

**Question for written answer P-000369/2019
to the Commission**

Rule 130

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Subject: Opinion of the Venice Commission on the rule of law in Malta

Last October, the Legal Affairs Committee in the Parliamentary Assembly of the Council of Europe (PACE) requested the opinion of the Venice Commission on the rule of law in Malta, following a request by Pieter Omtzigt, PACE rapporteur on the investigation into the assassination of Daphne Caruana Galizia and the rule of law in Malta.

The Venice Commission wrote in its opinion¹ of 17 December 2018, under point 144, that ‘The wide powers of appointments, that the Prime Minister enjoys, make this institution too powerful and create a serious risk for the rule of law. Taking into account the Prime Minister’s powers, notably his or her influence on judicial appointments, crucial checks and balances are missing. This problem is accentuated by the weakness of civil society and independent media.’

The Venice Commission furthermore made several concrete recommendations, inter alia in paragraphs 53, 61, 73, 78, 89, 93, 94, 101, 105, 128, 129, 132 and 145.

Could the Commission answer the following questions:

- Do you agree that the rule of law in Malta is at serious risk?
- Are you willing to engage in a constructive dialogue under the rule of law framework?

¹ European Commission for Democracy through law (Venice Commission), Opinion no 940/2018 of 17 December 2018 on constitutional arrangements and separation of powers and the independence of the judiciary and law enforcement.