

2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, six editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

(1) developments and measures taken in relation to the recommendations in the 2025 report,
(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation and enforcement of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

* I am giving my contribution as

- ☐ Academic/research institution
- ☒ Business association
- ☐ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

The Malta Chamber of Commerce, Enterprise and Industry

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism and Freedom
- ☐ Checks and Balances
- ☒ Other

If "Other", please specify

Business advocacy and policymaking

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://maltachamber.org.mt/>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

009462448118-38

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☒ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name



Surname



Email Address of the organisation



* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☒ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution as we will not be able to guarantee anonymisation of these elements.**
- ☐ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2026 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Malta's rule of law landscape since 2024 remained more or less the same with limited transformative reform. Efforts largely built on earlier constitutional and judicial changes, but momentum slowed and perception issues remain.

A. Independence

Judicial appointments continue under the reformed Judicial Appointments Committee model, reducing executive discretion, though questions persist on full insulation from political influence for senior roles. No major reforms introduced on removability or transfer rules; judicial map discussions remain ongoing without any significant overhaul. Promotion, case allocation and disciplinary transparency remain limited, with few publicly visible accountability outcomes. The Commission for the Administration of Justice retains formal autonomy, yet concerns persist regarding composition and potential executive proximity. Prosecution operates independently in law, though capacity and prioritisation challenges surface in complex cases. The Bar retains independence but lacks modernised regulatory strengthening. Public perception of independence is gradually improving but still sensitive to high-profile corruption outcomes and case duration.

B. Quality

Court access saw moderate digital gains; online filing improved, but legal aid resources remain strained and multilingual support limited. Judicial resources experienced routine budget updates without large-scale investment. Professional training continues through ongoing programmes, though systemic capacity building is incremental. Digitalisation progressed, with remote hearings and partial publication upgrades, but AI and integrated case management remain limited. Backlog monitoring and transparency mechanisms are fragmented. Judicial specialisation exists in some sectors, yet commercial mediation and alternative resolution remain underused.

C. Efficiency

Case duration in civil and planning matters continues to challenge the system. Digital adoption and procedural streamlining improved efficiency marginally, without fully reversing backlog trends.

II. Anti-corruption

Institutional structure remains stable (FIAU, Police ACU, Standards Commissioner). Cooperation with EPPO appears to be formally functioning; operational results vary. No major new strategy adoption; implementation indicators limited. Integrity and conflict-of-interest rules exist but enforcement and revolving-door restrictions weak. Lobbying and asset declaration frameworks remain incomplete. Whistleblower protection legislation exists, yet reporting volumes remain low. High-risk areas (public procurement, spatial planning, large projects) continue to attract scrutiny with limited sanction outcomes relative to allegations.

III. Media

No major changes in governance although a public consultation was published <https://www.gov.mt/en/publicconsultation/Pages/2025/L-0018-2025.aspx?>. Alignment with EU Media Freedom Act advancing slowly. Concerns persist on state advertising allocation transparency and PBS independence. Media ownership transparency improved in part but still fragmented. SLAPP exposure remains an issue; anti-SLAPP measures pending. Access to information is legally available but slow and appeal-heavy.

IV. Checks and balances

Public consultation and policy assessment practices inconsistent; fast-track legislation still frequently used. Ombudsman and NAO recommendations often partially implemented. Civil society operates freely but reports irregular engagement channels. Transparency on decision-making improving gradually but not systematic.

Overall, progress since 2024 is incremental with consolidation rather than structural advancement. Judicial and anti-corruption frameworks are present but underpowered in enforcement, media independence relies on upcoming alignment with EU regulation, and policy-making transparency remains uneven.

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 and up to the date of submission^[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

^[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece

- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☒ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

Constitutional reforms (2025): Proposals include three sections within the Constitutional Court, formal shortlist registers for senior appointments, extended retirement age, and a Commissioner for Standards of the Judiciary to oversee ethics and discipline. These aim to strengthen judicial standards and oversight. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/05/19/pr250841en.aspx?>

Court infrastructure and staffing: A new Inquiring Magistrates' Court building was inaugurated in September 2025 to decongest main courts. Staffing increased to the highest levels ever, and budget allocations rose by 11% to improve resources, training, and service accessibility. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/09/16/pr251579en.aspx?>

Magisterial inquiry reforms (Act VIII/2025): Introduced specialised magistrates, deadlines for procedures, victim rights, and judicial review for citizen-initiated inquiries. While procedural safeguards improved various stakeholders noted higher thresholds may reduce citizen oversight. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/04/11/pr250605en.aspx?>

Training & standards: Funding for the Judicial Studies Committee increased, supporting ongoing education and ethical guidance. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/03/17/pr250432.aspx?>

Digitalisation: Court Case Management Systems and digitised legal aid were rolled out under the Digital Justice Strategy 2022–2027 to improve efficiency and access. We expect more information on an RRF project which is expected to complete by 2026 <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/03/17/pr250432.aspx?>

Investigative capacity: The Office of the Attorney General reports a rise in prosecutions (from 11 in 2020 to 492 in 2024). Resources for investigative authorities increased (perhaps not enough), and anti-fraud frameworks are formally reinforced. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/07/08/PR251236.aspx?>

Media reform: Public consultation launched in August 2025 aims to balance freedom of expression with accountability and market integrity, in line with prior recommendations on media independence. Link to media provided in the former section.

Constitutional amendments: Key measures, especially regarding Chief Justice appointments, remain pending. Magisterial inquiries: New law may limit citizen-led oversight; civil society voices have highlighted reduced transparency.

Backlogs & delays: Despite staffing and infrastructure upgrades, delays in civil, criminal, and administrative cases persist.

High-level corruption: Prosecutions increased, but final judgments in significant cases remain limited.

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Since 2024, Malta has continued appointments of judges, magistrates, and court presidents through the Judicial Appointments Committee (JAC), based on public calls and transparent shortlisting. In 2025, two judges (Simone Grech and Rachel Montebello) and two magistrates (Franco Agius and Ingrid Bianco) were appointed from the shortlist, reflecting ongoing judicial replenishment. Earlier in the year, additional magistrates were appointed to inferior courts to address staffing needs. Parallely, the Ministry for Justice proposed constitutional amendments to strengthen the selection framework: formalising a shortlist register, giving the judiciary a formal role in appointing the Chief Justice, restructuring the Constitutional Court into three sections, and raising the mandatory retirement age to 70. These reforms aim to enhance transparency, independence, and merit-based appointments. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/05/19/pr250841en.aspx?>

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Since 2024, Malta has proposed constitutional reforms to update the non-removability, transfers, dismissal, and retirement of judges, court presidents, and prosecutors. Key measures include raising the retirement age to 70, establishing a Commissioner for Standards of the Judiciary to oversee ethics and disciplinary matters, and strengthening procedural safeguards. These reforms aim to balance judicial security of tenure with accountability and modernise the framework governing appointments and discipline. To date, no systemic changes in transfers or compulsory dismissals have occurred, and the proposals remain under legislative consideration. Current provisions still guarantee judicial non-removability outside formal disciplinary procedures. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/05/19/pr250841en.aspx?>

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

As stated above, Since 2024, Malta has continued promoting judges and prosecutors through the Judicial Appointments Committee (JAC). In 2025, two magistrates were promoted to judges (Simone Grech and Rachel Montebello), and two new magistrates (Franco Agius and Ingrid Bianco) were appointed via public calls. Additionally, 17 new lawyers and prosecutors received warrants in April 2025, reflecting strengthened prosecutorial capacity. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/04/04/pr250550en.aspx?>

Allocation of cases in courts

5000 character(s) maximum

A new dedicated building for inquiring magistrates was inaugurated in September 2025 to decongest main courts and better organise case distribution. <https://primeminister.gov.mt/latest-news/pr251579/?>
Under the national Digital Justice Strategy 2022–2027, a centralised case-management system (CMIS) is being rolled out, with randomised digital allocation of cases among judges and magistrates. https://digitaljustice.gov.mt/wp-content/uploads/2023/05/DJS_2022_2027_ENG.pdf?
Meanwhile, the establishment of specialist chambers — including a forthcoming Commercial Court — aims to channel business and complex disputes away from overloaded general courts, thereby improving efficiency. <https://cde.news/malta-news-briefing-wednesday-24-september-2025/?>

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

In June 2025 Parliament approved the creation of a Commissioner for Standards of the Judiciary (to be appointed by Commission for the Administration of Justice, CAJ) to receive and investigate complaints about judges and magistrates, offering citizens a direct route for accountability. <https://tvmnews.mt/en/news/amendment-to-appoint-a-standards-commissioner-for-the-judiciary-is-carried/>

Under the draft constitutional amendments, the CAJ's remit would be strengthened further, including a formal shortlist register for senior appointments and greater judicial involvement in selecting the Chief Justice.

https://www.maltatoday.com.mt/news/court_and_police/135040

[/constitutional_amendment_will_see_introduction_of_commissioner_for_standards_of_the_judiciary?](https://www.maltatoday.com.mt/news/court_and_police/135040)

Having said that, as of late 2025, the Standards Commissioner post remains vacant — the CAJ's new oversight function is legally established but not yet operational.

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Since 2024, Malta has strengthened judicial accountability through the proposed Commissioner for Standards of the Judiciary, tasked with investigating ethical complaints and overseeing discipline. Disciplinary procedures remain under the Commission for the Administration of Justice, ensuring that judicial immunity is balanced with liability for misconduct. Judicial review continues to apply for challenges to disciplinary decisions, maintaining a legal check. While the legal framework is reinforced, the Standards Commissioner post remains vacant, so full operational oversight is pending. <https://www.independent.com.mt/articles/2025-09-29/local/Appointment-of-Judicial-Standards-Commissioner-two-magistrates-two-judges-still-pending-Minister-6736273514?>

Independence/autonomy of the prosecution service

5000 character(s) maximum

Since 2024, Malta has strengthened the independence and autonomy of the prosecution service through structural reforms of the Office of the Attorney General (OAG) and Office of the State Advocate (OSA). A joint EU–Council of Europe project completed in 2025 enhanced internal governance, professional specialisation, and procedural independence. Reorganisation included modernised case-management systems, improved HR practices, and clear division of functions to reduce political influence. As of 2024, the OAG employed 105 officers across six divisions, covering prosecution, international cooperation, and magisterial-inquiry vetting, reinforcing operational capacity. These measures aim to ensure impartial, efficient, and independent prosecution. <https://tvmnews.mt/en/news/eu-council-of-europe-project-strengthens-maltas-attorney-general-and-state-advocate-offices/>

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Recent initiatives include updated guidance on professional conduct, mandatory continuing legal education, and strengthened reporting mechanisms for breaches. Lawyers retain full autonomy in practising law without interference from government or courts. While oversight ensures compliance with ethical rules, the Bar maintains its institutional independence, safeguarding the profession's role in upholding justice and protecting clients' rights.

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

Since 2024, public perception of Malta's judicial independence has been influenced by several developments. The proposed constitutional amendments aiming to formalise judicial shortlists, extend retirement ages, and involve the judiciary in Chief Justice appointments signal intent to strengthen independence, though full adoption is pending.

Controversial magisterial inquiry reforms—which limit direct citizen petitions and raise procedural thresholds—have sparked civil society criticism, potentially affecting public trust. <https://www.independent.com.mt/articles/2025-04-20/local-news/Magisterial-inquiry-reform-From-citizen-safeguard-to-political-shield-6736269488?>

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Since 2024, Malta has improved court accessibility to support both domestic and cross-border users of the Single Market. Legal aid thresholds were reviewed to expand eligibility, and court fees for civil and commercial cases were partially reduced. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/03/17/pr250432.aspx> Also, multilingual services, including English and Maltese proceedings, have been reinforced, and digital filing platforms allow remote access for businesses and EU citizens. These measures aim to enhance transparency, reduce barriers, and facilitate cross-border dispute resolution within the EU Single Market framework.

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

Since 2024, Malta has increased resources for the judiciary. Court staffing formally rose by 42%, bringing total court-service personnel to over 580 (including ~100 legal professionals supporting judges). <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/09/16/pr251579en.aspx>? The 2026 budget allocates €93 million to justice and construction-sector reforms — roughly an 11% rise over the prior year. <https://www.independent.com.mt/articles/2025-11-17/local-news/93-million-investment-announced-to-strengthen-justice-system-and-construction-sector-reforms-6736284863>?

Infrastructure upgrades advanced too: a new building for inquiring magistrates was inaugurated and enhanced courtrooms equipped with modern digital systems (mentioned earlier).

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Since 2024, training of justice professionals in Malta has seen modest but focused upgrades. The Judicial Studies Committee (JSC) continues to organise seminars and induction courses for judges and court staff, and since mid-2025 has collaborated with the Council of Europe to deliver the HELP course on Quality of Justice – the Work of the CEPEJ to judges and prosecutors in Valletta. <https://www.coe.int/en/web/help/-/strengthening-justice-in-europe-seminar-and-launch-of-help-course-on-cepej-for-eu-judges-and-prosecutors>?

In 2025, the Office of the Attorney General (OAG) and the Office of the State Advocate (OSA) rolled out specialised training including advocacy skills and criminal procedure updates — under a new Professional Development Strategy — enhancing prosecutors’ capacities. <https://www.coe.int/en/web/implementation/attorney-general-and-state-advocate-in-malta>?

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

We need more information regarding the uptake of RRF fund for digitisation project which is expected to be completed by mid-2026. To note, the 2025 launch of a digital Legal Aid Management System (LAMS) enhances accessibility for legal-aid applicants, offering online submission and centralised processing. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/05/21/pr250862en.aspx>?

Additionally, through the AMPS project, Malta began piloting AI tools — notably for the Small Claims Tribunal — to assist judges and lawyers with legal-text analysis and case-law research, aiming to boost efficiency without replacing human decision-making. <https://www.um.edu.mt/newspoint/news/2025/05/amps-closing-workshop>?

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

As per further above

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

Since 2024, Malta has slightly reshaped its judicial map to improve specialisation and distribution of court workloads. A new building for Inquiring Magistrates Section was inaugurated in Valletta in September 2025, relocating inquiring magistrates and related registries to a dedicated venue — relieving pressure on the main courts. <https://tvmnews.mt/en/news/pm-inaugurates-new-court-building-dedicated-to-inquiring-magistrates/> Additionally, the re-establishment of a Commercial Court is underway under a 2025 bill, aimed at handling civil and commercial litigation separately from general-civil courts — signalling renewed judicial specialisation. <https://www.lawyersinmalta.com/re-establishment-of-the-commercial-court/>

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

5000 character(s) maximum

As explained above.

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

A modern jury courtroom also became operational, enabling simultaneous jury trials and boosting throughput. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/11/17/pr252041en.aspx?> The government has committed nearly €93 million for 2026 to strengthen court infrastructure, expand human and digital resources, and speed up proceedings. <https://www.independent.com.mt/articles/2025-11-17/local-news/93-million-investment-announced-to-strengthen-justice-system-and-construction-sector-reforms-6736284863?>

Any other developments related to the justice system - please specify

5000 character(s) maximum

Nothing to add.

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

According to the 2025 GRECO report, Malta has fully implemented 8 out of 23 recommendations from its 2019 evaluation; 7 are partly implemented, 8 remain unaddressed. <https://tvmnews.mt/en/news/new-greco-report-finds-malta-still-falls-short-on-anti-corruption-measures/>

The national Anti-Fraud and Corruption Strategy continues to be implemented, and the number of prosecutions has increased sharply — from 11 in 2020 to 492 in 2024. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/07/08/PR251236.aspx?>

Reforms within the police and law-enforcement agencies introduced an updated anti-corruption policy, merit-based promotion procedures, and improved internal audit and oversight systems. <https://timesofmalta.com/article/greco-report-malta-corruption-report-2025.1120327?>

Outstanding gaps: GRECO highlighted key issues still unaddressed. There remains no comprehensive integrity strategy covering all persons entrusted with top executive functions. Asset- and interest-declaration regimes have not been extended to such persons; transparency in lobbying and political influence remains insufficient. <https://www.independent.com.mt/articles/2025-12-09/local-news/International-anti-corruption-body-finds-Malta-not-sufficiently-compliant-with-recommendations-6736285489?>

Moreover, Malta has not yet adopted legislative or practical measures to enable special investigative techniques (like wire-taps or covert surveillance) for corruption cases, limiting prosecutorial effectiveness. <https://timesofmalta.com/article/greco-report-malta-corruption-report-2025.1120327?>

In our opinion, the mixed record — with concrete gains in prosecutions and institutional capacity, yet persistent structural weaknesses — risks undermining public trust and compliance with UNCAC and OECD-derived norms. In particular, lack of transparency on high-level executive integrity, incomplete access-to-information reforms, and inadequate investigative tools may compromise effective detection and prosecution of high-level corruption. These matters merit attention in any future rule-of-law review, and call for targeted monitoring and follow-up.

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Since 2024, Malta has strengthened several authorities tasked with corruption prevention, detection and prosecution. The Financial Crimes Investigation Department (FCID) within the police — supported by the Malta Police Force (MPF) — received increased funding to acquire specialised vehicles and upgraded i2-analysis software under its Transformation Strategy. [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://economicpolicy.gov.mt/wp-content/uploads/2025/05/Annual-Progress-Report-2025.pdf?](https://economicpolicy.gov.mt/wp-content/uploads/2025/05/Annual-Progress-Report-2025.pdf)

The Office of the Attorney General (OAG) in 2025 expanded staffing, hired additional prosecutors, and implemented a new case-management system to enhance prosecutorial capacity. At the same time, the national authorities stepped up cooperation with the European Public Prosecutor's Office (EPPO), which in 2024–2025 initiated and brought to court several EU-funds fraud and corruption cases involving public officials. <https://www.eppo.europa.eu/en/media/news/malta-eleven-charged-investigation-customs-fraud-and-corruption-public-officials?>

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Since 2024, Malta has maintained the functional independence of anti-corruption authorities, such as the FIAU and FCID, through structured reporting lines and statutory mandates. However, GRECO notes persistent gaps, particularly regarding oversight of high-level officials and political insulation, leaving independence partially dependent on administrative practices rather than fully codified safeguards.

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

Since 2024, Malta has made partial headway in implementing its strategic anti-corruption framework. The Financial Intelligence Analysis Unit (FIAU) reports completing 25% of its 2023–2026 Strategy's objectives by end-2024, with 58% underway — including a new case-management system, increased staff and enhanced AML/CFT supervision across sectors. [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://economicpolicy.gov.mt/wp-content/uploads/2025/05/Annual-Progress-Report-2025.pdf?](https://economicpolicy.gov.mt/wp-content/uploads/2025/05/Annual-Progress-Report-2025.pdf)

However, per the 2025 evaluation from GRECO, major gaps persist — particularly lack of a comprehensive integrity strategy for top-executive officials, insufficient asset/interest-declaration mechanisms, absence of lobbying transparency rules, and no enabling of special investigative tools for corruption cases. <https://tvmnews.mt/en/news/new-greco-report-finds-malta-still-falls-short-on-anti-corruption-measures/?>

B. Prevention

Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Since 2024, Malta has taken some steps to improve public-sector integrity for high-level officials — but major gaps remain. A new “Directive 16” for preventing and managing conflicts of interest was rolled out across public administration. [chrome-extension://efaidnbmninnbpcajpcgclclefindmkaj/https://publicservices.gov.mt/en/people/Documents/Directives/Directive_16.pdf?](https://publicservices.gov.mt/en/people/Documents/Directives/Directive_16.pdf)

However, as noted by GRECO in late 2025, Malta still lacks a comprehensive integrity strategy for top-level public officials: gaps persist regarding lobbying rules, full coverage of “persons of trust,” and effective sanctions for misconduct.

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

The Commissioner for Standards in Public Life urged public release of ministers’ 2023 asset declarations—only filed in March 2025 and still unpublished. A 2025 Momentum proposal calls for sweeping laws: mandatory annual audits of elected officials’ assets by the National Audit Office; a public spending ledger with real-time tracking of all government invoices and contracts; and replacement of the domestic freedom-of-information law with an “Open Government” law enforcing 15-working-day response deadlines from authorities. <https://www.independent.com.mt/articles/2025-07-02/local-news/Momentum-proposes-new-laws-to-end-government-secrecy-and-enhance-transparency-6736271359?>

Nonetheless, official reforms remain unadopted and no national lobbying register, gifts-policy or enhanced political-financing transparency laws have yet entered force.

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

A 2025 letter from Commissioner for Standards in Public Life to the Prime Minister pushed for greater transparency in ministers’ asset/interest declarations — urging full public access even as a reform proposal emerged. <https://standardscommissioner.mt/standards-commissioner-writes-to-prime-minister-regarding-asset-declarations/?>

These steps extend conflict-of-interest rules to a wide public-service spectrum, introduce clear compliance mechanisms, and reinforce oversight — especially regarding gifts, second jobs, and economic interests.

--> For the three previous points, **please also provide information and figures on their application/enforcement if available to you**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

Trusted civil-society sources and the 2025 review by GRECO conclude that whistleblower protection remains weak in practice. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://dq4n3btxmr8c9.cloudfront.net/files/higf94/Liberties_Rule_of_Law_Report_2025_Malta.pdf?

As of now, there is no publicly available data showing how many reports led to prosecutions or sanctions — highlighting a persistent gap in transparency and effective follow-up.

[single market relevance] Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

- *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

On procurement oversight, the Malta Chamber of Commerce, Enterprise and Industry continue to call for a publicly accessible procurement-outlook, independent bid evaluation, transparent contract registers (covering milestones, payments, variations), whitelisting of reliable suppliers, and stricter review of direct awards.

<https://www.maltatoday.com.mt/news/national/138428>

/malta_chamber_public_procurement_reform_would_have_prevented_malita_situation_?

A 2025 circular from the Prime Minister's Office underscored mandatory conflict-of-interest declarations for all officials involved in EU-funded projects, including Ultimate Beneficial Owners, procurement-drafters, evaluators, and technical advisors. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://fondi.eu/wp-content/uploads/2025/05/OPS_OPM-EES_1_2025-.pdf?

These calls respond to repeated findings by the National Audit Office of Malta (NAO) and other watchdogs that procurement remains prone to abuse under the existing governance model. <https://www.independent.com.mt/articles/2024-06-22/local-news/Chamber-of-Commerce-highlights-critical-imminent-need-for-a-holistic-reform-in-public-procurement-6736262142?>

While legal and administrative steps have enhanced integrity and oversight, major structural reforms — in particular transparency of procurement data, independent contract review, and robust supplier vetting — remain pending.

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

5000 character(s) maximum

The 2025 reforms under the Building and Construction Authority (BCA) established a mandatory licensing system for contractors/builders — requiring licences for excavation, demolition, and construction — thereby increasing transparency and traceability in the construction sector.

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Malta's criminal framework already criminalises bribery, trading in influence, embezzlement, misuse of public office and related corruption offences — including foreign bribery under certain provisions of the UN Convention Against Corruption (via national law). As of 2025, no major overhaul of this framework was adopted. However, forthcoming EU-wide reforms are due: a recently agreed EU directive will harmonise corruption offences and require member states — including Malta — to implement consistent criminalisation and sanction regimes for public- and private-sector corruption. <https://www.consilium.europa.eu/mt/press/press-releases/2025/12/02/council-and-european-parliament-reach-deal-on-new-eu-law-to-step-up-fight-against-corruption/>

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

The overall number of final judgments in high-level corruption cases remains very low. Several stakeholders point out that, while investigations and prosecutions rose, the “track record of final convictions” continues to lag behind expectations. <https://www.independent.com.mt/articles/2025-07-08/local-news/Action-to-improve-integrity-measures-for-top-politicians-remains-to-be-taken-rule-of-law-report-6736271509?>
Public perception remains sceptical: a 2025 survey found 83% of Maltese consider corruption “widespread,” including among public-sector officials and entities awarding public tenders or permits. <https://www.independent.com.mt/articles/2025-07-11/local-news/83-of-Maltese-believe-corruption-is-widespread-in-Malta-Special-Eurobarometer-finds-6736271599?>

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

2025 GRECO report found Malta still lacks special investigative tools — such as wire-taps — for corruption cases <https://timesofmalta.com/article/greco-report-malta-corruption-report-2025.1120327?>

The recent reform of magisterial-inquiry law now requires citizens to file a police report first, severely limiting direct access to independent investigations. <https://www.idea.int/democracytracker/report/malta/april-2025?>

To note that resource constraints and resignations within investigative services continue to impair effective follow-up. https://dq4n3btxmr8c9.cloudfront.net/files/higf94/Liberties_Rule_of_Law_Report_2025_Malta.pdf?

As a result, lengthy procedures, limited tools and institutional rigidity combine to reduce the odds of accountability for high-level corruption.

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

This was replied to earlier in this survey.

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

Nothing to add.

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

In August 2025 the government launched a public consultation on media-law reform, based on a report by a Committee of Experts, inviting input on issues such as journalistic ethics, disinformation, self-regulation, and media ownership transparency. Link shared before. Detailed proposals by stakeholders pushed for constitutional guarantees of press freedom, stronger safeguards against SLAPP lawsuits, improved protections for journalistic sources, transparent state-advertising allocation, and reform of public-service media governance. <https://www.independent.com.mt/articles/2025-10-07/local/Repubblika-submits-media-reform-proposals-urges-government-to-act-on-press-freedom-6736273729?>

Nevertheless, multiple external assessments — including a 2025 media-freedom report and EU-level watchdog findings — warn that Malta remains among the worst-ranked EU states for press freedom, citing persistent political influence, poor ownership transparency and skewed state-advertising practices. <https://www.maltanewsagency.com/2025/04/malta-under-the-spotlight-in-media-freedom-report/?> Therefore, while the reform process has formally started and opened for public input, actual legal and institutional guarantees for genuine media independence remain pending.

A. Media authorities and bodies

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Within the consultative feedback sent to Government on Media Reform, stakeholders highlighted persistent political influence over public media funding and appointments at Public Broadcasting Services (PBS) and question whether the regulatory authorities have adequate financial, human, or technical resources to enforce the new rules.

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Since 2024, appointments and dismissals of the Broadcasting Authority's members remain politically influenced, formally made by the Prime Minister with parliamentary approval. No legal reform has strengthened merit-based, transparent selection or removal procedures, leaving the independence of regulatory heads vulnerable.

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

The main self-regulatory body for Maltese media practitioners is Institute of Maltese Journalists (IGM). In 2025, IGM became a registered trade-union, aiming to uphold journalistic standards and negotiate labour rights for media workers. IGM maintains a journalistic code of ethics and continues advocating for an independent, industry-led media council rather than state-imposed regulation. <https://cdn.newsbook.com.mt/wp-content/uploads/2025/11/03104443/IGM-Konsultazzjoni-Pubblika.pdf>? Despite this, self-regulation remains weak: enforcement capacities are limited, membership is voluntary, and many journalists remain outside the body's coverage.

B. Safeguards against government or political interference and transparency and concentration of media ownership

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Since 2024, Malta has made limited progress on media independence. State advertising allocation remains largely opaque, with no binding rules ensuring fairness. Political influence persists in public-service media and privately owned outlets, while transparency of media ownership and cross-shareholding remains weak, maintaining concentration risks.

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

Since 2024, Malta has taken limited steps to safeguard media independence. Public service media boards remain politically influenced, with appointments and dismissals controlled by the Prime Minister, while editorial independence safeguards are weak. Licensing, capital requirements, and corporate governance rules for media providers exist but enforcement is minimal, leaving ownership concentration and plurality of opinion at risk.

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

As of 2025, Malta requires media companies to submit ownership details to the Broadcasting Authority, but publicly accessible information on direct, indirect, and beneficial owners remains limited. Transparency gaps persist, hindering public scrutiny and assessment of media concentration or potential political influence. <https://tvmnews.mt/en/news/government-launches-public-consultation-on-media-reform/?>

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Malta maintained legal protections for journalists' independence and source confidentiality under the Press Act, but enforcement remains uneven. Threats, intimidation, and defamation lawsuits continue to affect media workers, with limited prosecutions. Alerts to the Council of Europe's Platform on journalist safety are acknowledged, yet follow-up measures remain sporadic, highlighting gaps in practical protection and deterrence against attacks on press freedom. <https://fom.coe.int/en/accueil?>

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

In 2025, Maltese law enforcement retained formal responsibilities to protect journalists during protests and public events, deploying police to safeguard media coverage. However, reports indicate inconsistent enforcement, with occasional obstruction or intimidation of journalists. Investigations into attacks on media workers are often delayed or under-resourced, limiting accountability. Stakeholders note that structural gaps in police training, procedural protocols, and independent oversight hinder effective protection of journalists in dynamic public contexts.

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

As of 2025, Malta guarantees access to public documents under the Freedom of Information Act, but delays, high fees, and extensive classification limit effectiveness. Judicial review is available, yet often slow. Transparency authorities exist but lack full enforcement powers, reducing timely access for journalists and the public.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

Malta continues to face defamation lawsuits and occasional SLAPPs against journalists, targeting critical reporting. Legal safeguards exist but are limited; courts can dismiss manifestly unfounded claims, yet procedural delays and costs reduce their deterrent effect, leaving journalists vulnerable to abusive litigation. <https://tvmnews.mt/news/journal-of-official-statistics-gurnal-dwar-l-istatistika-ufficjali/>

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

Nothing to add.

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

Over the past year Malta has taken incremental steps to strengthen checks and balances, though significant gaps remain. Public consultations on legislative drafting and impact assessments were launched to improve transparency, stakeholder participation, and evidence-based policymaking. Reforms to fast-track procedures and emergency laws are under review to ensure legal certainty and prevent executive overreach. Parliamentary oversight mechanisms were marginally enhanced, including improved reporting on implementation of EU and national legislation. Independent authorities, such as the National Audit Office and the ombudsman, received limited resource increases, but full operational independence and effective access to data remain constrained. Overall, while procedural improvements and public consultations have been introduced, substantive enforcement of checks and balances continues to be uneven, limiting their practical effectiveness. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/07/08/PR251236.aspx?>

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'*/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

* This includes also the consultation of social partners

5000 character(s) maximum

As mentioned, Malta has expanded public consultations and stakeholder engagement for legislative proposals, with guidance issued for impact assessments and evidence-based policymaking. Civil society participation is encouraged, but enforcement of transparency standards remains inconsistent, and legislative quality varies across preparatory, parliamentary, and implementation phases.

[single market relevance] Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency /urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

Malta continues to use fast-track and emergency legislative procedures, particularly for economic and health measures. Approximately 12–15% of laws were adopted under expedited processes, raising concerns about limited parliamentary scrutiny and potential impacts on legal certainty. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/07/08/PR251236.aspx?>

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Malta maintains formal safeguards for legal certainty and non-discrimination through constitutional guarantees and statutory provisions. However, frequent legislative amendments and ad hoc executive measures continue to challenge stability and predictability of the legal framework. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/07/08/PR251236.aspx?>

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Malta retains constitutional rules for states of emergency, requiring parliamentary approval and enabling judicial review. However, recent practice shows limited proactive oversight, and emergency measures have occasionally been adopted with minimal scrutiny, raising concerns about transparency and proportionality.

Regime for constitutional review of laws

5000 character(s) maximum

Since 2024, Malta allows constitutional review through the Constitutional Court, enabling challenges to legislation's compliance with fundamental rights. While legally established, practical use remains limited, with few cases tested, leaving uncertainties over the effectiveness of judicial safeguards against unconstitutional laws. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/07/08/PR251236.aspx?>

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Malta's National Human Rights and Equality Commission and Ombudsman remain formally independent, with statutory powers to investigate and report. Resource constraints and limited access to state-held data hinder full effectiveness, while the National Audit Office operates with statutory authority but faces practical capacity limitations. <https://www.gov.mt/en/Government/DOI/Press%20Releases/Pages/2025/07/08/PR251236.aspx?>

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past year

5000 character(s) maximum

Malta's NHRI, Ombudsman, Equality Commission, and National Audit Office issued reports highlighting limited follow-up to their recommendations. While some agencies implemented minor procedural changes, most proposals — particularly on public administration accountability, human rights protections, and financial oversight — remain partially or fully unaddressed.

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

Malta has maintained statutory safeguards for independence of economic regulatory bodies, including the MCCA and financial supervisors, with appointment processes defined in law and protections against arbitrary dismissal. Budgetary autonomy improved slightly, though stakeholders note further strengthening is required to ensure full operational independence.

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

Administrative decisions in Malta remain subject to judicial review through the Administrative Review Tribunal and courts, ensuring redress and legality checks. Authorities are required to provide reasons for decisions, with transparency supported through publication of rulings and sanctions. Data reporting improved, although standardisation and proactive publication vary across entities.

[single market relevance] Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

Judicial review of administrative decisions in Malta is primarily undertaken by the Administrative Review Tribunal and the courts. Reviews assess legality, not merits, with interim relief available. Appeals do not automatically suspend decisions unless specifically granted, and sectoral laws provide limited derogations.

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

Malta provides administrative review mechanisms through internal reconsideration processes, oversight by the Ombudsman, and appeals to regulatory bodies across sectors. These safeguards offer non-judicial remedies against decisions or inaction, supporting accountability and early dispute resolution prior to judicial recourse.

[single market relevance] Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

Malta's courts continue to apply Article 267 TFEU where EU law interpretation is required, with referrals primarily from superior courts. Training for judges on EU jurisprudence has expanded, supporting consistent use. No major procedural changes reported over the past year.

[single market relevance] Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

Malta formally implements ECHR and EU Court judgments, with administrative follow-up coordinated by relevant ministries. However, delays and limited enforcement mechanisms persist, particularly for complex cases, requiring affected parties to seek additional remedies through domestic courts to ensure compliance.

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

5000 character(s) maximum

Malta maintains judicial oversight over intrusive surveillance software through warrant authorisations and post-use reporting. Courts review legality, but concerns remain regarding limited independent monitoring, transparency of approvals, and lack of public reporting on scope and frequency of state surveillance activities.

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Malta's legal framework for civil society and human rights defenders ensures registration, reporting, and dissolution rules. In practice, processes are generally accessible, though NGOs report occasional delays and inconsistent transparency in funding allocation, impacting effective operation and accountability.

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Malta provides limited protection for civil society organisations and human rights defenders. Legal safeguards exist against harassment, SLAPPs, and online attacks, yet enforcement remains uneven. Monitoring mechanisms and support services are minimal.

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

Malta provides financial support to civil society through grants and tax incentives, with formal allocation frameworks. However, funding distribution lacks full transparency, and NGOs report delays and limited predictability, affecting financial stability and long-term viability of civil society and human rights initiatives.

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Malta has launched limited initiatives to foster a rule of law culture, including public debates on judicial independence, civil society workshops, and school-based legal education programs. Awareness campaigns highlight rights and governance, though outreach remains modest.

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Nothing to add.

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

5000 character(s) maximum

Over the past year, Malta has faced persistent Single Market challenges, particularly in cross-border services and regulatory alignment. Divergent EU rules on professional qualifications, digital services and public procurement have complicated market access for Maltese businesses, limiting competitive opportunities abroad. Compliance with EU state aid and transparency rules, especially in sectors such as financial services, transport, and energy, remains resource-intensive. Cross-border judicial cooperation is occasionally slowed by procedural differences and delays in recognition of administrative or judicial decisions. Additionally, the small domestic market constrains economies of scale, making full participation in Single Market initiatives challenging, despite government efforts to harmonise regulations and promote international engagement.

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

rule-of-law-network@ec.europa.eu

