

13  
Sep 2018

▲ Lvl. 2

State replied

Malta

n° 15/2017

Alert created on: 10 Feb 2017

## Malta Economy Minister Issues four Libel Suits and Warrants Against Blogger Daphne Caruana Galizia

SOURCE OF THREAT ▶ State

CATEGORY  ▶ Harassment and intimidation of journalists

**PARTNER: EFJ/IFJ, CPJ, Index, IPI, RSF**

Malta Independent journalist and blogger Daphne Caruana Galizia is having her bank accounts frozen with precautionary warrants for 47,460 EUR after a court upheld on 8 February 2017 a request by Maltese Economy Minister Chris Cardona and his consultant Joe Gerada to issue garnishee orders alongside four libel suits they have filed against her.

The journalist is sued for publishing on her blog an article reporting that both men visited a brothel in Velbert (Germany) while on government business. Cardona has denied the allegation.

According to media reports, the effect of the precautionary warrants on her assets means her bank accounts will remain frozen until the case is concluded and that could take many years.

In a statement published on her blog, Daphne Caruana Galizia denounced an attempt to gag the press. The Institute of Maltese Journalists called on the minister to reconsider his action, highlighting the exaggerated nature of the legal action.

### UPDATES

**13 Sep 2018:** 34 libel proceedings remained open against Caruana Galizia after her assassination on 16 October 2017 and are pending before the domestic courts. Among them, one case brought by Malta's Prime Minister Joseph Muscat; two cases brought by Minister for Tourism Konrad Mizzi; two cases brought by the Prime Minister's Chief of Staff Keith Schembri; one case brought by former Deputy Governor of the Central Bank Alfred Mifsud; one case brought by the head of Malta's 2015 Commonwealth Heads of Government Meeting task force Phyllis Muscat; and 19 cases brought by businessman Silvio Debono.

➔ **RSF statement : "Ten years after launch of blog, murdered Maltese journalist Daphne Caruana Galizia faces posthumous barrage of libel lawsuits"**

**16 May 2018:** A new revised Media and Defamation Bill enacted on 13 May 2018 decriminalises defamation. In addition to abolishing criminal libel, the Act removes references to offending “public morals or decency”, prevents plaintiffs from filing garnishee orders against journalists and only allows applicants to file one libel suit per story.

**31 Mar 2017:** On 11 March 2017 Silvio Debono, owner of real estate investment company DB Group, filed 19 libel cases against journalist Daphne Caruana Galizia. Galizia published a number of articles about Debono cutting a deal with Malta's government to take over a large tract of public land in a high value coastal area on which he plans to build a Hard Rock Hotel and two towers of flats for sale. In her statement, Daphne Caruana Galizia said that the libel suits are all about the same subject, "taking advantage of the fact that the law allows them to sue for each comment, article or blog post even if the subject matter and the author are the same." "The cases will drag through the courts, it will cost me around €8,000 merely to file my responses, and anybody else would have been intimidated into submission," she added.

➔ **Blog entry by Daphne Caruana Galizia: "My statement sent to the media in response to that released by Silvio Debono's outfit"**

➔ **Article published by the Times of Malta: "Daphne Caruana Galizia slapped with 19 libel cases from db Group"**

## **ADDITIONAL INFORMATION**



➔ **CPJ statement: "Court freezes Maltese blogger's bank accounts on libel accusations"**

➔ **Report published on the Mapping Media Freedom platform: "Malta: Four libel suits and warrant for assets freeze filed against blogger"**

➔ **Statement of the Institute of Maltese Journalists: "L-IĠM jinnota l-passi fil-Qorti fil-konfront ta' Daphne Caruana Galizia "**

➔ **Statement of the European Federation of Journalists: "Malta: Libel suits and warrants against Daphne Caruana Galizia "**

➔ **Statement of Daphne Caruana Galizia: "The Minister for the Economy and his 'policy officer' have frozen my bank accounts: My statement issued to all media"**

➔ **Article published by Daphne Caruana Galizia: "Malta's Economy Minister, Labour Party deputy leader in German brothel tonight"**

## STATE REPLIES



**17 Nov 2017** | Response from the Maltese authorities

➔ **Text of the new proposed Media and Defamation Bill (in Maltese and English)**



**16 Feb 2017** | Reply from the Government of Malta

➔ **Letter of the Permanent Representation of Malta to the Council of Europe**

➔ **Bill of the Media and Defamation Act 2017 (Maltese version followed by English version)**

## FOLLOW-UPS



**16 May 2018** | OSCE representative welcomes decriminalization of defamation in Malta, urges dismissal of civil defamation lawsuits against Caruana Galizia's heirs

➔ **Statement by Harlem Désir**



**16 Feb 2017** | OSCE Representative for Media Freedom urges authorities in Malta to protect independent journalists and free expression

➔ **Statement from Dunja Mijatović**