



Committee on Civil Liberties, Justice and Home Affairs

LIBE Democracy, Fundamental Rights and Monitoring Group (DFRMG)
November 2023

Questions to the Maltese government
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1. How do the Maltese authorities intend to make sure that all those responsible for the murder of Daphne Caruana Galizia are brought to justice at least six years after her death, including the alleged mastermind? (Greens/EFA)
2. How do the Maltese authorities plan to complement the proposals tabled in Parliament to strengthen freedom of expression legislation, so that the reform is in full compliance with the needs identified in the public inquiry report and with international human rights standards? Would the Maltese authorities comply with the recommendation of the Council of Europe's Commissioner for Human Rights to refrain from adopting the current proposed legislative amendments and instead engage in a substantive, inclusive and transparent consultation with civil society, academia, the media and interested citizens on the improvements that these legal changes need? (Greens/EFA)
3. Which measures do the Maltese authorities plan to implement in order to improve the working environment of journalists, in particular on access to official documents in view of continuing instances of denial of access to information under the Freedom of Information Act? (Greens/EFA)
4. How do the Maltese authorities plan to involve the judiciary in the procedure for appointment of the Chief Justice, taking into account European standards on judicial appointments and the opinion of the Venice Commission? Please indicate the timeline for the reform. (Greens/EFA)
5. How do the Maltese authorities plan to reduce the length of investigations and court proceedings, especially in high-level corruption cases? (Greens/EFA)
6. Could the Maltese authorities give the DFRMG a state of play of the ongoing investigations following the annulment of the deal privatizing three Maltese hospitals and handling their management to a private consortium, over fraud suspicions of over 300 million EUR? Will a public inquiry be undertaken to look into public contracts awarded during Joseph Muscat's mandate? Which reforms will be taken to better protect private-public partnership process from fraud and corruption? (Greens/EFA)
7. Which steps will the Maltese authorities take to enhance the independent governance and editorial independence of public service media? (Greens/EFA)
8. How do the Maltese authorities plan to introduce a formalised process for public participation in the legislative process? (Greens/EFA)
9. When will the Maltese authorities ensure the establishment of a Human Rights and Equality Commission taking into account the UN Paris Principles? (Greens/EFA)



Committee on Civil Liberties, Justice and Home Affairs

10. Which steps have the Maltese authorities taken to address the concerns regarding Malta's Citizenship by Investment (CBI) scheme, especially after the European Commission referred Malta to the CJEU on this matter? Which recommendations from the Commission's 2023 Rule of Law report have the Maltese authorities already adopted on this matter? What are the steps that the Maltese authorities will take to implement those recommendations not adopted yet? (Greens/EFA)

11. What are the measures adopted by the Maltese authorities in order to comply with the recommendations from the Commission to advance with the introduction of legislative and other safeguards to improve the working environment of journalists, taking into account European standards on the protection of journalists? (Greens/EFA)

12. The 2023 Rule of Law Report found that there is progress on strengthening efforts to improve the efficiency of justice, particularly to reduce the length of proceedings. What additional measure does the Government take to address the amount of pending magisterial inquiries? In particular, is the lack of efficiency only linked to lack of resources or were there other factors that contributed to the backlog of cases and inquiries as well as delays in criminal procedures? (S&D)

13. How does the Government plan to increase efficiency in civil proceedings such as in commercial and appeal cases? (S&D)

14. What has the Government done concretely in the last months to continue to address the amount of cases related to domestic violence? (S&D)

15. What are the Government's plans to step up measures to address challenges related to the length of investigations of high-level corruption cases? (S&D)

16. The 2023 Rule of Law Report finds that there was progress on advancing with the introduction of safeguards to improve the working environment of journalists. What further measures is the Government intending to take to improve the working environment of journalists? (S&D)

17. We are concerned by the racket exposed by investigative journalists concerning the manner in which supporters of the governing party were helped pass driving exams they would otherwise have failed. We refer to the testimony of front line operators of the corrupt scheme in court stating that they were given instructions to ensure certain people passed their test so long as the car does not return from the test 'stained in blood'. (EPP)

a. What action is being taken to withdraw the licenses of those who passed driving tests in this way?

b. What comfort can we have concerning the safety of our citizens who could be exposed to Maltese drivers given licenses in this way driving in European roads?

c. Why is it that only front line operators of the scheme were prosecuted in court when they were clearly following the instruction of their superiors as clearly demonstrated through published correspondence?



Committee on Civil Liberties, Justice and Home Affairs

d. Is such corruption tolerated, or even encouraged, by the Prime Minister? Would this be a sign of the challenges to the rule of law and the worsening impunity in Malta?

18. It is clear from published correspondence that government officials used the personal data of citizens to treat them differently in government processes. We are particularly concerned by checks that were made to establish the political leanings of applicants for government services and their family members. One particularly heinous exchange from a person employed with the Prime Minister's customer care unit suggests that only his mother could be employed as it's only her who shares political views of the government.

Such systemic discrimination is of grave concern. The use of private data for this purpose is also a breach of European laws. How do you respond? (EPP)

19. Malta remains the only Member State administering a Citizenship by Investment Scheme, with the Commission having brought Malta to the CJEU for this. Why is the Maltese government not fully shutting down the scheme? (Renew)

20. The Commission Rule of Law report finds that Malta has made no progress in the need to involve the judiciary in the procedure for the appointment of the Chief Justice. When does the Maltese government intend to bring this forward? (Renew)

21. The Commission also finds that the Maltese government has not made any progress in ensuring access to documents for journalists. Why has the Maltese government not taken any steps to address the previous Commission recommendations in this field? (Renew)

22. Several journalists, as well as family members of Daphne Caruana Galizia, are still the targets of SLAPPs. Will the government commit to intice the former Prime Minister and others to drop such cases? (Renew)