

ORGANISATIONS THAT CAN SUPPORT YOU Malta is home to several LGBTIQ entities, services and organisations that can be of support or provide you with information.

▶ The **Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics (SOGIGESC) Unit**, is part of the Human Rights Directorate. It advises government to ensure that human dignity is respected regardless of a person's LGBTIQ identity.

▶ The **International Protection Agency** is a government agency responsible for receiving and examining applications for international protection. International protection means that the beneficiaries would be protected from forced return to their country of origin because of problems related to persecution and/or serious human rights violations. LGBTIQ persons have been granted international protection and protected from return to their countries of origin where it was determined that they would be at risk of harm.

▶ The **United Nations High Commissioner for Refugees** office's main objective in Malta is to advocate for access to protection on appropriate terms and to promote durable solutions for all persons of concern. It advocates for a protection-sensitive asylum system and also works in strengthening the capacity of the country to react to migrant flows. UNHCR works to protect LGBTIQ refugees, asylum-seekers, stateless and internally displaced people.

▶ The **Malta LGBTIQ Rights Movement (MGRM)** runs the **Rainbow Support Service** which provides free psycho-social support to all LGBTIQ persons and their families. The Service also provides various safe social spaces for the community to meet in through the hosting of various activities.

▶ **Allied Rainbow Communities (ARC)** coordinates and organises the PrideMalta events, raises awareness on sexual and mental health, and seeks to bring members of the LGBTIQ community together through social activities. ARC runs the LGBTIQ portal www.gaymalta.com with information on news, events and community related issues. The website provides a calendar of LGBTIQ - events happening around the island.

▶ **aditus foundation** provides legal advice through its Pro Bono Unit (free legal aid) and is involved in ongoing advocacy work. Their focus is primarily Malta, but also work towards highlighting the regional & international dimensions of human rights in Malta. Areas of expertise include migration and LGBTIQ equality.

▶ **Drachma** is a space open to all persons who seek sexual and spiritual integration. It includes LGBTIQ persons, as well as friends and families who wish to meet to pray together and explore the intersections between sexuality, gender, gender identity, faith, spirituality and religion. It is a group largely inspired by the Roman Catholic teachings but is open to people coming from different religious backgrounds.



REACH OUT

Aditus Foundation	2010 6295
Agency for the Welfare of Asylum Seekers	2568 7200
Aġenzija Appoġġ	2295 9000
Allied Rainbow Communities	9927 2999
Drachma	7925 3875
Gender Wellbeing Clinic	7950 0299
GU Clinic	2122 7981
Intercultural and Anti-Racism Unit	2226 3210
Malta LGBTIQ Rights Movement	9925 5559
Malta Police Force	2122 4001
Rainbow Support Service	7943 0006
International Protection Agency	2125 5217
SOGIGESC Unit	2226 3210
UNHCR	2248 9400
Victim Support Malta	2122 8333

Human Rights Directorate
A3 Towers, Level 0, Triq I-Arkata,
Paola, PLA 1211
Malta

+356 2226 3210
hrd@gov.mt
www.humanrights.gov.mt



from pink triangles
to rainbows

WELCOME

If you have come across the rainbow colours before, then this leaflet might be for you. You may be feeling scared and alone, and seeing a welcoming sign might make you feel that you have arrived at the right place.

You can apply for international protection in Malta if you cannot go back to your country of origin because you have been persecuted, or you are at risk of being persecuted. This can be because of your race, religion, nationality, membership of a particular social group (for example being LGBTIQ), or political opinion.

Once you lodge your application with the International Protection Agency, you receive the status of asylum-seeker, having the right to remain in Malta until you receive a final decision. You will be given a certificate confirming your status.

You will first be asked about your basic details and the way you arrived in Malta during the formal lodging of your application. Following this, you will be called

for your personal interview with a case officer where you will have to explain in detail the reason(s) why you had to leave and why you cannot go back to your country of origin. You may seek the help of a lawyer during this process, including for the interview with the International Protection Agency.

After that, you will receive a decision. If it is positive, you will be able to remain in Malta. If it is negative, you have the right to challenge it before the International Protection Appeals Tribunal and to be assisted by a lawyer. You can also apply for legal aid provided for free by the state.

Disclaimer: This leaflet does not purport to give legal advice. The information contained within it is correct as of date of publication.

LGBTIQ

Lesbian a woman who is physically and emotionally attracted to other women.

Gay a man who is physically and emotionally attracted to other men.

Bisexual any person who is physically and emotionally attracted to people of more than one gender.

Trans A person who feels that the sex that they were assigned at birth does not match the gender they identify with.

Intersex a biological variation where a person's body is not fully male or female, both or neither.

Queer a term that some LGBTIQ individuals use.

Non-binary a person who feels that their gender identity is neither male or female.

LAW AND POLICY FRAMEWORK

This is a little information which can allow you to better understand the country that you are now living in if you are an LGBTIQ asylum seeker.

MARRIAGE

In Malta it is possible for any two people to get married or to enter a civil union. This includes the right to be recognised as the parent of your children, to access reproductive health services or to apply to be an adoptive parent. This will only be possible after a refugee status or subsidiary protection is granted.

LEGAL GENDER RECOGNITION

In Malta, each person decides for themselves whether they are a man or a woman, and whether they have a male, female, or intersex body. This also means that everyone has the right to be treated according to their gender identity at all times.

A person granted international protection and wishing to change their legal gender can make a declaration before a notary and submit it to the International Protection Agency. Your documents will then be

amended accordingly. This means that you must wait till your asylum claim has been decided in your favour, for your gender identity to be legally recognised, and to have identity documents that reflect your gender identity and preferred name. You can still choose to live according to your gender identity throughout your stay in Malta. It is also possible to have an X marker rather than M or F on your identity documents.

HATE SPEECH AND HATE CRIME

In Malta, it is a criminal offence to speak or act in a manner which is likely to stir up hate and violence towards a particular group. This includes actions or speech which incite hate or violence towards a particular gender, gender identity, sexual orientation, race, colour, language, ethnic origin, religion or belief or political opinion.

Any person, no matter their status, is protected against harm, and if you feel that you are a victim of a crime, you should seek support and file an official report with the Malta Police Force. The Victim Support Unit within the Malta Police Force can also help you.

HEALTH SERVICES

Asylum seekers are able to access emergency healthcare and care for serious mental conditions. Malta's major hospital is **Mater Dei Hospital** which is in Msida. Malta also has a number of healthcare clinics in different localities.

The Government of Malta has set up the **Gender Wellbeing Clinic** offering specialised services for trans, genderqueer and intersex persons. The clinic provides psychosocial support services including psychologist sessions and family therapy as well as voice therapy and hormone prescriptions. Referrals to the clinic can be made by a family doctor, psychologist, counsellor or social worker. This service is free for those who have refugee status.

Men who have sex with men are at higher risk of being infected with a sexually transmitted infection (STI) such as HIV. You can get free testing for STIs through the **GU clinic** in Mater Dei Hospital. Most people can live a normal healthy life even after being infected with an STI, with proper treatment. With the right treatment for HIV, the person will also not infect others. Testing at the Clinic is also available for asylum seekers who are still awaiting a decision by the International Protection Agency on their status in Malta.



INTEGRATION

The **Intercultural and Anti-Racism Unit** takes care of the day-to-day implementation of the Migrant Integration Strategy and the Action Plan. It serves as the main governmental coordinating body that imparts information, receives integration requests and follows migrants' progress on their integration in Malta. The **'I Belong' Programme** aims to provide a holistic approach to integration. The first step in this direction would be through the knowledge of the country's official languages and cultural awareness. The Intercultural and Anti-Racism Unit offers Maltese and English language and Cultural Orientation courses at two stages. Information and applications: ibelongcourses@gov.mt

