

Member of the European Parliament

Frans Timmermans
Vice President of the European Commission
European Commission
B-1049 Brussels, Belgium

Brussels, 10 April 2018

Dear Vice-President Timmermans,

Earlier this year you were called on by MEPs from across political groups to propose legislation that will address and end "SLAPPs" - lawsuits intended to intimidate and silence investigative journalists and independent media by burdening them with exorbitant legal expenses until they abandon their opposition. This practice is abusive, poses a threat to media freedom and has no place in the European Union.

SLAPPs have been used in Malta to intimidate investigative journalists and media houses by the now notorious Pilatus Bank that was exposed through leaked reports from Malta's anti-money laundering agency as having been laundering the proceeds of corruption for Keith Schembri, the Prime Minister's Chief of Staff, and his associates. The practice was also used by Henley & Partners, the concessionaires of citizenship-for-cash scheme.

In the case of assassinated investigated journalist Daphne Caruana Galizia, SLAPPs were used with the complicity of the Maltese Prime Minister Joseph Muscat, his Chief of Staff Keith Schembri and Minister for Justice and Culture Owen Bonnici.

In the Maltese Parliament an amendment to a media law was proposed by opposition MP Jason Azzopardi that would prevent the enforcement of SLAPP judgements in Malta. Yesterday, the Minister for Justice and Culture indicated the Maltese government would not support this amendment on the basis of it being incompatible with EU law. Following a vote the amendment was rejected.

In view of the Maltese government's complicity in the use of these practices as recently as December last year, this announcement was to be expected. The justification of incompatibility with EU law is nothing more than a weak pretext to block legislation that will protect investigative journalism in Malta.

This development nevertheless further strengthens the argument in favour of the necessity of having EU legislation on this crucial issue.

In view of your announcement in the LIBE committee last month were you indicated that the Commission was actively assessing the feasibility of proposals put forward to you by the cross-party group of MEPs, I urge you to ensure that this legislation is proposed before the Commission's self-imposed May deadline.

Sincerely,



David Casa MEP