



GOVERNMENT OF MALTA  
MINISTER FOR JUSTICE

**Ms Dunja Mijatović**  
**Commissioner for Human Rights**  
**Council of Europe**

2<sup>nd</sup> October 2023

Dear Commissioner,

Thank you for your letter dated 26 September 2023 concerning the implementation of the recommendations of the Public Inquiry report into the assassination of journalist Daphne Caruana Galizia.

I would like to take this opportunity to address your concerns and keep you abreast with the most recent developments on this pertinent matter.

Firstly, the legislative proposals that were tabled in Parliament early last year had followed a round of broad and inclusive consultations held with key stakeholders, including among others the Caruana Galizia family and their legal representatives, the Institute of Maltese Journalists (IGM) and members of international organisations, for which I refer you to the Prime Minister's previous letter dated 4<sup>th</sup> October 2022 in order to avoid repetition. The purpose behind tabling the legislative proposals in Parliament at the time was to ensure a swift and timely implementation of the Public Inquiry recommendations, given also that the legislative process in Malta consists of four stages where amendments can still be presented until the third stage, better known as the Committee stage.

Moreover, the Committee of Experts on the Media that was established in line with the public inquiry recommendations and presided by Mr Justice Michael Mallia, who was the Chairman of the Daphne Caruana Galizia inquiry, was tasked to scrutinize these draft Bills and provide feedback on them in the form of a Report. The Committee of Experts held wide consultations and took into consideration the amendments by the Opposition as well as documents and reports presented to them by journalists and civil society organisations. Following a short extension of



their term which the Prime Minister had approved, the Committee presented the Prime Minister with their report on 1<sup>st</sup> June 2022, following which the Bills were updated and tabled in Parliament on 4<sup>th</sup> October 2022, after having been first presented to journalists during a Press Conference organized by the undersigned on 28<sup>th</sup> September 2022.

As you know, the IGM had then discussed the Bills in a meeting with journalists and interested parties, following which it requested more thorough consultations, which you yourself had supported. Shortly after, on 13<sup>th</sup> October 2022, the Prime Minister held a meeting with IGM representatives to hear their concerns and in a spirit of cooperation the Prime Minister informed them that he had no objections for further consultations on these Bills and to freeze them at first reading stage in Parliament pending the conclusion of such consultations, as long as the Committee of Experts agrees. In fact, the Prime Minister proceed with writing to the Chairperson of the Committee of Experts on Media where he asked them to consider conducting further public consultations on these three Bills, which the Committee accepted and asked the Prime Minister for an extension of its mandate to be able to see this through.

The public consultation was advertised by the Committee on media portals, both in English and Maltese, and a Facebook page was also launched for additional promotion. The Committee met with, among others, representatives from the European Centre for Press and Media Freedom (ECPMF), Article 19 Europe, the OSCE Office for Democratic institutions and Human Rights, and also held a public consultation session on 15<sup>th</sup> February 2023 at the Aula Magna, Valetta University Campus, where breakout rooms were used for in-depth discussions on each Bill. Article 19 Europe, the Committee to Protect Journalists (CPJ), the ECPMF, the European Federation of Journalists (ErJ) and Reporters without Borders (RST) submitted a report, including recommendations, to the Committee on the updated proposals relating to Strategic Litigation Against Public Participation (SLAPPs).

Recently, on 14<sup>th</sup> July 2023 the Committee of Experts on the Media presented its updated and final report to the Prime Minister and the undersigned, in line with their terms of reference, and we publicly stated that the report will be tabled in Parliament as soon as it reconvenes after the summer recess. I



am pleased to inform you that this report will be tabled before Parliament today, 2<sup>nd</sup> October 2023, as it again resumes its work. Furthermore, the Government will be publishing a white paper seeking to further ensure transparency and inclusivity in this unprecedented reform on the legal framework concerning media freedom towards guaranteeing the best protection ever given to the media and journalists in my country's history.

Secondly, with respect to the Freedom of Information Act (Cap. 496 of the Laws of Malta), I would like to inform you that the public authorities and departments of Government have always provided replies in line with the Act. Moreover, should a request be refused, the applicants have always been provided with a reason for refusal as obliged by article 15 of this Act. In addition, should applicants find the reasons provided unsatisfactory, they may appeal before the Tribunal chaired by the Data Protection Commissioner, and the decision of the Tribunal may then again be appealed before the Court of Appeal as per Article 40.

Thirdly, as regards the investigations into the heinous assassination of Ms Daphne Caruana Galizia and since the Prime Minister's last aforementioned letter to you, there have been considerable developments. On 14<sup>th</sup> October 2022, two persons were convicted of carrying out the execution of the assassination and have been sentenced to 40-years imprisonment and a fine of EUR 42,930.73 each. The trial by jury of the alleged mastermind behind the assassination is set to be appointed following the decision by the Court of Criminal Appeal that is scheduled to be held this week.

Finally, I assure you that the Government is committed to continue undertaking all processes, efforts and measures to ensure the protection and safety of journalists and media professionals as well as guarantee freedom of the press in line with international human rights standards. We have listened and engaged in constructive dialogue with all relevant parties and will continue to listen and deliver on bold legislative, institutional, and constitutional reforms, as well as in implementing the remaining recommendations of the public inquiry. We will equally persist with continuing to provide the necessary resources to our institutions to ensure



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that we deliver justice to the memory and family of journalist Daphne Caruana Galizia.

I look forward to continuing our dialogue on this topic, which we believe contributes to the ongoing discussions not only in our country but also at a wider regional level on enhancing the right to freedom of expression and protection of journalists and media professionals at-large.

Whilst thanking you once again for reaching out, please accept the assurances of my highest consideration and esteem.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Jonathan Attard'.

**Jonathan Attard**  
**Minister for Justice**