

Model Table assisting responses by Member States

Section 1: Table

Current List of Journalists Killed (as condemned by the UNESCO Director-General) and Legal Investigations (as reported by UNESCO Member States)

Date: To be sent to UNESCO **by 1 July 2019**

Name of journalist	Gender	Date of alleged murder	Investigating Authority	Case Number	Current Status	Verdict	Additional remarks
<i>Ms. Daphne Caruana Galizia</i>	<i>Female</i>	<i>16 October 2017</i>	<i>Police/ Inquiring Magistrate</i>		A magisterial inquiry led by Magistrate Dr. Anthony Vella, after taking over from Magistrate Consuelo Scerri Herrera's who was objected to by the late journalist's family, was initiated according to law, immediately after the reporting of the murder. During the Magisterial Inquiry, evidence was collected for preservation and in order to identify those responsible. Maltese police investigators and experts appointed by the Inquiring Magistrate were assisted by experts from the Netherlands Forensic Institute, from EUROPOL and from the FBI. A few weeks after the murder of Daphne Caruana Galizia, ten people were arrested in a massive operation. Three of those arrested namely Vince	Name of alleged perpetrator(s): George Degiorgio Alfred Degiorgio Vince Muscat	

				<p>Muscat, George Degiorgio and Alfred Degiorgio, were within 48 hours charged in court in connection with the murder. The case is heard in front of the Court of Magistrates as a Court of Criminal Inquiry in a process called 'compilation of evidence' (committals proceedings) . In this process, the Court hears evidence in order to determine whether there is enough evidence to indict the accused and proceed to trial.</p> <p>The Court of Magistrates as a Court of Criminal inquiry has decided that there is enough evidence to indict the accused and the compilation of evidence proceedings are now nearing their end and the filing of a Bill of Indictment is expected imminently.</p> <p>The accused have been detained ever since their arrest and have been denied bail by the same Court of Magistrates and by the Criminal Court.</p> <p>In the meantime, the Magisterial Inquiry into the murder continues for the</p>		
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				<p>purpose of examining whether other persons were involved in the murder.</p> <p>Independence and impartiality of the Maltese Courts is protected by the Constitution of Malta and by the principles of the Rule of Law which are also safeguarded by the European Convention Act, which incorporates the European Convention on Human Rights and a number of its Protocols into Maltese law and by Malta's various international obligations on the subject.</p> <p>In these circumstances, and particularly on account of the fact that three persons were charged with the murder in less than fifty days from the crime and that the Court of Magistrates has decided that there is enough evidence to place these three persons under a Bill of Indictment, the Government of Malta has its reservations as to whether the fact that investigations into the murder continue should really qualify this crime as an</p>		
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					'unresolved' murder of a journalist.		
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Section 2: Positive or Innovative Measures the Member State is taking to promote safety of journalists and combat impunity

Activity	Actors	Outcome(s)
<p><i>Investigation; Legislative change</i></p>	<p><i>Government; Parliament; Inquiring Magistrate;</i></p>	<p>Following the brutal murder, Prime Minister Joseph Muscat addressed a press conference in which he promised that 'no stone will be left unturned' to find the perpetrators of this heinous crime. A €1 million reward was offered by the Government for information leading to the charging of the perpetrator/s.</p> <p>Well before the murder, on the 17th February 2017, Government presented a Bill in Parliament (the Media and Defamation Bill) to change Malta's libel and defamation laws, making them granting journalists substantially increased legal protection, removing criminal libel and prohibiting the issue of precautionary garnishee orders and other precautionary acts by plaintiffs involved in civil libel suits against journalists.</p> <p>That Bill was the subject of very wide discussion and consultation, both in Malta and with international organizations (particularly the OSCE). It was enacted as a law after a number of changes making it even more liberal on the 14th May 2018 when it came into force. One of the changes made to the Bill as a result of the consultation process was a provision to discourage the filing of strategic lawsuits against public participation by providing that when multiple libel actions are filed by the same person about the same article the single capping on libel damages of 11,640 euro will apply to all such cases taken together as though they were one case.</p> <p>During the inquiry, Magistrate Vella also upheld a request made by an association of journalists a few days after the murder to have the murdered journalist's sources protected.</p>

		In 2018 Magistrate Vella, who had been the Senior Magistrate for a number of years, accepted to be promoted to Judge, and the investigation was taken over by Magistrate Neville Camilleri under whose supervision it continues for the purpose of trying to identify any other accomplices.
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Section 3: Steps the Member State has taken to consider the specific risks faced by women journalists in the exercise of their work

A journalist's sex never results in different treatment. Journalists of every gender are awarded the same level of protection and treatment which is also protected by Malta's equality and anti-discrimination legal framework.

Section 4: Agreement to post the submitted information on UNESCO's dedicated webpage

Malta agrees with the above information which is already in the public domain featuring on UNESCO's dedicated webpage.