



## Pathways to citizenship for third-country nationals in the EU Member States

### Common Template for EMN Study 2019

Final version: 5 August 2019

**Subject:** Pathways to citizenship for third-country nationals in the EU Member States

If needed, further clarifications can be provided by directly contacting the EMN Service Provider (ICF) at [emn@icf.com](mailto:emn@icf.com).

#### 1 STUDY AIMS AND RATIONALE

The European Convention on Nationality, signed in 1997, establishes principles and rules relating to the acquisition and loss of nationality and issue of multiple nationality. To date, 20 Member States have signed the Convention,<sup>1</sup> while 13 EU Member States have ratified it.<sup>2</sup> Although awarding citizenship is a prerogative of the Member States, national regulations have to be implemented with due regard to EU law. This is particularly important as the establishment of Union citizenship by the Maastricht Treaty in 1992 conferred a number of rights and privileges to all persons who are citizens of an EU Member State. Examining and comparing the different rules and regulations in place in Member States is relevant, as the right to free movement for Union citizens means that the decision of one country over who to accept or reject as citizens can impact all other Member States as well. The acquisition of citizenship has been a topic of debate in many Member States in recent years, with the need to integrate migrants.

This EMN study aims at mapping and comparing the various approaches of EU Member States regarding third-country nationals' acquisition of citizenship in a Member State. It will focus in particular on the ordinary naturalisation for new migrants<sup>3</sup> to the EU and therefore largely excludes the acquisition of citizenship through special naturalisation<sup>4</sup>. Ordinary naturalisation is considered to be "any acquisition after birth of a citizenship not previously held by the person concerned that requires an application to public authorities and a decision by these."<sup>5</sup> This study will include a review of the conditions and requirements for naturalisation (e.g. length of legal stay, definition of legal stay, knowledge of language, economic and housing situation) and the administrative processes used by the Member States to determine whether a person is eligible to acquire citizenship or not. The study will examine whether Member States' permit dual citizenships and, if so, under which conditions. The study will also aim to explore how the acquisition of citizenship links to integration policies in the Member States, and whether naturalisation is considered the end-point of an integration process or whether acquisition of citizenship is intended to facilitate integration.

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<sup>1</sup> AT, BG, CZ, DE, DK, EL, FI, FR, HR, HU, IT, LU, LV, MT, NL, PL, PT, RO, SK, SE

<sup>2</sup> AT, BG, CZ, DE, DK, FI, HU, LU, NL, PT, RO, SK, SE

<sup>3</sup> For the purpose of this study, 'new migrants' refer to third-country nationals who do not have a pre-existing historical tie with the Member State (ethnic, family, historical).

<sup>4</sup> *i.e.* acquisition of citizenship through automatic acquisition, by marriage, through investor scheme and for political and/or discretionary reasons are excluded from the scope of this study

<sup>5</sup> R. Baubock and S. Wallace Goodman (2011), EUDO Citizenship Policy Brief n°2, Naturalisation, available at: [http://eudo-citizenship.eu/docs/policy\\_brief\\_naturalisation.pdf](http://eudo-citizenship.eu/docs/policy_brief_naturalisation.pdf)

## 1.1 TARGET GROUPS / AUDIENCES

This study targets policy-makers at EU level (e.g. in the area of integration and intra-EU free movement) as well as broader target groups at national level, such as national policy-makers (migration/integration), researchers, and experts at those national authorities that are responsible for citizenship-related administrative procedures. This study would also be of interest to the wider public because of its topicality and due to the growing number of individuals becoming citizens of a Member State of the EU or acquiring a second (dual) citizenship.

## 2 SCOPE OF THE STUDY

The study focuses on citizenship matters as defined in the EMN glossary or otherwise commonly used. It shall cover the acquisition, by a third-country national, of the citizenship of an EU Member State. The study covers the broad category of third-country nationals who immigrated to the EU as first generation ('new migrants') and thus excludes second- and third generation migrants. If it is difficult to make the distinction in your Member State, please mention this throughout the template wherever relevant. EU citizens acquiring the citizenship of another EU Member State are not covered. The acquisition of citizenship of an EU Member State by persons living in a third country is also outside of the scope of this study.

As far as policies and legislation regarding the acquisition of citizenship is concerned, this study shall reflect the most recent situation and developments in the Member States, therefore focusing on 2019. Regarding policy and legal developments, it also appears useful to trace any such developments over the past five years. If reasonable, contributing EMN NCPs may also include planned legal or policy developments that have not yet come into effect at the time of writing.

As regards statistics, the study shall cover a five-year period, from 2014 to 2018.

## 3 EU LEGAL AND POLICY CONTEXT

The integration of third-country nationals has become an important policy topic in many Member States, not least as a result of the large number of new migrants who arrived in the EU in 2014-2016 and received international protection. When, how and under which circumstances a third-country national can acquire the citizenship of an EU Member State is an essential dimension of integration processes. The acquisition of citizenship can be seen as the final step of an individual's successful integration process, as an incentive for individuals to become part of a new society or both. According to Eurostat, roughly 825 000 individuals became citizens of a Member State of the EU in 2017, most of them in Italy, the United Kingdom, Germany and France. As the EMN has not previously conducted a comparative study on the acquisition of citizenship, the proposed topic will fill a significant gap in the thematic activities of the network.

Awarding citizenship is a prerogative of the Member States, which they must exercise having due regard to EU law.<sup>6</sup> Indeed, Member States solely are responsible for laying down the conditions for the acquisition of citizenship.<sup>7</sup> However, citizens of a Member State also enjoy the rights of EU citizenship, including that of mobility and free movement across all Member States. As such, the determination of citizenship by one Member State implies a responsibility to all others. In this sense, citizenship has an important EU dimension. As pointed out by the Court of Justice of the EU, while laying down the conditions of acquisition and loss of citizenship falls within the remit of national competence, in doing so Member States must have due regard to EU law.

<sup>6</sup> See Judgment of 7 July 1992, *Micheletti and Others v Delegación del Gobierno en Cantabria*, C-369/90, EU:C:1992:295, paragraph 10; Judgment of 11 November 1999, *Belgian State v Mesbah*, C-179/98, EU:C:1999:549, paragraph 29; Judgment of 20 February 2001, *Kaur*, C-192/99, EU:C:2001:106, paragraph 19; Judgment of 19 October 2004, *Zhu and Chen*, C-200/02, EU:C:2004:639, paragraph 37; Judgment of 2 March 2010, *Rottmann*, C-135/08, EU:C:2010:104, paragraph 39

<sup>7</sup> See [Case Tjebbes and others C-221/17](#), Judgment of the Court of 12 March 2019, and [Case Rottmann C-135/08](#), Judgment of the Court of 2 March 2010

Three main modes of naturalisation exist:<sup>8</sup>

- Ordinary naturalisation – residence-based naturalisation, which does not foresee any waivers of conditions normally envisaged for applicants;
- Discretionary naturalisation on grounds of national interest – fully discretionary naturalisation, where authorities waive all or almost all naturalisation conditions;
- Discretionary facilitated naturalisation on grounds of national interest – discretionary naturalisation, where authorities waive some but not all naturalisation conditions.

Furthermore, as noted by the European Commission, 24 additional types of acquisition of citizenship are found in the EU, including the facilitation of conditions for certain ethnic groups, on grounds of socialisation or family links.<sup>9</sup> This hints at the complexity of the legal provisions surrounding the acquisition of citizenship.

The study will also seek to examine how the Member States support third-country nationals in applying for citizenship and inform them about their rights and duties as national and EU citizens.

The study also presents an opportunity for Member States to cooperate and share good practices on matters relating to citizenship and integration by comparing and analysing the various national rules and procedures used at national level.

#### 4 PRIMARY QUESTIONS TO BE ADDRESSED BY THE STUDY

- Under what conditions can first generation migrants obtain the citizenship of the countries participating in this study? This includes, among other conditions/requirements, the length of legal stay in the country (with temporary/permanent residence status), the definition of legal stay or residence, knowledge of the language, economic situation, suitable housing, good conduct, or any legal or symbolic commitments to adhere to societal rules and norms.
- Are conditions different for different groups of third-country nationals, such as refugees or other groups significantly represented in the respective Member State (e.g. children, citizens of neighbouring third-countries, stateless people, investors)?
- Are there different procedures to acquiring citizenship (such as ordinary naturalisation by registration or by application)? How do these procedures work and how long do they take? To what extent are these procedures digitalised and applications submitted electronically?
- Is dual citizenship possible, and if so, under what conditions?
- What is the role of citizenship, including dual or multiple citizenships, in immigrant integration?

#### 5 RELEVANT SOURCES AND LITERATURE

Comparable EU statistics on the acquisition of citizenship in the Member States are available at Eurostat. Additional statistical material should be available, in each country, at national level. It should be noted that although this study focuses on first-generation migrants, statistics extracted from Eurostat and provided by Member States will generally include all third-country nationals, including children/persons with a migrant family background ('second- and third-generation').

Many reports, analyses and comparisons regarding citizenship are available at the Global Citizenship Observatory [GLOBALCIT](#), the successor of EUDO CITIZENSHIP, which started in 2009 with a focus on citizenship laws in the EU Member States and then gradually expanded its scope. The [MACIMIDE Global Expatriate Dual Citizenship Dataset](#) charts the rules that existed in near all states of the world since 1960 with regard to the loss or renunciation of citizenship after a citizen of

<sup>8</sup> European Commission (2019). Part A Study Investor Citizenship and Residence Schemes, Notes accompanying Deliverable A. Available at: [https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes\\_en](https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes_en). This study focuses on ordinary naturalisation

<sup>9</sup> European Commission (2019). Part A Study Investor Citizenship and Residence Schemes, Notes accompanying Deliverable A. Available at: [https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes\\_en](https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes_en)

a respective state voluntarily acquires the citizenship of another state. The [Quality of Nationality Index](#) is relevant in that provides information on citizenship by investment.

Recent reports and EMN Ad-hoc queries are worth considering for this study, such as:

- European Commission, [Report on Investor Citizenship and Residence Schemes in the European Union](#), January 2019, accompanied by its Staff Working Document
- Milieu Study on “[Factual analysis of Member States Investors’ Schemes granting citizenship or residence to third-country nationals investing in the said Member State](#)”
- European Parliament, [Briefing on Acquisition and loss of citizenship in EU Member States](#), July 2018
- ‘Settling In’ 2018, Indicators of Immigrant Integration, OECD
- EMN Ad-hoc query 2019.23 on investor schemes (golden passports)
- [Migrant integration policy index](#)<sup>10</sup>
- EMN Ad-hoc query 2015.709 on [Fees for Citizenship Application](#) (2015)
- EMN Ad-Hoc Query 2015.669 on [Exceptions to an obligation to be released from the old citizenship before acquiring a new one](#) (2015)
- EMN Ad-hoc query 2012.399 on [Citizenship Tests](#) (2012)
- EMN Ad-hoc query 2012.402 on [Dual Citizenship](#) (2012)
- OECD study on Naturalisation and the Labour Market - Integration of Immigrants<sup>11</sup>
- Fundamental Rights Agency, [Second European Union Minorities and Discrimination Survey – main results](#), December 2017
- EMN Ad-hoc query 2015.719 on the [establishment of identity in connection with naturalisation](#) (2015)

To draft their contributions to this study, EMN NCPs should describe and analyse the respective national laws and policy documents regarding the acquisition of citizenship. Administrative handbooks as well as enquiry and research reports should also be used.

## 6 AVAILABLE STATISTICS

As far as comparable statistics are concerned, Eurostat provides the following data sets for each EU Member State:

- **Residents who acquired citizenship as a share of resident non-citizens by former citizenship (EU / non-EU) and sex** – annual data [migr\_acqs].  
**Note:** This type of data can provide an indication of how easy or difficult it is in the various Member States to acquire the citizenship of the country of residence.
- **Acquisition of citizenship by age group, sex and former citizenship** (all former EU and non-EU citizenships) – annual data [migr\_acq]  
**Note:** This dataset is the most important one regarding quantitative analyses of the acquisition of citizenship in the Member States.
- **Acquisition of citizenship by age group, sex and level of human development of former citizenship** – annual data [migr\_acq1ctz]  
**Note:** In this data set, former citizenships are grouped in accordance with position in human development index.  
**Note:** These data are not available for all EU Member States.

## 7 DEFINITIONS

According to the European Convention on Nationality, "**nationality**" means the legal bond between a person and a State and does not indicate the person's ethnic origin.<sup>12</sup> A case of the Court of

<sup>10</sup> <http://www.mipex.eu/access-nationality>

<sup>11</sup> <https://www.oecd.org/els/mig/48328760.pdf>

<sup>12</sup> Article 2(a), European Convention on Nationality, available at: <https://rm.coe.int/168007f2c8>

Justice of the EU further defined nationality as "the special relationship of solidarity and good faith between [a Member State] and its nationals and also the reciprocity of rights and duties, which form the bedrock of the bond of nationality".<sup>13</sup>

"**Multiple nationality**" means the simultaneous possession of two or more nationalities by the same person.<sup>14</sup> For the purpose of this study, the term "dual citizenship" is used.

According to the EMN glossary,<sup>15</sup> the term "**citizenship**" is defined as "the particular legal bond between an individual and their State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation."

It is noted that, as per the EMN Glossary, in some Member States, a distinction is made between citizenship and nationality, whereas in the EU context, no distinction is made, and the two terms are considered interchangeable. Those countries which distinguish between citizenship and nationality, the term citizenship refers specifically to the legal rights and duties of nationals.

"**Acquisition of citizenship**" refers to "Any mode of becoming a national, i.e. by birth or at any time after birth, automatic or non-automatic, based on attribution, declaration, option or application".<sup>16</sup>

This study explores the acquisition of citizenship through naturalisation. "**Naturalisation**" means "any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or their legal agent as well as an act of granting nationality by a public authority".<sup>17</sup> As per a recent report published by the European Parliament, a distinction is made 'between ordinary naturalisation – when the primary grounds of acquisition of citizenship is a certain period of residence in the country, and special naturalisation – when the acquisition of citizenship is based on other considerations, such as family links, ethno-cultural connections or special contributions'.<sup>18</sup> The first definition will be used for the purpose of this study, meaning that the emphasis is on the third-country nationals acquiring citizenship on the basis of an application process following a minimum legal residing period.

**Ius sanguinis** refers to "the determination of a person's nationality on the basis of the nationality of their parents (or one parent or one particular parent) at the time of the target person's birth and at the time of acquisition of nationality by the target person (the two points in time are different in cases of acquisition after birth).<sup>19</sup>

In contrast to this, **ius soli** refers to "the principle that the nationality of a person is determined on the basis of their country of birth".<sup>20</sup> The different categories of ius soli are defined as follows:<sup>21</sup>

- Unconditional ius soli: on the basis of birth. Citizenship is automatically grant citizenship to those born in the country, regardless of any other conditions;
- Conditional ius soli: on the basis of certain conditions, e.g. minimum period of residence in the country of the parents;
- Automatic double ius soli: on the basis of parental birth in the country. Children born in the country to foreign citizens can automatically acquire citizenship at birth if at least one of their parents was also born in the country;

<sup>13</sup> Judgment of 2 March 2010, Rottmann, C-135/08, available at: <http://curia.europa.eu/juris/liste.jsf?num=C-135/08>

<sup>14</sup> Article 2(b), European Convention on Nationality, available at: <https://rm.coe.int/168007f2c8>

<sup>15</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>16</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>17</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>18</sup> European Parliament (2018). Acquisition and loss of citizenship in EU Member States – Key trends and issues, available at: [http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS\\_BRI\(2018\)625116](http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI(2018)625116)

<sup>19</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>20</sup> EMN Glossary 6.0, available at: [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en)

<sup>21</sup> <http://eudo-citizenship.eu/docs/ius-soli-policy-brief.pdf>

- Conditional double ius soli: on the basis of certain conditions and parental birth in the country. Children born in the country to foreign citizens can acquire citizenship at birth if at least one of their parents was also born in the country under certain conditions, e.g. minimum period of residence for parents.

## 8 ADVISORY GROUP

- SE EMN NCP (Chair)
- COM (DG Migration & Home Affairs)
- AT EMN NCP
- BE EMN NCP
- CY EMN NCP
- EE EMN NCP
- EL EMN NCP
- FI EMN NCP
- FR EMN NCP
- HU EMN NCP
- IE EMN NCP
- LT EMN NCP
- LU EMN NCP
- LV EMN NCP
- SI EMN NCP
- SK EMN NCP
- Odysseus network expert
- ICF (EMN Service Provider)
- Fundamental Rights Agency (FRA)

## 9 TIMETABLE

The following tentative timetable has been proposed for the Study going forward:

Date	Action
5 August	Launch
7 November	Submission of national reports by EMN NCPs
10 January	First synthesis report to COM
17 January	Deadline for comments
22 January	Circulation of the first SR to all NCPs
5 February	Deadline for comments
March 2020	Publication



## 10 Template for national contributions

The template provided below outlines the information that should be included in the national contributions of EMN NCPs to this Study. For national contributions, the total number of pages should not exceed **35-40 pages**, including questions and excluding the Statistical Annex. A limit of **25-30 pages** will also apply to the synthesis report, in order to ensure that it remains concise and accessible.

## Common Template of EMN Study 2019

### Pathways to citizenship for third-country nationals in EU Member States

#### National Contribution from *Malta*

*Disclaimer: The following information has been provided primarily for the purpose of contributing to a synthesis report for this EMN study. The EMN NCP has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the EMN NCPs' Member State.*

#### Top-line factsheet [max. 1 page]

The top-line factsheet will serve as an overview of the **national contribution** introducing the study and drawing out key facts and figures from across all sections, with a particular emphasis on elements that will be of relevance to (national) policy-makers. Please add any innovative or visual presentations that can carry through into the synthesis report as possible infographics and visual elements.

#### **Pathway`s to citizenship for third country nationals**

The Study conducted by the MT NCP has found that Malta is not party to the **1961 Convention on the Reduction of Statelessness** and the **1997 European Convention on Nationality** since both conventions are yet to be ratified.

The main legal instruments governing the acquisition of citizenship for third country nationals can be found in **Chapter 3 of the Maltese Constitution** and in the **Maltese Citizenship Act (Cap 188 of the Laws of Malta)**. Since 2014 different changes were made in Malta's policies and laws regarding third country nationals and their acquisition of citizenship including: (1) an amendment to the **Maltese Citizenship Act** in 2017 which made it possible for someone to submit applications of such in the name of mentally unstable persons (under the permission of Maltese courts), and (2) by means of **Subsidiary legislation 188.04** where Maltese Citizenship could now be granted on the basis of merit.

There have been major debates on national media, at parliament and at the international fora regarding the possibility of Maltese Citizenship being acquired by means of investment criteria.

When one becomes a Maltese citizen, he/she would qualify for all the rights which apply to Maltese citizens as per the provisions found in the legislation.

It was also found that legally Malta does not make any distinctions between the definitions of nationality and citizenship. Presently both **jus soli** and **jus sanguinis** principles apply for persons born in Malta who can only attain Maltese citizenship if one of their parents is/was a Maltese citizen. Third country nationals can become Maltese citizens by: (1) **ordinary naturalization** which applies to those persons who have been residing in Malta continuously for at least one year and for four years out of the preceding six years; (2) **special naturalization** which includes people of Maltese descent, citizenship acquired on the basis of investment and on the basis of merit; (3) by **registration** if they were former citizens of Malta.

If not acquired by birth, the following requirements must be met for one to attain Maltese citizenship: (1) residing in Malta for the above-mentioned amount of years, (2) by means of investment or (3) by marriage. Period of residence is based on the presence of the individual in the country which is verified by documentation such as employment history. No citizenship or integration tests are required and the applicant does not need to commit to certain values or norms.



There are no economic/financial statutory requirements to be fulfilled by applicants except for applicants of citizenship by investment. Same applies to the housing criterion which must be met in case of citizenship by investment.

Exclusion criteria on the basis of security are as follows: (1) for **ordinary naturalization** the person needs to be of good character, (2) for **investment or merit** applicants are not granted citizenship if they constitute as a threat, and (3) for applicants on the basis of **marriage** citizenship is not granted if it goes against public interest. The above-mentioned criteria applies for all groups of third country nationals<sup>22</sup> except **investors** who have to respect special conditions.

For third country nationals to become citizens they need to provide the necessary documentation (can also be done electronically) as dictated by law. The two main agencies which are involved in the procedure of third country nationals attaining citizenship are the **Citizenship Unit within Identity Malta Agency** and the **Individual Investor Program Agency**. While **ordinary naturalization** has no statutory or informal timelines, **citizenship by investment** has certain prescribed timelines provided by law. The application of citizenship entails numerous fees which are listed in detail on page 22.

The **Maltese citizenship Act** provides absolute discretion to the Minister responsible for citizenship matters throughout the decision-making process. The Minister does not have to provide a reason for the refusal of a citizenship application and the applicant has no right of appeal. Public officials may assist applicants during the application process to compile the required documentation. It was also found that no specific support is given to the citizen about their role as a Maltese and EU citizen.

As stated in the Maltese Citizenship Act, it is lawful for a Maltese citizen to possess multiple citizenships. The fact that Malta allows dual/multiple citizenships encourages third country nationals to apply for Maltese Citizenship.

One can find differences and similarities between a Maltese citizen and a person holding a permanent or long term residence permit which are: (1) only Maltese nationals (in case of MEP elections also EU nationals) can participate in regional or national elections; (2) long term residents holding a permit have access to employment in the same way as Maltese nationals apart from access to appointment in Public Administrations; (3) long term residents holding a permit are entitled to the same economic rights as Maltese; (4) if the claimant satisfies the minimum contribution conditions a benefit is due irrespective of nationality; (5) a person who is not a Maltese citizen needs to prove that he/she has enough income and an insurance cover to stay in Malta, unless s/he are paying the National Insurance Contributions.

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<sup>22</sup> List found on page 19 Q 20.

## Section 1: Legal and policy overview

With reference to international law, is your Member State a party to the:

a) 1961 UN Convention on the Reduction of Statelessness?

- Yes.  
 No. *Please explain why:*

There has not been yet any decision to ratify this. It is, however, to be remarked that the Maltese legislation concerning Maltese citizenship matters, that is, the Maltese Citizenship Act (Chapter 188 of the Laws of Malta) contains most of the provisions contained in the said Convention.

Reference:

<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8702&l=1>

b) 1997 European Convention on Nationality? -

- Yes.  
 No. *Please explain why:*

Malta signed the Convention on 29/10/2003. A decision is still to be taken regarding ratification.

**Q 2. Which are the main legal instruments covering the acquisition of citizenship for third-country nationals in your Member State? For example, is the acquisition of citizenship laid out in the constitution? –**

Please explain in the form of a short, succinct narrative, starting from general principles to application rules. Please provide references to the main relevant laws and (name and date).

Chapter 3 of the Maltese Constitution <http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8566> established the principles regarding Maltese Citizenship including the principle that citizenship is regulated by law. The Maltese Citizenship Act (Cap 188) and subsidiary legislation under this Act <http://www.justiceservices.gov.mt/LOM.aspx?pageid=27&mode=chrono&gotoID=188> is the legislation regulating citizenship matters.

**Q 3. Have the laws and policies regarding third-country nationals' acquisition of citizenship in your country undergone any major changes in recent years which significantly changed the procedures or requirements of the acquisition of citizenship <sup>23</sup>? If yes, what have been the main drivers for the change? (e.g. EU /national case law, changes in other aspects of (national) migration law or policy etc.)**

*Kindly note that the response should refer to the target group of the study only.*

Yes.

By means of an amendment to the Maltese Citizenship Act in 2017, it is now possible for a person, who is not of full mental capacity and cannot submit an application to apply for citizenship, if special authorization is given by the Maltese Courts, for another person to submit such application on his/her behalf.

Other amendments in 2017 were made by means of subsidiary legislation 188.04 to the Maltese Citizenship in order that Maltese citizenship could be granted on the basis of merit.<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12728&l=1> These changes reflect changes in policy.

No.

**Q4. Have there been any major debates or national issues about third-country nationals holding or acquiring the citizenship of your Member State in recent years? If so, have these debates included the acquisition also of EU citizenship rights (such as right to vote, right to free movement including labour mobility, consular protection and right to protection, etc.)? Please specify in which framework these debates were held (e.g. policy-makers, media, general public). -**

Yes.

*Please elaborate:*

There have been major debates in the national media, Parliament and international fora regarding the possibility of Maltese citizenship being acquired by means of investment criteria. It is to be remarked that if a person acquires Maltese citizenship he would qualify to all the rights applicable to Maltese citizens in accordance with the provisions of the relative legislation

No.

**Q5. From a legal perspective, is there a distinction between nationality and citizenship in your Member State? If so, what are the differences?**

Yes.

No.

<sup>23</sup> In the framework of this study, the aim is to identify and assess potential changes that may have occurred in the past five years. Please limit your analysis to the 2014-2019 period. However, should important changes occurred in 2013, you can still mention those and explain the impact on the current rules in place.

**Q6. Is the acquisition of citizenship in your Member State based on the *ius sanguinis* or the *ius soli* principle, on a mixture of these principles, or on other principles? -**

*Please check the appropriate box and explain.*

***ius sanguinis.*** -

*Please explain: Please refer to explanation below in "Other"*

***ius soli.*** *Please explain:*

Unconditional *ius soli*.

*Please explain: Please refer to explanation below in "Other"*

Conditional *ius soli*.<sup>24</sup> -

*Please explain: Please refer to explanation below in "Other"*

Automatic double *ius soli*.<sup>25</sup> -

*Please explain: Please refer to explanation below in "Other"*

Conditional double *ius soli*.<sup>26</sup> -

*Please explain: Please refer to explanation below in "Other"*

Mixed *ius soli* and *sanguinis.* -

*Please explain: Please refer to explanation below in "Other"*

<sup>24</sup> This means that certain conditions have to be fulfilled, e.g. minimum period of residence in the country of the parents.

<sup>25</sup> This means that children born in the country to foreign citizens can automatically acquire citizenship at birth if at least one of their parents was also born in the country

<sup>26</sup> This means that children born in the country to foreign citizens can acquire citizenship at birth if at least one of their parents was also born in the country under certain conditions, e.g. minimum period of residence for parents.

Other. -

Maltese citizenship was established when Malta became independent on the 21<sup>st</sup> September 1964. In the case of persons who were born in Malta prior to that date the principles of mixed jus soli and jus sanguinis are applied. During the period 21/9/64 until 31/7/1989 the jus soli applied, that is, a person became automatically a citizen of Malta at birth by mere birth on the Maltese territory, unless his father enjoyed diplomatic immunity. Subsequently and as the law stands now the jus soli and jus sanguinis principles apply for persons born in Malta and such persons would become Maltese citizens by birth in Malta only if one of their parents is/was a citizen of Malta.

**Q7. In which modes can third-country nationals acquire the citizenship of your Member State? –**

Please check all boxes that apply and briefly describe the main modalities). *Kindly note that the response should refer to the target group of the study only. This question links to Statistical Annex 1.2. –*

By ordinary naturalisation.

- Persons who have been residing in Malta continuously for one year and for four years out of the preceding 6 years may apply to be naturalized as citizens of Malta. The Minister responsible for citizenship matters has the discretion to grant or refuse the application.
- Spouses of citizens of Malta, although the mode of acquisition of citizenship is through registration may submit an application after 5 years of marriage.

By special naturalisation (e.g. based on considerations such as historical / ethno-cultural considerations, for political or other discretionary reasons, investment scheme). *Please explain, briefly outlining the different types of special naturalisation available in your Member State: -*

- Persons of Maltese descent: there is no limit to the number of generations, may apply to be registered as citizens of Malta.
- Provisions in the subsidiary legislation of the Maltese Citizenship Act cater for Maltese citizenship to be acquired on the basis of investment and financial contribution.
- Citizenship may also be granted on the basis of merit, whereby the person concerned has given exceptional services to the Republic of Malta or to humanity, or on the basis of exceptional interest to the Republic of Malta.

By declaration/notification.

- Other (e.g. reinstatement of former citizenship). *Please explain, briefly outlining any other modes of naturalisation not covered above: -*

Former citizens of Malta may re-acquire Maltese citizenship by means of registration.

**Q8 What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in your Member State?<sup>27</sup> -**

*This question links to Statistical Annex 1.2.*

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<sup>27</sup> Please note that statistics on the number of third-country nationals who have acquired the citizenship of your country each year between 2014-2018, differentiated by the grounds of acquiring citizenship are requested in the Statistical Annex.



## Section 2: Conditions and requirements for the acquisition of citizenship after birth through ordinary naturalisation –

**In cases where citizenship is not acquired at birth, what are the requirements and conditions that third-country nationals have to fulfil to obtain citizenship of your Member State?** Please provide a brief overview of the conditions and requirements. Further details are to be provided in the subsequent questions.

Acquisition of citizenship by ordinary naturalization is obtained on the basis of the provisions of article 10(1) of the Maltese citizenship Act. The conditions and requirements are outlined in the following replies below.

1. Persons who have been residing in Malta continuously for one year and for four years out of the preceding 6 years may apply to be naturalized as citizens of Malta. The Minister may grant citizenship if he/she is satisfied that the requirements are satisfied..
2. The acquisition of citizenship by the category of persons outlined in footnote 4 of this study whereby provisions containing the conditions regarding such acquisition are stipulated in the Maltese Citizenship Act (Cap 188) and subsidiary legislation. In this regard the residence conditions for acquisition of citizenship by investment (applicants also include dependents of investor) are provided for by means of Subsidiary legislation 188.03 whilst that on the basis of merit is provided for in Subsidiary legislation 188.04. The grant of citizenship, in this regard is, however, discretionary.

For spouses of citizens of Malta, although the term used is registration there are no residence requirements – couple would, however, must have been living together for 5 years..

*Please note that the questions below only refer to cases when the primary grounds of acquisition of citizenship is through ordinary naturalisation (i.e. the legal process whereby a third-country national who is legally present on the territory of a Member State may acquire citizenship of an EU Member State. A new migrant is described as a third country national who does not have a pre-existing historical tie with the Member State (ethnic, family, historical).’ The conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnical or linguistic) ties to the country are not covered.*

### **Section 2.1 Eligibility -**

#### **Period of residence**

**Q9. After how many years or months of (interrupted/continuous) residence in your country can a third-country national acquire the citizenship of your Member State?**

Persons who have been residing in Malta continuously for one year and for four years  
For ordinary naturalization, persons who have been residing in Malta continuously for one year and for four years out of the preceding 6 years may apply to be naturalized as citizens of Malta. For spouses of citizens of Malta, although the term used is registration there are no residence requirements. As regards other avenues of naturalization these are specified in the relative legislation – see answer to question 9B

**Q9a:** Is this period of residence based on legal residence (i.e. registration at the city hall or in a population registry) or is habitual residence (e.g. proved by house rental, school attendance, tax reports) in the Member State also counted? -

- Legal residence required. – Only in acquisition of citizenship by merit and investment
- Presence in the country sufficient -
- No residence / presence in the Member State is required and citizenship is granted upon entry (e.g. investor schemes).
- Other. -

**Q9b:** Is this period of residence based on effective residence (i.e. physical presence for a regular and extended period in the territory) or is holding a residence permit for the required timeframe sufficient?

- Yes, physical presence necessary.
- No, holding a permit is sufficient.
- Other: - Please refer to reply in question QB

*Please elaborate:*

Article 10(1) of the Maltese Citizenship Act, Regulation 7(12) of Subsidiary Legislation 188.03 and Regulation 4(1)(a) of Subsidiary legislation 188.04 provide the necessary residence requirements.

**Q9c:** What proof (e.g. documentary evidence) is required to demonstrate that the minimum period of residence has been met? -

The document showing the minimum period is obtained from endorsements on passports, residence permits, employment history, attestations from educational establishments etc.

**Q9d:** Can the period of residence be interrupted? If yes, how long can this interruption last? -

- Yes.

Please refer to reply to Q9

- No -
- Other:

**Pre-existing legal residence status -**

**Q 10. What pre-existing legal residence status of the citizenship applicant is accepted?**

*Please also indicate for how long each of the given legal statuses has to be held in order for the third-country national to be able to acquire the citizenship of your country. For temporary permits, please indicate to what extent the number of years the third-country national possesses such a permit count towards being granted access to citizenship.*

- Permanent residence permit. *Number of years to get this permanent status and number of years necessary to hold it for citizenship acquisition:*
- Refugee status. *Number of years:*
- Temporary residence permit. *Number of years:*
- Other protection statuses. *Number of years:*
- Other status:

There are no provisions in Maltese legislation for the status mentioned above.

**Section 2.2 Conditions -****Language**

**Q11. Is knowledge of the national language(s) required for all naturalisation grounds, and if so, what is the required level?<sup>28</sup>**

- Yes.
- No.

As regards ordinary residence which provisions are regulated by article 10(1) of the Maltese Citizenship Act, the relative sub-article only stipulates that an applicant should have adequate knowledge of the English or Maltese language.

**Q11a.** If yes, how is this proven or evaluated? What evidence is required, and which authority is responsible for assessment (e.g. ministry officials, language experts, private language institutions contracted by state, etc.)? -

Applicant is only required to declare on application.

**Q11b.** If your Member State uses a language test, has this test ever been evaluated, e.g. has the test led to better knowledge of the national language(s)? -

- Yes.
- No.

<sup>28</sup> Please indicate the level according to the Common European Framework of References for Languages -CEFR (A1-C2)

**Citizenship tests and commitments** -

**Q 12. Are citizenship applicants required to pass a citizenship or integration test for all naturalisation grounds? Please note that this could also include oral interviews.**

Yes.

No.

**Q12a.** If yes, has the citizenship test ever been evaluated?

Yes.

No.

**Q 13. Is the applicant required to legally or symbolically commit to certain values or norms (such as human rights, democracy, quality and the rule of law) for all naturalisation grounds and if so, which ones? –**

Yes.

No

**Q 14. Are applicants required to pledge formally allegiance to your Member State (e.g. oath of allegiance?) If yes, does this apply to all naturalisation grounds? Please explain the differences. -**

Yes.

For all modes of acquisition of Maltese citizenship, applicants are required to take an oath of allegiance. In cases of acquisition by investment such oath of allegiance has to be taken in Malta.

No.

**Good conduct** -

**Q 15. Is the third-country national expected to fulfil any requirements regarding good conduct (e.g. clean criminal record, fulfilment of civic requirements such as payment of taxes), public order, public health and if so, which ones?**

Yes.

Applicant has to be of good character /the acquisition of citizenship is not contrary to the public interest.

As regards acquisition of citizenship by investment/on basis of merit – there are certain public health requirements.

No.

**Q15a.** If yes, what proof (e.g. documentary evidence) is required to demonstrate that the criteria for good conduct has been met?

For ordinary residence as well as in the case of other modes due diligence processes are conducted by the Authorities and a conduct certificate is requested.

### Economic resources

**Q16.** Is the applicant's economic/financial situation or standard of living taken into account and if so, how (e.g. a minimum income level and assets)? Does this apply to all naturalisation grounds? Please explain the differences.

Yes.

No.

There are no such statutory requirements for ordinary naturalization or other modes of acquisition of citizenship although in the case of citizenship by investment obviously there is a requirement in this regard.

**Q16a.** If yes, what proof (e.g. documentary evidence) is required to demonstrate that the minimum income level / assets have been met? -

N/A

**Q17.** Is the third-country national's housing situation taken into account? -

Yes.

Only in citizenship by investment and by merit is such situation taken into consideration by means of the production of the deed of sale or contract of lease.

No.

**Q17a:** If yes, what proof (e.g. documentary evidence) is required to demonstrate that any housing requirements have been met? -

Please refer to reply to question 17

**Others****Q18. Are there any other requirements not listed above? -**

- Yes.  
 No.

**Section 2.3 Security -****Q19. Are there any specific exclusion criteria (e.g. threats to national security and public order)?**

- Yes.  
 No.

In the case of ordinary naturalization, the relative provision stipulates that the person has to be of good character and a suitable citizen of Malta. As regards the acquisition of citizenship by investment or merit, applicants are not granted citizenship if they constitute such threat, whilst in the case of acquisition of citizenship on the basis of marriage to a citizen of Malta citizenship is not granted if such grant is contrary to the public interest.

**Section 2.4 Specific groups of third-country nationals -****Q20. Are the above-mentioned requirements different for specific groups of third-country nationals, such as the groups listed below. For each group, please briefly explain the main differences that apply:**

- a. Refugees
- b. Other beneficiaries of international protection statuses
- c. Specific categories of legal migrants
- d. Other groups that are significantly represented in your Member State, incl. stateless persons

**Q20a. Refugees -**

There are no special provisions.

**Q20b. Other beneficiaries of international protection statuses**



There are no special provisions.

**Q20c.** Specific categories of legal migrants e.g. people with disabilities or people in old age.

There are no special provisions.

**Q20d.** Other groups that are **significantly represented** in your Member State (e.g. stateless persons, minors, investors, citizens of neighbouring countries). -

There are special conditions for investors and acquisition of citizenship by merit as provided for the provisions of Subsidiary legislation 188.03 and 188.04 respectively of the Maltese Citizenship Act and there are no residence requirements in the case of minors.

### Section 3: Procedural aspects for the acquisition of citizenship in the Member State -

*Please note that, consistent with Section 2, the questions below again only refer to cases when the primary grounds of acquisition of citizenship is through naturalisation based on a minimum period of residence in the country (i.e. 'ordinary naturalisation', not the conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnical or linguistic) ties to the country).*

**Q21. Please briefly describe the procedure in place for third-country nationals to obtain citizenship through ordinary naturalisation. -**

Following the presentation of all the necessary documentation as provided by law, an application, which is prescribed by law, has to be submitted to the relevant authorities.

**Q21a. Are children automatically naturalised once their parents are granted citizenship?**

Yes.

No.

**Q22. What public authorities/agencies are involved in procedures for third-country nationals' acquisition of the citizenship of your Member State?**

*Please mention and describe their roles at each step of the process in order to identify the authorities by which the application is introduced and those taking the decisions.*

The Citizenship Unit within Identity Malta Agency is the entity responsible for the implementation of citizenship legislation as regards ordinary naturalization. The Malta Individual Investor Programme Agency is the agency responsible for the implementation of the processes regarding the acquisition of citizenship by investment.

**Q23. Are these procedures digitised? Can applications for citizenship be made online?**

Yes.

No.

**Q24. What documentation is required in order to submit the application (e.g. passport, birth certificate) (in addition to the evidence reported to meet the conditions set out in Section 2)? -**

All the documentation required is according to the requirements of the relative application.

Documentation which confirms the identity of the applicant is definitely required – this includes civil status certificates, travelling documents etc.

**Q25. What is the legally prescribed maximum time period for the procedure, if applicable, and how long do procedures take in practice? If the different stages of the procedure have maximum time periods (e.g., registration, application, etc.) please differentiate. Are certain types of cases prioritised or fast-tracked, and if so, which ones?**

As regards ordinary naturalization there is no statutory or formal or informal timelines.

As regards citizenship by investment and by merit there are prescribed timelines provided in the law.

**Q26. What are the costs for the application for citizenship (in €)? Please note that this excludes costs for the translation of documents, trainings for language proficiency, etc. Please specify whether different costs apply to different grounds. -**

*Such fees are available on page 77 of Subsidiary Legislation 188.01*  
<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=9536&l=1>

#### FEES.

Application for registration as a citizen of Malta - €150.00

Application for the grant of a certificate of naturalization - €450.00

Registration as a citizen of Malta or the grant of a certificate of naturalisation - €50.00

Application for re-registration or re-naturalization as a citizen of Malta by a person who has already been registered or naturalized as a citizen of Malta –

- Additional fee on first re-registration or re-naturalization - €15.00
- Additional fee on second re-registration or re-naturalization - €20.00
- Additional fee on third re-registration or re-naturalization and so on, on the same rising scale - €25.00

Issue of a certificate under article 20 of the Maltese Citizenship Act - €30.00 Supply of a certified true copy or other copy of any registration or certificate referred to above - €10.00

Supply of a certificate of citizenship to a citizen of Malta - €15.008 Swearing an affidavit - €10.00

Taking an oath of allegiance - €10.00

Application for an inquiry under article 14(4) of the Maltese Citizenship Act - €55.00

Declaration of renunciation of citizenship of Malta - €15.00

#### **Other Fees –**

Acquisition of citizenship by investment – Schedule of Subsidiary legislation 188.03 refers  
<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12141&l=1>

Acquisition of citizenship by merit – third schedule of subsidiary legislation 188.04 refers  
<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12728&l=1>

**Q27 Are there any other evidence requirements to be fulfilled for a final decision to be taken on the citizenship application (in addition to those set out above, e.g. language certificate)?**

A decision is taken on the documentation presented at application stage unless further verification is required. It is to be remarked although it is not relevant to the scope of this study that as regards acquisition of citizenship by investment, prior to the decision, proof of investment and title to property is required.

**Q28 To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?<sup>29</sup> -**

The provisions of the Maltese citizenship act as regards ordinary naturalization provides absolute discretion to the Minister responsible for citizenship matters.

**Q29. What challenges if any have been experienced regarding the verification of the identity of naturalisation applicants? -**

No such challenges have recently been encountered.

**Q30. Is there a right of appeal or basis for legal challenge if citizenship is refused? If yes, do the authorities have to provide information about the grounds for refusal?**

Yes.

No.

In accordance with article 19 of the Maltese Citizenship Act, the Minister shall not be required to assign any reason for the grant or refusal of any application under this Act and the decision of the Minister on any such application shall not be subject to appeal to or review in any court. Notwithstanding such provision a number of judicial reviews were initiated to challenge the decision of the Minister. Constitutional redress proceedings are also sometimes initiated.

**Q31. What are the most common grounds for a negative citizenship application decision? If possible, please list the top 5 reasons.** Grounds could include insufficient language skills, insufficient period of residence, criminal record, unestablished identity.

Please refer to Q30

<sup>29</sup> Absolute discretion means that the state may leave authorities absolute discretion to grant naturalisation to applicants, whether or not they meet the legal requirements. Conditional discretion means authorities only have limited grounds to reject applicants who meet the legal requirements.

**Q32. Does your Member State organise a citizenship ceremony? If yes, is participation in such a ceremony mandatory or voluntary?**

- Yes.  
 No.

**Support provided during the application process**

**Q33. Does your Member State provide information and/ or encourages third-country nationals to consider applying for citizenship?**

- Yes.  
 No.

**Q34. Is governmental support provided to applicants during the application process?<sup>30</sup>  
Have any good practices been identified in your Member State? -**

- Yes.

Officials of the Citizenship Unit assist with the filling of the application.

- No.

**Q35. Does your Member State organise, support or finance integration measures (classes, training, etc.) to facilitate the acquisition of citizenship? If yes, please specify whether these are prescribed by law. –**

- Yes  
 No.

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<sup>30</sup> For the purpose of this study, only support under the control of the state should be included here (e.g. websites, telephone hotline), i.e. support by NGOs or private service providers is excluded unless contracted by the state.

## Section 4: Dual citizenship

**Q36. Is the third-country national required to renounce his/her other citizenship in order to acquire or hold citizenship in your Member State?** *This question links to Statistical Annex 1.4. If your answer is 'no' (i.e. dual citizenship is possible), kindly provide national data on dual citizenship as requested. -*

- Yes.  
 No.  
 Other.

Article 7 of the Maltese Citizenship Act stipulates as follows: It shall be lawful for any person to be a citizen of Malta, and at the same time a citizen of another country

**Q37. Is the requirement to renounce dependent on the person's other citizenship and are there exemptions from this requirement, for example for third-country nationals from third countries that do not allow a renunciation of citizenship ?**

Malta allows dual/multiple citizenship without any reservations.

**Q38. Are there any particular requirements that third-country nationals have to fulfil if they want to acquire or hold the citizenship of your Member State while keeping their other one(s)? If so, which requirements?**

- Yes.  
 No.

**Q39. Are there any particular restrictions placed on third-country nationals who hold dual citizenship? Does dual citizenship confer fewer rights? (e.g. access to specific types of employment)**

- Yes.  
 No.

**Q40. If your Member State allows dual /multiple citizenships, have there been any particular benefits or challenges that this policy has brought?**

- Yes.

More persons have been enticed to apply for citizenship.

- No.



## Section 5: Citizenship and integration

**Q41. How does the integration policy of your Member State address the acquisition of citizenship? Is citizenship addressed in your national integration strategy/action plan?**

Yes.

*Please explain (e.g. is naturalisation considered the end point of an integration process or is the acquisition of citizenship intended to facilitate integration)?*

No.

**Q42. Is there any evidence, e.g., from research or evaluation, indicating that the acquisition of citizenship facilitates integration, in particular on the labour market?**

No.

**Q43. What are the main differences and new rights and duties between being a citizen of your country compared to holding a permanent or long-term residence permit? Please elaborate on the following aspects:**

**Q43a:** Participation in regional or national elections

Only citizens of Malta (or in the case of MEP elections, EU Nationals) can participate in such elections.

**Q43b:** Access to certain types of employment (jobs that are only open to citizens of your country).

Long term residents holding a permit under the provisions of directive 2003/109 as implemented by Maltese legislation have access to employment in the same way as Maltese nationals as provided for in the said directive.

The access to appointments in Public Administrations are restricted as per provisions of Subsidiary Legislation 595.05  
<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=12037&l=1>

**Q43c:** Other differences / advantages, such as social and economic rights (social security, benefits, allowances, etc.)?

Long term residents holding a permit under the provisions of directive 2003/109 have access to such socio-economic rights in the same way as Maltese nationals as provided for in the said directive.

Furthermore the legal provisions for contributory benefits provide for rights and duties that are applicable according to the attainment of minimum qualifying contributions and therefore make no difference between nationals and foreigners. Within this context, if the claimant of a contributory benefit satisfies the minimum contribution conditions, a benefit is due irrespective of nationality.

From a non-contributory point of view, a person who is not a Maltese citizen needs to prove that s/he has enough income and an insurance cover to stay in Malta, unless s/he is in employment and paying the National Insurance contributions. In cases where non-Maltese citizens end up unemployed, or on long sick leave due to malignant diseases, each case is treated on its own merits when the Contributory Benefits are exhausted and the claimant applies for Non-Contributory Benefits. In such cases, applications for Non-Contributory Benefits are accepted if they satisfy the means test and the relevant criteria as laid down in the Social Security Act (Chapter 318 of the *Laws of Malta*).

**Q44.** What support is given once citizenship has been granted to support the new citizen in their role as a citizen (e.g. information sessions organised at a local level, other information material)? Are there good practices in place in your Member State?

There is no such official support.

**Q45.** With the acquisition of national citizenship there is also the acquisition of EU citizenship which confers rights such as the freedom to move or reside within the territory of the EU or the right to vote for and stand as a candidate in the European Parliament and municipal elections. What information or other support measures (if any) are given in your country to allow new citizens to enact their role as EU citizens (e.g. signposting to information material on the rights and responsibilities of EU citizens or specific, tailored information)? Is this different / additional to information provided to all citizens on their rights and responsibilities as EU citizens?

No formal ad hoc information is given to persons who have acquired Maltese citizenship. Such information is, however, made available by the relative public entities responsible for the matters mentioned above falling within their remit.

**Q46. Are there any indications (e.g. in reports, studies or statistics) that acquisition of citizenship facilitates mobility to other Member States and/or mobility or longer-term migration to non-EU countries? -**

Yes.

No such information is available.

No.

### Section 6: Conclusions and lessons learned

*Please comment on the findings of your national report by drawing conclusions, identifying any key challenges and lessons learned, as well as outlining any planned policy developments in the upcoming years:*

Maltese Citizenship is relatively quite young. Through the last 5 decades since it has come into being, the relative legislation has undergone considerable and significant development. Amongst such changes it is to be remarked that:

- from originally Malta being a single nationality state, dual citizenship is now the rule and not the exception;
- the acquisition of the jus soli principle is no longer applicable;
- the granting citizenship to persons of Maltese descent is of right; and
- there has been the introduction of different modes of acquisition of citizenship by means of naturalization.

The relatively large immigration inflows in relation to Malta's demographic situation would start emerging as a challenge in the field of citizenship.

## Annex 1 National statistics

Please fill in the attached excel sheet with the respective statistics for your Member State. Due to the limitations of Eurostat data and national data, statistics provided in this annex shall include all third-country nationals.

*N.B. All Eurostat data will be extracted centrally by the EMN Service Provider. National data will be provided to the extent possible by each EMN NCP. In their national reports, NCPs should briefly describe and comment on the data.*

The Statistical Annex consists of the following:

**Annex 1.1:** Number of third-country nationals that have acquired the citizenship of your Member State in 2018, differentiated by the 10 main former citizenships of the persons concerned and by sex and age groups. N.B. Data for 2014-2017 will be extracted centrally from Eurostat (migr\_acq).

**\*Annex 1.2:** Number third-country nationals that have acquired citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible.

**Annex 1.3:** Share of third-country nationals who acquired the citizenship of your Member State among all resident non-citizens in 2018. N.B. Data for 2014-2017 will be extracted centrally from Eurostat (migr\_acqs).

**\*\*Annex 1.4:** Number of third-country nationals that have acquired dual citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible. *N.B. This annex 1.4 is optional for those Member States which collect such data.*

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\* The information is not available as being requested. Furthermore it is to be remarked that there are no provisions in Maltese legislation that cater for the category of cultural affinity, adoption or citizenship of a specific category.

\*\*Malta allows dual citizenship without any limitation. It is up to the person concerned to ensure as to whether the country of his origin allows dual citizenship. Hence no data can be given in this regard.



Statistics.xlsx