

Mr. Guy Berger
Director
Communication and Information Sector
Division for Freedom of Expression and Media Development
UNESCO

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Dear Mr. Berger,

I write to reply your letter dated 3rd April 2018, in which you requested some information regarding the brutal assassination of Daphne Caruana Galizia, specifically on the status of legal investigations being conducted into the unresolved case and what actions has Malta taken to promote the safety of journalists to combat impunity, as a way to share good practices., and highlighting the specific risks faced by women journalists in the exercise of their work.

Allow me to deal with the queries separately hereunder:

1. The status of legal investigations being conducted into the unresolved case:

A magisterial inquiry led by Magistrate Dr. Anthony Vella, after taking Magistrate Consuelo Scerri Herrera's place, was initiated automatically according to law, after the reporting of the bombing of Daphne Caruana Galizia. During the Magisterial Inquiry, evidence was being collected in order to find the alleged culprit or culprits. Maltese Investigative Forces were being aided by a Dutch team and members from the FBI.

A few weeks after the assassination of Daphne Caruana Galizia, ten people were arrested in a massive operation. Three people, Vince Muscat, George Degiorgio and Alfred Degiorgio, were arraigned in court in connection with her assassination.

The case is heard in front the Court of Magistrates as a Court of Criminal Judicature in a process called 'compiling of evidence'. In this process, the Court hears if there is enough evidence to prosecute the accused and at the end, the accused are either sent to face a trial by jury or a decision is given by the same court, depending on the gravity of the crime. In this case, if there is enough evidence against the accused, they will be put to trial.

Accused have been detained ever since their arrest and have been denied bail by the same Court of Magistrates.

Independence and impartiality of the Maltese Courts is protected by the Constitution of Malta and by the principles of the Rule of Law.

2. Actions taken by Malta to promote the safety of journalists and to combat impunity, as a way to share good practices, and highlighting the specific risks faced by women journalists in the exercise of their work:

Following the brutal murder, Prime Minister Joseph Muscat addressed a press conference in which he promised that 'no stone will be unturned' to find the perpetrators of this heinous crime. A €1 million reward was offered by the Government for information leading to the capture of the perpetrator/s.

Prior to this assassination, Government changed libel and defamation laws, making them less stringent towards journalists, and removed the possibility of garnishee orders being issued against journalists when faced with libel proceedings.

During the inquiry, Magistrate Vella also upheld a request to have the murdered journalist's sources protected.

However, there is no different in treatment towards journalists on the basis of sex. Journalists, being either male or female, face the same risks and are given the same level of protection and treatment.