

OVERVIEW OF IMMOVABLE PROPERTY RESTITUTION/COMPENSATION REGIME – MALTA (AS OF 13 DECEMBER 2016)

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A. OVERVIEW

Malta (an archipelago in the central Mediterranean Sea) was a Crown colony in the British Empire during World War II. Malta had long been used by Britain as a strategic naval position in the Mediterranean. During the war, Malta served as a base for the Allied attack on enemy sea supply routes to North Africa and also for the Allied attack on Italian air and naval bases. Malta remained under constant bombardment from the Italian and German air forces until 1943. In 1943, Malta was used as a launch pad for the Allied invasion of Sicily, and later, the push into Italy.

The Ministry of Foreign Affairs of Malta reported in 2015 that “Malta never had any immovable property which was confiscated or wrongfully seized by the Nazis, Fascists and/or their collaborators during the Holocaust Era, including the period of World War II.” (2015 Malta Government Response to ESLI Immovable Property Questionnaire.)

As best as we are aware, Malta is not a party to any treaties or agreements with other countries that address restitution and/or compensation for immovable property confiscated or wrongfully taken during the Holocaust.

As best as we are aware, there are no laws in Malta that permit Maltese citizens to file claims in domestic courts for the restitution or compensation of immovable property confiscated during Holocaust, which is located in another country.

Prior to and during World War II, Jewish refugees fled from Continental Europe to Malta because it was the only country in Europe that did not require visas for refugees fleeing Nazi Germany. Today, there are between **60** and **150** Jews living in Malta.

Malta has no reported Roma population.

The Jewish community in Malta is represented by **Chabad Jewish Center of Malta**. The organization was founded in 2013, and focuses on sustaining and supporting Jewish religion and practices in Malta. The Center supervises a synagogue, the only strictly kosher restaurant in Malta, a kindergarten, and various community events.

Malta became a member of the Council of Europe 1965 and ratified the European Convention on Human Rights in 1967. As a result, suits against Malta claiming violations of the Convention are

subject to appeal to the European Court of Human Rights (ECHR). Malta has been a member of the European Union since 2004.

Malta endorsed the Terezin Declaration in 2009, but did not participate in follow-up discussions in 2010, which resulted in 43 other state parties endorsing the related Guidelines and Best Practices.

As part of the European Shoah Legacy Institute's Immovable Property Restitution Study, a Questionnaire covering past and present restitution regimes for private, communal and heirless property was sent to all 47 Terezin Declaration governments in 2015. Malta submitted a response in September 2015.

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