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The Critical Role of Government in Maltese Diaspora Engagement

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ABSTRACT

At the Convention of Leaders of Associations of Maltese Abroad and of Maltese Origin held in Malta in 2000 it was resolved that a Federation of Maltese Abroad (FOMA) be established. Unfortunately FOMA has failed to achieve its objectives.

In this paper, the authors –

- *suggest an approach for the revival of FOMA with specific responsibilities and the maintenance of its independence as an umbrella organisation of Maltese communities overseas;*
- *present the results of their research on diasporas and related issues as well as on diaspora engagement models implemented by governments around the world;*
- *conclude that these benchmark models go way beyond any model considered so far by the Government for Maltese Diaspora engagement;*
- *argue that the Government has a critical role to play in bringing about effective Maltese Diaspora engagement and should match these diaspora engagement benchmarks set by other governments;*
- *propose the creation of a statutory body to be called ‘Maltese Diaspora Commission’ as the most appropriate means to this end in the Maltese context;*
- *propose the assignment of responsibility for ‘Maltese Diaspora Affairs’ to a newly established position of Parliamentary Secretary for Maltese Diaspora Affairs within the Office of the Prime Minister or the Ministry of Foreign Affairs.*

1 Introduction

- 1.1 One of the resolutions passed at the Convention of Leaders of Associations of Maltese Abroad and of Maltese Origin held in Malta in 2000 related to the establishment of a Federation of Maltese Abroad (FOMA). Its stated objectives were to ensure unity among Maltese living in various countries, follow up the recommendations of the 2000 Convention to ensure they come to fruition, act as an advocate and lobbyist on behalf of the Maltese abroad, and ensure effective and regular communication among Maltese living abroad.¹
- 1.2 Unfortunately FOMA has not achieved its objectives. As far as the authors can ascertain, there has been no formal organisation set up with a proper constitution and no formal engagement *modus operandi* agreed with the Government of Malta. In terms of “ensuring effective and regular communication among Maltese living abroad”, there has simply been no communication about FOMA activities among Maltese living overseas since the passing of the above mentioned resolution ten years ago.
- 1.3 In this paper, the authors -
- explore the meaning and characteristics of a ‘diaspora’ and diaspora policies;
 - consider the reasons behind the rise the number of origin-state governments recognising the importance of strengthening ties with their diaspora in recent years;
 - discuss the challenges that origin-state governments in developing diaspora policies that effectively protect the interests of Maltese living abroad;
 - present a compelling case for the Maltese Government to match the diaspora engagement benchmarks set by other governments around the world;
 - discuss the future of FOMA and its potential role as an umbrella organisation of Maltese communities overseas and suggest a new approach for its revival; and
 - propose the establishment of a statutory body, the *Maltese Diaspora Commission*, and the creation of a new position of Parliamentary Secretary for Maltese Diaspora Affairs as a more effective Maltese Diaspora engagement model.

¹ Ministry of Foreign Affairs, Proceedings and Report – Convention of Leaders of Associations of Maltese Abroad and Of Maltese Origin, Malta, 2000, p.499

2 The meaning of 'Diaspora'

2.1 The term 'diaspora' is derived from the ancient Greek word *diaspeirein*, which means "to sow or scatter".² In a research paper recently published, Dr Michael Fullilove, Director of the Global Issues Program at the Lowy Institute for International Policy in Sydney, Australia, reviews a range of definitions of the term as used in the literature and concludes that, "taken at its broadest, a diaspora is a self-identified cultural community which has been dispersed from, but maintains links with, its place of origin."³

2.2 Fullilove highlights two important elements of this definition:

"First, diasporas are transnational: as Samuel Huntington puts it, they 'cut across state boundaries'.⁴ ... Second, self-definition is key. The existence of a diaspora requires more than a mere population of expatriates. It requires members of a community to continue to identify with their homeland, and to cultivate ties both between themselves and with the homeland."⁵

He goes on to suggest that "diasporas should not be thought of in terms of citizenship or the number of generations since emigration, but rather in terms of *connectedness*."⁶

2.3 The vastly improved means of communication over recent decades have facilitated the manner in which diasporas connect to their country of origin. As Fullilove observes, new means in the form of personal computers, satellite television, the internet, email, chat rooms, blogs, internet telephony such as *Skype*, video-sharing sites such as YouTube, and social networking communities such as *Facebook* and *MySpace* have supplanted the traditional means of the telegraph, the print media, radio, television and international telephony.⁷ These new means have ensured instant information flows and more frequent 'virtual' interactions among members of a diaspora, who are physically distant from each other, contributing to the strengthening of diaspora communities.

2.4 British journalist John O'Sullivan observed that this kind of technological progress 'is not equal in its impact. It especially fosters cooperation among people who speak the same

² R. J. Johnston et al, *Dictionary of human geography*. 4th ed. Oxford, Blackwell Publishers, 2000; William R. Trumble and Angus Stevenson (eds), *Shorter Oxford English dictionary on historical principles*. 5th ed. Oxford, Oxford University Press, 2002

³ Fullilove, Michael, *World Wide Webs: Diasporas and the International System*. Double Bay NSW, Lowy Institute Research Paper 22, Lowy Institute for International Studies, 2008, p 2

⁴ Huntington, Samuel, *Who are we? The challenges to America's national identity*. New York, Simon & Schuster, 2004, pp 258-277

⁵ Fullilove, Michael, op. cit., p 2

⁶ *Ibid.*, p 2

⁷ *Ibid.*, p 9

language and share the same cultural world... Its main international impact... is to elevate the importance of culture and downgrade that of geographical proximity.’⁸ These new technologies are often used by expatriates to keep up-to-date with the news from home, keep their social networks current and engage in business deals long-distance. Maltese living abroad, for instance, often read Maltese media websites and watch ‘vodcasts’ of the latest Maltese News bulletins online every day to keep abreast with what is going on in their country of origin.

- 2.5 As well as connecting people living in distant lands, Fullilove observes that “new technologies are also narrowing their vision, herding like-minded individuals towards each other. Diasporas have been at the leading edge of technological adoption because of the particular challenges arising from their dispersed audiences.⁹ Ethnic newspapers, music videos and online magazines have helped diasporas to maintain their distinct identities.”

3 The Population of the Maltese Diaspora

- 3.1 Estimating the exact size of the Maltese Diaspora population spread around the world has always been a challenge. The approach taken by the authors to derive a credible figure for this population is based on the following simple logic: it would be a fair assumption to make that the proportion of second and third generation Maltese to first generation in the main host countries, namely, Australia, Canada, NZ, UK and USA, is likely to be similar. Thus, if one were to apply the proportion of second and third generation Maltese to first generation living in Australia, as officially counted in the 2006 Census statistics, to the official census figures of Malta-born respondents in Canada, NZ, and UK and the figure for those of Maltese descent in the USA), one should be able to derive a realistic approximate figure of the total Maltese Diaspora.
- 3.2 The census form used in the 2006 Australian Census included an ‘ancestries’ question in addition to the usual ‘country of birth’ question. Respondents were asked to indicate up to two ancestries that they most closely identified with and to consider their ancestry as far back as two generations (i.e. parents and grand parents). According to the census results, 43,708 respondents chose Malta as their country of birth and 153,805 indicated their

⁸ O’Sullivan, John, “The real British disease”, *The New Criterion*, September 2005, pp 16-23, p 21, cited in Fullilove, Michael, op. cit., p 9

⁹ Karim, Karim H., “Mapping diasporic mediascapes”, in *The media of diaspora*, edited by Karim H. Karim. London, Routledge, 2003, p 12, cited in Fullilove, Michael, op. cit., p 9

ancestry as ‘Maltese’. By simple subtraction, one would conclude that 110,097 are second and third generation Maltese. In other words, for about every **two** first generation person there are about **five** second and third generation persons living in Australia.

3.3 Using the logic described in paragraph 3.1 above and applying the 5 to 2 ratio of second and third generation Maltese to first generation in Australia derived in paragraph 3.2 above, one can reasonably extrapolate the total number of persons of Maltese ancestry living in Canada, NZ, UK and USA. Table 1 below provides a breakdown of these figures:

Country	First Generation	Source	2nd and 3rd Generations	Source	Total	Source
Australia	43,708	Australian Census 2006	110,097	Estimated	153,805	Australian Census 2006
Canada	30,000	Canadian Census 1996	75,568	Estimated	105,568	Estimated
NZ	363	Ministry of Foreign Affairs & Trade	914	Estimated	1,277	Estimated
UK	30,178	UK Census 2001	76,016	Estimated	106,194	Estimated
USA	14,405	Estimated	36,286	Estimated	50,691	American Community Survey 2008
TOTAL	118,654		298,881		417,535	

Table 1: Maltese Population Living in Australia, Canada, NZ, UK & USA

3.4 The important conclusion from the above analysis and calculation is that the size of the Maltese Diaspora is significant. Conservatively, it is at least equivalent to the size of the population of Malta (estimated at 411,452 in 2008), as in round figures there are about 120,000 first generation and 300,000 second and third generation Maltese living overseas, making a total diaspora population of about 420,000.

4 The Rise of Diasporas

4.1 According to Fullilove, there is a large body of evidence to support the view that “diaspora consciousness is on the rise – for individual diasporans, for homelands and for host countries.” He observes that “Diasporans have always felt memories of their past tugging at them, but in a globalised world the pull is, for many, getting stronger – and easier to satisfy. That people are becoming more interested in, and knowledgeable about, their original homelands (or that of their ancestors) is showing up in different indicia, such as the international news they follow, or the sporting teams they back, or the culture they consume. Diaspora Organisations ... are coalescing in order to facilitate networking and mentoring among professionals; others are lobbying tenaciously for extended political rights.”¹⁰

¹⁰ Fullilove, Michael, op. cit., p 3

- 4.2 Diasporic feeling is also being expressed in the arts.¹¹ For example, visitors to *The British Museum* are increasingly interested in their own ethnic and cultural histories: exhibitions of Bengali and Ghanaian objects produced sharp rises in visitor numbers from those local communities.¹²
- 4.3 Fullilove's research points to something important that has been happening in homelands. "Countries which long regarded their emigrants as second-raters, remittance drones or even traitors are now seeing them in a different light: as well-placed contacts, unofficial ambassadors and 'gold-collar workers'. An avalanche of reports advocating closer engagement is falling from think tanks and parliamentary committees in countries such as Canada, Australia and New Zealand."¹³
- 4.4 Other recent trends of activity in the diaspora context include states of origin:
- Attempting to network with their diasporas and heads of government reaching out rhetorically, such as, the former New Zealand Prime Minister Helen Clark saying 'our expatriates can see opportunities for us overseas through New Zealand eyes'¹⁴
 - Establishing new institutions (of varying usefulness), giving expatriates the vote and extending to them more muscular consular protection.¹⁵ For instance, in order to tap into the community of twenty-five million overseas Indians the Government of India set up a High Level Committee on the phenomenon and initiated a range of policy changes.

¹¹ Ibid., p 4

¹² Bryan Appleyard, "Behind the scenes at the British Museum", *The Sunday Times*, 6 May 2007 cited in Fullilove, Michael, *ibid.*, p 4

¹³ See, for example, Kenny Zhang, "Recognizing the Canadian diaspora", *Canada Asia Commentary*, 41, March 2006, Asia Pacific Foundation of Canada: www.asiapacific.ca/analysis/pubs/pdfs/commentary/cac41.pdf; Fullilove and Flutter, *Diaspora*; Australian Senate Legal and Constitutional Affairs Committee, *They still call Australia home: Inquiry into Australian expatriates*, 8 March 2005: www.aph.gov.au/Senate/committee/legcon_ctte/expats03/report/index.htm; Graeme Hugo, Dianne Rudd and Kevin Harris, *Australia's diaspora: Its size, nature and policy implications*. Committee for Economic Development of Australia, Information Paper 80, 2003; L.E.K. Consulting, *New Zealand talent initiative: Strategies for building a talented nation*. New Zealand Government, November 2001, p 20; cited in Fullilove, Michael, *ibid.*, p 4

¹⁴ Helen Clark, *Address to the NZ APEC Business Coalition*, 27 November 2002:

www.beehive.govt.nz/speech/address+nz+apec+business+coalition cited in Fullilove, Michael, *ibid.*, p 5

¹⁵ Fullilove, Michael, *ibid.*, p 6

4.5 According to Fullilove,¹⁶ there are at least five reasons for the new prominence and influence of diasporas, all connected with globalisation:

1. There has been a substantial (although not necessarily unprecedented) growth in the international movement of people.
2. The revolution in transport and communications technology is expanding the opportunities for people to live overseas, and quickening the pace of their interactions with their homelands.
3. The places where we look for and find our sense of identity seem to be changing. Partly as a reaction against the forces of globalisation, people are rethinking their identities and redefining them in what Huntington calls ‘narrower, more intimate, communal terms’. Technology allows individuals both to ‘mix with others’ and ‘huddle with their own’.¹⁷
4. The end of the Cold War has reduced the global importance of ideology, but the shake-up that ensued has pushed diasporas to the fore in other ways, too.
5. Finally, the ability of people to live and do business across borders has been enabled by changes of policy by national governments. Although the trend is not universal, most countries have moved in the direction of opening their economies up to the world.

5 Diaspora Policies and Globalisation

5.1 The formulation of diaspora policies and the engagement with diasporas have been, and still are, two significant challenges for governments of origin-states. However, before we review the manner in which some governments around the world have tackled this issue and set some benchmarks, we should explore the meaning of ‘diaspora policies’.

5.2 In his recent Working Paper titled *Why Engage Diasporas?* Alan Gamlen from the ESRC Centre on Migration, Policy and Society at the University of Oxford defines the term ‘diaspora policies’ as “state institutions and practices that apply to members of that state’s society who reside outside its borders. These range from state-sponsored celebrations and awards for expatriates, to bureaucratic units dedicated to the diaspora, to external voting

¹⁶ Fullilove, Michael, *ibid.*, p 7-12

¹⁷ Huntington, *Who are we?*, pp 13-14, 144. See also Robin Cohen, “Diasporas and the nation-state: From victims to challengers”, *International Affairs* 72 (3) 1996, pp 507-520, p 512, cited in Fullilove, Michael, *ibid.*, p 11

rights and bilateral agreements on social security and pension transferability, right through to the range of mechanisms through which origin states attempt to extract finances, expertise, and influence from their diasporas. In short, they consist of that portion of the state machinery which protrudes beyond territory.”¹⁸

5.3 Gamlen observes that, while “there has been an overemphasis on what is novel, transformative or otherwise normal about diaspora policies, [there has not been] enough recognition that all states are to a certain extent de-territorialized.”¹⁹ Gamlen goes on to point out that –

“the tools themselves are commonplace; it is the techniques to use them that remain underdeveloped. Relatively few governments see diaspora policy as a distinct issue area, and they do not deliberately pursue coherence between the different state mechanisms through which they impact on diasporas. Most of what goes on is ad hoc and arbitrary, and reflects the different interests and historical trajectories of different institutions. For example, bilateral agreements and consular services reflect foreign policy imperatives despite the fact that emigrant citizens are their end users.”²⁰

5.4 Given this apparent lack of genuine interest in diaspora policies by governments, Gamlen concludes that –

“the result is that, when it comes to the diaspora dimension of policies and institutions, inefficient and unjust outcomes that would be subject to thought, planning and oversight in a domestic context, are overlooked in diaspora contexts. Thus, improving diaspora policies is in large part a matter of improving the coherence of what is already taking place in the area of state-diaspora relations, rather than doing something entirely new.”²¹

5.5 In his paper, Gamlen proposes three key arguments about why good diaspora policies are important to policy makers at the national and supranational or global level²²:

- First, migrant-sending countries’ interests are served by better diaspora policies. This is an empirically-based efficiency argument, that draws attention on one hand to the imperatives that transnationalism presents to the existing state institutions

¹⁸ Gamlen, Alan, *Why Engage Diasporas?*, ESRC Centre on Migration, Policy and Society, Working Paper No. 63, University of Oxford, 2008, p 5

¹⁹ *ibid.* p 5

²⁰ *ibid.*, p 5

²¹ *ibid.*, p 5

²² *ibid.*, p 6

and policies, and on the other hand to opportunities arising from the supposed connections between migration and development.

- Second, migrant-sending states have an obligation to treat their diasporas fairly, which means ensuring that their inevitable impacts on diasporas are not arbitrary, exploitative or preferential.
- Third, and finally, cooperation in the global governance of migration requires good governance in the area of state-diaspora relations.

5.6 Gamlen offers two reasons why it is in the interests of origin states to form better diaspora policies: firstly the involvement of diasporas presents origin states with certain policy imperatives, and secondly such policies may offer unique opportunities to further national interests.²³

5.7 Historically, origin-state governments have found it difficult to effectively engage with their diasporas because, as Fullilove puts it, “it is outside their *raison d’être*, which is to monopolise legitimate authority within a delineated territory.” He refers to historian Charles Maier, who had described how nation-states consolidated themselves in the second half of the nineteenth century by filling their territories with prefectures, post offices, infrastructure and newspapers, stringing telegraph and telephone lines from border to border and criss-crossing their land with railroad lines. As a result, ‘far more points within the state’s territory could be supervised by administrators, opened for economic exploitation, mobilized for national purposes.’ However, the last forty years have seen, to some extent, ‘the waning of territoriality’, as territory ‘fades in importance as a political and economic resource’,²⁴ symbolised by the rise of the microchip and the 9/11 atrocity. Without exaggerating the point, both prosperity and security increasingly derive from networks, not bounded spaces.²⁵

5.8 With the arrival and extensive impact of globalisation, states have become more conscious of this change and are attempting to adjust by reshaping their economies, reforming their armed forces and, in recent times, engaging more with their people overseas. However, as Fullilove observes, “these extra-jurisdictional efforts are often clunky and ineffective: it is

²³ *ibid*, p 6

²⁴ Maier, Charles S., “Consigning the twentieth century to history: Alternative narratives for the modern era”, *American Historical Review* 105 (3) 2000, pp 807-831, see especially pp 815, 819-820, 823, 829.

²⁵ Fullilove, *ibid* p 13

very difficult for governments to know where their people are living and what they are doing, let alone to influence their behaviour.”²⁶

- 5.9 Fullilove claims that “The diaspora organisations which are springing up are nimbler than national governments but they, too, often find it difficult to organise their fellows. The leaders of these groups are not always representative and often they are not even elected. Sometimes well-known groups amount to less than they first appear: one government official compares dealing with diaspora organisations to putting his hand into a pillar of smoke. In other words, diasporas are becoming more powerful and prominent – but no easier to marshal or direct.”²⁷

6 The Role of Government in Diaspora Engagement

- 6.1 Upon reviewing the models that various countries have adopted to establish strong links and relationships with their diaspora, the common denominator that clearly emerges from all the models is the critical role that the government plays in institutionalising the diaspora engagement. Without buy-in and appropriate support from governments, any attempt at establishing an effective vehicle to establish and maintain robust links is destined to fail.
- 6.2 Governments that are seriously committed to effective diaspora engagement have elevated its status and importance by establishing diaspora portfolio responsibilities at Ministry or sub-Ministry level or by creating a statutory organisation through an Act of Parliament.
- 6.3 Table 2 below lists those countries whose government established a Ministry for diaspora affairs:

Country	Responsible Portfolio
Armenia*	Ministry of Diaspora
Bangladesh*	Ministry of Expatriates' Welfare and Overseas Employment
Benin	Ministry for Foreign Affairs, African Integration, the Francophone Community, and Beninese Abroad
Dominica	Ministry of Trade, Industry, Consumer and Diaspora Affairs
Georgia*	State Ministry for Diaspora Issues
Haiti*	Ministry of Haitians Living Abroad
India*	Ministry of Overseas Indian Affairs
Lebanon	Ministry of Foreign Affairs and Emigrants
Mali	Ministry of Malians Abroad and African Integration
Serbia*	Ministry for Diaspora

²⁶ *ibid*, p 13

²⁷ *ibid*, p 14

Country	Responsible Portfolio
Somalia	Ministry for Diaspora and Community Affairs
Sri Lanka*	Ministry of Foreign Employment Promotion and Welfare
Syria*	Ministry of Expatriates
Tunisia	Ministry of Social Affairs, Solidarity and Tunisians Abroad
Yemen*	Ministry of Expatriate Affairs

* Ministry dedicated to diaspora

Table 2: Origin-State Governments with Diaspora responsibilities at Ministry Level²⁸

6.4 Table 3 lists those countries whose government established a sub-Ministry for diaspora affairs:

Country	Responsible Portfolio
Albania	The National Diaspora Institute, Ministry of Foreign Affairs
Chile	Ministry of Foreign Affairs, General Office for Consular and Immigration Services; Office for Chileans Abroad
El Salvador	Vice Ministry for Salvadorans Abroad, Ministry of Foreign Affairs
Ethiopia	Ministry of Foreign Affairs, Ethiopian Expatriate Affairs
Lebanon	Department for Diaspora Affairs, Ministry of Foreign Affairs and Emigrants
Mexico	Secretariat of Foreign Affairs, Sub-secretariat for North America; Institute for Mexicans Abroad
Peru	Undersecretary for Peruvians Abroad, Ministry of Foreign Relations
Philippines	Department of Labor, Overseas Workers Welfare Administration; Department of Labor, Philippine Overseas Employment Administration; Department of Foreign Affairs, Office of the Undersecretary for Migrant Workers' Affairs
Poland	Department for Polonia (Polish Diaspora Affairs), Ministry of Foreign Affairs
Romania	Department for Relations with the Romanians Abroad, Ministry of Foreign Affairs,
Uruguay	Directorate General for Consular Affairs and Expatriate Ties, Ministry of Foreign Affairs,

Table 3: Origin-State Governments with Diaspora responsibilities at Sub-Ministry Level²⁹

6.5 Table 4 lists those countries whose government institutionalised Diaspora engagement through legislation:

Country	Organisation	Responsible Portfolio	Year
France	Senior Council of the French Abroad	Ministry of Foreign Affairs	1948
Greece	General Secretariat for Greeks Abroad	Ministry of Foreign Affairs	1983
Italy	<ul style="list-style-type: none"> General Council of Italians Abroad (CGIE) Directorate General for Italians Abroad and Immigration Policies 	Ministry of Foreign Affairs	1989
Poland	<ul style="list-style-type: none"> Parliamentary Committee for Diaspora Affairs Inter-Governmental Committee 	Ministry of Foreign Affairs	Not known
South Korea	<ul style="list-style-type: none"> Committee of Korean Residents Abroad Overseas Koreans Foundation 	Ministry of Foreign Affairs	Not known

Table 4: Origin-State Governments establishing statutory Diaspora Organisations³⁰

²⁸ Dovelyn Rannveig Agunias, *Institutionalizing Diaspora Engagement within Migrant-Origin Governments*, Migration Policy Institute, www.migrationpolicy.org, Washington DC, 22 Sept 2009

²⁹ Ibid. and *Report of the High Level Committee on the Indian Diaspora*, Govt. of India, Ch. 37, 19 December 2001

For more detailed information refer to *Appendix A*.

- 6.6 It begs the question to ask why so many countries have recognised that there is a special need to institutionalise diaspora engagement by establishing appropriate structures to support and strengthen connections between their diaspora and the mother country.

7 Institutionalising the Maltese Diaspora Engagement

- 7.1 On several occasions Malta Government leaders have rightly acknowledged the importance of establishing strong ties with the Maltese communities overseas. As the Minister of Foreign Affairs, the Hon Dr Tonio Borg, states on the 2010 Convention website's welcome page: "Your presence as communities living outside our shores, can be a great opportunity to exploit and enhance links so crucial to consolidating, not only the relationship between us, but also between one State and another."
- 7.2 However, so far, it would seem that a truly effective vehicle required to institutionalise the Government's engagement with the Maltese Diaspora has been elusive.
- 7.3 The various attempts made to date by both sides at finding the right instrument to strengthen the ties between Government and Diaspora have been, by and large, fruitless. Earlier in this paper the authors made reference to the unsuccessful attempt on the part of the Maltese Diaspora at setting up FOMA over the past ten years.
- 7.4 In 1992 the Malta Government established an advisory committee and a secretariat within the Ministry of Education and Human Resources that was called the 'Commission for the Maltese Abroad'. Its key objectives were to deal with issues relating to migration, collect relevant statistics and advise the Minister on related matters. This initiative was a step in the right direction but, unfortunately, for various reasons, this Commission has ceased to function. Unlike the 1992 Commission, the *Maltese Diaspora Commission*, as proposed in this paper, would be established by appropriate legislation as a statutory body with defined objectives and responsibilities and have on its membership direct Diaspora representation by persons who reside overseas and, therefore, have current knowledge of the conditions and concerns of the Maltese living abroad.

³⁰ *Report of the High Level Committee on the Indian Diaspora*, Govt. of India, Ch. 37, 19 December 2001; and *They still call Australia home: Inquiry into Australian expatriates*, Senate Legal and Constitutional References Committee Report, Canberra, Australia, Ch. 8, March 2005

- 7.5 The latest Government initiative, through the Ministry of Foreign Affairs, consisted of the establishment of the role of a ‘Desk Officer Maltese Communities Abroad’ about a year and a half ago, which was assigned the task of servicing and bringing to the Minister’s attention any matters of concern to the Maltese communities overseas.
- 7.6 While the intention of the Government in setting up the Desk is commendable, the appropriateness and effectiveness of the initiative is questionable for the following reasons:
- There has been insufficient publicity among the Maltese communities overseas regarding the establishment and functions of the role. Information about the role is not easily accessible. A search for information about the role performed on the Ministry of Foreign Affairs website in early February 2010 yielded no results, as did a general internet search.
 - Considering that there are over half a million people of Maltese extraction resident overseas, it is simply not humanly possible for one person to effectively perform such a role and to live up to the unrealistic expectations placed on it.
 - The Maltese communities abroad are not aware of the level of relevant professional skills and experience that the incumbent in the role may have and, particularly, of the incumbent’s ability to influence and work with other government departments and agencies in order to successfully negotiate the provision of services required by members of the Maltese communities overseas.
 - Within the Maltese political system, the Desk Officer Maltese Communities Abroad has no standing among the Maltese communities overseas and one would suggest that it would be much more appropriate and desirable for the interests of the Maltese communities abroad to be represented directly at least by a Parliamentary Secretary accountable to the Minister of Foreign Affairs.
- 7.7 When compared with the higher benchmarks that other governments around the world of different political colours and persuasions have set in relation to diaspora engagement, as described in Section 6 above, this latest Government initiative to strengthen its ties and relationships with the Maltese Diaspora falls considerably short of the mark.
- 7.8 The authors firmly believe that the time has come for the Government to follow the lead of so many countries around the world and institutionalise the Maltese Diaspora engagement. Of the three main models used by governments, namely, Ministry level, departmental (sub-

Ministry) level and statutory body, the authors would argue that the most effective model to achieve such an objective in the Maltese context would be the establishment of a statutory body in the form of a commission. Such action would elevate the Government's engagement and relationship with the Maltese Diaspora to a much desired and well overdue higher level, commensurate with solutions implemented by other countries and more appropriate in times of greater government awareness of the significant value that stronger ties with diasporas would add. It would also enable direct participation by the Maltese Diaspora, through its representatives on the commission, in the political discussion and bureaucratic process through which government policy that may have an impact on the Diaspora is developed.

- 7.9 One would hope and expect that there would be the same bipartisan support from both major political parties in Malta for such a proposal as there was in favour of dual citizenship, when it was granted by the Maltese Parliament to Maltese resident overseas in recent years through amendments made to the Maltese nationality laws.
- 7.10 The authors would expect that the idea of institutionalising the Maltese Diaspora in the proposed manner may encounter some initial resistance from some quarters in the local political debate and may even be viewed by some politicians as not being a vote-catching venture and, thus, not worthwhile. It is, therefore, critically important that, in fairly evaluating the merits of this proposal, one fully appreciates that it has highly beneficial consequences for both the Government and the "invisible" half of the Maltese population that lives overseas. The substantial benefits that would be derived from this proposal to both sides would far outweigh the nominal financial costs involved, consisting mainly of the salaries of a Parliamentary Secretary and the Commission staff.
- 7.11 There may be some who would have us believe that a better way of dealing with the Diaspora engagement issue would be to set up some kind of a Maltese cultural institute, along the lines of the 'Alliance Française' funded by the French government, or the 'Circolo Dante Alighieri' by the Italian. The authors forcefully reject such a suggestion because its proponents fail to understand the very clear difference between the goals and objectives of a cultural institute and those of the above proposal. While the key objective of cultural institutes is to spread and support the relevant culture and language in other countries, the idea of establishing a strong Government-Diaspora engagement model in the

form of a commission and exploiting it as a vehicle and mechanism to nurture closer ties and relationships with, and to safeguard the interests of, the large Maltese Diaspora well transcends the objectives of cultural institutes.

8 The Proposed Maltese Diaspora Commission

- 8.1 The two key proposals put forward in this paper consist of the establishment by an Act of the Maltese Parliament of a commission to be named *Maltese Diaspora Commission* (“the MDC”) – *Kummissjoni Dijaspora Maltija* in Maltese – and the creation and assignment of the corresponding responsibility for ‘Maltese Diaspora Affairs’ to the portfolio of a newly established position of Parliamentary Secretary for Maltese Diaspora Affairs accountable to the Minister of Foreign Affairs.
- 8.2 In order to establish the MDC, the Government would need to announce its intention to set up the commission for the purpose of institutionalising its engagement with the Maltese Diaspora. The Minister of Foreign Affairs would appoint a Working Group, consisting of persons with relevant and appropriate background and experience and ideally chaired by a Parliamentary Secretary within the Ministry, to carry out the activities required to set up the MDC, including the preparation of the relevant legislation through the Office of the Parliamentary Draftsman.
- 8.3 The legislation would set out its purpose and define the objectives and functions of the MDC and other provisions typically found in similar laws. Reference is made to *Appendix B* below which provides a set of suggested provisions for the creation of the MDC modelled on those found in the *Equal Opportunities (Persons with Disability) Act 2000* passed by the Maltese Parliament, setting up the ‘National Commission Persons with Disability’. The goals and objectives are further modelled on those of the ‘General Council of Italians Abroad’ (known by its Italian acronym CGIE, i.e. *Consiglio Generale degli Italiani all'Estero*), as established under Law No. 368 of 6 November 1989 of the Italian Parliament.
- 8.4 The key statutory provisions suggested in *Appendix B* may be summarised as follows:
- The MDC would be composed of not less than nine members to be appointed by the Prime Minister on the advice of the Minister of Foreign Affairs.

- Five members would be selected from among such persons who have appropriate skills and leadership experience in the Maltese diplomatic corps, in the provision of consular services overseas, in international business and commerce, or extensive experience in the nature, operations and functions of Maltese communities overseas, having lived for some time overseas among those communities.
- The remaining four members would be appointed from among such persons residing overseas who best represent Maltese communities overseas and are respectively selected from each of the following four geographical regions/countries:
 - Australia/NZ;
 - Canada;
 - United Kingdom; and
 - United States of America.
- The Maltese community organisations in the relevant region or country would nominate to FOMA³¹ suitable candidates for the four overseas resident member positions on the Commission. FOMA would recommend its preferred nominees to the Minister for Foreign Affairs, who would advise the Prime Minister to make these appointments.
- The Prime Minister would appoint a Chairman and a Deputy Chairman from among the five members of the Commission residing in Malta.
- The four members of the Commission who reside overseas would be required to participate in Commission meetings by teleconference.
- At least once a year the members of the Commission who reside overseas would be provided with the opportunity to attend a meeting of the Commission in person in Malta and reimbursed all reasonable air travel and accommodation costs.
- The *objectives* of the MDC would be:
 - to promote and improve the quality of life of Maltese communities and of their individual members residing abroad;
 - to strengthen the connection between these communities and Malta's political, cultural, economic and social life;
 - to ensure a more effective protection of the rights of Maltese communities and of their individual members residing abroad;

³¹ refer to Section 9 below for a discussion on the future role of FOMA

- to assist Maltese expatriates to maintain their cultural and linguistic identity; and
- to enhance the integration of Maltese communities into their host countries and participation in the activities of their local communities.
- The *functions* of the MDC would include:
 - examining, in accordance with Malta's political, cultural, economic and social development, all the concerns affecting communities abroad;
 - formulate, upon the request of the Government, advice and, upon its own initiative, proposals and recommendations relating to local and EU legislative, administrative or electoral initiatives;
 - promoting studies and research on topics concerning Maltese living abroad and communities of Maltese origin throughout the world and publishing statistics that would provide insight into current and emerging Maltese Diaspora issues;
 - verifying and promoting processes for the integration of Maltese communities within the social and economic/productive structures of their host country in addition to strengthening the national identity of Maltese communities abroad;
 - ensuring the necessary co-ordination between relevant government departments and agencies in implementing measures, services or initiatives proposed by government or proposed by the Commission from time to time;
 - monitoring the provision of services offered by government or its agencies, where the clients of such services are of Maltese background living overseas;
 - establishing and maintaining a strong relationship and an open two-way communication channel with FOMA to ensure matters of concern to the Maltese communities overseas are fully investigated and their interests effectively protected; and
 - establishing and maintaining contact with the World Diaspora Organization (WDO)³² and diaspora bodies and organisations of other countries in order to ensure that the Commission keeps abreast with international developments in the field of diaspora affairs and participates in any related global initiatives.

³² The Diaspora World Organization is a forum for Diaspora umbrella organizations. The first Congress of the World Diaspora Organization was held at the Parliament Building in Serbia on 24 May 2008 and attended by five hundred delegates drawn from Diaspora statesmen and leaders, ambassadors, ministers, representatives of UN and international NGO organizations. (Wikipedia, http://en.wikipedia.org/wiki/World_Diaspora_Organization)

8.5 To ensure that the establishment of the MDC is properly implemented, the Working Group's activities would need to be managed as a proper project, using standard project management discipline and rigour. This would require a clear definition of the Working Group's terms of reference, roles and responsibilities, project goals and objectives, milestones, deliverables with agreed timelines, a schedule of work with accountabilities, a register of issues and risks that are actively tracked and managed, and a stakeholder engagement and communications plan.

8.6 One of the Working Group's terms of reference would set a timeframe for the completion of its work that would ensure that the relevant legislation would be enacted within 12 months from the conclusion of this Convention.

9 The Future Role of FOMA

9.1 The resolution passed at the 2000 Convention was unanimously approved by the delegates. Their vision for FOMA was to establish a world umbrella organisation for the Maltese communities overseas that would lobby the Government on matters affecting them. The authors believe that this vision is still as valid today as it was ten years ago.

9.2 There are several reasons why FOMA was not as successful as was hoped, when the resolution was approved, in achieving its objectives. In their view, the authors believe that these reasons included:

- While fully committed to the FOMA vision, the Working Group members chosen at the 2000 Convention were, due to professional and other personal commitments, unable to devote the time required to establish the organisation and to maintain the momentum required to raise its profile among the Maltese living abroad.
- There was no draft constitution developed for FOMA for circulation, discussion and agreement with the constituent Maltese community organisations overseas in order to define FOMA's critical characteristics, such as, a set of detailed goals and objectives, the election or appointment of Executive Committee members, terms of office, etc.
- There was no communication from the Working Group to the Maltese communities about progress, or lack thereof, in establishing FOMA, raising issues and describing challenges they encountered along the way with a view to engaging these communities in a discussion on ways to resolve them.

- No engagement model was developed and agreed between the FOMA Working Group and the Government, resulting in a lack of clarity on how the Government would engage with FOMA on policy matters and issues of concern affecting the Maltese Diaspora.

9.3 The authors believe that FOMA has a pivotal role to play as the world umbrella organisation representing Maltese communities abroad. Its key role is to act as the unified voice of the constituent Maltese community organisations by creating a practical process that enables them and their affiliated organisations at the country and local level to channel their concerns to the Government through FOMA.

9.4 A second aspect of FOMA's role would be to invite submissions from these Maltese community organisations on any issues referred to it by the proposed MDC and then consolidate the submissions received into a comprehensive FOMA submission to the MDC.

9.5 One of the important functions of FOMA would be to recommend to the Minister for Foreign Affairs its preferred nominees for the four overseas resident member positions on the proposed MDC from among the suitable candidates nominated by Maltese community organisations overseas.

9.6 In order to ensure that FOMA is established on a more secure footing this time around, a different approach needs to be taken. The proposed new approach would consist of the following:

- Members of the FOMA Working Group must be in a position to commit the time required for its establishment and development.
- There should be two rather than one member from each of the four host regions or countries, namely, Australia/New Zealand, Canada, UK and USA, in order to share the workload and provide support to one another.
- The first task of the FOMA Working Group should be to draw up a draft constitution to regulate the composition, functions and structure of FOMA, including membership of, and appointment to, the Executive Committee, its future operations and other relevant matters. This would need to be circulated for discussion and feedback to the Maltese communities abroad and eventually approved by a majority of the organisations represented at this Convention.

- To ensure that the establishment of FOMA is properly implemented, the FOMA Working Group's activities would need to be managed as a proper project, using standard project management discipline and rigour. This would require a clear definition of the Working Group's terms of reference, roles and responsibilities, project goals and objectives, milestones, deliverables with agreed timelines, a schedule of work with accountabilities, a register of issues and risks that are actively tracked and managed, and a stakeholder engagement and communications plan.
- The aim should be to complete the establishment phase within 12 months from the conclusion of this Convention. The final tasks of the FOMA Working Group would be to organise the election or appointment of the Executive Committee in accordance with the provisions of the approved FOMA constitution and hand over the management of FOMA to the incoming Committee members.

9.7 The authors believe that the proposed model consisting of the Maltese Diaspora Commission and FOMA for the engagement of the Maltese Diaspora is appropriate and could work quite successfully in the interest of the Maltese living abroad and the Maltese community in general. The MDC would be the responsibility of the Malta Government and accountable to it through the proposed Parliamentary Secretary for Maltese Diaspora Affairs, while FOMA would be a completely independent organisation accountable to its overseas community membership.

9.8 The authors believe that the two organisations have a separate, distinct and complementary role to play and there is no duplication of roles and responsibilities between them. Both organisations would work very closely together, with FOMA providing a channel into the Maltese communities abroad and making representations to the MDC on behalf of the Maltese living overseas. The MDC would have a direct link to Government and would be constantly passing on advice to the Government for consideration and action on any matters and issues referred to the MDC by FOMA.

10 Recommendations

10.1 In conclusion, it is recommended –

10.2 **That** the Government announce its intention to set up a commission as a statutory body to be named *Maltese Diaspora Commission* (“the MDC”) – *Kummissjoni Dijaspóra Maltija* in Maltese – for the purpose of institutionalising its engagement with the Maltese Diaspora.

10.3 **That** the Government create and assign the corresponding responsibility for ‘Maltese Diaspora Affairs’ to the portfolio of a newly established position of Parliamentary Secretary for Maltese Diaspora Affairs within the Office of the Prime Minister or the Ministry of Foreign Affairs.

10.4 **That** the Minister of Foreign Affairs appoint a Working Group, consisting of persons with relevant and appropriate background and experience and chaired by the proposed Parliamentary Secretary for Maltese Diaspora Affairs within the Ministry, to carry out the activities required to set up the MDC.

10.5 **That** the MDC Working Group’s activities be managed as a proper project using appropriate project management discipline and rigour.

10.6 **That** one of the MDC Working Group’s terms of reference sets a timeframe for the completion of its work that would ensure that the relevant legislation would be enacted within 12 months from the conclusion of this Convention.

10.7 **That** FOMA be revived as a world umbrella organisation representing the Maltese Diaspora independent of Government and as an important channel of communication between the proposed MDC and the Maltese communities overseas.

10.8 **That** a new FOMA Working Group be established, consisting of *two members* from each of the following four geographical regions/countries:

- Australia/NZ;
- Canada;
- United Kingdom; and
- United States of America.

in order to expeditiously draw up a draft constitution to regulate the composition, functions and structure of FOMA, circulate it to the Maltese communities organisations abroad for

discussion and feedback and eventual approval by a majority of those organisations represented at this Convention.

10.9 **That** the FOMA Working Group regularly report to the Maltese communities overseas in order to keep them informed on its activities and progress in establishing the organisation and, for this purpose, it would be essential to set up and maintain a FOMA internet website as the key channel of communication and means of circulation of draft documents for feedback by Maltese community organisations overseas.

10.10 **That** the FOMA Working Group's activities to set up the organisations be completed within a timeframe of 12 months from the conclusion of this Convention and be managed as a proper project using appropriate project management discipline and rigour.

10.11 **That** FOMA enter into and develop a meaningful and strong relationship with the proposed MDC in order to ensure that both collaborate and work closely together in advancing the interests of the Maltese living abroad and the Maltese community generally.

The authors wish to thank the Minister and Convention delegates for the consideration to be given to the above recommendations and other suggestions made in this Paper. It is their hope that this Paper will provide a basis for an informed and robust debate on an issue which has been of considerable concern to the Maltese living overseas.

APPENDIX A – Diaspora Engagement Models

The table below provides more information about the role of government in some countries where the diaspora engagement was institutionalised:

Country	Model
France	<ul style="list-style-type: none"> • The French diaspora are represented by the <i>Senior Council of the French Abroad</i>, which was established by the French Government in 1948. This organisation includes 150 members elected by electorally-registered French expatriates, and acts as an advisory body attached to the Ministry of Foreign Affairs. It is this Council which elects the 12 senators to the French Senate who have responsibility for representing the interests of expatriates. • The Council comprises a permanent office and a number of committees, and its members can be elected to some national boards. The Council also reports to the French Government on its research into problems that affect French expatriates.
Greece	<ul style="list-style-type: none"> • The <i>General Secretariat for Greeks Abroad (GSGA)</i> was established in 1983 as part of the Ministry of Foreign Affairs. It functions as an autonomous government entity with its own budget, headed by a Secretary General. The GSGA acts as a liaison between the Diaspora and Greek Government Ministries and other institutions that deal with specific issues affective the Greeks living abroad. Its administration consists of 70 civil servants. • The principal aims of the Secretariat include maintenance of the cultural and ethnic identity of Greek expatriates, and ensuring the smooth reintegration of Greek expatriates who return to Greece. The Secretariat plans and implements policy initiatives for its expatriates, and also: <ul style="list-style-type: none"> • provides economic assistance to organisations of Greeks abroad; • sponsors and publishes scientific research on expatriate issues; and • provides information to returning Greek expatriates on issues such as pensions, insurance, and legal and other issues that may be of concern in the repatriation process. • The <i>World Council of Hellenes Abroad</i> was founded in 1995 as an institutional umbrella representation of all Greek organisations abroad. The Council is a non-partisan, independent consultative body on matters of interest to Greeks abroad, comprised entirely of representatives from Diaspora organisations.
Italy	<ul style="list-style-type: none"> • The Foreign Ministry has a <i>Directorate General for Italians Abroad and Immigration Policies</i> headed by a Minister of State, with a budget of US \$66 million in 2001. • Around 2001 the Foreign Ministry established a <i>Crisis Management Unit</i> to respond to emergency situations involving Italian nationals abroad and provide assistance for their safety. • The Italian Government has organised an elaborate framework for regular interaction between the Diaspora, through the <i>General Council of Italians Abroad (CGIE)</i>. The CGIE has a total staff complement of 85 personnel, of which the Government appoints 29 from key national groups, such as, the immigration associations, political parties, trade unions, charitable institutions, and the press. The Minister of Foreign Affairs chairs it.

Country	Model
	<ul style="list-style-type: none"> • A vast network of associations of the Diaspora (COMITE) is established in locations with a minimum of 3,000 Italian nationals. • The Italian Parliament approved six seats in the Senate and 12 seats in the Lower House for Italian communities abroad who have a right to vote in general elections.
Lebanon	<ul style="list-style-type: none"> • The Ministry of Foreign Affairs coordinates all matters pertaining to fostering close links between Lebanon and its Diaspora through a dedicated <i>Department for Diaspora Affairs</i>. • The Lebanese Government also established an independent, non-political organisation called <i>World Lebanese Cultural Union</i> for the fostering of cultural contacts between Diaspora, especially its youth, and the motherland.
Poland	<ul style="list-style-type: none"> • Parliamentary Committees specifically for Diaspora Affairs focus on legislation relating to policy, financial and budgetary matters. • The Ministry of Foreign Affairs has a <i>Department for Polonia</i> (Polish Diaspora Affairs) headed by a Director, which works under a Deputy Minister. An Inter-Governmental Committee headed by the Deputy Minister in the Foreign Affairs Ministry and comprising representatives from the Ministries of Education, Culture, Finance, Internal Affairs and the Prime Minister's Office serves as the nodal agency. The strong network of NGOs, largely financed by the State, supports these activities.
South Korea	<ul style="list-style-type: none"> • South Korea has a <i>Committee of Korean Residents Abroad</i>, which includes the Prime Minister and other ministers amongst its 15 members. • The <i>Overseas Koreans Foundation</i>, a statutory body, holds conferences for expatriates and has websites for expatriates. As well as promoting cultural linkages, the Korean body has a focus on involving its expatriates in the economic development of South Korea.

Sources: Based on information contained in the *Report of the High Level Committee on the Indian Diaspora*, Govt. of India, Ch. 37, 19 December 2001; and *They still call Australia home: Inquiry into Australian expatriates*, Senate Legal and Constitutional References Committee Report, Canberra, Australia, Ch. 8, March 2005.

APPENDIX B – Suggested Provisions for *Maltese Diaspora Commission*

The following suggested statutory provisions for the establishment of the proposed ‘Maltese Diaspora Commission’ are modelled on those found in the *Equal Opportunities (Persons with Disability) Act 2000* that was passed by the Maltese Parliament and set up the ‘National Commission Persons with Disability’.

The goals and objectives below are modelled on those of the ‘General Council of Italians Abroad’ (known by its Italian acronym CGIE, i.e. *Consiglio Generale degli Italiani all'Estero*), as established under Law No. 368 of 6 November 1989 of the Italian Parliament.

Appointment and composition of the Maltese Diaspora Commission

1. (1) The Prime Minister shall upon the advice of the Minister of Foreign Affairs (hereinafter referred to as “the Minister”) appoint a Commission, called the **Maltese Diaspora Commission** (hereinafter referred to as “the Commission”) composed of not less than nine members.

(2) Five of the members shall be appointed from among such persons appearing to the Prime Minister to have appropriate skills and leadership experience in the Maltese diplomatic corps, in the provision of consular services overseas or in international business and commerce or extensive experience in the nature, operations and functions of Maltese communities overseas, having lived for some time overseas among those communities.

(3) The remaining four members shall be appointed from among such persons residing overseas who are nominated by the Federation Of Maltese Abroad (FOMA) to the Minister as best representing the Maltese communities overseas and respectively selected from each of the following geographical regions or countries:

- (a) Australia/NZ;
- (b) Canada;
- (c) United Kingdom and
- (d) United States of America.

(4) Before nominating the four members referred to in sub-section (3), FOMA will invite the submission of names of suitable candidates from Maltese community organisations to represent each region or country and FOMA shall recommend its preferred nominees to the Minister.

(5) The Prime Minister shall appoint a Chairman and a Deputy Chairman from amongst the members of the Commission residing in Malta.

Objectives of the Commission.

3. The objectives of the Commission shall be as follows—

- (a) to promote and improve the quality of life of Maltese communities and of their individual members residing abroad;
- (b) to strengthen the connection between these communities and Malta’s political, cultural, economic and social life;
- (c) to ensure a more effective protection of the rights of Maltese communities and of their individual members residing abroad;
- (d) to assist Maltese expatriates to maintain their cultural and linguistic identity; and

Functions of the
Commission.

(e) to enhance the integration of Maltese communities into their host countries and participation in the activities of their local communities.

4. The Commission shall –

(a) examine, in accordance with Malta's political, cultural, economic and social development, all the concerns affecting communities abroad, particularly with regards to the quality of life and working conditions of individuals and communities in addition to their educational and professional development, their reintegration into productive activities and other needs of those who decide to return to their homeland;

(b) formulate, upon the request of the Government, advice and, upon its own initiative, proposals and recommendations relating to legislative, administrative or electoral initiatives regarding State or regional boards as well as international agreements and EU regulations concerning Maltese communities abroad;

(c) promote studies and research on topics concerning Maltese living abroad and communities of Maltese origin throughout the world by collaborating in their organisation and development and publishing statistics that would provide insight into current and emerging Maltese Diaspora issues;

(d) verify and promote processes for the integration of Maltese communities within the social and economic/productive structures of their host country in addition to strengthening the national identity of Maltese communities abroad;

(e) ensure the necessary co-ordination between all relevant government departments and agencies in implementing measures, services or initiatives proposed by government or proposed by the Commission from time to time;

(f) monitor the provision of services offered by government or its agencies, where the clients of such services are of Maltese background living overseas;

(g) keep under review the working of this Act and, when deemed fit by the Commission or so required by the Minister, draw up and submit to the Minister proposals for amendments to same;

(h) examine enactments, and (when requested to do so by the Minister) propose enactments, for the purpose of ascertaining whether the enactments or proposed enactments are or would be, inconsistent with or contrary to the objects of this Act, and to report to the Minister the results of any such examination;

(i) establish and maintain a strong relationship and an open two-way communication channel with FOMA to ensure matters of concern to the Maltese communities overseas are fully investigated and their interests effectively protected;

(j) establish and maintain contact with the World Diaspora Organization (WDO)³³ and diaspora bodies and organisations of other countries in order to ensure that the Commission keeps abreast with international developments in the field of diaspora affairs and participates in any related global initiatives; and

(k) provide all such services that may be necessary or required for the Commission to attain its objectives.

³³ The Diaspora World Organization is a forum for Diaspora umbrella organizations with a World Congress format (Wikipedia, http://en.wikipedia.org/wiki/World_Diaspora_Organization, accessed 6 Feb 2010)

Legal status of
the Commission.

5. On the appointment by the Prime Minister of the first members, the Commission shall have its own legal personality and its legal and judicial representation shall vest in the Chairman or the Deputy Chairman; provided that the Commission may appoint any one or more of its members or any one or more of its officers or employees, to appear in its name and on its behalf in any judicial proceedings and on any act, contract, agreement or other document whatsoever.

24. (1) Every member of the Commission shall hold office for a term of two years and may be re-appointed at the end of his term of office.

(2) The Prime Minister may terminate the appointment of a Commission member if he is satisfied that -

(a) without the consent of the Commission, he failed to attend the meetings of the Commission during a continuous period of six months;

(b) he is an undischarged bankrupt, or has made an arrangement with his creditors, or is insolvent or has been found guilty of any voluntary crime against a person;

(c) he is incapable of carrying out his duties;

(d) if, being a member chosen on the basis of his representative status, he ceases to retain such representative status.

(3) For the purposes of this Section, members of the Commission who reside overseas may participate in meetings of the Commission by teleconference means, with or without a video link, and such participation is deemed to constitute attendance.

Proceedings and
business.

6. (1) The quorum of the Commission shall be of five members, one of whom shall be the Chairman or the Deputy Chairman.

(2) The validity of any proceedings of the Commission shall not be affected by any vacancy among the members of the Commission or by any defect in the appointment of any member.

(3) Decisions of the Commission shall be taken by majority of the votes of the members present. The Chairman or, in his absence, the Deputy Chairman, shall also have a casting vote.

(4) Subject to the provisions of this Act and of any regulations made thereunder, the Commission may appoint sub-committees and, in general, shall regulate its own proceedings.

(5) At least once a year the members of the Commission who reside overseas will be provided with the opportunity to attend a meeting of the Commission in person in Malta and reimbursed all reasonable air travel and accommodation costs.

Personnel of the
Commission.

7. (1) The Commission shall be administered by a full time Executive Director who shall hold office under such terms and conditions as the Commission, with the concurrence of the Minister, may establish. Where the Executive Director is a public officer seconded from the government, he shall have the right, on the termination of his secondment, to revert to his former post without loss of rank or seniority.

(2) The Commission may, after consultation with the Minister, appoint such officers as it may think fit, subject to the approval of the Minister as to numbers and as to remuneration and other terms and conditions of service.

(3) The Commission shall deal with all documents and other information in its possession or under its control, or otherwise coming to its notice, concerning persons with disability, and all matters and things relating to such persons, as confidential and the obligation of confidentiality imposed upon the Commission shall extend to all the members of the Commission, the Executive Director and to all the officials and servants of the Commission.

Financing of
Commission.
Cap. 93. Cap. 58.

8. At least two months prior to the end of its financial year, the Commission shall submit to the Minister a business plan (including a financial plan) covering the proposed activities of the Commission during the following financial year. If approved by the Minister and by the Minister of Finance, such business plan shall be the approved budget of the Commission.

Accounts and
audit.

9. (1) The Commission shall keep proper accounts of their income and expenditure and shall prepare and send to the Minister statements of account in relation to each financial year of the Commission.

(2) The accounts of the Commission shall be audited by an auditor or auditors to be appointed by it and approved by the Minister:

Provided that the Minister responsible for Finance may require the books and other records of the Commission to be audited or examined by the Director of Audit who shall for this purpose have power to carry out such physical checking and other verifications, and may demand and acquire such information, as he may deem necessary.

(3) The financial year of the Commission shall be the twelve months ending on the 31st of December, provided that the first financial year of the Commission shall commence on the date of the coming into force of this Act and shall end on the 31st day of December of the following year.

Annual report.

10. (1) As soon as practicable after the end of every calendar year, but in any case not later than the 31st day of March of the following year, the Commission shall submit to the Minister a report on its activities during the year, hereinafter referred to as an "Annual Report".

(2) Each Annual Report shall include a general report of developments during the period to which it relates in respect of matters falling within the scope of the duties of the Commission and shall also include activities and initiatives undertaken to examine and, or, provide for the different needs of children, women and men with disabilities.

(3) The Minister shall, as soon as practicable, but in any case not later than two months after its submission, to him by the Commission, cause a copy of such report together with copies of the current Commission business plan and the financial plan, to be laid before the House of Representatives.

Exemption from
tax and duties.

11. The Commission shall be exempt from any liability for the payment of income tax.