

FORCED TO HIDE

Real Stories
Behind the
Invisible Faces





Prologue

This booklet presents a collection of lived experiences of undocumented migrants and others in a precarious legal situation in Malta. Their experiences of navigating employment issues and other challenges were collected from interviews conducted with in-depth clients of JRS Malta as part of a research and advocacy project. The project, entitled “Forced to hide: Understanding the human cost of the shadow economy on the lives of vulnerable migrant workers in Malta” is supported by the Platform for International Cooperation on Undocumented Migrants (PICUM) and the Robert Bosch Stiftung’s grant programme on labour rights and labour migration.

The stories provide a glimpse into the lives of 8 individuals, all with a unique story. They share their experiences working in Malta and how their lack of documents, or the precarious nature of their legal status in Malta has led to a range of issues and challenges, ranging from language and cultural barriers to exploitation and living in constant fear of detention and deportation.

This booklet is accompanied by a full research report, with analysis of these stories alongside an overview of law, policy and practices that impact the lives of those in a precarious legal situation.

Ahmed

Ahmed* is undocumented. He arrived in Malta by boat in 2021 and was detained as an asylum seeker. He comes from a country that the government believes to be “safe”.¹ Whilst in detention, his application was rejected, and he was issued with a removal order. The government could not secure a return back to his country, and so he was released from detention after 2 years, without any documentation. He only has a police document, and no documentation which gives him the right to work in Malta.

This lack of documentation made it very difficult for him to find work. He went directly to many factories in search of a job. They didn’t just tell him that they couldn’t hire him. He was also told many times to go back to his country.

“I did not know that I had no rights until I went to ask for help. That’s when I found out I had nothing.”

He is currently working in a factory. He does not have rights at work. He is not provided with payslips, or a contract. If he is sick or needs to take time off, he will not get paid for it. As a result, he sometimes goes to work even when he is sick. He is paid in cash, every few weeks. These payments are highly irregular. So he does not know when to expect payment. They know he is not tied to a contract and can leave, and be dismissed, at any time.

If he got a document, he would still keep this job. He knows that he would receive a higher salary. Not a lot of Maltese people are skilled in this work and his boss knows this.

Sometimes people come from the government for inspections at the workplace and he stays at home. His boss is very anxious about this, and Ahmed always has this worry hanging over him. Most people leave Malta and find documents elsewhere. But he wants to stay – he likes the work, he knows how to do it, he understands the language and is



working hard to fit in here – so why should he leave?

“I have to stay home when the government wants to come to our workplace. Not just I am afraid, my boss is also afraid.”

There are a lot of worries that come with not having a document. When he was first told to go back to his country, he became very nervous and stressed. When people are constantly asking him about documents, he feels hurt and worried, and he doesn’t feel like a person. He is always thinking about the future and the Police and what might happen next. He is always thinking about “safe countries”, and he knows that they are working to remove people from these countries from Malta.

He never stops thinking about it.

“Everyone tells you to go back to your country, and you know the government is trying to do that. Always looking for a way to send you back. You cannot trust anyone. You are always nervous of what is going to happen next.”

Seydou

Seydou* is a young man, living and working in Malta as a rejected asylum seeker. He holds a “yellow book”, which can be taken from him at any time. He first arrived in Malta in 2020.

In the beginning, it was very hard to find work because he had a very basic grasp of English. He was working a series of casual, manual labour jobs. Sometimes he did not even know what the job was. He only knew he would be asked to perform tasks on different construction sites. Working in casual jobs like this, he felt that no one cared about him.

“You are just there to do the work. You work and you get them money. They treat you however they want. And you know if you stop, someone else will do it.”

The idea of studying was also always on his mind, especially once he knew it was a possibility for him. At this time, he was living in Hal Far, at the open centre. The government offers accommodation for just 6 months. This creates a lot of pressure to find work and save enough money to be able to rent an apartment before the six months are up. Now, he is studying full time at Malta College of Arts, Science and Technology (MCAST). He is currently working at a company where he did his placement, and which offered him a full-time job during the summer. He is working with a work permit. And yet, he still faced challenges given that the work permit needs to be renewed quite frequently. His employer needs to be always reminded about the



expiry date and about the process which needs to be followed for the renewal.

Taking sick leave is also problematic. Whenever he is sick, his colleagues question whether he is actually sick and accuse him of lying.

“They make me feel as though I have to be a robot. Just working. Not allowed to get sick.”

He has a lot of problems with his colleagues, especially with other Maltese workers. As always, it is a bit of a mixed bag, but, in general, there is a complete lack of appreciation and praise for his good work. On the other hand, if you make a mistake, it is always a big deal. They make a public

¹ The International Protection Act contains a list of safe countries. Asylum cases from these countries are usually assessed with an accelerated procedure, rejected as manifestly unfounded (with an appeal not possible) and issued with a removal order.

² The yellow book is a document provided by the Immigration Police. It provides for a “tolerated stay”, allowing for regularised access to the labour market, but with a very limited set of rights.

scene and shout at him whenever he makes a mistake. If a Maltese person makes a mistake, it is dealt with privately. Even when it comes to Maltese clients, they never give him positive feedback, even when he knows he has done a good job.

“Do you think that this is due to racism? It is just a part of life. It doesn’t only happen in Malta. It has been happening since I arrived that people look at me differently. I try not to think about it anymore.”

After waiting for a long time, his claim for asylum was rejected for the second time. He is now working with only the yellow book, and he knows they can take it away from him at any time. He has heard of people from his country being taken to detention and being sent back. He does not know when it will be his turn.

Ultimately, he is happy with his decision to further his studies. This enabled him to gain more skills and get a better job. But the lack of documentation holds him back. He has worked hard and did all he could to integrate. But he still made to feel that he does not belong here. He knows that at the first opportunity, the authorities will try and send him back to his country.

Ousmane

Ousmane* is in his late 20s. He has Temporary Humanitarian Protection (THP),³ on the basis of a severe health condition. He is also a full-time nursing student, and he would like to become a doctor one day.

Although as an asylum seeker he was entitled to a work permit, he did not have one for the first two jobs he worked in after being released from detention.

“The truth is that the bosses don’t want to do the work permit for asylum seekers. There is no point. They can just find someone new when they want.”

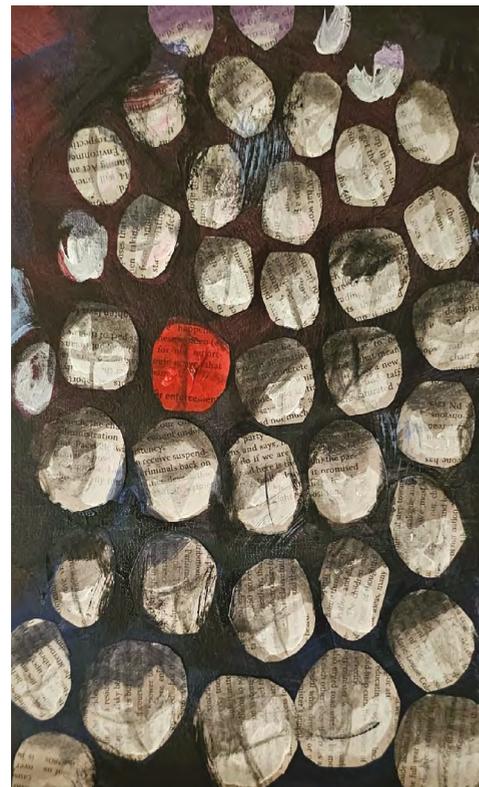
Given that, whilst studying, he needs to sustain himself financially, he also works, mostly in summer. Unlike winter, during that time of the year, it is not so difficult to find work. When he was first looking for work, he would go around with his CV. Sometimes he would wake up early to wait at the roundabout in Marsa.¹ He knew that in this way he would not find regular work, but at least he would earn something. Last summer, he started working as a beach attendant, helping set up sunbeds and umbrellas. He has the right to work legally with a work permit, but this job is not registered with the authorities. There is nothing regular about this work. He is paid in cash, and he is not paying any social security contributions. He does not have a contract and is not provided with payslips.

The work is underpaid and extremely strenuous in the summer heat. The boss can pay people whatever he wants. He works from 6.30 in the morning until around 6 in the evening, but the hours can change depending on how busy the beach is.

Whilst it is good that his boss keeps him working there and gives him lots of hours to work during the summer, the boss does not always treat the workers well. There are also problems with the other workers.

Sometimes he experiences discrimination from the public. He has been on the receiving end of disrespectful comments and even threats. When clients don’t like something, they can be very aggressive. They don’t treat him and the other workers well. Once, he offered to help a mother move a pushchair and the mother shouted at him not to touch her baby.

He will always remember this incident, because in that moment, he realised how people see him.



“All I try to do is help people. I don’t do it to get money from them, just to do the job well. But they don’t trust me. I am just a black worker to them. Sometimes it is hard not to be angry about this.”

Alhaji

Alhaji*, is an asylum seeker in his early 20s. His first claim for asylum has been rejected. He is currently waiting for the result of his appeal. He is currently working legally, with a work permit. He arrived in Malta as an unaccompanied minor.

After being freed from detention, he made a CV with his social worker. Although he gave out copies of his CV everywhere, he did not find work through these channels. He approached an

employment agency and all the jobs he has done in Malta have been through this same agency. The agency handles everything – it is as though they are the employer – they issue the contracts, payslips and apply for the work permits.

The agency found him a job working in a factory, where he worked for 3 months, without a contract. This factory is very well-known for taking on a lot of staff, including many foreigners, asylum seekers and people without any documents. They hire a lot of people and then fire them very quickly – you never know for how long you will be working there. They watch the workers with a camera, and if something falls, the person is immediately fired. Workers are given just one 15-minute break in 8 hours.

“This work, it is slavery work.”

He has been in his current job for quite a while. When he started, he was very young. When he works for more than 8 hours, he is paid for overtime. This is something he never experienced in his previous jobs. He is issued with payslips, and he always receives the expected amount of money. He knows his shifts in advance and is paid every 15 days.

He however worries that if he calls and says he can’t come to work or if he asks for time off, there will be issues with his pay – this situation is not the same for Maltese people.

“The rules are different for them, even though the system is the same. They have more power in the workplace.”

In the beginning, when he started this job, he was very open with everyone. But after 2 years, things changed. There is a lot of tension between the Maltese workers and the foreign workers. Sometimes the Maltese workers do not do the job thoroughly, but they will be the first ones to report if one of the foreigners forgets to do something – this happened to him. He has had issues when he criticised someone or complained about something.

Ever since he was reported for making a mistake, he refuses to make friends with people at work. He just goes to work, does the job and he only communicates with other people when he has to.

³ THP is a national form of protection that is granted to people that the government deems ineligible for refugee status and Subsidiary Protection but cannot be returned to their country of origin on the basis of being an unaccompanied minor, suffering from chronic health conditions, or other humanitarian considerations.

However, he likes the job that he has now. He has worked hard to learn the job and gain the skills. He feels like he has progressed and there are opportunities to learn more and further develop his skills.

Mory

Mory* is 30 years old and arrived in Malta in 2021. He is still an asylum seeker and is currently appealing the first rejection of his asylum claim. He is currently working part-time in a restaurant, whilst studying full-time. He is also doing an apprenticeship as part of his course.

Before starting his course, he worked full time at the restaurant. When he asked to change to part time, they were very supportive. They have a lot of student workers there, so it wasn't a problem. The restaurant always did all the necessary paperwork, even though he always only had the yellow book. They have a lot of migrant workers there and they are knowledgeable about the paperwork needed.

“What I learned is that hard work [manual labour] never gets you money. It gets you food for that day, but not more. You have to use your experience.”

Conversely, with the apprenticeship, it has been very difficult to have all the paperwork in order. Because he is not Maltese, the process was much more difficult. His school are very strict about paperwork, and everything needs to be in place. He was working for the company before the work permit was issued, but these hours did not count for his apprenticeship, so he worked 200 additional hours (of the 520 required for the course). He found the place for his apprenticeship by himself. The boss was worried as he had never hired a migrant before for an apprenticeship, but his school recommended him, as he is focused and works hard.

Since arriving in Malta, he knew he wanted to continue studying - he was a student in his country before he left. At first it was very difficult - he was doing so many English classes, and the lessons were very hard. But it was worth it.



It is difficult to balance the apprenticeship and the part-time job. He works at the apprenticeship every day until 4pm and then needs to be at the restaurant by 5pm.

When he gets home from work, he has to continue studying, sometimes sleeping for just 2 hours a night. Life in Malta is very expensive and so he has to keep working the part time job to earn enough money to manage everything.

“When there is something that you like, you will do everything to get it. You have to be focused. I am focused.”

He does not find the situation with his documents and legal status that difficult. But that is because of the help he has received from JRS. He needed assistance to understand a lot of things. He did not know what the word “appeal” means for example,

so he was helped along the way to understand the documents and his rights.

“I’m ok, because I had help.”

His studies are very important to him. He knows that becoming a black, African, engineer will come with more challenges. But it is his dream, and he feels he is on the right path.

Carlos

Carlos* is in his late 40s. He has been in Malta for almost 8 years, first as an asylum seeker, then as a rejected asylum seeker, and now as a Third Country National, working with a Single Work Permit. He and his family faced a lot of difficulties back home and so he decided to leave to provide a better future for his children.

He has three degrees and a lot of skills and experience in his field. Finding a job in the beginning was very hard. He started working as a waiter. He found this very challenging because he is highly educated and was not used to this type of work. In one of the jobs he worked as an asylum seeker, he was working 8 to 10 hours per day and not being paid for it. They told him it was training. Then he was being paid informally and in cash. He could not argue with this because the work was not legal. Every month the pay would be less and less. His employers were also not paying the government tax contributions.

His asylum process was a living nightmare for Carlos. His claim was rejected, because the authorities they did not believe his story. He appealed this decision but at a certain point, he did not want to fight anymore. He felt he was putting his family at risk, so he decided to leave and come back on a Single Work Permit. He found a company who applied for the work permit for him. He came back to Malta, after 6 months of waiting in a country outside of the EU.

When you have a Single Work Permit, you have just 10 days if you wish to change jobs. Within these 10 days, the person must resign, find a job and file all the required paperwork. It was not difficult to find a new job as a qualified professional. But he still found it difficult to get everything done in this very short time frame.

In this new job, at first, they did not treat him well. The contract he had signed did not match what he was doing in practice. They also told him he would not be paid for the first month of work as the money would be taken as a “deposit” for the laptop. He felt like he was not trusted at all.

“If you don’t trust me, don’t hire me.”

In his current job, he is paying taxes and is registered correctly with the authorities. This is because he “opened his eyes” after his previous experiences. He is still constantly fighting with his current boss to follow the rules: he can only do this because he knows how much they need him and his skills and experience. He is trapped in this job whether he likes it or not - he needs to provide for his wife and children back home.

However, he does like the job. He is finally doing work he is qualified for; he respects the work of the company and is proud to work there. He likes his colleagues and appreciates their skills and experience, and they respect him and his work. What he doesn't like is the culture of the company. His boss told him he needs to adapt to the culture of the country. But he does not believe that this is the issue. In fact, even his Maltese colleagues are unhappy with the company culture. His boss shouts at him often, in front of everyone, which he finds very disrespectful and unfair.

“Just because they opened the door, it does not mean that you will be met with respect.”

He is afraid to share his opinion at work. He doesn't want to be disrespectful, but most of all, he does not want to lose his job.

Two months ago, he got injured in his leg. It took him quite a long time to recover. He walks to work as there is no bus. His boss was complaining that he was arriving late even though he showed him the receipts from multiple doctor appointments. The doctor had actually signed him off work for 3 days. He however did not take any time off because he needs the work and the money, and he knows that there is too much work to be done.

He has been looking to change jobs for the last 3 months. In Malta, the amount of money you need to be making to qualify for family reunification and

bring over your family, is very high. He therefore needs a higher salary.

“I am 47 years old and still supported by my mother. This gives me shame. I would return in a heartbeat, but my life is at risk.”

Mehdi

Mehdi* has been in Malta since December 2018. When he first arrived, he was taken to detention, where he spent 6 months. He comes from a “safe country”, and his asylum application was rejected, leaving him undocumented.

In one of the jobs he worked, the company told him to work a trial week. It took him just 3 days to complete the job. His employers were extremely satisfied with him and wanted to hire him. They then asked him about the proper procedure to follow. When he explained to them that he is a rejected asylum seeker with no documents, they asked a lawyer for advice. But he had no documents at all, not even a yellow book. He was completely undocumented, and everyone was telling him that he would need to go back to his country.

He worked there for a total of ten months, without any documents. There were lots of employees of different nationalities. Everyone had papers, except him. One day, a worker had an accident at work and had to go to hospital. After this, his employers became very afraid that something would also happen to Mehdi. Without any documents, they would get into trouble. He had been very happy working there, it was a family-run business, and he felt part of this family. He knew he wouldn't find anything similar, especially as an undocumented person in the construction industry.

After this incident, he had to find another job. Expenses were running high, and he even had some friends still in detention that he was trying to help, because he understood what they were going through. He found a job, working in scaffolding. He worked here for about 3 months. One day, the scaffolding was very loose, and he managed to jump away just before falling off. At that moment,



he realised he needed to change jobs. He needed to find safer work.

For 6 months, he worked as a delivery driver, transporting construction materials. It was very hard work and he was not paid very well. But he knew he could not argue, because he had no documents.

At one point, he felt unwell for 3 days, but he forced himself to go back to work because he needed the money. The same company he was working for was offering him some work in plastering. And he was afraid that if he refused the job, they would not call him again for work. He looked to see where he was told to do the work, and it was really high up. He started feeling dizzy. The next thing he remembers is waking up in a hospital bed. This time, he hadn't been so lucky.

His injuries were incredibly serious. He is still in a wheelchair and in hospital. He was granted Temporary Humanitarian Protection (THP) status due to his serious health condition and permanent disability.

He would really like to work again and live independently. He knows that it will not be easy to

find a job. He cannot walk, and needs help getting out of bed. But he is receiving support and there are services he can make use of now that he has been granted THP status. He is grateful and thinks that, now that he has document, it will be much easier. He can at least access those services that are more tailored to the needs of people in his situation.

“To get a document, this had to happen to me.”

Juliana

Juliana* is from a safe country. Her asylum application was rejected, and she remained completely undocumented for some time. She was granted Temporary Humanitarian Protection (THP) due to health conditions and her personal circumstances prohibiting her from being returned home.

It was very difficult for her to find work when she first arrived in Malta. She did not know anybody, and she couldn't communicate in English or Maltese. She was very sad and anxious during this time, worried about paying rent and having enough money to eat.

She has done a few different jobs here in Malta. She has worked as a cleaner in a hotel where she would work from 8am to 5pm without any breaks, and as a carer for an elderly woman. The most recent job was a cleaner in a school.

At the hotel, she was paid in cash and at irregular times. The carer job was underpaid, below minimum wage. In this job, she was looking after someone's elderly mother. Her employer took advantage of her in many ways and would frequently tell her he could pay her whatever he wanted. She was hired to take care of his mother, but he made her work long hours doing other jobs, some of which were strenuous and always poorly paid. ***“Without documents, people exploit you.”***

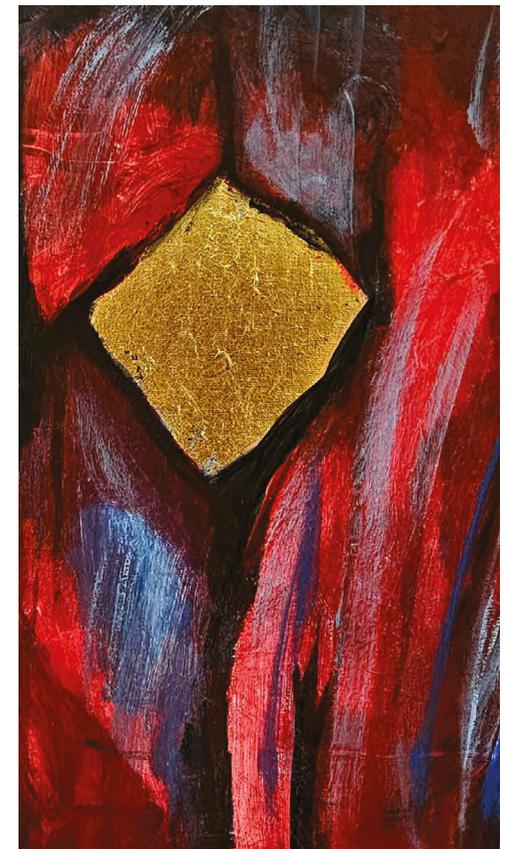
The job at the school was much better. At first, she was working there with a work permit. The latter was revoked when her asylum claim was rejected. A friend she was working with at the time, a Maltese national, mediated with the boss, asking

him to wait a bit longer for her to get documents. He tried really hard to help her, going to different offices and NGOs, but eventually the boss could not wait any longer for her to get documents, and had to let her go.

“In this job, it was the first time I felt like a human being.”

She would like to start working again now that she has the THP document. She feels more positive about the future, and about the possibility of finding work and getting better.

“Now I have a document, I can speak again, I am not afraid. I will have work, and my health, which is the most important thing.”



JRS is an international non-governmental organisation, with a mission to accompany, serve and defend refugees and forcibly displaced people. In Malta, JRS provides a number of services including information, legal assistance and psychosocial support and advocates for improved treatment of refugees and asylum seekers in Malta.

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