



Plenary sitting

B9-0471/2022

14.10.2022

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the rule of law in Malta, five years after the assassination of Daphne
Caruana Galizia
(2022/2866(RSP))

Nicolaus Fest, Annalisa Tardino
on behalf of the ID Group

European Parliament resolution on the rule of law in Malta, five years after the assassination of Daphne Caruana Galizia (2022/2866(RSP))

The European Parliament,

- having regard to Articles 4, 5, 6, 7, 9 and 10 of the Treaty on European Union (TEU),
 - having regard to Article 20 of the Treaty on the Functioning of the European Union,
 - having regard to its resolutions of 15 November 2017 on the rule of law in Malta¹, of 28 March 2019 on the situation of the rule of law and the fight against corruption in the EU, specifically in Malta and Slovakia² and of 16 December 2019 on the rule of law in Malta following the recent revelations surrounding the murder of Daphne Caruana Galizia³,
 - having regard to its resolution of 29 April 2021 on the assassination of Daphne Caruana Galizia and the rule of law in Malta⁴,
 - having regard to the hearings, exchanges of views and delegation visits carried out by the Democracy, Rule of Law and Fundamental Rights Monitoring Group of the Committee on Civil Liberties, Justice and Home Affairs since 15 November 2017,
 - having regard to the exchanges of letters between the Chair of the Democracy, Rule of Law and Fundamental Rights Monitoring Group and the Prime Minister of Malta,
 - having regard to Resolution 2293 (2019) of the Parliamentary Assembly of the Council of Europe of 26 June 2019 entitled ‘Daphne Caruana Galizia’s assassination and the rule of law in Malta and beyond: ensuring that the whole truth emerges’,
 - having regard to the report on the follow-up to resolution 2293(2019) of the Parliamentary Assembly of the Council of Europe, endorsed by the Parliamentary Assembly’s Committee on Legal Affairs and Human Rights on 8 December 2020,
 - having regard to Opinion No. 993/2020 of the Venice Commission of 8 October 2020 on ten Acts and bills implementing legislative proposals subject of Opinion CDL-AD(2020)006,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas Article 2 TEU states that ‘the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human

¹ OJ C 356, 4.10.2018, p. 29.

² OJ C 108, 26.3.2021, p. 107.

³ OJ C 255, 29.6.2021, p. 22.

⁴ OJ C 506, 15.12.2021, p. 64.

rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail’;

- B. whereas freedom of expression and freedom and pluralism of the media are enshrined in Article 11 of the Charter of Fundamental Rights and Article 10 of the European Convention on Human Rights (ECHR);
 - C. whereas the independence of the judiciary is enshrined in Article 19(1) TEU, Article 47 of the Charter of Fundamental Rights and Article 6 of the ECHR, and is an essential requirement of the democratic principle of separation of powers;
 - D. whereas the Maltese anti-corruption investigative journalist and blogger Daphne Caruana Galizia was assassinated in a car bomb attack on 16 October 2017; whereas she was the target of harassment and numerous threats in the form of threatening phone calls, letters and text messages, as well as an arson attack on her house and the murder of her dog; whereas the self-confessed hit man testified in court on 16 March 2021 that two years before Daphne Caruana Galizia was murdered there was a previous and separate plot to assassinate her using an AK-47 rifle;
 - E. whereas a public independent inquiry into the murder of Daphne Caruana Galizia was initiated in late 2019 and is still ongoing;
- 1. Is concerned about revelations in the investigations into the assassination of Daphne Caruana Galizia, in particular as regards the involvement of government ministers and political appointees; acknowledges the progress made in the murder investigations; reiterates, however, that the recent revelations raise new questions about the case and related investigations;
 - 2. Urges the Government of Malta to deploy all the necessary resources to bring to justice not only every individual implicated in the murder of Daphne Caruana Galizia, but also those implicated in all other cases that she brought to light prior to her assassination that are currently being investigated or reported; believes that Daphne Caruana Galizia’s work has been essential in exposing corruption in Malta and that these investigations affirm the paramount importance of an independent media as a fundamental pillar of justice, democracy and the rule of law;
 - 3. Welcomes the continuation of the public independent inquiry into the murder of Daphne Caruana Galizia; calls on the Maltese Government and competent authorities to implement the recommendations stemming from the inquiry; welcomes that a series of ministerial inquiries have been opened and are still ongoing;
 - 4. Considers that all allegations of corruption and fraud, especially at a high political level, should be investigated and prosecuted with the appropriate rigour and at the appropriate level, including in relation to the possible involvement of foreign actors; is deeply concerned that Maltese institutions, the Police Commissioner and the Attorney General are still failing to truly initiate investigations into and carry out effective prosecutions in response to the trail of corruption leading to the murder of Daphne Caruana Galizia, as well as scandals following her death, alongside ongoing magisterial inquiries;

5. Reiterates that the Maltese Government should consider the fight against organised crime, corruption and the intimidation of journalists to be of utmost priority;
6. Notes that the ongoing investigation and separate public inquiry into the assassination of investigative journalist Daphne Caruana Galizia have unveiled deep patterns of corruption and have raised a strong societal demand for significantly strengthening the capacity to tackle corruption and carrying out wider rule of law reforms;
7. Is deeply concerned about the duration of litigious civil and commercial cases, as well as administrative cases, which remain very long, with the length of money laundering cases remaining particularly long; notes that according to the 2022 EU Justice Scoreboard, Malta is the slowest EU Member State in handling money laundering inquiries; is deeply concerned about the fact that, in June 2021, Malta was placed on the grey list by the Financial Action Task Force owing to strategic deficiencies in its regimes to counter money laundering, terrorist financing, and proliferation financing, as well as reportedly for its weak enforcement and investigation policies, and is still on that list as the only EU Member State;
8. Stresses that each Member State has its own national identity and constitutional traditions that are in line with European values and which must always be treated with respect, objectivity and with regard to the principle of equality; underlines that the rule of law is a fundamental value for all the Member States;
9. Recommends that the Maltese authorities implement the outstanding recommendations from the Parliamentary Assembly of the Council of Europe, the Venice Commission, the Group of States against Corruption and the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism;
10. Stresses that the Maltese authorities should take further demonstrable steps to improve the protection of journalists and to defend media freedom, by implementing long-term legislative and policy measures that serve to ensure an open environment for critical, independent journalism in Malta; calls on the Maltese Government to address existing concerns related to media freedom and the independence of media regulators and public and private media from political interference;
11. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States, the Council of Europe and the President of the Republic of Malta.