



## Committee on Legal Affairs and Human Rights

### **Rapporteur on the assassination of Daphne Caruana Galizia reflects on another week's revelations, renews call for Prime Minister's immediate resignation**

Pieter Omtzigt (the Netherlands, EPP/CD), rapporteur on 'Daphne Caruana Galizia's assassination and the rule of law in Malta and beyond: ensuring that the whole truth emerges', today released the following statement after another week of revelations in Malta.

"Alongside the visit of the European Parliament delegation, which has underlined Europe's acute and growing concerns over the situation in Malta, the Maltese courts have heard shocking testimony from Melvin Theuma, the alleged middleman, and Yorgen Fenech, the alleged 'mastermind'.

Theuma's testimony has directly implicated the office of the Prime Minister (OPM) in the murder plot and raised issues that involve also Prime Minister Muscat himself. According to Theuma:

- "Kenneth", who said that he worked in the OPM, told Theuma that the three suspects would be granted bail and receive €1 million each. ('Kenneth' has since been identified as Kenneth Camilleri, a bodyguard who had accompanied Prime Minister Muscat on visits abroad, and who was previously involved in a secretive visit to Libya with Neville Gafa, another OPM employee.)
- Yorgen Fenech told Theuma to expect a call from Sandro Craus, an OPM official. Craus invited Theuma to the Prime Minister's offices, where he met Keith Schembri, then the Prime Minister's chief of staff. (There is a photograph said to show Schembri and Theuma together in the Prime Minister's offices.)
- Craus then gave Theuma a government job, for which it was understood he would be paid without actually working. (His employment has since been confirmed by the civil service.)

Theuma also testified that Fenech told him in advance about the police operation to arrest the three suspects, and was aware that one of them, Vince Muscat, was offering to testify against the other two. Fenech has since testified that Schembri had kept him constantly informed about the investigation.

Telephone data is said to show frequent contacts between Fenech and Schembri prior to Fenech's arrest. Fenech has testified that Schembri – with whom he had a "fraternal" relationship – warned him that his phone was tapped, conspired with him to evade arrest and passed secret messages to him after his arrest, telling him what to say to the police.

Prime Minister Muscat admitted that he continued to exchange text messages with Fenech after he became a suspect. Apparently, this was done with the knowledge of the Malta Security Service (MSS). Muscat had previously denied any contact with Fenech for a 'year or two' before his arrest. It is not known whether the MSS had been aware at the time of the alleged links between Schembri and others in the OPM, on the one hand, and Fenech, Theuma, and (via Theuma) the three suspected killers, on the other. It is not known whether the MSS monitored the content of Muscat's exchanges with Fenech.

Prime Minister Muscat has refused to say whether he has maintained contact with Schembri since Schembri's arrest. Neville Gafa, an OPM employee, has repeatedly visited Schembri's home since his release without charge from police custody.

On 4 December, parliament – in the absence of the opposition – voted to go into recess until 20 January. For most of this period, Muscat will remain Prime Minister, dealing with "day-to-day business", whatever that means. There will be no parliamentary oversight of his remaining time in office, which will coincide with crucial stages in the investigation and court proceedings.

At the end of their visit, the MEPs declared that "the next 40 days will be crucial, also for trust in the integrity of the investigation. [...] with Prime Minister Muscat in place, that integrity is at risk." The Malta Chamber of Advocates, the Malta Chamber of Commerce and over 300 Maltese academics have all this week called for Muscat's immediate resignation.

Given these new developments, I strongly reiterate my [call](#) for Prime Minister Muscat to resign with immediate effect. There must be a prompt and effective investigation of the allegations that members of his office were implicated in the murder and its cover-up. By clinging to office, Muscat risks undermining the investigation and doing yet further damage to Malta's national institutions and international reputation.

On a more positive note, the independent public inquiry finally begins its work today – more than two months after the deadline set in Assembly [Resolution 2293 \(2019\)](#). I look forward to its examination of the wider circumstances surrounding Daphne's murder and whether through action or omission, state actors and officials may have played a part."

*Strasbourg, Friday 06 December 2019*