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Valletta

Actual sovereignty of States and "no" from the Court of Justice on Maltese Citizenship by Naturalisation for Exceptional Services



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A very recent judgment of the EU Court of justice ([Grand Chamber, 29 April 2025, case c-181/23](#)) deemed Maltese law regarding naturalisation "by direct financial investment" (*art. 10, par. 9 Maltese Citizenship Act, as amended by Maltese Citizenship Act, law n. XXXVIII of 2020*) to be at odds with Treaties on European Union (TEU) and on Functioning of the European Union (TFEU).

Incidentally, the above investment (*at least 600.000 euros*) is not the only necessary precondition in Malta's naturalisation scheme, which also requires the applicant to hold a residential real estate and to have been a resident in the island for a period of 36 months (*which may be reduced to a minimum of 12 months subject to an exceptional direct investment of 750.000 euros*).

That's what the court ruled recalling, with its usual coherence, the values of respect for dignity, freedom, democracy, equality of citizens and for national identities of the Member States, and stating that "*while it is for each Member State, having due regard to international law, to lay down the conditions for the grant and loss of the nationality of a Member State, those powers must be exercised having due regard to EU law.*"

In conclusion, the judgment under review offers interesting opportunities to deepen the topic of sovereignty of States, which is such a current and critical issue in Italy as well as in Greece, France, Romania and everywhere by now.

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