹⁰¹ The Nationalist Party however, took a different route, and addressed the issue of migration in a group of policies, by pledging to “continue to contribute actively to the development of EU policy in those sectors which are of specific interest to Malta, like tourism, immigration and the Mediterranean”.¹⁰² The 2013 Maltese general election resulted in a change of party in government in Malta. The newly elected Labour administration, led by Joseph Muscat endorsed a hard-line approach towards irregular migration. In fact, Prime Minister at the time Muscat declared that he was prepared to use Malta’s veto in the EU if Malta’s fresh calls for an increase in burden sharing were not met. In contrast, the Nationalist party, led by Simon Busuttil, took a more liberal approach, demanding more cooperation and safeguarding of refugee rights. With regards to Muscat’s veto threat, the Nationalist party argued that it would not only worsen the situation but also isolate the smallest EU Member State from the rest of the European bloc. Political conflicts between both parties intensified following a repatriation to Libya of a group of irregular migrants, who had originally reached Maltese shores.

¹⁰⁰ Azzopardi, Bonnici, and Marmara, ‘General Opinion Survey of the Maltese Population’.

¹⁰¹ Labour Party, ‘Malta Taghna Lkoll. Manifest Elettorali 2013’.

¹⁰² Partit Nazzjonalista, ‘Electoral Manifesto 2013’.

Apart from the fact that this pushback was illegal under regulation 39 of the European Court of Human Rights, the Nationalist party argued how the newly elected labour government was practicing populist and fascist tactics to not only retain but enlarge its popularity with Maltese citizens. However, as was alluded to in Figure 4, Malta experienced a decline in irregular migrant intake. This decline meant that the two mainstream political parties could soften their stance on migration, whilst continuing to press the EU for greater cooperation to address the Mediterranean's immigration problem. As a result of this softer stance, the political parties' discourse shifted from campaigning and lobbying EU institutions to allow push-back policies to promoting solidarity and burden sharing among EU Member States.¹⁰³

2015 provided Malta with a rare opportunity to play a leading role in the EU in its fight against migration. The 2015 Valletta Summit on migration was held in Malta, following the death of hundreds of migrants in the Mediterranean Sea during the summer of 2015. With the overall aim to finding a long-term solution to the migration problem, Prime Minister Muscat adopted a conciliatory tone, emphasizing the notion that Europe cannot be about walls/borders. In contrast, leader of the Nationalist Party, Simon Busuttil adopted a negative tone relating to the summit and its results, arguing that it was disappointing because very little substance came out of it. In fact, he alluded to the fact to how during the summit, numerous photographs were captured, with Prime Minister Joseph Muscat preemptively labelling it as 'historic' even before its commencement. Additionally, a lasting monument was erected prior to the revelation of its outcomes.¹⁰⁴

¹⁰³ Vassallo and Cachia, 'Maltese Political Parties' Approaches Towards Irregular Migration: Populism or Rationalism'.

¹⁰⁴ Martin, 'Summit Disappoints: "Of Little Substance"'.

In 2017, in contrast to the previous Maltese general election of 2013, the main political parties opted to leave out the topic of migration from their election manifestos, and to thread carefully on the subject. For example, the Malta Labour Party, which at the time was still led by Joseph Muscat, restricted itself to the external policy dimension of migration. This was a huge difference from the approach undertaken by the Malta Labour Party for the 2013 general election, in which it pledged to strengthen maritime border controls and to double its efforts in the EU's institutions in terms of burden sharing amongst fellow EU Member States, as alluded to previously. In contrast, the Nationalist Party, and its electoral ally, the Democratic Party, led by two ex-Labour MPs, refrained from even referring to the issue of migration in their manifesto.¹⁰⁵ January 2020 saw the election of Robert Abela as new Labour party leader and Maltese Prime Minister, following an internal party election, in which he obtained fifty-seven-point-nine percent of votes cast.¹⁰⁶ Since his election, Prime Minister Abela has adopted a hard-line stance on migration, built on the fact that Malta is 'full up' and unable to accommodate any more people. As a result, the focus is on minimizing as many irregular migrant arrivals as possible. Whilst explaining the reasoning behind the government's stance, Abela noted how "if we do not adopt this approach EU members will simply not listen". Additionally, Prime Minister Abela had distinguished regular migrants from irregular migrants by explaining how "unlike (Opposition leader) Bernard Grech, I make a distinction between foreigners who come here regularly, are employed and are paying taxes, and irregular migrants" followed by "irregular migrants could have their reasons for crossing the sea, but our position is clear that we're full up".¹⁰⁷

¹⁰⁵ Pace, 'Malta'.

¹⁰⁶ British Broadcasting Corporation, 'Malta: Robert Abela Elected New PM after Crisis over Journalist's Murder'.

¹⁰⁷ Diacono, 'Robert Abela Says Malta "Full Up" To Irregular Migrants But Not Regular Ones'.

Under Abela's leadership, the government's approach has been to stop irregular migrants from reaching Maltese shores, be it by discussing, signing memorandums of understandings and working on the issue with Libya and Italy, but also by pushbacks. In fact, as is provided by the 2022 Asylum Information Database Report, updated and published in May, the noticeable decrease in arrivals is attributed to Malta's suspected engagement in pushback activities and its apparent reluctance to conduct sea rescues. Allegedly, more than seven thousand individuals in distress at sea have purportedly received no assistance from the Maltese authorities in at least fourteen pushback incidents.¹⁰⁸ Additionally, the Malta Labour Party, and government, have been frequently pushed for an EU-wide migration policy which would enforce burden sharing amongst other initiatives, amongst all EU Member States, whilst lobbying to step up repatriation policies. In June 2023, Malta abstained from giving its approval on the "New Pact on Migration and Asylum" due to a lack of flexibility, amongst other issues.¹⁰⁹

Since election as new opposition leader for the Nationalist Party, Bernard Grech has opted to tread cautiously on the issue of irregular migration, often trying to find a balance between security and human rights. In fact, during an interview, in 2021, Grech argued how Malta "should rescue migrants but ensure Maltese people's security". He reiterated the fact that Malta has to ensure the safety of asylum seekers, as is provided in international law, but notes how "everything comes at a price". Additionally, he noted how "it is one thing taking on ten people and another taking in one hundred thousand...there are millions of people living in Africa so there is a possibility of thousands leaving their countries for Europe". Acknowledging the fact that the Maltese population wants peace of mind, and that certain concerns are fueled by stigma, Grech noted how Malta cannot let migrants

¹⁰⁸ Asylum Information Database, 'Country Report: Overview of the Main Changes since the Previous Report Update'.

¹⁰⁹ Calleja, 'Malta Abstained on EU Migration Pact Because It Lacks Flexibility, Prime Minister Says'.

do “whatever they want”.¹¹⁰ However, what both Abela and Grech seem to have in common is that they acknowledge the fact that too many lives are being lost at sea, whilst both are calling for enhancing anti-human trafficking initiatives. Whilst Grech advocated for the government’s focus on criminal traffickers, Abela has called for a stronger fight against human traffickers in a recent EU Council Summit, including by giving the necessary resources to Malta’s neighbours, especially those in North Africa, to combat the issue, and to weaken traffickers’ efforts by enhancing returning people not eligible for asylum to their country of origin.¹¹¹

2.3 The Arab Spring and its relation to Irregular Migration and the EU

2.3.1 The Arab Spring

When defining the Arab Spring, many opt to refer to the events as uprisings against dictatorships in the Middle East and North Africa (MENA) in 2010 and 2011. The series of demonstrations and protests were sparked following the self-immolation of Mohammed Bouazizi, due to police corruption and ill-treatment. The uprisings which took place across the region were a result of many factors, including political repression, economic hardship, corruption, and lack of political freedom and human rights.¹¹² The initial protests in Tunisia in December 2010, resulted in the ousting of the Tunisian president of the time, Zine El Abidine Ben Ali. The protests spread to Egypt, and then throughout the region, from Morocco in the western part of the MENA region, all

¹¹⁰ Carabott, ‘We Should Resuce Migrants but Ensure Maltese People’s Security - Bernard Grech’.

¹¹¹ Meilak, ‘PM Calls for Stronger Fight against Traffickers as Migration Dominates EU Council Summit’.

¹¹² Kamal Eldin Osman Salih, ‘The Roots and Causes of the 2011 Arab Uprisings’.

the way over to Bahrain, Yemen, and other parts of the Gulf, including a number of countries in between.

The Arab Spring was a significant moment in the history of the MENA region for a number of reasons. Primarily, the protests and uprisings had far-reaching repercussions not only for politics, but also society in the region. Secondly, the protests demonstrated the power of mass mobilization and the power of social media. This is significant because of the sheer number of people living under authoritarian control, subjected to military and police brutality, who were losing their fear of peaceful protests against their authoritarian dictator and taking to the streets on a daily or weekly basis. Additionally, these protests and uprisings shed light on the societal discontent in terms of the deep political and economic challenges facing many countries in the region.

The uprisings did produce some changes in the region, for better or for worse.¹¹³ Temporary headway in democratic progress was made in countries, including Egypt and Libya; however, this was short-lived. The success story could arguably be Tunisia, the only country to make a lasting shift to democracy. Countries including Libya, Syria, and Yemen spiralled into civil wars, and political instability, present till this day.¹¹⁴ Youth unemployment remains high, whilst the standard of living in countries such as Libya, Syria, and Yemen have deteriorated when compared to pre-Arab Spring years, whilst no other country has had a significant improvement in terms of improved standard of living.

¹¹³ Merrow and Robindon, 'The Arab Spring at Ten Years: What's the Legacy of the Uprisings?'

¹¹⁴ Merrow and Robindon.

2.3.2 The Arab Spring and Irregular migration in the context of the EU

Whilst the EU has been experiencing an influx of irregular migrants since the early 2000s, the number of irregular immigrants resorting to using the sea as a way of migration was still relatively low. However, during the initial months of the Arab Spring, the EU experienced a significant increase in irregular sea crossings, concentrated on the Central Mediterranean Route. This was following the civil unrest and economic disruptions in a number of North African countries during the Arab Spring. Consequently, the main countries affected by the influx of irregular migrants were Italy and Malta. A comparison can be drawn from the number of Tunisians detected making an illegal crossing into the EU. In the fourth quarter of 2010, a total of three hundred and twenty-three Tunisians were detected making illegal crossings, compared to the twenty thousand, four hundred and ninety-two Tunisians who were detected making illegal crossings into the EU in the first quarter in 2011.¹¹⁵ It is worth noting, however, that the departure points for migration have changed significantly due to the increase of migrants originating from the Horn of Africa and Sub-Saharan countries being forced to depart from Libya due to civil unrest in the country, as well as to avoid NATO Allies military action in the region.¹¹⁶

Many argue that one of the motives of the EU for providing economic incentives to the Arab world was to curb and hold off a wave of Arab migration towards Europe.¹¹⁷ What is certain, however, is that the EU has had to adapt to living in a changing neighborhood. Within the last decade, the EU has had to adapt to new developments that have taken place relating to migration movements and policies. Since the Arab Spring, the EU has experienced a number of significant waves of irregular

¹¹⁵ Morehouse and Blomfield, 'Irregular Migration in Europe'.

¹¹⁶ Frontex, 'Frontex Quarterly Issue 1, January–March 2011'.

¹¹⁷ Vinocur, 'Issue of Arab Spring Migrants to Cast Shadow on G-8 Talks'.

migrants via the Central Mediterranean Route, primarily in 2015 and 2016, boasting one hundred and fifty thousand plus irregular migrants in each year.

Due to other migratory routes gaining popularity, the issue of irregular migration has become a concern for a number of EU Member States across the Union. Irregular migration poses a range of economic, social, and security related challenges to the host country, who yearn for a coordinated approach and “burden sharing” amongst Member States alike.¹¹⁸ Whilst it is worth noting, that the EU has addressed the issue in a number of ways, including establishing the FRONTEX, waves of irregular migrants seem to expose such gaps, and bring the issue to the table.

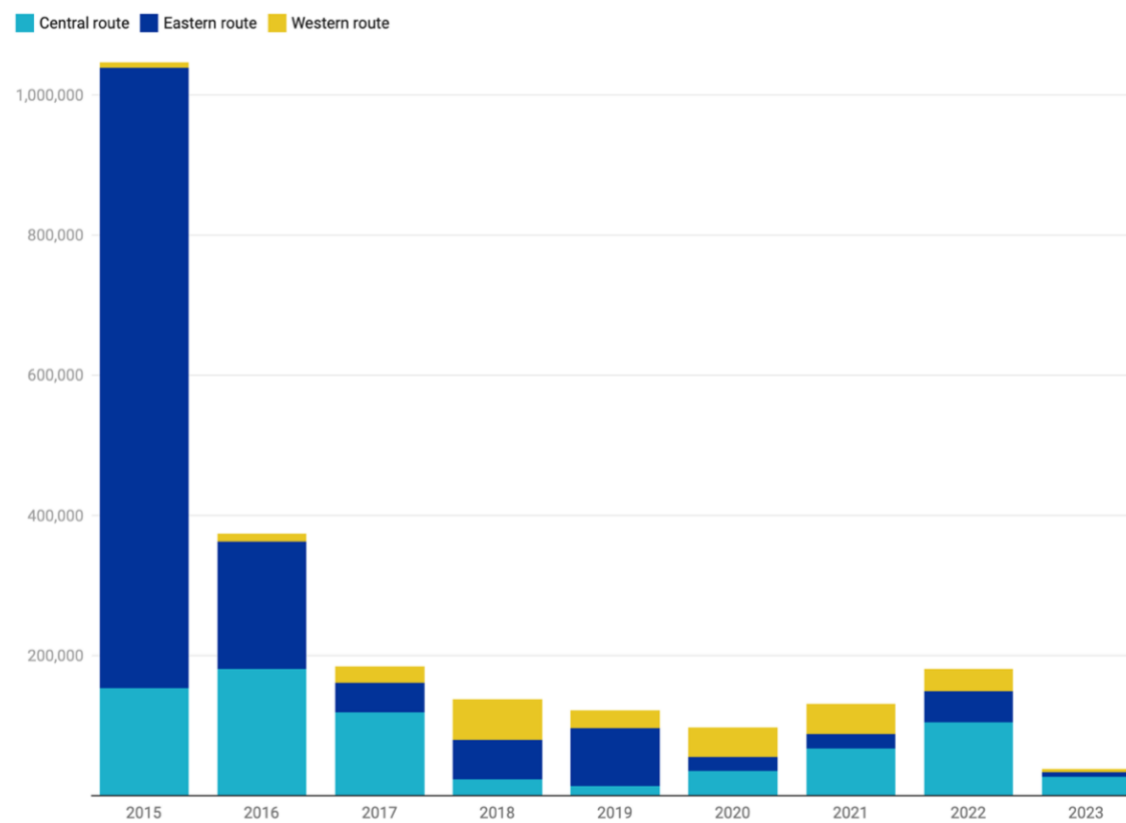


Figure 8 Irregular Migrant Arrivals in the EU between 2015 and 2023¹¹⁹

¹¹⁸ European Parliament, ‘Solidarity in EU Asylum Policy’, 2023.

¹¹⁹ European Council, ‘Infographic - Migration Flows: Eastern, Central and Western Routes’.

2.4 Conclusion

This literature review chapter has provided a comprehensive exploration of a number of interconnected themes which are vital to understanding the dynamics of irregular migration and its implications on Malta's foreign policy within the context of the EU. By delving into international relations theories, influences on foreign policy decisions, and the foreign policy strategy of Malta, a theoretical framework that underpins Malta's response to irregular migration post Arab Spring has been established.

The concept of irregular migration itself, as well as its various facets such as human trafficking and smuggling, have been thoroughly examined. This section of the literature review chapter has shed light on the complexities and challenges posed by irregular migration along the Central Mediterranean Route, emphasizing Malta's unique geographical position and the resulting responsibilities it shoulders as an entry point for irregular migrants seeking entry into the EU.

Moreover, the EU's asylum policy and the principle of solidarity has been scrutinized in the context of irregular migration, revealing the intricacies of burden-sharing and the dilemmas faces by EU Member States, including Malta, in addressing this pressing issue collectively. The main EU legislation related to irregular migration has also been highlighted, indicating the legal framework within which Malta and other EU Member States operate in managing irregular migration. Additionally, this literature review has also demonstrated how Malta's foreign policy on irregular migration is shaped by both domestic and EU-level considerations. The interplay of Maltese public opinion and the approaches taken by the main Maltese political parties further illustrate the complexities involved in formulating and implementing policies related to irregular migration.

Notably, the Arab Spring emerged as a pivotal event that significantly impacted irregular migration flows towards Europe. The review has shed light on the links between the Arab Spring and the subsequent surge in irregular migration, particularly along the Central Mediterranean Route, which has since heightened the challenges for Malta and other EU Member States.

In conclusion, this literature review has provided valuable insights into the intricacies of irregular migration and its impact on Malta's foreign policy within the EU context. By synthesizing a wide range of sources, it has enriched our understanding of the complexities, challenges, and potential avenues for addressing irregular migration in a manner that aligns Malta's strategic interests and EU commitments. Moving forward, it is evident that a comprehensive and collaborative approach at the national, regional, and European level remains imperative in shaping an effective response to irregular migration and its implications on the broader geopolitical landscape.

CHAPTER 3: RESEARCH METHODOLOGY

3.1 Introduction

After discussing foreign policy, irregular migration in the EU via the Central Mediterranean Route, and the Arab Spring, this chapter will focus on the methodology used in order to conduct this research.

The current chapter is structured in the subsequent fashion. The first part will provide an introduction discussing the contents of the chapter, and the importance of research. The subsequent part will present a concise synopsis of the research question and the selected methodologies employed to address it. Furthermore, a distinct explanation regarding the research question, methodology, and significance of the research will be provided.

3.2 Brief Overview

During this dissertation, the following research question will be answered: To what extent has Malta safeguarded its national interest with regards to irregular migration via the Central Mediterranean Route within the context of the EU?

In order to answer this research question, reference is made to qualitative data in the form of secondary sources, which include Maltese foreign policy papers, books, reports and official EU documentation. Additionally, this chapter encompasses the rationale for selecting qualitative data as the preferred approach to address the research question, emphasizing its relevance and effectiveness.

3.3 Explaining the Research Question

For a number of years, the Maltese government has argued that in order for the EU to address the issue of irregular migration cooperatively, solidarity must be shown and exercised from each and every EU Member State. In March 2023, the MED5 asked for “mandatory solidarity” from all EU Member States when dealing with migration, in order to ease the pressure it causes on frontline EU Member States, such as Malta, Italy, Greece, Spain, and Cyprus.¹²⁰ In proportion to population, Malta’s ratio of asylum seekers has consistently been among the highest amongst all EU Member States. An example of the sheer disparity is in the 2009-2013 period. During this period, Malta received a total of 20.2 asylum applications per one thousand inhabitants, compared to the EU average of 2.9.¹²¹

The objective of this question is to explain and analyze how the Maltese government has exercised its foreign policy in order to safeguard the country’s national interests relating to irregular migration. This may include striking bilateral or multilateral agreements with countries, releasing statements, hosting summits or conferences, amongst other methods.

3.4 Data Collection

In order to conduct research, one may opt to use to a number of research methods and data collection tools, in order to ensure that one provides the best data/information possible. Reference can be made to. quantitative or qualitative procedures. In this research however, reference will be

¹²⁰ Marc Galdes, ‘MED5 Asking for “Mandatory Solidarity” from EU to Share the Burden When Dealing with Migration’.

¹²¹ Ministry for Home Affairs and National Security, ‘STRATEGY FOR THE RECEPTION OF ASYLUM SEEKERS AND IRREGULAR MIGRANTS’.

made to qualitative methodology and data collection. Qualitative methodology emphasizes the exploration of meanings within specific contexts, focusing on understanding and interpreting data, rather than numerical measurements.¹²² In research endeavours, a variety of research methods and data collection techniques are employed to ensure the acquisition of high-quality data and information. Commonly used methods include surveys, interviews, experiments, secondary data analysis, and focus groups. When collecting data for research purposes, a decision must be made regarding whether reference will be made to primary or secondary sources. In essence, primary data constitutes the original information gathered by researchers for a specific research objective, while secondary data emanates from data previously collected by a different individual for another purpose or study.¹²³ Secondary data analysis entails examining and interpreting pre-existing data. Such analysis of secondary data falls within the realm of qualitative data collection methods, which may encompass interviews, case study research, qualitative observation, and other related approaches. For this research, the method employed to address the research question is text-based analysis.

When choosing to refer to secondary data for research purposes, it is important to consider the range of advantages and disadvantages associated with its use. One notable advantage is that researchers do not need to allocate additional resources, such as money, time, or effort, towards data collection, as the data already exists and can be incorporated into various sections and chapters of the research. Another benefit is the extensive availability of publicly accessible information and readily accessible data sources, particularly through electronic means, which provides researchers with a wealth of data options to draw upon.¹²⁴ Text-based techniques provide versatility in terms of

¹²² Anderson Jonathan, *Assignment and Thesis Writing*.

¹²³ Alchemer, 'Why You Should Consider Secondary Data Analysis for Your Next Study'.a

¹²⁴ Alchemer.

the data sources which may be used, including printed papers, transcribed interviews, online discussions, and social media posts. As a result of this versatility, researchers may modify the methodology to cater for different contexts and topics. Furthermore, text-based methodology enables in-depth analysis. To analyze the data provided, researchers may opt to conduct one or more of several qualitative and/or quantitative methods, including content analysis, thematic analysis, discourse analysis, or sentiment analysis.

A limitation ought to be considered, which is that the secondary data collected might not specifically have the desired information needed by the researcher and might also not be successful in answering the researcher's specific research question.¹²⁵ Another limitation of text-based methodology is that text may be influenced by biases or different interpretations, which may influence the meaning and content of the data. Therefore, it is worth noting the importance of critically examining and interpreting the data found. Whilst collecting text may often result in saving time when compared to collecting primary data, certain text-based analysis can be time-consuming and labour-intensive. Text-based analysis requires the researcher to thoroughly analyze the data, by devoting enough work, time and resources to provide the best results possible.

In terms of analyzing the foreign policy of a country, in this case, Malta, text-based methodology is a valuable and relevant approach for a number of reasons, due to its capabilities and advantages. Text-based methodology provides access to a wide array of documents which shape foreign policy, including official governmental documents, bilateral, multilateral, or organizational agreements, transcripts of speeches. By analysing these numerous primary sources, researchers may gain a wide-

¹²⁵ Alchemer.

ranging perspective of the intentions, objectives and decision-making processes behind foreign policy. Additionally, a text-based technique aids academics in comprehending the political, cultural, and historical background of foreign policy decisions. Researchers can determine how external variables, domestic considerations, and global events affect foreign policy decisions by examining literature from various historical periods or contexts. Contextual knowledge improves the analysis's richness and depth.

Figure 9 outlines the main texts/documents used by the researcher in this dissertation to conduct his research. Apart from referring to declarations from summits, and agreements between countries, reference was also made to transcripts from speeches/interventions by Maltese Prime Ministers, MEPs, and others, whilst also referring to books and internet sources. The sources used ensure that there is little if any bias involved, due to the fact that the resources are mostly official EU and/or governmental-based documentation. The variety of sources used provide a wide-ranging, and detailed account of the approach undertaken by the Maltese Republic in terms of its foreign policy regarding irregular migration within the context of the EU.

Internet Sources	Official Documentation and Declarations	Transcripts from Speeches and Debates	Books
Country responsible for asylum application (Dublin Regulation)	Med5 March 2023 Ministerial Summit Joint Declaration	European Parliament Plenary Session of 18 January 2017 on Malta's Presidency	The Europeanisation of Party Politics in Malta: Values, Legitimation, and Polarisation by Dr Jean Claude Cachia
EU Strategy on Combatting Trafficking in Human Beings (2021-2025)	Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean Route	"Reforming the Dublin System is the only way forward" - Roberta Metsola Speech	Looking Ahead: Malta's Foreign Policy by Prof. Stephen Calleya
Malta Summit Paves Hopeful Steps for Pan-EU Deal on Migration – Kavanagh Ruairi	The Malta Declaration on search and rescue, disembarkation and relocation: Much Ado about Nothing	Robert Abela Calls for More EU Action In Migration Crisis, 'Malta Can No Longer Be Left Alone'	Malta's EU presidency: a study in a small state presidency of the Council of the EU by Dr Mark Harwood
Infographic- Migration flows: Eastern, Central and Western routes	South EU Summit 2019 Valletta Declaration	2019 Humanitarian assistance in the Mediterranean (debate)	The Roots and Causes of the 2011 Arab Uprisings by Kamal Eldin Osman Salih
Malta Summit Paves Hopeful Steps for Pan-EU Deal on Migration	Malta's Foreign Policy Strategy	Roberta Metsola: "This must be a turning point for Europe on migration"	International Migration: A Very Short Introduction by Khalid Koser

Figure 9 Main texts/documents used by the researcher in this dissertation to conduct his research.

Multiple sources of textual data can be integrated using text-based methods. For a thorough investigation of foreign policy, researchers can examine speeches, policy briefs, news articles, academic papers, and think tank reports. This will allow them to capture a variety of viewpoints and validate their findings. Text-based methodologies also make it possible to investigate how the general population feels as expressed in press reports, social media posts, or official pronouncements. Researchers can learn more about how different stakeholders view, challenge, or support policy decisions by researching public debate on foreign policy.

3.5 Thematic Analysis

In this research regarding Malta's foreign policy on irregular migration, a number of analysis types were considered. However, due to the text-based data collection taking place, the data collected shall be analysed thematically, such as interviews, policy papers, or written documents. Thematic analysis is one of the most common approaches in terms of qualitative data collection. It aims to uncover the underlying concepts, ideas, or experiences present in the data and to generate insights and understanding. Thematic analysis is a method of identifying, analyzing and reporting patterns (themes).¹²⁶ Thematic analysis distinguishes itself from techniques such as grounded theory or critical discourse analysis due to its lack of a predefined set of procedures or a well-defined historical background.¹²⁷

Thematic analysis is normally associated with a situation in which the researcher would prefer providing more accurate and detailed responses on a particular theme or set of themes. As a result

¹²⁶ Braun and Clarke, 'Using Thematic Analysis in Psychology'.

¹²⁷ Bryman Alan, *Social Research Methods*.

of the wide array of data which may be provided, a number of codes will be outlined and listed, and a common theme will be created. A theme encapsulates a highly important or relevant piece of data in relation to the research question, which at the same time, represents a level of common response or meaning with the data set provided.¹²⁸ It is important to note, however, the potential limitations of thematic analysis. These limitations are normally associated with interpretation of themes, due to the fact that it may be subjective and influenced by the researcher's perspectives and potential biases. Additionally, another limitation is the fact that the process of coding and identifying the themes themselves involve a level of reduction and simplification of complex data, which could potentially overlook certain nuances or variations.

3.6 Thematic Analysis Process

Some of the stages in the thematic analysis process are comparable to those in other qualitative research techniques¹²⁹. The process begins when the analyst or researcher begins to observe, look for, and record patterns of significance and potential topics of interest in data and ends when the content and meaning of themes in the data are presented.

The first phase of this process is when the researcher/analyst familiarizes him/herself with the data. This involves the researcher immersing him/herself in the data to gain a deep understanding of the content provided. By going through the data more than once, if necessary, this phase involves noting initial ideas, and impressions, whilst becoming more and more familiar with the data's depth. In terms of data, verbal data in the form of interviews, television programmes, or political speeches,

¹²⁸ Braun and Clarke, 'Using Thematic Analysis in Psychology'.

¹²⁹ Braun and Clarke.

entail them being transcribed into written form. One of the advantages of this step is that although it may be perceived as being boring, frustrating, and time-consuming, it can be a very positive and effective way familiarizing oneself with the data involved. This is due to the researcher developing a far more detailed and objective understanding of the data, whilst being transcribed.¹³⁰

The second phase of the thematic analysis process is generating initial codes. This step takes place once the researcher/analyst has familiarised oneself with the data, and generated an initial list of ideas, the content of the data, and why they may be of relevance.¹³¹ In this phase, the researcher starts coding data by systematically identifying and labelling meaningful units of information. In terms of thematic analysis process, a code is a label or tag that is assigned to specific segments of data to represent a particular concept, idea, or theme. Codes can be descriptive, capturing explicit content, or interpretive. This phase in this process is very important, due to the fact that it organizes and groups up data into as many meaningful groups as necessary.¹³² This phase of coding is normally dependent on whether the themes are driven on the basis of data, or theory. This is a very relevant point due to the difference between the coding of both data. When it comes to data-driven coding, the themes which are generated are dependent on the data collected and analysed. However, in the case of 'theory-driven' data, the data might be approached with specific questions in mind, that one might wish to code around.¹³³

The third phase of this phase starts once all the data has been coded and collated, leaving the researcher with a long list of different codes across the data set. Once this phase is complete, the

¹³⁰ Braun and Clarke.

¹³¹ Braun and Clarke.

¹³² Braun and Clarke.

¹³³ Braun and Clarke.

researcher will be able to sort out the different codes into potential themes. This “sorting out” of themes will be helpful due to fact that the codes are sorted.¹³⁴ This step takes place once similarities, patterns, connections, or recurring concepts are looked for and explored. At this stage, a thematic map or diagram may be created, in order to aid in the visualization of the relationship between the determined codes and themes. Once the themes are generated, they will have to be examined and refined, in order to ensure the accurate representation of the data and ensure that they are in line with the research question.¹³⁵

The fourth phase of the thematic analysis process involves the refinement of the themes, when the researcher notices that some themes are not really themes, for a variety of reasons. These reasons may be that there is not enough data to support them, or that the data is too diverse. In some cases, the case may be that two themes are compounded into one due to their similarities, connections, and recurring concepts.¹³⁶ This phase is normally split into two levels of reviewing and refining of themes. The first step involves reviewing at the level of the coded data, ensuring that the theme fits into the data, whilst the second step involves the reviewing of the entire data set, which would ensure that each and every theme is valid to the data set and relevant to the research question. After this step, the thematic map referred to in the prior step starts taking shape, with all the generated themes generated, and catering for a wide array of codes.¹³⁷

The penultimate step begins once the thematic map referred to previously is satisfactory. Once the thematic map is in place, the researcher will have the opportunity to define and refine the themes generated up to that point. This process involves identifying the essence of each theme, determining

¹³⁴ Braun and Clarke.

¹³⁵ Braun and Clarke.

¹³⁶ Braun and Clarke.

¹³⁷ Braun and Clarke.

which aspect of data it covers in the research, and ensuring that each and every theme generated so far has a clear focus. One of the common mistakes made in this step is that the themes could be left as too broad or encompass too many diverse elements. As a result, it is of the utmost importance, that the core message or concept of each and every theme is articulated.¹³⁸ Once the themes are defined, and refined, the researcher goes back through the collected data, and organises them in a coherent manner. Rather than paraphrasing the data, the researcher has to identify the interesting, and relevant parts of the data, whilst looking for patterns, variations, or unique insights within the data. Once the data within the themes is analyzed, the researcher involved develops a narrative which will accompany each and every theme, The narrative developed by the researcher should provide a cohesive account of the data extracts and their meaningful connections within the theme being discussed. It is important that the narrative of the researcher goes beyond summarizing and explaining the relevance of the findings, but also convey the richness and depth of the analysis to anyone reading.¹³⁹

The final step of the thematic analysis process is producing the report, which involves conveying the story of the data the researcher collected and convincing the reader of the merit and validity of the analysis. Merely restating the data found in other work without providing additional insight or analysis will not contribute to this process. In the write-up of the report, it is of the utmost importance that the researcher provides enough evidence of the identified themes, demonstrating their relevance. Additionally, the write-up has to be clear, well-organized, and coherent, avoiding any repetition or redundancy. In this step the analysis should be presented in a logical and structured manner, aiding the reader to read through the story and understand the content. This

¹³⁸ Braun and Clarke.

¹³⁹ Braun and Clarke.

normally involves the inclusion of appropriate headings, subheadings, transitions, and so on.¹⁴⁰ Furthermore, it is of the outmost importance that the researcher backs his arguments with references to data extracts, and any other relevant literature or theoretical frameworks.¹⁴¹ In conclusion, the ultimate aim of this last step is to present a compelling, articulate, persuasive, and compelling account of the thematic analysis, whilst communicating the key findings, and providing a coherent narrative that supports the researcher's research question or objective.

¹⁴⁰ Braun and Clarke.

¹⁴¹ Braun and Clarke.

CHAPTER 4 ANALYSIS

4.1 Introduction

This chapter interprets the qualitative findings obtained during the data collection stage. This analysis chapter delves into the intricacies of Malta's foreign policy response to irregular migration following the Arab Spring, focusing on its efforts to safeguard its national interests within the broader framework of the EU. The research question guiding this investigation is: "To what extent has Malta safeguarded its national interest with regards to irregular migration via the Central Mediterranean Route within the context of the EU?"

Understanding Malta's response to irregular migration is crucial, not only in the context of national security and stability but also in the context of the EU's collective migration management framework. As an island nation situated at the crossroads of Africa and Europe, Malta has been directly affected by the evolving dynamics of migration flows, requiring a delicate balancing act between humanitarian considerations, domestic interests, and its commitments within the EU.

In conclusion, this analysis chapter seeks to provide a comprehensive understanding of Malta's foreign policy response to irregular migration post-Arab Spring. By assessing the extent to which Malta has safeguarded its interests within the context of the EU's Central Mediterranean Route, the researcher hopes to contribute to the broader discourse on migration governance and shed light on the complexities faced by countries grappling with migration pressures in the Mediterranean region.

4.2 Migration in Motion: Malta's collaborative approach aimed at addressing irregular migration.

In recent years, Malta has decided to address the issue of migration within the context of the EU in a number of different ways. One of these ways is by striking agreements with other EU Member States, while simultaneously benefiting from EU agreements and initiatives and by taking advantage of its positive relations with other EU Member States.

A prime example is agreements and cooperation on irregular migration between Malta and Italy. These two neighbouring countries have enjoyed positive relations with each other since Maltese independence in 1964. For example, after 1987, Maltese-Italian relations improved due to Italy advocating towards Maltese accession to the EU. In fact, Malta's official EU application was submitted during Italy's non-permanent European Council Presidency, in which Maltese Prime Minister Fenech Adami hoped that, through its presidency and overall power to the EU, Italy would help in Malta's application process and accession. Relations were enhanced in the 1990s for several reasons, including another push by the Italians for Malta's accession into the EU, a financial grant related to several projects, and the supplying of three patrol boats and two helicopters towards the fight against drug trafficking.

Both countries started cooperating in the early 2000s on the issue of migration, when irregular migrants received by Malta were transferred to the UN High Commissioner for Refugees in Rome, until EU membership in 2004. However, in the early years after membership, disputes arose between the two countries relating to the disembarkation of irregular migrants found in contested

waters.¹⁴² As referred to in Chapter 2, several disputes between the two countries have taken place on the issue. In relation to irregular migration during the 2011 Arab Uprising, Malta and Italy presented a united front, due to the common external threat irregular migration presented for southern EU Member States. In fact, following an influx of eight-hundred sixteen irregular migrants from Libya in twenty-four hours, Italian and Maltese MEPs lobbied for the activation of migration solidarity mechanism directive 2001/55/EC, which provides temporary protection. This temporary protection measure has only been implemented once, with the goal of providing immediate and temporary protection in the case of a huge influx or impending mass influx of displaced persons from non-EU countries who are unable to return to their country of origin.¹⁴³ During a plenary sessions in Strasbourg, Maltese MEPs Simon Busuttil and John Attard Montalto, representatives of different political parties but symbolizing cross-party unison on the matter, urged the EU to activate this mechanism, a day before Foreign Minister Borg and his Italian Minister Franco Frattini met in Rome to discuss Libya and the issue of irregular migration.¹⁴⁴

After the Lampedusa tragedy of October 2013, which the United Nations High Commissioner for Refugees described “as a wake-up call”, the Italian government launched Operation Mare Nostrum. Via this unilateral military and humanitarian operation, covering Italian and parts of Libyan and Maltese SAR regions, the Italian government sought to safeguard lives at sea.¹⁴⁵ It encompassed not only individuals but also naval and aerial assets from the Navy and Air Force, along with the Carabinieri, Financial Police, Harbour Masters Corps / Coast Guard, members of the Italian Red Cross military corps, and personnel from the Ministry of the Interior / State Police. These personnel were

¹⁴² Camilleri, ‘The Impact of EU Foreign Policy on Small Member States: Analysing the Case of Malta and Cyprus’.

¹⁴³ European Commission, ‘Temporary Protection’.

¹⁴⁴ The Malta Independent, ‘MEPs Call for Triggering of Solidarity Mechanism’.

¹⁴⁵ Ministero Della Difesa, ‘Mare Nostrum Operation’.

stationed on Italian Navy vessels, and the effort was supported by various government agencies responsible for overseeing sea migration.¹⁴⁶

Whilst Malta was not involved in the operation in terms of civilian personnel, or military forces, it did benefit from the operation. In fact, as referred to in Figure 4, during 2014, Malta's influx of irregular migrants plummeted, when compared to the previous year. This was due to the fact that all irregular migrants rescued by the Mare Nostrum operation were disembarked on Italian land.¹⁴⁷ International media reports suggested that the reason why the Italian military took in irregular migrants found in Malta's SAR region was due to a secret agreement between the two neighbouring countries. In exchange for taking in migrants, it was alleged that Malta gave up oil exploration areas to Italy. It is worth noting, however, that these allegations were denied by both countries.¹⁴⁸ Unsurprisingly, the Maltese government was in full support of this Mare Nostrum operation, so much so, that it lobbied for its continuation at EU level once the operation was discontinued by the Italian government. In fact, in support of the Italian government's calls for the EU to sustain the operation, Malta's Minister for Foreign Affairs at the time, George Vella voiced his endorsement for the continuity of Mare Nostrum. He emphasized the importance of extending full support to encourage the EU to take tangible measures that would significantly contribute to the preservation of lives in the Mediterranean region."¹⁴⁹

Another example which epitomizes Maltese cooperation in the context of the EU is the relocation of migrants into Malta. As alluded to previously, Malta has been one of the main countries

¹⁴⁶ Ministero Della Difesa.

¹⁴⁷ 'Italy's Mare Nostrum Taking over Malta's Refugee Burden'.

¹⁴⁸ Schembri Orland, 'Malta-Italy Migration "secret Deal" Resurfaces in the International Media'.

¹⁴⁹ Camilleri, 'Malta Will Back Italy's Migration Demands at EU Summit'.

advocating towards burden sharing amongst EU Member States. In 2015, Malta backed its talk on the issue of burden sharing, when the EU was faced with an unprecedented influx of migrants from the Eastern Migratory Route. In fact, in 2015, the EU faced an influx of one million, three hundred and twenty-one thousand six hundred irregular migrants from non-EU countries. As a result of this influx, the European Agenda on Migration was proposed by the European Commission in May 2015. The European Agenda on Migration is a strategic document which outlines a comprehensive approach aimed at managing the issue of migration and asylum, whilst “defining” steps with the aim of ensuring “strong borders, fair procedures, and a sustainable system able to anticipate future problems in the context of asylum and migration”.¹⁵⁰ This agenda included much of what Malta and its “allies” in the South Mediterranean region had been lobbying for for years, most notably “a temporary distribution scheme for persons in clear need of international protection to ensure a fair and balanced participation of all Member States to this common effort”.¹⁵¹

However, it is worth noting that although Malta often cooperates with the rest of the EU in times of need on issues of migration and burden sharing, it has never abandoned its self-interests. A clear example of this is during the proposal of the EU-Turkey Joint Action Plan in November 2015. The objective of the action plan, initiated in November 2015 was to enhance collaboration in assisting Syrian refugees with temporary protection and their host communities in Turkey. Additionally, the plan aimed to reinforce cooperation to deter irregular migration towards the EU. By implementing the Joint Action Plan, the goal was to bring order to migratory patterns and contribute to the mitigation of irregular migration.¹⁵² In a reaction to the EU-Turkey Agreement the Maltese Prime

¹⁵⁰ European Commission, ‘European Agenda on Migration’.

¹⁵¹ European Commission, ‘COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A EUROPEAN AGENDA ON MIGRATION’.

¹⁵² European Commission, ‘Managing the Refugee Crisis EU-Turkey Joint Action Plan: Implementation Report’.

Minister, Joseph Muscat, argued that “if, after this agreement, the migrants start to cross from Turkey to Bulgaria, or from Egypt to the Mediterranean or from Libya to Malta and Italy, the EU must be ready to act in the same manner as it is doing with Turkey”¹⁵³

A year later, Malta agreed to take in migrants from Italy and Greece as part of a temporary emergency relocation scheme from the European Agenda on Migration. As a result of this scheme, Malta agreed to take in a total of one hundred and sixty-eight asylum seekers coming from Syria, Eritrea, and Iraq, who were relocated from Greece, and Italy between 2016 and 2017.¹⁵⁴ At the same time of this relocation, Maltese Prime Minister Joseph Muscat took the opportunity to criticize the lack of EU solidarity towards Malta and other Mediterranean states when it came to migration during a plenary session in the European Parliament. He argued that since 2004, Malta had been deserted by the EU on migration issues, but now (2017), Malta was expected to conform to the EU’s agenda on migration. Indeed, he highlighted that the smallest Member State, which, except for recent years, directly experienced the challenges of migration without adequate support, pledged to accommodate asylum seekers from other Member States facing crises. He further suggested that while the concept of "walling" might not be flawless, it could still have a positive impact. Ultimately, he pointed out that the flow of migration was only effectively reduced through an agreement with Turkey. Despite recognizing the agreement's imperfections and its limited duration, it was acknowledged that this arrangement had made a tangible difference thus far.

Malta has even increased cooperation with other EU Member States in the area of disembarkation and relocation of migrants in Malta. In fact, since 2018, Malta’s relocation policy of

¹⁵³ Leone Ganado, ‘Malta Demands Safeguards as EU Discusses Migrant Deal with Turkey’.

¹⁵⁴ International Organization for Migration, ‘Relocation from Italy and Greece to Malta’.

migrants heading towards other EU Member States has been effective, especially when compared to previous years. 2019 is a memorable year for many, mostly due to the outbreak of the Covid-19 pandemic. Up to the outbreak of the virus in late 2019, Malta experienced its highest influx of migrants ever recorded on the island, a record three thousand, four hundred and thirty-six irregular migrants. This influx could be attributed to the change in Italy's government. The newly elected coalition led by Matteo Salvini and Luigi Di Maio's and their respective movements had adopted a quite migrant-intolerant policy. In fact, "they agreed on closing Italy to non-EU entries no matter the circumstances".¹⁵⁵ In 2019, five EU Member States, including Malta, agreed to temporarily distribute irregular migrants arriving in Italy and Malta. France, Germany, Italy, Malta, and Finland, decided to share all irregular migrants attempting to cross the Central Mediterranean Route from Libya. This agreement was temporary, and lasted only a few weeks, until October 8th, the day EU interior ministers were to meet. The hope was that during these meetings more and more EU Member States would join the agreement, symbolizing EU solidarity.¹⁵⁶

Covid-19 presented a number of challenges for a number of countries in different ways. In some, a state of emergency was declared, in others, hospitals were at full capacity and had to open temporary ones, whilst in others, a total lockdown had to be introduced to curb the spike of infections. In terms of migration, with both Malta, and Italy closing off their ports due to public health reasons, migrants trying to enter Europe were left stranded. This resulted in at least sixteen thousand migrants and refugees drowning in the Central Mediterranean, the highest number since 2014.¹⁵⁷ However, despite the various challenges presented by the Covid-19 outbreak in 2020, the

¹⁵⁵ Schumacher, 'Malta, Italy, and Mediterranean Migration: A Long History and an Ongoing Issue'.

¹⁵⁶ France 24, 'Ministers Agree to Temporary Deal to Distribute Migrants Arriving in Italy and Malta'.

¹⁵⁷ Ellis, 'In the News: COVID-19 Port Closures Leave Migrants Stranded at Sea'.

Director of the IOM said that Malta continued to see a steady number of relocations,”¹⁵⁸ the majority were made to Germany and France. However, it is worth noting that other EU Member States including Luxembourg and Portugal, volunteered to relocate irregular migrants who were disembarked in Malta after they were held offshore for more than a month on vessels the government had chartered to hold migrants rescued by the Armed Forces of Malta. As already mentioned, Malta had closed all of its ports due to the public health reasons instituted because of Covid-19. In fact, when testifying in a human rights case instituted by thirty-two people who were held on board one of the vessels, Maltese Prime Minister Robert Abela argued that because migrant camps were overcrowded and the country was in the midst of a public health emergency, the government decided to keep the irregular migrants on boats off the coast of Malta¹⁵⁹ At the time, the Maltese government had made an urgent appeal to fellow EU Member States to step up and accept relocation of some of these migrants. In response, France, Luxembourg, and Portugal accepted to take in some of the four hundred twenty-five migrants disembarked in Malta who had been held offshore for more than one month.¹⁶⁰ Another two migrant relocation exercises took place in November of the same year, in which Malta relocated two groups of migrants to Finland and Romania, to continue their asylum process in these countries.¹⁶¹

In 2021, Malta continued to relocate a number of irregular migrants to other EU Member States who accepted a number of irregular migrants. These countries included Germany, France, and Ireland. Indeed, subsequent to a relocation flight, occurring in January 2021, Maltese Minister for Home Affairs, Security, Reforms, and Equality Byron Camilleri engaged in an informal video

¹⁵⁸ International Organisation for Migration, ‘EU Voluntary Relocations from Malta Top 270 People in 2020 amid Covid-19’.

¹⁵⁹ Brincat, ‘PM Tells Court Migrants Were Kept on Boats in 2020 Because of Health Emergency’.

¹⁶⁰ InfoMigrants, ‘France, Luxembourg, Portugal to Accept Migrants Disembarked in Malta’.

¹⁶¹ Television Malta, ‘Migrants Relocated from Malta to Other EU Member States’.

conference with the EU Home Affairs Ministers. During this discussion, they deliberated on the Maltese government's approach to enhance relocations while concurrently pursuing collaborative measures to aid countries of origin and transit. Minister Camilleri further argued how “relocation should be part of the European approach to migration, together with progress on the external dimension with respect to returns and the prevention of crossings”.¹⁶² Separately, Maltese Prime Minister, Robert Abela wrote on a social media post after a relocation flight, how “the best way to tackle this phenomenon is to seek aid from the EU as well as the immigrants’ countries of origin.”¹⁶³

YEAR OF DEPARTURE	NUMBER OF PERSONS RELOCATED FROM MALTA
2018	423
2019	619
2020	273
2021	238
2022	14

Table 1 Number of irregular migrants who were relocated from Malta to other EU Member States between 2018 and 2022

Separately, to address the issue of migration, in recent years, Malta has also stepped up its efforts of relocating irregular migrants who have not been successful in receiving asylum status. These efforts go hand in hand with the Maltese government’s holistic approach to address the issue of irregular migration and reduce irregular migrant arrivals in Malta. For example, throughout the year 2022, most of nine hundred seventy-four irregular immigrants were returned to their country of origin, with a substantially smaller number of them being relocated to another country.¹⁶⁴

¹⁶² Azzopardi, ‘120 Asylum Seekers Relocated to EU Member States from Malta’.

¹⁶³ MaltaDaily, ‘Immigrant Relocation Continues through First Month of 2021’.

¹⁶⁴ ‘Over 1,000 Immigrants Have Been Deported from Malta since the Start of 2022’.

4.3 The significant role of Maltese MEPs and the European Parliament

Between 2011 and 2023, the smallest EU Member State has undertaken a variety of approaches in order to address the issue of irregular migration via the Central Mediterranean Route. It is worth noting that Malta has few avenues to pursue in its diplomatic objectives. However, the growing strength of the European Parliament in terms of the EU legislative process following the adoption of the Lisbon treaty in 2007, has allowed Malta, through its Members of the European Parliament (MEPs) to voice its concern and argue for 'favourable changes' in EU policies of primary importance with regards to migration.¹⁶⁵

For years, elected MEPs have used their voice and appointments to try and address the issue of irregular migration in various ways. An example of such is Simon Busuttil, who served as Maltese MEP between 2004 and 2013. Between 2004 and 2009, Busuttil served as member of Budgetary Control Committee and the Committee for the European Parliament Budget, in which he worked and successfully provided FRONTEX with an increase of funding. At the start of the 2009-2014 European Parliament legislature, he was also appointed as the Group of the European People's Party and European Democrats' spokesperson on the EASO, which was eventually established in Malta. The opening of EASO's offices in Malta are a reflection of the work and lobbying undertaken by MEPs like Busuttil towards the approach to irregular migration. In 2010, he was also appointed as the European Parliament's rapporteur on the review of the mandate of FRONTEX.¹⁶⁶ Another example is ex-MEP Edward Scicluna who served as MEP between 2009 and 2013, In a European Parliament debate in Strasbourg regarding migration flows and their impact on Schengen, Scicluna

¹⁶⁵ Pace, 'Migration in the Central Mediterranean'.

¹⁶⁶ Pace.

argued that as Europeans, there was a need to “put the necessary legislation in place”, which “support the provision in the treaties for establishing a single EU asylum system and proper burden-sharing” between EU Member States, rather than stoking up-right wing populism.¹⁶⁷ During the same debate, Maltese MEP Simon Busuttil argued how Schengen necessitates solidarity, and this concept involves equitable sharing of responsibilities, which is also influenced by a Member State's size. For instance, the arrival of one thousand individuals in the smallest Member State, Malta, holds the same population impact as over one million arrivals across the entire EU. While twenty-five thousand people may appear insignificant for the Union as a whole, the arrival of a thousand individuals in a southernmost Member State bears considerable significance.¹⁶⁸

More recently, current and former MEPs such as Miriam Dalli, Alfred Sant, and David Casa, have all contributed towards voicing Malta's concerns with regards to irregular migration, and the way forward. For example, during a debate in Strasbourg ahead of the European Council Summit, chaired by Donald Tusk, MEP David Casa argued how “Malta's size is what it is and no amount of fantasy wishful thinking will change that. This reality is not one that Malta can, nor should, face alone”.¹⁶⁹ Alfred Sant, MEP since 2014, has also used his role in the European Parliament to highlight the issue of irregular migration. For example, in 2018, Sant argued how the EU was facing an institutional crisis with regards to migration. He argued that this institutional crisis was due to the EU's lack of common policy on migration, paired with a lack of consensus between EU Member States on issues relating to frontier management, and burden sharing proposals, amongst others. On a Maltese television programme, Sant alluded to how “Malta cannot support open ended arrivals

¹⁶⁷ European Parliament, ‘Migration Flows and Asylum and Their Impact on Schengen (Debate)’.

¹⁶⁸ European Parliament, ‘Verbatim Report of Proceedings’.

¹⁶⁹ ‘Nationalist MEP David Casa Calls on Council to Prepare for Migration’.

of migrants on our small island”.¹⁷⁰ In 2019, Sant, also alluded to the fact that the EU was still unsuccessful in having a functioning policy to process legal migration, whilst criticizing populist governments for their anti-immigration stance. He further contended that maritime initiatives initiated and funded from regions outside the Mediterranean inadvertently embolden human traffickers and incentivize migrants who might not otherwise risk perilous journeys to engage in such activities. In light of these observations presented by Sant, it was outlined that endorsing humanitarian projects in the Mediterranean without due consideration, while unresolved aspects of European immigration persisted, could potentially contribute to heightened political and moral challenges in the foreseeable future.¹⁷¹ Additionally, in a debate regarding pushbacks at the EU’s external border, held in Strasbourg in October 2021, Sant noted how no coherent, long-term EU support with regards to waves of migration, has been agreed upon, despite the fact that this issue has been persisting for two decades. He also argued how Mediterranean islands, like Malta, “are often left alone to cope with the bursts of irregular migration”.¹⁷²

Before returning to the national political arena in 2020, Miriam Dalli continuously lobbied on the issue of irregular migration throughout her time in the European Parliament. Serving as one of Malta’s six MEPs between 2014 and 2020, Dalli is known for her contribution towards the European Green Deal and EU Climate Law. In 2019, she was however, appointed as the European Parliament’s rapporteur on Asylum, Migration and Integration Fund (AMIF). The scope of this fund is to boost EU Member States national capacities and improve any procedures linked to migration management, whilst also enhancing solidarity between EU Member States, especially in terms of emergency

¹⁷⁰ ‘EU Facing “institutional Crisis” on Migration - Alfred Sant’.

¹⁷¹ European Parliament, ‘Humanitarian Assistance in the Mediterranean (Debate)’.

¹⁷² European Parliament, ‘Pushbacks at the EU’s External Border (Debate)’.

assistance and relocation mechanisms.¹⁷³ Following the adoption of the AMIF after the European Parliament approval, the European Commission assigned €10.4 billion to this Fund, Dalli confirmed her commitment to facilitating fund transfers by means of the solidarity principle among EU Member States., which would benefit the Maltese Islands significantly, due to its strategic position in terms of irregular migration. This work by Miriam Dalli continued to build on the work of Busuttil towards the concept of burden sharing.¹⁷⁴ Additionally, in 2018 Dr. Dalli was chosen to negotiate the law relating to the use of €10.4 billion on migration and asylum, on behalf of the European Parliament. During the presentation of her report, MEP Dalli highlighted five priorities, which included “the principle of solidarity and fair sharing of responsibility, the strengthening of the Common Asylum System, the creation of legal pathways, inclusive societies and a sustainable policy on the return of persons who do not have a right to stay in the EU”.¹⁷⁵

Apart from her contribution toward the adoption of the AMIF, whilst serving as an MEP, Dalli also voiced her opinion on humanitarian aid, and search and rescue in the Mediterranean. In July 2019, she took the opportunity to voice her opinion regarding the EU’s lack of common position regarding humanitarian aid. She argued at the time for the need of political decisions to be taken to address the emergency which was resulting in the loss of lives of innocent men, women, and children in the Mediterranean, whilst also serving as a challenge to exposed countries like Malta and Italy. During the debate, Dalli also listed four priorities related to the issue at hand. These include: firstly, the prevention of any more loss of life, even if it means search and rescue missions, secondly, the fight against migrant trafficking and smuggling, thirdly, finding a solution to aid the countries exposed most to migratory flows, and finally, the establishment of legal and secure routes for asylum

¹⁷³ European Commission, ‘Asylum, Migration and Integration Fund (2021-2027)’.

¹⁷⁴ Dalli Miriam, ‘Fighting Fear with Logic’.

¹⁷⁵ Costa, Massimo, ‘EU €10 Billion Migration Fund Needs to Have Clear Goals - Miriam Dalli’.

seekers.¹⁷⁶ Additionally, during a debate in Strasbourg in October 2019, regarding search and rescue in the Mediterranean, Dalli argued that although the loss of life in the Mediterranean had been an ongoing issue for several years, an effective and functioning solidarity mechanism on migration had yet to come into fruition. Additionally, she argued, how issues related to migration experienced by southern states, such as Malta, Greece, Italy, are not a concern for other EU Member States. Furthermore, as part of her motion, she put forward the motion that the European Council take a leading role in suggesting an equitable system for distributing individuals rescued at sea. This approach should prioritize the principle of non-refoulement, while also ensuring the continued adherence of all parties to existing search-and-rescue regulations, rather than allowing them to be manipulated/exploited¹⁷⁷

Current European Parliament President Roberta Metsola also lobbied the issue of irregular migration during her time as MEP since her first election in 2013. In October 2013, during one of her plenary speeches in the European Parliament, she called for a move towards a holistic approach to irregular migration that addresses all the different aspects of the issue, from fighting organised crime, to helping Libya and increasing aid to other countries in Africa, to looking at assessing asylum applications even in third countries. In 2018, when Metsola met with EU Commissioner Avramopolous, Bulgarian President, and the European Parliament President at the time, she insisted on the need of EU action on the migration crisis. Reaffirming the European Parliament's report of 2017, which provided that "the refugee crisis of 2015 showed clearly that the Dublin Regulation needs a fundamental reform in order to enable a structured and dignified reception of asylum seekers in Europe", Metsola argued that the main focus of the EU should be on reforming the Dublin

¹⁷⁶ European Parliament, 'Assistenza umanitarja fil-Mediterran (dibattitu)'.

¹⁷⁷ European Parliament, 'Search and Rescue in the Mediterranean (Debate)'.

Regulations to ensure fair solidarity amongst Member States, which would effectively decrease the “burden” on Malta, and similar Mediterranean states.¹⁷⁸ In 2019, Metsola joined the “European Parliament’s Committee on Civil Liberties, Justice and Home Affairs” (LIBE) which includes irregular migration as one of its responsibilities . One of her reasons for forming part of this committee was to focus on issues close to home (Malta). In 2020, she cautiously welcomed a series of fresh proposals aimed at tackling the migration scenario in Europe. She indicated that these proposals would result in the withdrawal of the Dublin Regulation, which had disproportionately burdened frontline Member States like Malta, Italy, or Greece, and would be substituted by measures fostering solidarity.”¹⁷⁹

4.4 The Maltese Summit Experience: Uniting Nations, Converging Ideas, Inspiring Action

Since gaining independence in 1964, Malta has hosted a number of significant summits, with one of the most well-known being the “Malta Summit” in December 1989, between U.S. President George H.W. Bush and Soviet General Secretary Mikhail Gorbachev. At the time, this summit was of great significance, as it represented the end of the Cold War era and opened the way for a new era of cooperation between superpowers.¹⁸⁰ Additionally, the country has hosted the Commonwealth Heads of Government Meeting more than once, and the Libya Conference in 2020, amongst a number of others.

¹⁷⁸ Group of the European People’s Party, “Reforming the Dublin System Is the Only Way Forward” - Roberta Metsola’.

¹⁷⁹ Group of the European People’s Party, ‘Roberta Metsola: “This Must Be a Turing Point for Europe on Migration”’.

¹⁸⁰ History.com Editors, ‘Bush and Gorbachev Suggest Cold War Is Coming to an End’.

Malta has also hosted a number of summits, conference, and meetings over the years on this issue of migration. A clear example is the Valletta Summit of 2015. The Valletta Summit on migration, held between the 11th and 12th of November 2015 brought together more than sixty European and African leaders, in an effort to strengthen migration related cooperation, challenges, and opportunities common to both neighbouring continents. At the time of the Valletta Summit, the EU was being tested by the huge migratory influx of the Syrian Migration Crisis. As a result of the effect that this huge influx of migrants was having on a number of EU Member States, Malta urged the EU and its members to protect irregular migrants.¹⁸¹ Out of all EU Member States, Malta stood alone in its willingness to embrace its allocated portion of refugees—one hundred and sixty-eight from Greece and Italy, along with seventeen from Turkey—within the framework of the EU's initiative to relocate a minimum of one hundred-twenty thousand Syrians escaping the turmoil of the civil war.¹⁸² This was just one example of how deep divisions on irregular migration are with regards to burden sharing. By working in a spirit of partnership to find common solutions, the Valletta Summit recognized that the issue of migration was a shared responsibility of all countries which are known as countries of origin, transit, and destination.

MEP at the time, Miriam Dalli noted how important this summit was for more than one reason. She highlighted the importance of re-admission agreements, and the major role that the African continent has to play in collaborating with the EU on the issue of irregular migration. Additionally, Dalli contended that the Valletta Summit could mark the initial occasion for European and African collaborators to collaboratively pursue comprehensive, enduring resolutions.¹⁸³ These aspirations shared by Dalli found resonance in the sentiments of fellow Maltese MEP, Roberta

¹⁸¹ Cachia, *The Europeanisation of Party Politics in Malta*.

¹⁸² UNHCR, 'Know the Facts: A Toolkit on Asylum and Migration for the European Elections'.

¹⁸³ Dalli, Miriam, 'The Valletta Summit: A Stepping Stone towards More Solidarity'.

Metsola, who, nonetheless, put forth the perspective that the 2015 Valletta Summit necessitated formal agreements with origin countries, enabling EU member states to repatriate migrants lacking eligibility for protection.¹⁸⁴

Following this two-day summit, participating EU Member States' and African leaders adopted a political declaration and an action plan designed to tackle the issue of migration in different ways.

The agreed upon action plan and political declaration were designed to:

1. "Address the root causes of irregular migration and forced displacement": The summit emphasized the need to address the fundamental causes of migration, such as poverty, lack of economic opportunity, conflicts, and human rights violations. It called for increased investment in development and the eradication of poverty in order to create employment, enhance education and healthcare, and promote stability in countries of origin.
2. "Enhancing cooperation on legal migration and mobility": The summit highlighted the significance of cooperation and dialogue between European and African nations in order to effectively manage migration. It sought to cultivate closer cooperation in areas such as migration governance, border management, legal migration pathways, and the return and readmission of migrants.
3. "Reinforce the protection of migrants and asylum seekers": The summit highlighted the significance of safeguarding the rights and well-being of migrants, especially those in

¹⁸⁴ The Malta Independent, 'MEPs Metsola and Dalli Want Concrete Resolutions out of Valletta Summit'.

vulnerable situations, such as refugees and asylum seekers. It demanded improved reception and assistance mechanisms, access to essential services, and the protection of human rights throughout the migration journey.

4. “Prevent and fight irregular migration, migrant smuggling and trafficking in human beings”: The summit sought to bolster efforts to combat networks of irregular migration and human smuggling. It called for greater cooperation in sharing information, enhancing border controls, and dismantling criminal networks engaged in human smuggling and trafficking.

5. “Work more closely to improve cooperation on return, readmission and reintegration”: The Valletta Summit emphasized the importance of voluntary return and reintegration support. Efforts were made to assist and support migrants who chose to return voluntarily to their home countries. Comprehensive reintegration programs were developed to promote their social and economic inclusion, offering support in areas such as employment, education, healthcare, and psychosocial services. In addition, the Summit recognized the need for increased cooperation between nations to facilitate the orderly and humane return and readmission of migrants. Cooperation agreements on return and readmission were seen as essential for ensuring the protection of human rights and facilitating the reintegration process.¹⁸⁵

Another example of a summit held in Malta at EU level is an informal summit which took place once again in Valletta, in 2017. The informal summit in Malta was hosted by ex-Maltese Prime

¹⁸⁵ European Council, ‘Valletta Summit, 11-12 November 2015 Action Plan’.

Minister Joseph Muscat and chaired by ex-European Council President Donald Tusk. The summit consisted of two parts. The first part took place in the morning of February 3rd, 2017, which involved EU Member States leaders agreeing on measures to stem the flow of irregular migrants from Libya to Italy. The agreement was a result of the Central Mediterranean Route being a passage for over one hundred, eighty-one thousand irregular migrants in 2016. As a result of these numbers, EU Member States' leaders decided and agreed to take additional steps to drastically curb migration flows, disrupt traffickers' business models, and save lives, while strengthening collaboration with Libyan authorities.¹⁸⁶

Via the “Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean Route”, EU Member State leaders confirmed their support for the Presidency Council and the Government of National Accord backed by the UN, whilst as aforementioned, enhance cooperation with Libyan regional and local communities, and international organisations in Libya. The priorities outlined in “The Malta Declaration” include; “training, equipment and support to the Libyan national coast guard”, “further efforts to disrupt the business model of smugglers through enhanced operational action”, whilst cooperating with countries of transit, “supporting where possible the development of local communities in Libya, especially in coastal areas, and at Libyan land borders”, supporting the International Organisation for Migration (IOM) with regards to ensuring adequate reception capacities, and enhancing information campaigns aimed at migrants.¹⁸⁷

¹⁸⁶ Butucea Magda, ‘Valletta Summit: Informal Meeting of EU Heads of State or Government’.

¹⁸⁷ European Council, ‘Malta Declaration by the Members of the European Council on the External Aspects of Migration: Addressing the Central Mediterranean Route’.

Another example which can be referred to is the 6th South EU Summit held in Malta in June 2019. The members of this “group” include Malta, Cyprus, France, Greece, Italy, Portugal, and Spain. The purpose of summits held for this group of countries is to discuss a variety of common issues, challenges, and seek to enhance cooperation and coordinated positions to resolve them. During the Summit of Southern EU Countries, held in Valletta, Malta, issues including climate change and migration were discussed at length. Regarding migration, the countries concluded that the creation of a common immigration and asylum policy is a priority.¹⁸⁸ The Valletta Declaration, endorsed during the Summit, delineated the necessity for persistent endeavors aimed at adopting a holistic approach to migration. This encompassed the establishment of legal migration avenues, reinforced external actions, and a revised, unified European asylum system that would ensure the robust enactment of the principle of solidarity and equitable distribution of responsibilities among Member States. Moreover, the Declaration emphasized the requirement to intensify initiatives to disrupt the smugglers' operational framework, with the overarching objective of averting tragic loss of life.¹⁸⁹

A separate summit, once again held in Malta in September 2019 resulted in establishing steps towards a pan-EU migration policy. Participants were senior officials from Malta, Italy, France, Germany, and Finland which at the time was holding the presidency of the European Council. The concept of the proposal, agreed upon during this summit involved relocating rescued migrants to EU countries within four weeks of arriving in EU territory. The host country would then decide whether to grant each migrant asylum or repatriate them. Attending Italian Interior Minister Luciana Lamorgese noted that “from today, Italy and Malta are not alone. There is a recognition that these two countries represent the gateway to Europe”. Echoing Lamorgese, attending Maltese Minister

¹⁸⁸ South EU Summit, “I Hope That in Our Discussions There Will Be a Great Deal of Optimism, Not the Gloom and Doom of the Past”.

¹⁸⁹ South EU Summit, ‘Valletta Declaration’.

for Home Affairs and National Security Michael Farrugia noted how tangible help on the ground to countries hit most by migration, like Malta and Italy, would be the proof of progress.¹⁹⁰ The mini summit came to an end with a “Joint Declaration” that, among various aspects, delineated the requirement for establishing a temporary solidarity mechanism aimed at facilitating the disembarkation of irregular migrants with greater consideration. The declaration introduced the concept of a relocation system founded on mutually agreed standard protocols and the comprehensive use of EURODAC, the EU's fingerprint database designed for asylum seekers. Additionally, the declaration underscored the importance of repatriating individuals who didn't meet the criteria for international protection.¹⁹¹ A few weeks later, on the 7th and 8th October 2019, the text agreed upon during the min-summit received little enthusiasm from the Justice and Home Affairs Council meeting, which led to drastic decisions by the Maltese government.¹⁹² These drastic decisions included ceasing military equipment provisions dedicated to Operation Irini, which was tasked with maintaining the military embargo on Libya, and to veto any decisions concerning Operation Irini's spending procedures and migrant disembarkation, especially due to the negative effects it had on Malta.¹⁹³

Malta has also ensured that the issue of migration is discussed in summits held abroad, especially during Med7 summits, which are held on a yearly basis. Two examples include the 2020 and 2021 MED7 summits, held in Corsica and Athens respectively. In September 2020, France hosted the MED7 meeting in Corsica, in which issues such as unilateral Turkish actions against Greece and

¹⁹⁰ Kavanagh Ruairi, ‘Malta Summit Paves Hopeful Steps for Pan-EU Deal on Migration’.

¹⁹¹ Anon, ‘JOINT DECLARATION OF INTENT ON A CONTROLLED EMERGENCY PROCEDURE – VOLUNTARY COMMITMENTS BY MEMBER STATES FOR A PREDICTABLE TEMPORARY SOLIDARITY MECHANISM’.

¹⁹² Eleonara Frasca, ‘The Malta Declaration on Search & Rescue, Disembarkation and Relocation: Much Ado about Nothing’.

¹⁹³ Vella, ‘Malta Vetoes Irini Spending after Withdrawing from EU Naval Mission’.

Cyprus, and the migration crisis were discussed at length. As provided in the Ajaccio declaration after the summit, one of the ways in which the Med7 believes the issue of migration can be mitigated is for the “EU to do its utmost to contribute to efforts to stabilize Libya”.¹⁹⁴ Furthermore, the declaration stated how improved Libyan capacity building in terms of land and sea borders and combating smuggling activities would be another significant step in combating migration, this resulting in less irregular voyages and arrivals into the EU. During the summit, Maltese Prime Minister Robert Abela argued how the lack of cooperation and dialogue at EU level regarding irregular migration in the Mediterranean has left countries Malta, and other Med7 members “alone” and that “we can no longer face the crisis of immigration boat by boat.”¹⁹⁵

In March 2021, in the midst of the Covid-19 pandemic, Greece, Cyprus, Italy, Malta, and Spain took part in talks ahead of an EU-wide video summit, in which they showed a united front on the issue of migration. During these talks, the participating EU Member States, whose home lies in the Mediterranean region, repeated their “strong plea in favour of a needed true balance between solidarity and responsibility”, arguing that the front-line EU Member States deserve and require more reassurances. In 2021, during the Med7 summit held in Athens, Greece, attended by European Commission president Ursula von der Leyen, leaders met to discuss issues including migration, climate change, Covid-19, and other common issues shared amongst the Med7 countries. In its declaration, the Med7 highlighted how the issue of migration requires a comprehensive approach, and that the EU addresses the root causes of the issue in a “Team Europe” spirit with countries of origin and transit alike. Additionally, reference was also made to the development of legal pathways for those who either seek protection or would like to better themselves and their

¹⁹⁴ MED7, ‘Ajaccio Declaration after the 7th Summit of the Southern EU Countries (MED7) (10 Sept. 20)’.

¹⁹⁵ Azzopardi, ‘Robert Abela Calls For More EU Action In Migration Crisis, “Malta Can No Longer Be Left Alone”’.

lives in Europe. Furthermore, the MED7 recognized the need for a “coordinated approach to ensure returns, in a dignified manner, of persons that do not have the right to remain in EU territory”.¹⁹⁶

In March 2023, just days before a European Council of Home Affairs Ministers, Ministers for Home Affairs and Immigration from Cyprus, Greece, Italy, Malta, and Spain met in Malta to reach a common position on the issue of migration.¹⁹⁷ The focus of the meetings were on preventing migration, and on the issue of repatriation. Regarding the issue of migration, Maltese Home Affairs Minister Byron Camilleri said it is of the utmost importance that strong and comprehensive agreements are struck between the EU and countries of origin regarding migrants who are not eligible for protection.

The five ministers attending the summit agreed on the need of a new mechanism whereby the system of relocating approved migrants into European borders would no longer be voluntary, but mandatory. In fact, as evidenced in a signed joint declaration at the summit, it outlined how solidarity, including structured intra-EU relocation that accounts for the strain caused by irregular arrivals, would substantially alleviate and distribute the load on Member States situated at the forefront. At the time, these states currently faced an uneven distribution of pressures. Consequently, there was an appeal to the Council to intensify endeavors aimed at instituting a lasting and obligatory mechanism of solidarity. This mechanism should be attuned to the authentic requirements of frontline Member States and guarantee their needs are comprehensively addressed through the contributions of solidarity.”¹⁹⁸

¹⁹⁶ Republic of Cyprus Ministry of Foreign Affairs, ‘European Affairs Ministers of the Southern European (MED7) Countries Joint Statement’.

¹⁹⁷ Television Malta, ‘Malta to Host Home Affairs and Immigration Ministers from Mediterranean Countries’.

¹⁹⁸ Med5, ‘Joint Declaration’.

4.5 Navigating the Waves: The Maltese Presidency and the Migration Challenge in the European Council

In 2017, Malta, being the smallest EU Member State, had its first chance to assume the rotational presidency of the Council of the EU. It's important to highlight the significance of this role for smaller countries, as it offers a unique chance for extended visibility, capturing global media attention that these nations might not typically receive. This platform also allows smaller states to emphasize crucial areas that might otherwise go unnoticed by larger counterparts.¹⁹⁹ Moreover, the presidency offers EU Member States the avenue to advocate for their priorities and issues pertinent to their citizens. Despite the limitations in terms of financial and human resources, the presidencies of small states are often met with scepticism. Critics contend that their influence in shaping decisions would be minimal due to these constraints. Nonetheless, it's remarkable how these smaller states are effectively navigating these obstacles and successfully shaping the EU's agenda. However, the EU landscape during this period, marked by Brexit and the migration crisis, presented Malta with a remarkable chance to mediate agreements among the twenty-eight EU Member States, lead discussions between governments, and negotiate draft laws. This environment was viewed as a "golden opportunity" for the country to facilitate interactions and collaborations on significant matters.²⁰⁰

The Maltese government at the time, led by Joseph Muscat, outlined the Maltese agenda for the country's presidency of the Council of the EU. The country's agenda consisted of six priorities, including "irregular security, the single market, social inclusion, Europe's Neighbourhood, and the maritime sector." During the opening ceremony of the Presidency, the President of the European

¹⁹⁹ POLITICO, 'Malta's EU Presidency: How It Went'.

²⁰⁰ POLITICO.

Council noted how lucky the EU was that the responsibility of this demanding role fell upon Malta. Few entities possessed a more intricate understanding of the Italians, who hosted the Rome celebrations, or a deeper insight into the British, with whom a separation was underway. It was recognized that divorces, devoid of mutual understanding among the involved parties, could metamorphose lives into nightmarish scenarios. Ultimately, only a select few possessed a more comprehensive understanding of the fundamental complexities associated with the migration tragedy in the Mediterranean.²⁰¹ During his maiden speech as the host of the Council of the EU's Presidency in the European Parliament, Maltese Prime Minister Muscat addressed the topic of migration, noting: "You know very well Malta's position on this issue." Additionally, he stated, that for more than a decade, Malta consistently emphasized that the migration situation in the Mediterranean was unsustainable. Malta was among the early advocates within this Parliament, stressing the need for responsibility sharing and highlighting that managing the influx could not exclusively burden the front-line Member States. However, for a significant period, Malta found itself almost isolated, striving to address a crisis it did not initiate."²⁰²

Given the migration flows to the EU via the Central Mediterranean Route in 2016, the Maltese Presidency began with a clear resolve to reduce arrivals from Libya, as stipulated by the European Agenda on Migration. In addition to these objectives, the Maltese Presidency began with a firm resolve to disrupt the business model of smugglers along the route. Amongst the achievements of the Maltese Presidency regarding migration, reference is often made to the new "EU Agency for Asylum Regulation", and the revamping of the EU Return Policy, with a particular focus on Libya. One of the advantages the Maltese Presidency had is the leadership position the country acquired

²⁰¹ Tusk, 'Remarks by President Donald Tusk at the Opening Ceremony of the Maltese Presidency',.

²⁰² Muscat, 'European Parliament Plenary Session of 18 January on Malta's Presidency'.

following the 2015 Valletta Summit, after the approval of the European Agenda on Migration (EAM). As regards the EU Agency for Asylum, the Maltese Presidency of the Council and the European Parliament representatives were successful in reaching a fairly broad political agreement on all twelve chapters of the regulation regarding the European Union Agency for Asylum. The adoption of this regulation would transform EASO into a fully-fledged Agency, responsible for facilitating the functioning of the Common European Asylum System (CEAS). Michael Farrugia, the former Maltese Minister for Home Affairs and National Security, pointed out how this was part of the EU's efforts to establish a fully-fledged EU Agency for Asylum. This endeavour aimed to enhance the response to the everchanging challenges of irregular migration and to emphasize its augmented role within a reformed CEAS.²⁰³

One of the initiatives proposed by the Maltese government which was unsuccessful in gaining support from the majority of the EU Member States was a “cash solution”. This proposal entailed that during periods of significant migrant arrivals, asylum seekers would be distributed across the EU, with each and every EU Member State found to have taken on more irregular migrants based on the size and economic income of the country. Over a period of five years, any EU Member State found of taking in more migrants than the quota agreed upon, would receive €60,000 for each additional migrant it took in. Additionally, the Maltese government also proposed that any EU Member State found to have taken in less migrants than the quota agreed upon, would be bound to pay €60,000 for each asylum seeker not taken in.²⁰⁴ This proposal was not successful, due to it

²⁰³ Council of the European Union, ‘EU Agency for Asylum: Presidency and European Parliament Reach a Broad Political Agreement’.

²⁰⁴ Cachia, *The Europeanisation of Party Politics in Malta*.

failing in gaining support due to the heavy costs Member States who refuse to take in refugees would incur.²⁰⁵

Between the 4th of May and the 13th of July of 2016, the European Commission presented a total of seven legislative proposals geared towards the CEAS's overall reform. During the time that it enjoyed the Presidency of the Council, Malta was in charge of overseeing the examination of the seven proposals that had been initiated by the two Presidencies that came before it.²⁰⁶ Due to the fact that many of those proposals were cross-cutting and linked, the Maltese Presidency decided to take a thematic approach to the revision. These issues included the “Qualification Regulation”, the “Asylum Procedures Regulation”, the “Reception Conditions Directive”, and the “Dublin IV Regulation”. The Maltese Presidency had inherited the proposals in a two-package proposal in 2016. These two-package proposals were sorted out according to the progress that had been made on them. This wasn't due to any decrease in importance; on the contrary, the reason was the pivotal role it played as the foundation of the CEAS. This significance led to discussions and disagreements among Member States, which, ironically, resulted in a notable deceleration of progress in the negotiation of Dublin.IV.²⁰⁷

²⁰⁵ Pace, ‘Malta’.

²⁰⁶ Harwood, Moncada, and Pace, *Malta's EU Presidency*.

²⁰⁷ Harwood, Moncada, and Pace,.

4.6 Thematic Analysis



4.7 Conclusion

Throughout this chapter, the analysis has revealed the paramount importance of the role played by Maltese MEPs in highlighting the issue of irregular migration. During the period between 2011 and 2023, Maltese MEPs played an active role in raising concerns and advocating for changes in EU policies related to irregular migration. They focused on several key areas to address the challenges faced by Malta and other Mediterranean countries in managing irregular migration. One important aspect was securing funding for border management. Simon Busuttil, during his tenure as an MEP, successfully worked to provide increased funding for FRONTEX, the EU agency responsible for border control. This was crucial for strengthening the resources and capabilities of border authorities in managing irregular migration. Another area of focus was the establishment of a common asylum system and burden sharing among EU member states. MEPs like Edward Scicluna highlighted the need for a unified approach to asylum and the fair distribution of responsibilities among member states.

They emphasized the importance of avoiding disproportionate pressure on frontline countries like Malta, Italy, and Greece, and called for reforming the Dublin Regulation, which determines which Member State is responsible for processing asylum applications. Humanitarian aid and search and rescue missions in the Mediterranean were also key concerns. Miriam Dalli and Roberta Metsola, among others, emphasized the need to prevent loss of life at sea and fight against migrant trafficking. They advocated for political decisions and effective solidarity mechanisms to address the emergency situations that resulted in the loss of innocent lives in the Mediterranean. They also stressed the importance of establishing legal and secure routes for asylum seekers and proposed fair distribution mechanisms for people rescued at sea. Overall, Maltese MEPs worked towards

comprehensive changes in EU policies related to irregular migration, including funding for border management, establishment of a common asylum system, burden sharing among Member States, and addressing humanitarian concerns in the Mediterranean.

Additionally, the study also examines the impact of Malta's active participation in various summits focused on finding solutions to the challenges posed by irregular migration and trying to reap the benefits of the opportunities they might provide. By hosting some of these summits, Malta has effectively brought the urgency of finding viable solutions to migration to the forefront of European discourse, garnering much needed attention from EU policymakers and decisionmakers. One of the primary objectives of these summits was to foster cooperation and burden-sharing among European Member States. The issue of irregular migration places disproportionate pressure on frontline countries like Malta, as they often bear the initial responsibility of receiving and processing migrants who arrive irregularly on their shores. Additionally, these summits have provided a platform for meaningful exchanges among involved stakeholders, which has resulted in a better understanding of the challenges faced by frontline countries including Malta, in dealing with irregular migration. Consequently, collaborative strategies to address the root causes of migration have emerged, with a strong focus on addressing socioeconomic and political factors driving irregular migration.

Another approach Malta has undertaken to address the issue of irregular migration is by signing agreements and accepting to coordinate as much as possible with other EU Member States. An example of these agreements is accords signed between Malta and Italy. While Malta did not participate in Operation Mare Nostrum, it benefited from the operation's efforts, leading to a reduction in irregular migration to Malta in 2014. There were speculations about secret

arrangements between the two governments regarding the disembarkation of irregular migrants, but both countries refuted such claims. Malta supported the continuation of Mare Nostrum and called for EU involvement after the Italian government ended the operation. Another example of EU-Maltese collaboration is migrant relocation. Malta has been a leading advocate for EU burden-sharing and supported the European Agenda on Migration in 2015 to address the record influx of irregular migrants arriving in the EU. Malta cooperated with the EU in migrant relocation schemes and accepted asylum seekers from Italy and Greece under emergency relocation efforts.

Throughout these collaborative efforts, Malta has not abandoned its own interests. The country's leaders have consistently emphasized the need for EU support and solidarity with Mediterranean states facing migration challenges. Despite facing distinct challenges during the COVID-19 pandemic in 2020, Malta continued to participate in relocation efforts, primarily to Germany and France. The Maltese government urgently requested that other EU Member States relocate some of the migrants held offshore on government-chartered vessels. Overall, Malta's active engagement with other EU Member States and its pursuit of beneficial agreements have played a crucial role in managing irregular migration. Through collaboration and burden-sharing, Malta has worked towards finding sustainable solutions to the challenges posed by irregular migration in the EU, while also safeguarding its own interests in the process.

CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS

5.1 Salient Points

Malta's foreign policy on irregular migration reflects a multifaceted approach characterized by active participation in the European Parliament sessions and committees, engaging in EU-wide and Mediterranean summits, adopting a collaborative burden-sharing strategy, and reaching agreements with other EU Member States to address the challenge of irregular migration. Throughout its endeavours, Malta has demonstrated a commitment to finding comprehensive and collective solutions to this complex issue.

The EU's solidarity principle remains a critical aspect of the migration governance process, but its implementation faces practical challenges, reflecting the diverse interests and capacities of EU Member States. Malta's experience with irregular migration underscores the necessity for a comprehensive and cooperative EU approach to manage migration effectively and uphold shared values.

By actively involving Maltese MEPs in European Parliament sessions and committees, Malta has effectively utilized its representation to advocate for policies and initiatives aimed at addressing the root causes of irregular migration. This engagement has enabled Malta to influence the EU's broader approach to migration management and shape more effective and equitable policies.

Participation in various EU-wide and Mediterranean summits, including hosting some of them, has allowed Malta to play a pivotal role in regional discussions on irregular migration. By hosting summits, Malta has facilitated dialogue and cooperation between Mediterranean countries and the

EU, fostering a shared understanding of the challenges posed by irregular migration and the need for collective action.

The collaborative approach to burden sharing is a testament to Malta's commitment to addressing irregular migration in partnership with other EU Member States. Recognizing the shared responsibility, Malta has actively sought and facilitated agreements that distribute the burden of accommodating irregular migrants more fairly and efficiently. This approach not only strengthens solidarity among EU countries but also demonstrates Malta's willingness to contribute constructively to finding a resolution. Additionally, the agreements reached with other EU Member States to accept some irregular migrants highlight Malta's pragmatic and diplomatic approach to the issue. By engaging in dialogue and negotiation, Malta has demonstrated the capacity to foster mutual understanding and shared responsibility, thereby easing the strain on the country's resources while ensuring the humane treatment of irregular migrants.

5.2 Recommendations

A number of recommendations may be considered by Malta with regards to its foreign policy on irregular migration. For example, Malta has been very successful in championing a coordinated EU approach to irregular migration through its MEPs in the European Parliament. The commendable advocacy by Maltese MEPs throughout the years concerning irregular migration and its consequences should not only be sustained, but also intensified. This is due to the fact that irregular migration is an area where Malta's foreign policy aligns with that of the EU. Thus, Maltese MEPs should engage with counterparts from other EU Member States, bringing to their attention them to

the significance of irregular migration and its pressing challenges. To maintain this success, Malta should persist in its active participation with its fellow EU Member States and within numerous EU institutions, including the European Parliament, European Commission, and European Council. These efforts are of the utmost importance, in order to formulate long-term strategies which address the root causes of irregular migration, promoting legal pathways into the EU, and eliminating irregular migratory routes.

As Malta's foreign policy continues to evolve, it is clear that the issue of irregular migration should not only be mentioned/included in the country's foreign policy strategy, but should be prioritized. This would be necessary due to the country's geopolitical reality. Geographically, as discussed in previous chapters, Malta's geographic location in the Mediterranean region makes it vulnerable to both the direct and indirect repercussions of issues such as irregular migration. Politically, since Malta joined the EU in 2004, its political reality has also changed with regards to irregular migration. Today, Malta enjoys a "seat at the table" in terms of making decisions relating to EU-wide issues, , thus enabling the country to shape its strategy and approach with regards to irregular migration accordingly. As a result, by Malta prioritizing irregular migration in the country's official foreign policy strategy, it would be safeguarding national interest, ensuring human rights, promoting regional stability, and contributing to a solution relating to the issue. By addressing the complexities of irregular migration head-on, Malta could pave the way for comprehensive and effective strategies that benefit both its citizens and the international community.

From a regional perspective, Malta should build on its geographic position in the Mediterranean, and further strengthen regional cooperation with Med5 and MED7 neighbouring countries to address irregular migration. This could be done in several ways, including joint initiatives,

information sharing, and capacity building efforts to strengthen maritime border security and search and rescue operations. In the short-term, Malta should continue to work with its fellow EU Member States to relocate some of the irregular migrants who arrive in Malta, and to continue their asylum process in another EU Member State. Additionally, Malta needs to intensify its work with other EU Member States, and EU institutions to establish effective systems and mechanisms involving the voluntary return of irregular migrants to their countries of origin, in the case of failed asylum processes, and other appropriate situations.

Another recommendation that Malta should certainly consider is to continue, and even intensify its efforts within the necessary EU institutions for the development of a Common EU Asylum and Migration Policy, which would involve obligatory and equitable burden-sharing and greater coordination in handling irregular migration. This policy would involve a unified approach among all EU Member States in managing asylum and migration matters. Firstly, Malta should continue advocating towards the establishment of mandatory and fair burden-sharing mechanisms, which would result in all EU Member States having a binding obligation to share responsibilities related to processing asylum applications hosting refugees, migrants, etc., whilst providing necessary resources. Additionally, Malta should strive to ensure that this policy would also involve greater coordination and collaboration amongst Member States in terms of sharing best practices, expertise, and resources for effective border management, processing of asylum claims, and providing humanitarian aid to migrants. Additionally, this policy should also cater for the immediate challenges which are being faced by EU Member States, whilst having a long-term vision. From a humanitarian perspective, this policy advocated by Malta should emphasize the respect for the human rights and dignity in the treatment of all migrants, whilst ensuring that all actions, regulations, and policies adhere to international standards. Furthermore, Malta should interact

with other EU Member States in order to gain support for the Common EU Asylum and Migration Policy. Diplomatic efforts, discussions, and coalition building are required to overcome any objection, and achieve consensus amongst all EU Member States.

The final recommendation which Malta should definitely consider is the adoption of a meticulously crafted and forward-looking irregular migration-related strategy, characterized by its adaptability, foresight, and collaborative ethos. This strategy would also encompass an ongoing evaluation of migratory patterns and trends, which would enable a sufficient response, whilst promoting cooperation between EU Member States. This strategy should not only harmonize efforts among twenty-seven EU Member States, and other neighboring countries, but also include civil society, NGOs, and other interested parties. The participation of such entities will only culminate in a more comprehensive and nuanced approach to managing irregular migration. The adequate distribution of resources, including monetary, human, and technological assets, is one of the most important aspects of successfully putting the strategy into action. The allocation of such assets, which would be dependent on a holistic assessment of strategic objectives would enable Malta to realize its goals of reducing irregular migration and cultivating sustainable alternatives, provided that such an assessment is carried out. Through a process of evaluation and refinement, Malta will be able to discern the strategy's components, effecting modifications where deemed fit, whilst embracing new insights to bolster the impact of this strategy. By advocating and championing its visionary strategy, Malta would exemplify leadership within the EU, and also on the international stage. A domino effect would be triggered as a result of Malta's catalysing collective action and engender dialogue. This would encourage countries with similar values to align their policies with the principles of comprehensive and sustainable irregular migration management.

5.3 Conclusion

At both the Maltese and European levels, the phenomenon of irregular migration, specifically involving migrants from North African countries, has been a contentious issue. Due to its location in the centre of the Mediterranean, and at the crossroads of the European and African continents, Malta has experienced a steady influx of irregular migrants and asylum seekers over the years.

Malta's foreign policy on irregular migration is marked by active engagement, collaboration, and pragmatic problem-solving. Through its active participation in the European Parliament, hosting and attending EU and Mediterranean summits, burden-sharing initiatives, and agreements with other EU Member States, Malta has shown a commitment to finding holistic solutions that address the challenges of irregular migration collectively and in a humane manner. As irregular migration remains a dynamic and complex issue, Malta's proactive and cooperative stance sets a positive example for other nations to follow in the pursuit of more effective and equitable migration policies.

While Malta has been successful in promoting an EU-wide coordinated approach to irregular migration through its MEPs in the European Parliament, there remain several key areas that require attention and action. Whilst in the short-term, it should continue to seek bilateral and multilateral agreement with fellow EU Member States in terms of burden sharing, and continue to voice its opinions, concerns, and solutions through its six MEPs in the European Parliament, Malta needs to persistently advocate towards the development of a Common European Asylum and Migration Policy which meets its priorities of burden sharing and greater EU-wide coordination to reach a long-term solution to the issue of irregular migration.

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