

RULE OF LAW

MALTA'S INPUT TO THE
2025 ANNUAL RULE OF
LAW REPORT

January 2025

Foreword by the Deputy Prime Minister and Minister for Foreign Affairs and Tourism

As the geopolitical landscape continues to evolve and present new challenges, the urgency of upholding the founding values of the European Union – respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights – has never been greater. In 2024, the European Union remained steadfast in its commitment to protecting democratic integrity, with the Rule of Law Mechanism serving as a cornerstone of this effort.

Malta remains fully committed to supporting the Rule of Law Mechanism, recognising its preventive nature as well as its pivotal role in fostering trust and cooperation among Member States. This year, we witnessed positive momentum in the EU enlargement process, further highlighting the importance of introducing candidate countries to the Rule of Law dialogue. This engagement ensures a proactive approach to securing the Union’s democratic resilience in an enlarged setting, while fostering a spirit of mutual trust and shared responsibility.

As we endeavour to ensure democratic resilience, Malta firmly believes that the Rule of Law Mechanism will play a pivotal role in guiding Member States toward meaningful national reforms. This platform facilitates open and honest political discourse, enabling countries to collectively strengthen good governance, judicial integrity, and institutional capacities.

Throughout 2024, Malta continued to strengthen its commitment to good governance and democratic integrity. The 2025 Rule of Law Report reflects the progress made in judicial reforms, anti-corruption initiatives, media freedom, and strengthening institutional capacities – all essential to bolster the rule of law.

The Maltese Government remains dedicated to pursuing positive reforms, fostering open dialogue and diligently implementing recommendations. Upholding the Rule of Law is not merely a legal obligation—it is a collective duty that safeguards democracy, ensures accountability, and promotes international cooperation. In this era of geopolitical uncertainty, the Rule of Law stands as a stronghold against instability, ensuring a just, stable, and resilient Europe for all.



A handwritten signature in blue ink, which appears to read 'Ian Borg'. The signature is fluid and cursive, written on a white background.

Hon. Ian Borg

Deputy Prime Minister and Minister for Foreign Affairs and Tourism

Foreword by the Minister for Justice and Reform of the Construction Sector

The principles of justice, the rule of law, and good governance form the bedrock of any democratic society. Malta has consistently reaffirmed its steadfast commitment to strengthening its legal framework, supporting independent institutions, and ensuring accessible, impartial, and effective justice.

Recent reforms align Malta's justice system with international standards, modernising the judiciary and enhancing transparency. The



restructuring of judicial appointments and removals, the bolstering of prosecutorial independence through the establishment of the Office of the State Advocate, and the refinement of the functions of the Attorney General are pivotal steps that have enhanced the overall efficiency and transparency of Malta's legal system. These measures ensure that the judiciary remains free from external influence, embodying the essential principle that justice must not only be done but must also be seen to be done.

Malta recognises that the rule of law is dynamic, adapting to contemporary challenges. Efforts to improve the efficiency of judicial proceedings, reduce case backlogs, and streamlining procedural frameworks to ensure the timely delivery of justice. The expansion of the judiciary, the augmentation of resources allocated to the Court Services Agency, and the increased recruitment of legal professionals within the Attorney General's Office and the State Advocate's Office further demonstrate Malta's proactive approach to fostering a more robust justice system. Notably, the Government's strategic investment has resulted in the largest number of judiciary members, the highest number of employees within the Court Services Agency, and the most significant number of prosecutors working at the Office of the Attorney General in Malta's history. Additionally, during 2024, the Ministry for Justice successfully passed 11 Bills through Parliament and introduced amendments to 12 Subsidiary Legislations, all addressing different areas within its remit, further solidifying its commitment to legislative advancements and judicial efficiency.

A fundamental aspect of these reforms has been the Government's commitment to the protection of fundamental rights, particularly freedom of expression and the safeguarding of journalists. The tragic assassination of Daphne Caruana Galizia underscored the urgency of reinforcing media protection and ensuring that journalists operate in an environment free from intimidation or threat. In response, comprehensive legislative measures have been introduced to fortify the rights of journalists, enhance transparency, and uphold the highest standards of accountability in public life. The enactment of the Strategic Lawsuits Against Public Participation Order and the establishment of mechanisms to assess and mitigate threats to journalists highlight the Government's firm stance on defending the freedom of expression and fostering a culture of openness and accountability.

Moreover, Malta has actively pursued legislative initiatives aimed at enhancing corporate governance, financial regulation, and anti-corruption measures. Recognising that a strong justice system extends beyond courtrooms, the Government has implemented rigorous reforms to combat financial crimes, strengthen regulatory oversight, and promote ethical governance. The reinforcement of institutions such as the Financial Intelligence Analysis Unit

and the Malta Financial Services Authority underscores Malta's commitment to maintaining the highest standards of integrity and transparency within its financial and corporate sectors.

Public participation remains a cornerstone of Malta's legal reforms, as evidenced by the Government's continuous engagement with civil society organisations, legal practitioners, and international bodies. The year 2024 began with the enactment amendments to the Constitution, the Criminal Code and the Police Act that extends the pre-trial detention period for serious offences so that the investigators will have more time to obtain and preserve evidence. We held a national public consultation involving civil society, professionals, and stakeholders concerning reforms in the Family Court, as well as additional measures to ensure more effective justice for victims of drug-related crimes. This inclusive approach ensures that legal reforms remain responsive, effective, and aligned with both domestic priorities and international obligations.

As we look towards 2025, we are keen to prioritise the ongoing work on reforms related to inquiries, the evidence compilation process, and the Family Court. Additionally, the legislation aimed at establishing a specialised Commercial Court will also feature prominently on the parliamentary agenda. Concurrently, we will continue to advance national discussions on the draft laws prepared by the Government based on recommendations from the Committee of Experts on Media established following the public inquiry into the tragic death of Ms Daphne Caruana Galizia. The intention is to imminently launch a wide national public consultation to discuss the extension of the rights afforded to journalists by virtue of the Strategic Lawsuits Against Public Participation Order to domestic cases.

As Malta continues its journey of legal modernisation and institutional strengthening, its unwavering dedication to justice and the rule of law remains at the forefront of national governance. The country's proactive legal reforms, coupled with its commitment to judicial independence, transparency, and accountability, position Malta as a model of democratic resilience and legal integrity within the European Union and the broader international community.

In conclusion, the enhancement of the justice system and the continuous implementation of legal reforms underscore Malta's determination to uphold the fundamental principles of fairness, equality, and due process. By embracing a forward-looking approach to governance, Malta not only fortifies its domestic legal framework but also contributes meaningfully to the broader global discourse on justice and the rule of law. The government remains steadfast in its pursuit of legal excellence, ensuring that Malta's justice system continues to serve as a beacon of democratic governance, integrity, and accountability.



Hon. Jonathan Attard

Minister for Justice and Reform of the Construction Sector

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I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable).

Recommendation 1: Pursue the draft reform endorsed by the Government to involve the judiciary in the procedure for appointment of the Chief Justice.

The Maltese Government is committed to addressing the recommendation through an amendment to Article 96(3) of the Constitution of Malta, which deals with the appointment method of the Chief Justice. This amendment will require the mandatory consultations with the incumbent Chief Justice, which represents the judiciary as a collective body, prior to the appointment of a new Chief Justice.

The proposed amendment was already endorsed by the Cabinet of Ministers. As a next step, the relevant draft bill will be tabled before the House of Representatives. Given that this amendment requires a two-thirds majority vote to be enacted, it will be presented alongside additional constitutional amendments that focus on the judiciary.

The Maltese Government is committed to fully implementing this recommendation by the second quarter of 2025.

Recommendation 2: Further strengthen efforts to improve the efficiency of justice including by providing additional resources, particularly to reduce the length of proceedings.

The Maltese Government has continued to pursue efforts to enhance the overall efficiency of the justice system through the digitalisation of judicial processes, implementing legislative reforms to improve the overall procedures including timeframes, and enhancing the capacity and efficiency of the judicial workforce.

Increase in the Members of the Judiciary

As part of the efforts to expedite judicial proceedings, the increase in the number of members of the judiciary is as follows:

	December 2020	December 2024	Percentage increase
Judges ¹	20	26	30%
Magistrates	21	29	38%

Digitalisation

The Government remains committed to facilitate the transition to a more digitalised justice system as pledged by the [Digital Justice Strategy \(2022-2027\)](#), which aims to gradually redesign business processes within the justice sector through a digital-by-default approach

In line with this strategy, the tender for the development of the Court Information Management System (CIMS) was issued on 5 September 2024, with an estimated cost of €10,000,000. This project aims to digitalise the court processes to optimise the resources of the Court Services Agency's and streamlining operations. Currently, the submitted offers are under evaluation.

Additionally, tender documents are also being drafted to set-up new case management systems for the Office of the Attorney General and for the Office of the State Advocate, respectively.

Concurrently, the preparatory phase of the process mapping exercise across all justice entities is underway, with the mapping of the processes of the Court Services Agency and those of the Office of the Attorney General and the Office of the State Advocate constituting the first project milestones. This exercise will include the mapping of the 'as-is' processes, the mapping of the 'to-be' processes and will estimate the costs associated with each process.

¹ Excluding the Chief Justice and the Judge sitting at the European Court of Human Rights.

Legislative Reforms

Commercial Court Reform

The surge in economic activity called for the establishment of a specialised Commercial Court which will be competent to hear commercial and maritime disputes expeditiously and efficiently. In this context, the Maltese Government is committed to establishing this Commercial Court to meet the growing need for timely resolution of such matters.

To facilitate this initiative, the plan includes not only an increase in the number of judges appointed to the Commercial Court but also the development of a new facility dedicated to its operations.

The Court Services Agency has successfully acquired a strategically located government property in Valletta. Initial assessments indicate that this property can adequately accommodate the Commercial Court, with potential space for two court halls, a registry, and multiple offices for judges and court staff.

Simultaneously, legislative amendments are being proposed to establish the Commercial Court as a fully-fledged court, rather than as a court section of the First Hall Civil Court. The legislative process will progress independently of the new building's completion.

On 5 December 2024, the [Various Laws Relating to the Establishment and Jurisdiction of a Commercial Court \(Amendment\) Bill](#) was introduced as a motion for First Reading to the House of Representatives. The First Reading took place on 9 December 2024. Second and subsequent Readings are expected to take place in the coming weeks, with the aim of achieving adoption by the second quarter of 2025.

Family Court Reform

The reform of the Family Court, which is aimed at providing families with a more supportive and effective access to justice, is well underway.

A national conference was held on 20 April 2024, to gather ideas and proposals from the general public. Key themes discussed during this conference aimed to include care and custody, maintenance, mediation, court proceedings, and the role of professionals in the social sector. In addition, several public consultation meetings were conducted with professionals from both the social and legal fields, as well as members of the general public.

On 30 September 2024, the Government launched a [public consultation](#) to further engage citizens in the reform. This consultation, which ran until 11 November 2024, garnered valuable feedback, with over 70 submissions from 48 individuals from the general public, along with more than 20 submissions from NGOs, professional bodies and other Government entities.

The Government is currently assessing the feedback received to develop concrete legislative proposals for the Family Court reform.

Compilation of Evidence and Referrals

The upcoming reform for evidence compilation in the Court of Magistrates will introduce an accelerated disclosure and committal process, moving away from traditional oral committal proceedings where every witness testifies in person. Instead, expedited processes will increasingly rely on pre-documented evidence. This change aims to significantly reduce the duration of committal proceedings and enhance the overall efficiency of criminal proceedings.

A [public consultation](#) was launched in 2023 to gather input from a wide range of stakeholders and the general public on proposed reforms to criminal committal proceedings. The feedback received was integrated into a draft Bill, which will soon be resubmitted to the Cabinet of Ministers for approval before being tabled before the House of Representatives. Once adopted, these legislative measures are expected to represent a significant advancement in improving the efficiency and fairness of criminal committal proceedings.

Magisterial Inquiries Reform (In Genere)

The Government has proposed legislation to reform the inquest system (or *in genere*) with the objective of expediting procedures and ensuring fairness for all parties involved. This initiative aligns with the Venice Commission's recommendations in its Opinion of 17 December 2018, which suggested that magisterial inquiries should fall under the responsibilities of the Attorney General. The proposed amendments do not transfer the conduct of inquests to the Attorney General as suggested in the Opinion. Instead, these amendments aim to establish a system of checks and balances by granting the Attorney General a more central and well-defined role in the inquest process, while preserving the independence of Magistrates and Judges.

These changes are intended to enhance the protection of the rights of individuals involved in these processes as well as victims of crime. In this regard, the [Criminal Code \(Amendment No. 2\) Bill](#) was presented as a motion for First Reading on 14 January 2025.

As part of this reform process, four magistrates have already been appointed to focus exclusively on magisterial inquiries to address current backlogs. Consequently, current sitting magistrates are relieved of their duties relating to these inquiries, enabling them to concentrate on clearing their own backlogs and managing ongoing cases. A [call](#) for an additional two magistrates was issued on 30 January 2025.

Other Initiatives

The Court Services Agency is dedicated to enhancing court buildings to support the judiciary's effective operation. In addition to previously reported developments, the following significant improvements have been made or are ongoing:

- **Family Court Refurbishment:** This includes the introduction of a new hall and various modernisation efforts.
- **Construction of Additional Floor:** An extra floor is being built in the Court's main building to improve accessibility for individuals with special needs in the Chamber of Advocates' offices and to create five new offices for the Court Services Agency.
- **New Jury Hall and Offices:** A new jury hall and several offices have been constructed on the third floor of the main building. This facility accommodates jury trials and includes a judge's chamber, jury deliberation room, and an accused chamber, along with two new Court Services Agency offices. This will enable concurrent trials, thus reducing delays.
- **New Criminal Court:** A contract has been awarded for renovations in a newly acquired building to house three Criminal Court halls, a victim's area, and additional offices for the judiciary and court staff. Once completed, this new building will have the capacity to host multiple sittings, significantly helping to reduce the backlog of court cases.
- **Digital Appeals Submission:** Appeals from decisions of the Commissioners for Justice can now be submitted online. Previously, individuals were required to appear in person during registry hours to file an appeal. This reform permits lawyers and legal procurators to file appeals directly from their offices, greatly streamlining the process and enhancing accessibility for all involved parties.

A. INDEPENDENCE

1. Appointment and selection of judges, prosecutors, and courts presidents (including judicial review).

Judiciary

Throughout 2024, [five new Magistrates were appointed to the bench](#). One of these appointments was made to replace a Magistrate who was appointed as Judge, while the other four were added to focus exclusively on magisterial inquiries thereby addressing existing backlogs (as explained above).

Prosecutors

Following the reforms at the Office of the Attorney General, which expanded its prosecutorial functions, recruitment efforts have further progressed. In 2024, 12 new lawyers were recruited, raising the total workforce to 106 employees, comprising of, 74 prosecutors and 32 administrative and support staff. Additionally, 5 more lawyers are scheduled to join the Office by end of January 2025.

2. Irremovability of judges, including transfers (including as part of the judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (including judicial review).

There are no new developments to report.

3. Promotion of judges and prosecutors (including judicial review).

Judiciary

Judges and Magistrates in Malta do not automatically get promoted but are appointed according to the relevant provisions, as set out in the Constitution of Malta.

Prosecutors

To enhance the effective management of the Office of the Attorney General and ensure it meets its statutory responsibilities and functions efficiently, a proposal to amend the Attorney General Ordinance (Chapter 90 of the Laws of Malta) has been enacted through the [Attorney General Ordinance \(Amendment\) Act, 2024 \(Act No. XXXIV of 2024\)](#), published in the Government Gazette of Malta (No. 21,334) on 25 October 2024. This amendment allows for the designation of additional Deputy Attorneys General, expanding from the previous law, which permitted only one Deputy Attorney General.

4. Allocation of cases in courts.

In addition to the 4 Magistrates dedicated solely to magisterial inquiries, the Chief Justice has assigned 3 Magistrates to handle domestic violence cases, including both summary proceedings and compilation of evidence. This allocation has resulted in approximately 8 sittings per week. For the year 2024, the following statistics were recorded:

	Summary Proceedings	Compilation of Evidence
Introduced	1845	125
Decided	1549	110

5. Independence (including composition and nomination and dismissal of its members) and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary).

There are no new developments to report.

6. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal / civil (where applicable) liability of judges (including judicial review).

Following discussions between the Ministry responsible for Justice and the Judiciary Association, an agreement was reached to allocate additional resources and improve the judiciary's working conditions.

This agreement also provides for the establishment of a ‘Commissioner for Standards’, aimed at enhancing professional standards among its members.

To effectively implement this initiative, a Constitutional amendment will be required. This amendment will be introduced alongside amendments concerning the appointment of the Chief Justice as referred to above.

7. Independence/ autonomy of the prosecution service.

The final phase of the gradual transfer of the prosecutions from the Executive Police to the Office of the Attorney General of non-summary cases which carry an offence exceeding 2 years imprisonment was concluded by virtue of the [Prosecution of Offences \(Transitory Provisions\) \(Amendment\) Regulations, 2024 \(Legal Notice 192 of 2024\)](#). This development allows the Attorney General to exclusively take prosecutorial decisions of all serious offences, thereby consolidating the prosecutorial power for all non-summary offenses. The Attorney General's decisions will determine whether these cases are tried in the Criminal Court or in the Court of Magistrates (Criminal Judicature).

Thereby, effective from 1 October 2024, in addition to previously transferred offences, the Office of the Attorney General has been granted the authority to make prosecutorial decisions regarding the following offences:

- i. offences against the Medical and Kindred Professions Ordinance, where the Attorney General directs that the offences may be prosecuted before the Criminal Court or the Court of Magistrates as a court of criminal judicature, provided that the offence does not fall within the original jurisdiction of the Court of Magistrates as a court of criminal judicature;
- ii. offences against the Dangerous Drugs Ordinance where the Attorney General directs that the offences may be prosecuted before the Criminal Court or the Court of Magistrates as a court of criminal judicature, provided that the offence shall not fall within the original jurisdiction of the Court of Magistrates as a court of criminal judicature;
- iii. offences of money laundering as provided for in article 3 of the Prevention of Money Laundering Act including where such offences are prosecuted together with offences against the Dangerous Drugs Ordinance or the Medical and Kindred Professions Ordinance;
- iv. attempts or conspiracy to commit or complicity in the offences mentioned in paragraphs (i), (ii), and (iii).

The below tables show the relevant statistical information in relation to prosecution by the Office of the Attorney General:²

- Table 1 shows information on the total number of prosecutions initiated by the Office of the Attorney General since 1 October 2020; and
- Table 2 shows the offences prosecuted by the Office of the Attorney General from 1 January 2024 to 31 December 2024.

² This data excludes prosecutions which were still being carried out by the Malta Police Force during the transitory period.

Table 1

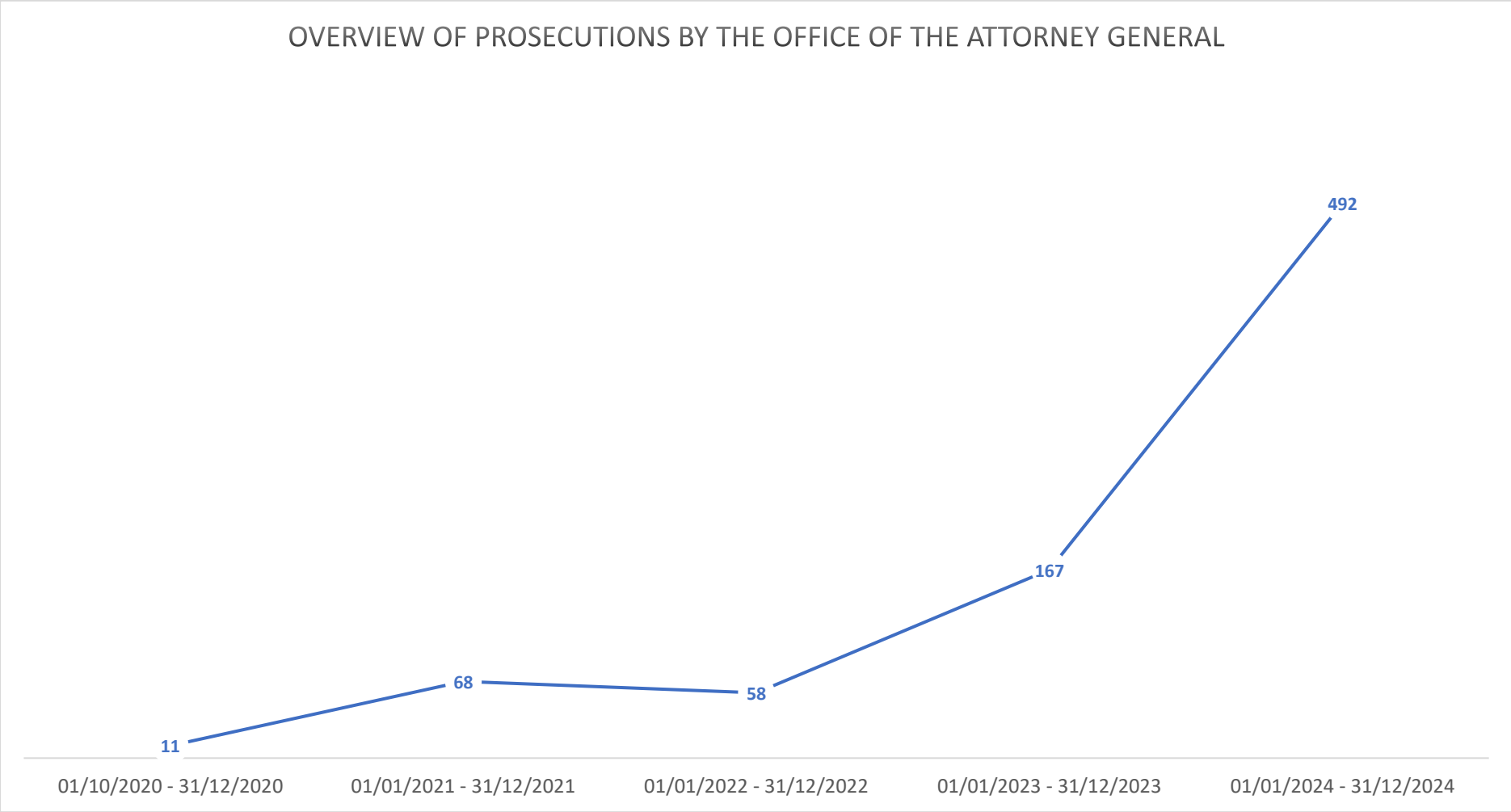


Table 2

Annual Review of Prosecutions by the Office of the Attorney General: 2024	
Aggravated Theft	172
Aggravated Theft + Fraud	6
Aggravated Theft + Aggravated Drug Possession	1
Aggravated Theft + Grievous Bodily Harm	5
Aggravated Theft + Attempted Grievous Bodily Harm	8
Aggravated Theft + Cultural Property Theft	2
Willful Damage to Cultural Property	2
Aggravated Theft + Attempted Theft	11
Aggravated Theft + Misappropriation	1
Attempted Theft	4
Attempts of Stalking + Fear of Violence	1
Attempted Homicide	2
Attempted Homicide + Grievous Bodily Harm	3
Attempted Homicide + Grievous Bodily Harm with Arms Proper	1
Homicide	2
Homicide + Femicide	1
Involuntary Homicide	8
Involuntary Homicide + Attempted Grievous Bodily Harm	2
Arson + Stalking	1
Arson	7
Attempted Arson	1
Grievous Bodily Harm	130
Grievous Bodily Harm with Arms Proper	3
Grievous Bodily Harm + Grievous Bodily Harm with Arms Proper	1
Grievous Bodily Harm + Attempted Grievous Bodily Harm	3
Grievous Bodily Harm + Sexual Offence	1
Attempted Grievous Bodily Harm	5
Attempted Grievous Bodily Harm + Sexual Offence	3
Acts of Terror + Attempted Grievous Bodily Harm	1
Crime against the Elderly	1
Crime against the Elderly + Attempted Theft	1
Sexual Offences	41
Sexual Offences + Stalking Involving Fear of Violence	1
Sexual Offences + Aggravated Drug Possession	1
Aggravated Drug Possession	4
Drug Trafficking	7
Aggravated Drug Possession + Drug Trafficking	7
Aggravated Drug Possession + Drug Trafficking + Conspiracy Trafficking	1
Aggravated Drug Possession + Drug Trafficking + Conspiracy Trafficking + Possession	2
Aggravated Drug Possession + Conspiracy Trafficking + Attempted Bribery	1
Stalking + Fear of Violence	6
Attempted Stalking	1
Money Laundering Stand Alone	3
Money Laundering + Predicate	44
Fraud	7
Fraud + Misappropriation	2
Attempted Terrorism + Conspiracy to Terrorism	1
Attempted Terror Offences	1

Trading in Influence	1
Computer Misuse	2

8. Independence of the Bar (chamber/association of lawyers) and of lawyers.

There are no new developments to report.

9. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary.

Both Eurobarometer Surveys and the 2024 EU Justice Scoreboard show that the public has a high level of trust in the judiciary’s independence. The three indicators used to rank the level of perception are (i) lack of sufficient guarantees of independence; (ii) interference or pressure from economic or other specific interests; and (iii) interference or pressure from government and politicians.

B. Quality of Justice

10. Accessibility of courts/ legal (e.g. court/legal fees, legal aid, language).

Court/ Legal Fees

There are no new developments to report.

Legal Aid

Throughout 2024, the Legal Aid Agency continued its information campaign aimed at increasing awareness of legal aid services, with a particular focus on access to justice for victims of crime and domestic violence. As of 1 January 2024, specialised panels of legal aid lawyers in civil, criminal and victims of crime started functioning, receiving positive feedback from stakeholders. This initiative enhances the quality of legal aid services provided to clients.

The Agency also strengthened its collaboration with stakeholders—including signing a memorandum of understanding with the Chamber of Advocates to enhance good practices and address client complaints.

By the end of July 2024, the Agency finalised its Legal Aid Management System as part of its RRP commitments and commenced its internal use in August. A new public-facing web portal will be launched in the second quarter of 2025 aimed at improving service accessibility.

Throughout the year, the Agency continued to provide regular guidance to contracted legal aid lawyers regarding their responsibilities and expectations through internal memos. It sponsored various training sessions, including a domestic violence workshop organised by the Commission for Gender-Based Violence and Domestic Violence, as well as a seminar on recent European Court of Human Rights case law in criminal law, focusing on detention and prison conditions, hosted by the Academy of European Law. The Agency also participated in seminars on human trafficking organised by the International Organisation for Migration and a two-day program on victim/survivor engagement and digital evidence training offered by the TSI Project (Council of Europe and European Commission) and the EU-funded DISRUPT project (University of Malta).

In the last quarter of 2024, the Agency began developing a child-friendly leaflet in collaboration with the Commissioner for Children’s Rights with the aim of finalising it by the second quarter of 2025.

Language

There are no new developments to report.

11. Resources of the judiciary (human/ financial/ material), remuneration/ bonuses/ rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year).

Remuneration

The salaries of the judiciary have been increased following amendments to the [Judges and Magistrates \(Salaries\) Act \(Chapter 175 of the Laws of Malta\)](#), implemented through the [Judges and Magistrates \(Revision of Salaries\) Order, 2024 \(Legal Notice 257 of 2024\)](#), which was introduced on 4 October 2024. Additionally, a new agreement for judiciary members was concluded, resulting in an improved overall compensation package. The salary of the Attorney General and the State Advocate has also been adjusted proportionately to the increases granted to judiciary members.

Resources

As of 31 December 2024, the Court Services Agency employed 563 administrative staff, an increase from 504 individuals on 31 December 2023, representing a percentage increase of 11.7%. It is also important to note that there are currently 63 approved vacancies within the Court Services Agency. The recent agreement for the judiciary further allows for the allocation of Court Attorneys to Magistrates, subject to approval by the Chief Justice and upon request from the Magistrate.

Assistance by the World Bank in relation to the strengthening of the Office of the Attorney General and the Office of the State Advocate

A TSI-funded collaborative project between Malta, the World Bank, and the European Commission produced a five-year Strategic and Operational Plan to reorganise the Office of the Attorney General and the Office of the State Advocate. Its success led to a second TSI project, launched on 31 October 2023, through which the Ministry for Justice and Reform of the Construction Sector, the Office of the Attorney General, and the Office of the State Advocate received Council of Europe assistance to implement several measures. During the first year, key milestones included:

- a. Establishment of the Strategy and Initiatives Unit;
- b. Strengthening Professional Development and Training;
- c. Enhancing Employee Well-being;
- d. Improving Communication and Transparency;
- e. Tackling Case Backlogs;
- f. Digital Transformation;
- g. Re-vamping annual report.

The project is more than halfway complete, with two objectives achieved and the remaining components underway. A final conference to present all outcomes will take place in the third quarter of 2025.

12. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees).

Judiciary

In 2024, the Judicial Studies Committee (JSC) organised eight training sessions for members of the judiciary, covering topics such as children's rights and protection, asset recovery, administrative penalties, rule of law, the Brussels I and II Regulations, combatting money laundering and terrorism financing, national risk assessments, human rights and legal aid, the Rome I and II Regulations, and the European Arrest Warrant. Under the Chief Justice's guidance, the JSC remains committed to providing ongoing, effective training to keep the judiciary abreast of current and emerging legal challenges, including EU law.

Throughout the year, the JSC collaborated closely with the Academy of European Law (ERA) and the European Judicial Training Network (EJTN) to organise conferences and seminars. A total of 28 judges and magistrates participated in 23 events, both in-person and online. For the first time, newly appointed members attended the one-week AIAKOS induction course offered by the EJTN, and a Criminal Court judge served as a juror in the THEMIS semi-final, also organised by EJTN. Additionally, the JSC partnered with the HELP Programme and took part in the HELP Annual Network Conference.

Prosecutors

The Office of the Attorney General's continued on its commitment to the professional development of its staff. The number of training sessions has grown significantly, from 9 sessions in 2020 to **114 in 2024**, reflecting a proactive approach to adapting to evolving legal landscapes. Training is provided to prosecutors on a wide array of topics, featuring both in-house and external trainers and guest speakers.

The training sessions referred provided in 2024, totalling 859 hours, where focused on financial crime, including money laundering and tax evasion; asset recovery; corruption; cryptocurrencies; cybercrime; drug offences; environmental law and cultural heritage; advocacy and public speaking and trafficking in human beings.

Additionally, administrative staff participated in 8 training events throughout 2024 gaining a total of 113 hours of training.

Court Staff

Training for court staff is organised periodically by the Court Services Agency. The Agency has an allocated yearly budget for such training, which during 2024 included:

- Induction courses for newly recruited staff members.
- EJTN lunchtime webinars for Court Attorneys, Assistant Registrars, Senior Executives and Judicial Assistants;
- Video Conferencing User Workshops for Messengers;
- Training on Anti-Money Laundering for Deputy Registrars;
- Language courses for Clerical staff; and
- Information sessions on Children's Rights.

Apart from this, study visits were also organised by the European Judicial Training Network (EJTN) to key institutions such as the European Court of Human Rights in Strasbourg and the Court of Justice of the European Union in Luxembourg.

13. Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online).

Reference should be made to the information on the Digital Justice Strategy in the context of the response to Recommendation 2.

14. Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals).

There are no new developments to report.

15. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular, specific courts or chambers within courts to deal with fraud and corruption cases.

There are no new developments to report.

16. Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases.

Reference should be made to the information provided under Recommendation 2 regarding the Commercial Court Reform and the Family Court Reform, Question 3 on the appointment of four Magistrates dedicated exclusively to handle Magisterial Inquiries, Question 4 on the Chief Justice’s decision to appoint three Magistrates specifically for domestic violence cases, and Question 12 on the training of the judiciary.

17. Alternative dispute resolution mechanisms and mediation.

Mediation is governed by the [Mediation Act \(Chapter 474 of the Laws of Malta\)](#), whereas arbitration is governed by the [Arbitration Act \(Chapter 387 of the Laws of Malta\)](#).

The Government is currently reviewing the national mediation framework, including its structures and processes, to make mediation a more viable option. Malta is involved in a multinational TSI project initiated in September 2024, which is progressing from its inception to the diagnostic phase.

C. [Efficiency of the Justice System](#)

Reference should be made to the information provided in the context of the response to Recommendation 2.

II. Anti-Corruption Framework

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable).

Recommendation 3: Continue efforts to address challenges related to the length of investigations of high-level corruption cases and step-up efforts to establish a robust track record of final judgments.

The Maltese authorities emphasise that high-level corruption cases are inherently complex and need specialised expertise, particularly when dealing with intricate financial investigations that involve foreign jurisdictions. Due to a limited number of experts, the duration of these investigations is influenced not only by the efforts of investigators and prosecutors but also by the workloads of the experts who are often assigned to multiple cases by the judiciary.

The Financial Crimes Investigation Department (FCID) within the Malta Police Force is actively pursuing specialised training opportunities with a particular focus on cases involving foreign jurisdictions. This training is set to commence in 2025. Additionally, the Anti-Corruption Unit within the FCID has expanded its staff to help accelerate the investigative process.

A. The Institutional Framework Capacity to Fight Against Corruption (prevention and investigation/ prosecution)

18. List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation, and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources relevant) including the cooperation among domestic and with foreign authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO.

There are no developments in relation to the relevant authorities in charge with prevention, detection, investigation, and prosecution of corruption.

Permanent Commission Against Corruption (PCAC)

In 2024, a user-friendly digital registry was created to store and track data on PCAC cases. This system allows PCAC staff to manage information related to cases, sittings, witnesses, and evidence more efficiently, while also streamlining data sharing with other entities and departments. In addition, a new web portal was also developed to enable interested entities and departments to request access to PCAC data. Recruitment within the PCAC is currently ongoing.

Malta Police Force (MPF)

The **Internal Audit Office (IAO)** within MPF built on its previous work enhancing good governance within the MPF's internal structures and with key stakeholders. In 2024, IAO's work was focused within the Quartermaster's Office (QMS), with the aim of enhancing operational efficiency in the development stores area. The IAO led the design and oversight of this project, with the first phase nearing its completion. This project seeks to consolidate the MPF's inventory, aligning standard Quality Management System stock items, together with those held by the ICT Departments, ultimately enhancing both security and working conditions. It is part of a broader strategy to securely vault MPF evidence, thereby strengthening the security protocols for receiving, storing and issuing these items.

In parallel, the IAO embarked on a project to centralise and modernise the MPF's Registry and Archives. A suitable location was identified, where the IAO supervised the site's rehabilitation and initiated pre-tender procedures to evaluate possible shelving systems. This project is crucial for safeguarding all critical hardcopy files and documentation in a safe environment supported by robust access control.

During 2024, the IAO also initiated an office expansion to establish a dedicated unit for monitoring compliance and quality standards within the MPF. Following budgetary approval, the recruitment of personnel will occur in early 2025, with new recruits receiving comprehensive on-the-job training. This

new section will oversee the MPF operations, ensuring adherence to legal requirements and internal procedures.

Additionally, the IAO actively contributed to the upgrade of the National Risk Assessment on Fraud and Corruption, an initiative led by the Internal Audit and Investigations Directorate (IAID), as chair of the Co-ordinating Committee (as established by the Internal Audit and Financial Investigations Act).

Throughout 2024, the IAO further enhanced the Detail of Duty by adding functionality and internal checks and controls to enhance accountability and reduce error. Management also revamped the monthly returns system for officer disturbance and standby claims, enhancing accountability measures.

The **Professional Standards Office** has investigated 179 cases until 30 November 2024. Of these, 5 cases are currently being heard before the local courts, 6 cases were referred to the Public Service Commission, and 40 cases resulted in minor disciplinary actions.

The **Disciplinary Board** remained active in hearing appeals related to minor offences, as listed in the Second Schedule of the Police Act (Chapter 164 of the Laws of Malta) ensuring that procedural fairness is maintained where prejudiced interests are claimed. The number of sittings and cases decided by the Disciplinary Board in recent years is being reproduced below:

Year	Number of Sittings Held	Number of Cases Decided
2020	6	101
2021	3	48
2022	15	156
2023	10	97
2024	9	121

Training within the Malta Police Force

The MPF continued to carry out training to its personnel in line with the obligations of the Police Act. The following training was provided in 2024:

Name of Training	Number of Attendees
<i>Recruitment / Promotions</i>	
46th Basic Training Course	35
47th Basic Training Course	56
48th Basic Training Course	51
49th Basic Training Course (Ongoing)	37
Course Leading to the Promotion of Police Sergeant	15
Course Leading to the Promotion of Police Sergeant	26
15th Officer Cadets	6
Reserve Police Constables Induction Course	18
In- Service: Theory	240
In- Service: Practical	496
Diploma in Policing (14th Officer Cadets)	17
Diploma in Policing (15th Officer Cadets)	7
Training for New Members of CPT	25
Mental Health First Aid	16
Diploma in Cultural Mediation	7

Understanding of Hate Communication: For A Positive and Inclusive Service	163
Moder Leadership in Diverse International Environment	2
Assessing & Managing Suicide Risk Training	84

To ensure uniformity across the Force, this training is supplemented by Standard Operating Procedures (SOPs) which are either issued or updated by the Malta Police Force from time to time. The newly introduced SOPs include:

- i. SOP-CIB on Court Imposed Bail (Restricted) issued on 4 January 2024;
- ii. SOP-PER on Officers' Performance Appraisals (Unrestricted) issued on 18 January 2024;
- iii. POL-CTV on CCTV Policy (Unrestricted) issued on 27 January 2024;
- iv. POL-CIO on Conflict-of-Interest Policy (Unrestricted) issued on 27 February 2024;
- v. SOP-CBC on Cross-Border Operational Cooperation (Restricted) issued on 11 April 2024;
- vi. SOP-AWD on Police Awards (Unrestricted) issued on 8 February 2024;
- vii. SOP-CWP on Boards, Working Groups & Panels (Unrestricted) issued on 3 May 2024;
- viii. SOP-CCU on Cyber Crime & Digital Evidence (Restricted) issued on 5 May 2024;
- ix. SOP-CHI on Handling of Informants & Covert Human Intelligence Sources (CHIS) (Restricted) issued on 20 May 2024;
- x. SOP-HSC on Hand-Held Speed Cameras (Unrestricted) issued on 11 September 2024;
- xi. SOP-AFD on Affidavits (Unrestricted) issued on 13 October 2024;
- xii. SOP-WEP on Firearm Licenses (Unrestricted) issued on 19 November 2024;
- xiii. POL-FOR on Use of Force (Unrestricted) issued on 3 December 2024;
- xiv. POL-MED on Medals (Unrestricted) issued on 9 December 2024;
- xv. SOP-PDS on Policing Districts (Restricted) issued on 25 December 2024; and
- xvi. POL-CVF on Competency And Values Framework (Unrestricted) issued on 30 December 2024.

During 2024, **436 drug screening tests were performed**. There were 2 positive case which resulted in precautionary suspension and serious disciplinary action.

Financial Crimes Investigations Department (FCID)

The Financial Crimes Investigations Department within the Malta Police Force has undergone significant enhancements since 2020. The Department is divided into two main areas: the Terrorism Financing and Anti-Money Laundering Section and the Economic Crime Section.

The area of expertise within the Terrorism Financing and Anti-Money Laundering Section has been widened with the creation of *ad-hoc* units, including a Fiscal Crime Unit to combat tax offences; a Blockchain Analysis Unit to combat cryptocurrency-related crimes; a Sanctions Unit to combat crimes committed by sanctioned individuals. This is in addition to ongoing investigations related to generic money laundering offences.

The Economic Crimes Section, which includes a newly established Online Fraud Unit, focuses on investigating general fraud and associated money laundering offenses. This section is supported by centralised units: the Financial Crime Analysis Unit, the Blockchain Analysis Unit, the International Relations Unit, and the Prioritisation and Assessment Unit. These units play a crucial role in filtering and managing the growing influx of reports, ensuring efficient and effective allocation of resources.

The following table provides an overview of the increase in staff complement and related costs of the FCID:

Date	FCID Staff complement	Percentage increase in staff complement	Yearly total FCID Gross Pay in (in €)	Percentage increase in expenditure
31.12.2018	53	-	1,151,227.00	-
31.12.2024	99	87% when compared to 2018	2,042,603.35	77% when compared to 2018

The FCID's annual gross pay has significantly risen due to the introduction of exclusive allowances for the Department. This strategy aims to retain current staff and attract top talent, aligning their compensation with that of their counterparts within the civil service.

The Department's staff complement as of 31 December 2024 represents an increase of around **87%** since 31 December 2018.

	Operational Expenditure (excluding Emoluments)	Capital Expenditure
2018	€894,718	N/A
2019	€1,414,994	N/A
2020	€2,295,138	€1,253,482 ³
2021	€3,518,331	€134,093
2022	€3,269,367	€101,031
2023	€2,150,424	€175,753
2024	€1,952,893	€ 151,590.44

Internal Audit and Investigation Department

The National Risk Assessment on Fraud and Corruption (NRA) was published on IAID's [website](#) on 8 January 2025.

The update to the NRA identified improvements across four key risk categories, namely: unlawful use of resources, public procurement, conflict of interest, and other fraud. Each of these categories showed a reduction in risk ratings compared to the 2022 assessment. Specifically, the inherent and residual risks in 2024 decreased as follows:

Risk Category	2022 NRA	2024 NRA
Unlawful use of resources	Medium	Low/ Medium
Public Procurement	Low/ medium	Low
Conflict of Interest	Medium	Low /Medium ⁴
Other Fraud	Low/Medium	Low

This progress is attributed to several factors, including enhanced internal controls, implementation of additional mitigating actions and strengthening of the regulatory framework, including new legislation and directives.

³ The 2020 capital expenditure was extraordinary since it included one-off major expenses related to the relocation to the current FCID premises such as new furniture, software and IT equipment, hence the difference between 2020-2021.

⁴ Inherent Risk.

For 2024, the allocated budget amounted to € 2,559,700. The head count doubled, now totalling 39 personnel, now totalling 39 personnel, including the Director-General, 32 auditing officers (up from 19 in 2023), 1 legal officer and 5 administrative staff members.

National Coordinating Committee on Combating Money Laundering and Funding of Terrorism

During 2024, the National Coordinating Committee on Combating Money Laundering and Funding of Terrorism (NCC) focused on enhancing the understanding of money laundering, terrorist financing, proliferation financing, and targeted financial sanctions among law enforcement and supervisory authorities. The NCC held two information sessions for members of the judiciary, addressing identified gaps based on the findings of the [Money Laundering, Terrorist and Proliferation Financing and Targeted Financial Sanctions: Malta’s National Risk Assessment 2023](#). Additionally, the NCC conducted a total of 26 training sessions and workshops throughout the year, as detailed in the table below.

Date	Title of Training	Participants
18 January 2024	Follow-up session on Terrorism Financing to Prosecutors from the Office of the Attorney General.	Office of the Attorney General
19-21 February 2024	Crypto Assets for Prosecutors.	Office of the Attorney General
15 March 2024	Information session on Act VI of 2024.	Malta Police Force
2 April 2024	Information session on the amendments in the Proceeds of Crime Act to law enforcement authorities.	Malta Police Force Office of the Attorney General
4 & 5 April 2024	Advocacy Training.	Office of the Attorney General
15 April 2024	Training for the Licensing Process of VFASPs.	Malta Financial Service Authority Malta Gaming Authority
17 & 19 April 2024	Training on AML supervision techniques in Virtual Assets.	Financial Intelligence Analysis Unit Malta Financial Service Authority Malta Gaming Authority
16 & 18 April & 28 May 2024	Legal Persons and Legal Arrangements: Basic Concepts, ML Investigations, and the use of TUBOR for financial investigations.	Malta Police Force
2 & 3 May 2024	Seminar on the FATF Methodology.	Financial Intelligence Analysis Unit Malta Financial Service Authority Malta Gaming Authority Malta Tax and Customs Administration Malta Business Registry Malta Police Force, Malta Security Services Office of the Commissioner for Voluntary Organisations Sanctions Monitoring Board Office of the Attorney General Office of the State Advocate Residency Malta Agency Community Malta Agency Accountancy Board Real Estate Licensing Unit Asset Recovery Bureau Court Service Agency Department of Commerce
8 & 9 May 2024	Theoretical and Practical training sessions on Legal Arrangements.	Attorney General Office

09 May 2024	Training on information that can be derived from banks and financial institutions for a financial investigation.	Malta Police Force
10 May 2024	AML training session for staff from the Malta Business Registry and the Malta Tax & Customs Administration.	Malta Tax and Customs Administration Malta Business Registry
03 June 2024	Training for the Judiciary: Recent amendments in the Proceeds of Crime Act and the FATF international standards on confiscation.	Judiciary Malta
05 July 2024	Information session for the Judiciary: the FATF methodology, Non-Conviction Based Confiscation, and Malta's 2023 NRA on Money Laundering, Terrorism Financing, and Proliferation Financing.	Judiciary Malta
22 July 2024	Follow-up information session on the amendments in the Proceeds of Crime Act to the Office of the Attorney General.	Office of the Attorney General
23 July 2024	Workshop between Supervising Authorities and Law Enforcement Authorities on the exchange of information and to further strengthen communication.	Financial Intelligence Analysis Unit Malta Financial Service Authority Malta Tax and Customs Administration Malta Business Registry Malta Police Force Office of the Attorney General Asset Recovery Bureau
24 July 2024	Workshop between various national authorities on Proceeds of Crime Act amendments.	Financial Intelligence Analysis Unit Malta Tax and Customs Administration Office of the Attorney General Office of the State Advocate Malta Police Force Asset Recovery Bureau
29 & 30 August 2024	Advocacy Training.	Office of the Attorney General
11 September 2024	Training session to MTCA on the Crypto Asset Reporting Framework (CARF).	Malta Tax and Customs Administration
16 September 2024	Workshop between various national authorities addressing issues of delivery of evidence in court in relation to criminal tax evasion cases.	Malta Tax and Customs Administration Malta Police Force Office of the Attorney General
17 & 18 September 2024	Workshop on potential NCB cases.	Office of the Attorney General Office of the State Advocate Malta Police Force Asset Recovery Bureau
19 September 2024	FIAU intelligence and analysis, and what can be used for money laundering investigations and prosecutions.	Office of the Attorney General Malta Police Force
1 October 2024	Amendments in the Proceeds of Crime Act - Information session to the Office of the Attorney General.	Office of the Attorney General
1 & 2 October 2024	Workshop on the amendments in Proceeds of Crime Act.	Financial Intelligence Analysis Unit

		Malta Tax and Customs Administration Office of the Attorney General Office of the State Advocate Malta Police Force, Asset Recovery Bureau
28 October 2024	Training on Excess Cross-border Cash.	Malta Tax and Customs Administration Malta Police Force Office of the Attorney General
10 December24	AML/CFT information session to the Deputy Registrars.	Court Deputy Registrars

Financial Intelligence Analysis Unit (FIAU)

Throughout 2024, the FIAU continued to make the necessary advancements to strengthen its resources. The annual budget increased from €1.34 million in 2017 to €11.5 million in 2024, and it is projected to further increase to €11.7 million in 2025. The increased budget reflects Malta's commitment to the fight against money laundering and terrorism financing with more dedicated resources being allocated to strengthen its prevention, detection, and enforcement efforts. The FIAU's overall staff complement increased from 43 employees in 2018 to 175 employees in 2024, marking an increase of 307%. Plans are set out to increase the total staff complement to 254 employees by the end of 2026.

The FIAU conducted a total of 130 AML/CFT supervisory interventions by the 30 November 2024, a significant increase from 41 in 2019. Additionally, in line with the FIAU's ongoing strategy, which includes the enhancement of transparency, the **Supervision Section** published its supervisory priorities in the [AML/CFT Supervisory Plan 2024-2025](#).

Enforcement action taken after identifying breaches during an AML/CFT examination also increased from 23 in 2019 to a total of 105 administrative measures (as at 30 November 2024). The chart below depicts the quantum of administrative fines for non-compliant subject persons between 2019 and 2024.

Year	Total administrative pecuniary fines in €
2019	€3.9 million
2020	€4.6 million
2021	€12.3 million
2022	€3.3 million
2023	€3.3 million
2024 (as at 30 November 2024)	€0.7million ⁵

The FIAU's Intelligence Analysis Section has reported a steady increase in the number of **suspicious reports (STRs/SARs)** received over the years. In 2018, the section received 1,679 reports, which grew

⁵ In 2024, the FIAU, together with the State Advocate, faced a number of constitutional challenges in which the FIAU's power to issue pecuniary administrative penalties and the processes leading to these penalties were declared unconstitutional by the Court of First Instance, specifically the First Hall, Civil Court (Constitutional Jurisdiction). These rulings impeded the enforcement of administrative penalties, resulting in a decrease in the total value of pecuniary penalties issued in 2024. Instead, during this year, the FIAU mainly focused on the implementation of remedial directives issued on Subject Persons to remedy any identified shortcomings. Nonetheless, as explained further in point 30 below, these decisions by the Court of First Instance were ultimately overturned by the Constitutional Court in November 2024. The Constitutional Court ruled that both the process and the FIAU's powers to impose administrative penalties are consistent with the Constitution of Malta and Article 6 of the European Convention on Human Rights.

to 2,778 in 2019, 5,175 in 2020, and 7,218 in 2021. This upward trend continued in 2022, with the number rising to 8,586 reports. In 2023, the FIAU received 9,157 reports, and by the **end of November 2024**, the figure stands at 8,861 STRs/SARs.

Disseminations to foreign counterpart FIUs have also increased, rising from 749 disseminations in 2018 to 5,983 disseminations in 2023. As of 30 November 2024, the total number of disseminations stands at 5,213. Internal disseminations, that is, to the MPF and the Malta Tax and Customs Administration (MTCA) (previously referred to as the Commissioner for Revenue) have increased as per the below:

Year	Disseminations to MPF	Disseminations to MTCA
2018	79	198
2019	102	186
2020	173	199
2021	328	703
2022	342	401
2023	390	644
2024 (as at 30 November 2024)	455	532

Since its establishment in 2021, the **Cash Restrictions Section** has focused on developing internal policies and procedures to effectively monitor compliance with the Regulations. A key priority has been the creation of a comprehensive framework that educates the public to prevent breaches, provides tools to detect potential violations, enables thorough investigations, and imposes sanctions when breaches are confirmed. These efforts have led to a significant rise in reported breaches—from just 3 in 2021 to 90 by 30 November 2024. The increase reflects heightened awareness driven by continuous training and awareness campaigns.

Subject persons now submit reports directly to the Cash Restrictions Section via the newly introduced **Suspicion of Cash Restriction Breach Report (SCRBR) on goAML**. Additionally, the general public can anonymously report suspicious cash transactions through an online form on the FIAU [website](#).

To manage the growing volume of reports, the FIAU **adopted goCASE as its case management system in 2024**. This transition aims to simplify operations, reduce manual data entry, and enhance the overall efficiency of day-to-day workflows.

Prosecution

Reference should be made to the information on the Office of the Attorney General in the context of the response to Chapter I.

National Audit Office

On 14 December 2023, the National Audit Office (NAO) published its five-year strategy (2024-2028), focusing on enhancing accountability and transparency in Government operations, and promoting good governance across the public sector. To implement this Strategy, five Action Teams and a Permanent Working Group have been established to tackle key priorities, with systematic monitoring of their progress to ensure adaptability throughout the five-year term. Key achievements so far include identifying areas for improvement to align with international auditing standards, revising the NAO Code of Ethics to reflect evolving professional standards, and initiating the development of a tailored induction course for new recruits. Additionally, the Office has explored new products to meet emerging stakeholder needs and formed a working group to secure additional financial resources for strategic initiatives.

Asset Recovery Bureau

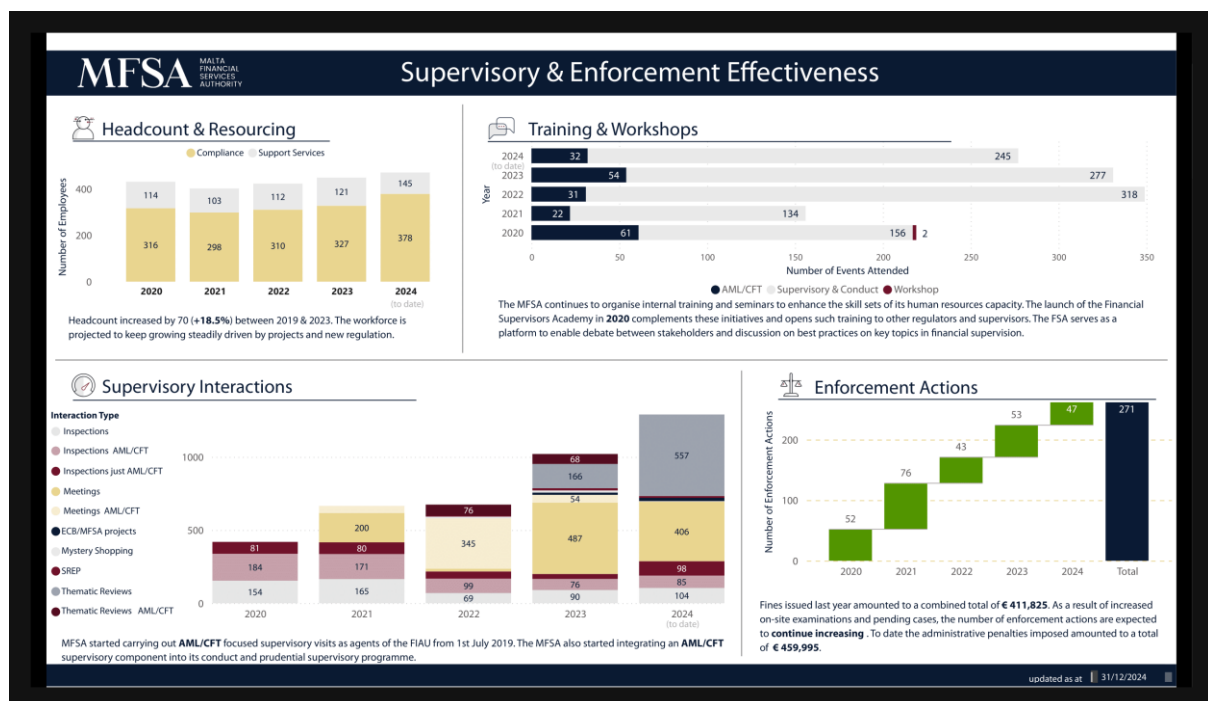
In order to continue protecting society from economic crime, the [Various Laws relating to Proceeds of Crime \(Amendment\) Act \(Act No. VI of 2024\)](#), was enacted on 9 February 2024. This legislation is

designed to ensure the legality and effectiveness of freezing orders concerning the property of individuals charged or accused of offenses under the Proceeds of Crime Act (Chapter 621 of the Laws of Malta) during ongoing criminal proceedings. Additionally, it mandates that attachment orders issued during investigations include non-conviction-based confiscation provisions and incorporate European Union sanctions. The Act also expands the powers of the Asset Recovery Bureau, allowing it to enter into contracts for the storage and maintenance of seized or frozen property and to arrange the sale, transfer, or assignment of such property before or after a final judgment. Furthermore, it standardizes the procedures for the attachment, freezing, and confiscation of crime proceeds across various national laws.

In 2023, the Bureau significantly enhanced its operations, managing an estimated total value of assets of €9.5million. The ARB expanded its human resources to manage the growing complexity of cases, reflecting its commitment to upholding justice and combating financial crimes.

Malta Financial Services Authority

Below is the [Supervisory and Enforcement Effectiveness](#) dashboard published by the Malta Financial Services Authority (MFSa), as at 31 December 2024. The dashboard shows the Authority’s performance and priorities in regulating and enforcing the financial sector, as well as its transformational journey to improve its standards and framework.



Following the launch of the **MFSa’s Strategic Statement in 2023**, the Authority embarked on its first year of delivering on its ambitious goals. Through 27 strategic priorities grouped under 5 pillars, this Statement sets out the Authority’s long-term objectives and more immediate strategic priorities in the context of the current economic environment. As set out in strategic priority 17, the MFSa actively collaborates with the FIAU, other regulators and law enforcement agencies in its fight in combatting ML/FT and all forms of financial crime. This collaboration also extends to initiatives taken at the inter-institutional and policy level.

Through the establishment of a bilateral Memorandum of Understanding, the Financial Crime Compliance (FCC) function within the MFSa, acts as an agent of the FIAU in conducting supervisory engagements on their behalf. In 2024, FCC conducted a total of **27 examinations with a focus on AML/CFT** and sanctions compliance, across the various sectors that are supervised by the MFSa.

The MFSA sits and participates in several local and international working groups, policy-related committees and fora. In 2024, the MFSA through FCC, became an active member of the GlobE Network.

Other - Statistical Data in Relation to Various Entities

The Government remains dedicated to strengthening the capacity, authority, and accountability of institutions responsible for regulatory and control functions. Detailed below are the allocated budgets for the Office of the Ombudsman, the National Audit Office (NAO), and the Internal Audit and Investigations Directorate (IAID).

National Audit Office

The NAO is currently focused on strengthening its human resources capacity to better meet its operational demands and strategic objectives. This initiative includes additional audit staff and investing in training programs to equip the workforce with the necessary knowledge and skills. By investing in its human capital, the NAO aims to build a resilient and capable workforce that can adopt to evolving priorities and ensure high-quality performance in fulfilling its mandate.

Increase in the estimate allocated budget over a six year term (between the year 2019 and 2024):

Entity	Year					
	2019	2020	2021	2022	2023	2024
NAO	3,500,000	3,800,000	3,850,000	3,900,000	4,200,000	4,000,000
Ombudsman	1,300,000	1,340,000	1,427,000	1,420,000	1,549,000	1,486,000
IAID	2,273,000	1,956,100	4,084,800	2,860,100	2,508,000	2,559,700

Cooperation with EPPO and OLAF

Operational cooperation between the EPPO and national authorities was further strengthened. The national authorities responsible for collaborating with the EPPO adhered to the pre-established Standard Operating Procedures (SOPs) to ensure timely and effective cooperation. In addition, legislative amendments intended to provide for the further strengthening of the implementation of Council Regulation 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office were introduced following the enactment of the Criminal Code (Amendment No. 3) Act (Act No. VII of 2024) on 23 February 2024.

The two European Delegated Prosecutors (EDPs) were re-located to larger premises in Valletta, ensuring that their physical location is separated from the building housing the Attorney General's Office. The EDPs were also provided with additional resources, including two full time clerks to support their team.

In terms of information sharing, the FIAU sent a total of 10 disseminations to the EPPO in 2023 and 8 in 2024 (until 30 November 2024).

Moreover, the Financial Investigations Directorate (FID) within the IAID, serving as the Maltese Anti-Fraud Coordination Service (AFCOS), closely collaborated with OLAF on investigations involving Maltese beneficiaries. This included sharing pertinent information and assisting OLAF with an on-the-spot check conducted in Malta in May 2024.

Other forms of Cooperation

Established in 2020, the Financial Crime Task Force (FCTF) aims to facilitate joint investigations and the prosecution of high-profile and complex money laundering cases, often connected to serious crimes such as corruption and bribery. The FCTF comprises representatives from the FIAU, Malta Police, and Malta Security Services. Additionally, other competent authorities, including the Office of the Attorney General and the Commissioner for Revenue and Customs, contribute to its efforts.

The FCTF actively collaborates with foreign law enforcement agencies, including those from the U.S., Italy, the UK, and EUROPOL, to enhance intelligence and evidence gathering. This international

cooperation ensures the task force has access to the necessary guidance and expertise for effective operation. The FCTF convened 6 times in 2023 and 5 times in 2024 (up to 30 November 2024).

19. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.

Reference should be made to the information reported under Section 18 of this national contribution.

20. Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.

In 2024, the IAID made significant progress in implementing the Action Plan pursuant to the National Anti-Fraud and Corruption Strategy ([NAFCS](#)). By the end of 2024, 11 out of 23 action points (48%) were fully completed, with 10 accomplished during 2024 alone.

Among the completed action points, three also fulfilled commitments under Malta's Recovery and Resilience Plan (RRP). These achievements included updating the National Risk Assessment, delivering two training programs for officials from national authorities forming part of the Co-ordinating Committee, and establishing a Central Document Repository System.

B. Prevention

21. Measures to enhance integrity in the public sector and (including as regards incompatibility rules, revolving doors, codes of conduct, ethics). Please provide information and figures on their application/enforcement, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

There are no new developments to report.

22. Measures to enhance general transparency of public decision-making including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing). Please provide information and figures on their application/enforcement, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

On 27 November 2023, the Principal Permanent Secretary issued [Directive No. 16](#) entitled 'Governing Framework for Preventing and Managing Conflicts of Interest in the Public Administration'. Through this Directive, a [Framework for Preventing and Managing Conflicts of Interest in the Public Sector](#) was introduced. The Framework is aimed at ensuring ethical standards, integrity, and transparency, the framework provides guidelines for identifying, reporting, and managing conflicts of interest—covering areas such as gifts, hospitality, political involvement, pre- and post-public employment, and private work. This came into force on 1 February 2024. Throughout 2024, Integrity and Awareness Learning Courses were held for Assistant Directors, Directors, Directors General and Chief Information Officers, with a total of 517 participants attending. These training sessions included assessments to reinforce the knowledge gained.

23. Measures to prevent conflicts of interests in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned). Please provide information and figures on their application/enforcement, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

Reference should be made to the information reported under Section 22 of this national contribution.

24. Measures to ensure Whistle-blower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given).

As part of Malta's Recovery and Resilience Plan commitments, a centralised repository for whistleblowing data is being established to be accessible to all anti-corruption entities. The tender for developing an online form designed to facilitate and encourage whistleblower disclosures has been awarded. This form will also enhance internal processing of reports, ensuring timely and efficient handling. Work on this initiative is set to begin imminently.

25. Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups. Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

In terms of measures implemented for monitoring and preventing corruption and conflicts of interest in public procurement, over the past two years before contract signing, recipients of public tender contracts are required to complete and sign an Ultimate Beneficial Owner Declaration Form. Additionally, contracting authorities must comply with the provisions of the [Public Procurement Regulations \(Subsidiary Legislation 601.03 of the Laws of Malta\)](#). These regulations mandate the exclusion of economic operators from participating in public procurement processes if they have a conviction by final judgment relating to involvement in criminal organisations, corruption, fraud, terrorist activities, money laundering, terrorist financing, child labour or human trafficking.

Apart from the above, the aforementioned Directive No. 16 provides institutional basis and guidance to all the public sector to identify and manage conflict of interest situations. In line with this Directive and the [Framework for Preventing and Managing Conflicts of Interest in the Public Sector](#), a Conflict of Interest Committee has been established. This Committee plays a critical role in advising on high-risk or complex conflict of interest cases that are escalated by Permanent Secretaries. It acts as an impartial body to review matters where Permanent Secretaries feel unable to remain objective, ensuring that these issues are managed with the highest levels of diligence and objectivity.

The Committee not only reviews conflicts of interest referred to it by the Principal Permanent Secretary or respective Permanent Secretaries but also provides strategic recommendations on managing identified conflicts, thereby safeguarding the integrity of public procurement processes.

Parallel to these efforts, the Ministry responsible for EU Funds has issued comprehensive guidance in compliance with the Protection of the Whistleblowers Act (Chapter 527 of the Laws of Malta). This guidance details procedures for internal disclosures of wrongdoing, including conflicts of interest and outlines clear operational processes for reporting misconduct. It ensures individuals understand the reporting mechanisms and the legal protections available to them.

In accordance with this guidance, the Whistleblowing Report Officer is tasked with addressing reports of wrongdoing professionally and independently. The Whistleblowing Report Officer acknowledges receipt of such disclosures within seven days and provides substantive feedback within three months, ensuring transparency and efficiency in the reporting process.

In addition, the Ministry has issued circulars to Permanent Secretaries and Directors of EU Funded projects, regarding the Management, Prevention and Detection of Conflict of Interest. Indeed, the Ministry has reminded and advised all stakeholders of their obligation to prevent and/or manage conflicts of interest appropriately. Directors were encouraged to set up detailed policies and rules on the avoidance and management of conflicts of interest, together with a solid monitoring system to ensure the observance thereof.

The initiatives outlined in circulars targeting EU Funds programmes, particularly regarding conflicts of interest, are expected to significantly influence governance across the entire public sector. These measures are integral to enhancing transparency, reputation, and impartiality, and they bolster the credibility of decision-making processes that serve the public interest.

To reinforce these principles, the Ministry responsible for EU Funds conducts regular training sessions and workshops focused on conflicts of interest and fraud. These sessions aim to enhance awareness of transparency, integrity, and accountability among public sector officials, including high-level executives such as Director Generals. The annual training provided by the Ministry targets public sector beneficiaries and stakeholders, such as Line Ministries, to raise awareness of conflict of interest issues within EU Funds entities. Directors of EU Funding Policies are directly involved in these sessions and encouraged to disseminate the information to agencies under their purview.

Training covers various critical topics, including the definition of conflicts of interest, Article 61 of the Financial Regulation, guidelines on managing these conflicts, potential consequences of unmanaged conflicts, available remedies, and detailed checks conducted by Line Ministries and beneficiaries.

Additionally, the Ministry provides training on standard operating procedures for managing conflicts of interest and detecting Ultimate Beneficiary Owners. This aspect of the training enhances skills in basic principles of conflict of interest management, data mining, and analysis, supplemented by practical examples, thereby equipping officials with the tools needed to ensure good governance across the public sector.

26. Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy and various types of construction).

On April 11, 2008, Malta ratified the United Nations Convention against Corruption. This Convention stands out as the sole universally binding instrument aimed at combating corruption. At a regional level, Malta also ratified the Criminal Law Convention on Corruption on May 15, 2003.

As a result of the Conventions Malta has ratified, the Laws of Malta, particularly within the Criminal Code (Chapter 9 of the Laws of Malta), extensively address and criminalize various forms of corruption. The Criminal Code specifies penalties for different corrupt acts: unlawful exaction carries a maximum imprisonment term of one year, extortion up to three years, bribery ranging from six months to eight years, trading in influence up to six years, accounting offences punishable by eighteen months of imprisonment, embezzlement with a sentence of up to six years imprisonment and perpetual disqualification, misappropriation with a maximum term of eighteen months imprisonment, which can be extended by up to two years under aggravated circumstances. Embracery is also considered a criminal offence. Furthermore, obstructing justice, particularly when intended to prevent members of the Executive Police from carrying out their duties, can lead to a maximum imprisonment term of three years. Corporate entities can also be held accountable for corruption offences through the individuals representing them legally, facing fines ranging from €20,000 to €2,000,000. Moreover, if a corruption offence involves the abuse of Office by a former Minister, Parliamentary Secretary, Member of the House of Representatives, Mayor, or Local Councillor, general rules regarding the expiration of legal actions do not apply.

Environment

The Environment Resource Authority (ERA) has standard operating procedures (SOPs) in place for the determination of applications for environmental permits in accordance with the relevant regulatory

frameworks. These SOPs are designed to ensure fairness, transparency and accountability throughout the process, while preventing corrupt practices. In order to further streamline and strengthen procedures, these SOPs have been enshrined in new Environmental Permitting (Procedure for Applications and their Determination) Regulations, which Regulations have been issued for [public consultation](#) and are due to be presented to the Cabinet of Ministers for the final approval.

Construction

The Planning Authority (PA) has an eApplications system that serves as the Authority's main Planning Application information system. This provides real-time planning application information, and acts as an official channel of communication between the Authority and key stakeholders including, professionals (architects/lawyers), NGOs, and the general public. This seeks to enhance the transparency and accountability in the permitting process.

Users can access detailed information on any application, such as proposed developments, site plans, and studies. Stakeholders also receive updates on their applications and can manage their responsibilities via organised to-do lists.

Complementing the eApplications system is the PA's MapServer, a Geographic Information System (GIS) tool that provides real-time access to integrated planning data and services. This interactive map compiles information on applications, enforcements, planning constraints, and topographic data. Users benefit from features such as the ability to compare aerial photos from different years without changing screens. By logging in with their e-ID, users can personalise their experience by saving preferences and bookmarking locations for quick reference. The system also promotes public engagement by allowing users to report illegal developments anonymously and upload supporting photos.

In line with its commitment to transparency, the PA ensures that all planning application files, except those protected by GDPR, are available for public inspection. Objectors are given a minimum of 10 days to review the Case Officer's report before the decision hearing, ensuring ample opportunity for scrutiny. Additionally, third parties and NGOs can appeal the Authority's decisions and access related documentation.

To further ensure transparency, PA board members and employees are required to disclose any potential conflicts of interest (in line with Directive No. 16), thereby mitigating the risk of biased decisions. Regular audits conducted by the PA's Internal Auditor play a crucial role in detecting irregularities or abuses of power, thereby strengthening accountability in the decision-making process.

27. Reporting on the use of digital technologies to enhance transparency and oversight in public procurement.

The Department of Contracts, in its role as the central government authority, is responsible for the maintenance of Government's e-procurement platform known as the electronic [Public Procurement System \(ePPS\)](#). This web-based collaborative system facilitates the entire procurement lifecycle for both contracting authorities and economic operators, featuring alert notifications and other tools to optimise the process. The ePPS ensures the integrity and competitiveness of public procurement through end-to-end encryption, providing maximum security and accountability.

Key features such as role-based access control, offer encryption and decryption, user activity audit trails, and timestamping ensure peace of mind for users, particularly economic operators. The platform operates as a 24/7 one-stop-shop for public contracts, eliminating time and cross-border constraints for potential bidders. Continuous enhancements have made public spending through the ePPS more transparent, evidence-based, optimized, streamlined, and aligned with market conditions.

The ePPS has been mandatory for procurements over €5,000 (excluding VAT) since 2016, as per Public Procurement Regulations. The system covers the entire procurement process, from the initial notification and publication of a call to the evaluation and award stages, including post-contract implementation details.

To enhance data collection and process automation, the Department of Contracts continually integrates new modules such as the European Single Procurement Document (ESPD), Green Public Procurement (GPP), compliance certificates, and more. The platform also supports preliminary market consultations and tools like eCERTIS and eForms, with new modules like procurement planning currently in development.

C. Repression

28. The legal framework on criminalisation and sanctions for corruption and related offences, including foreign bribery.

There are no new developments to report.

29. Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data.

During 2024, 14 cases were instituted where the charge of corruption was included. These involved 30 natural persons and 20 legal persons. It is also worth mentioning the fact that during 2024 there was also one conviction of attempted corruption.

The below table represents the data on corruption cases for 2024:

Investigations which were initiated as corruption	23
Investigations which were initiated as corruption, but where no corruption resulted	3
Actual number of pending corruption investigations out of the investigations initiated in 2024	20
Total number of corruption prosecutions (number reflects also investigations initiated in previous years)	18
Final judgements	2

30. Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning).

Some practical challenges faced by the Malta Police Force during investigations include:

- **Transparency Challenges in Detecting Corruption:** Some corruption schemes thrive in opaque environments, making it difficult to obtain relevant information and expose wrongdoing.
- **Complexity of Networks and Bureaucracy:** Corruption often involves intricate networks of individuals and organisations, compounded by complex administrative procedures. This complexity makes it difficult to fully unravel schemes and identify all participants.
- **Public Perception:** Maintaining public trust is essential for the credibility of corruption investigations. It's important to avoid perceptions of bias or political influence to uphold the integrity of these efforts.
- **Lack of Evidence:** Investigations and prosecutions are often hindered by a shortage of witnesses and direct evidence linking individuals to corrupt activities.
- **Criminal Liability of Complainants/Victims:** In many cases, individuals who report corruption may face criminal liability themselves if they initially participated in the bribery, deterring them from coming forward.
- **Public Perception of Corruption:** There is often a disconnect between public perception and legal definitions of corruption, leading people to believe certain situations are corrupt when legally they are not.

not. Additionally, the burden of proof required in criminal proceedings is significantly higher than what might be expected from a public morality standpoint.

31. Information on effectiveness of non-criminal measures and of sanctions (e.g.: recovery measures and administrative sanctions on both public and private offenders).

National authorities with regulatory and enforcement functions continued to exercise their statutory powers by imposing administrative sanctions. However, the imposition of substantial penalties has faced legal challenges in national courts, questioning the authority's ability to impose such administrative pecuniary penalties in relation to the Constitution of Malta and Article 6 of the European Convention on Human Rights.

Throughout 2024, several first instance judgments were delivered regarding the compatibility of administrative penalties imposed by the Financial Intelligence Analysis Unit (FIAU). Notable cases include:

- *N Trust Limited vs Il-Korp għall-Analizi ta' Informazzjoni Finanzjarja et*, delivered by the First Hall Civil Court (Constitutional Jurisdiction) on 30 January 2024;
- *Online Amusement Solutions Limited vs Il-Korp għall-Analizi ta' Informazzjoni Finanzjarja et*, delivered by the First Hall Civil Court (Constitutional Jurisdiction) on 22 February 2024;
- *Credence Corporate and Advisory Services Limited et vs Il-Korp għall-Analizi ta' Informazzjoni Finanzjarja et*, delivered by the First Hall Civil Court (Constitutional Jurisdiction) on 29 May 2024;
- *Truevo Payments Limited (C62721) vs Il-Korp għall-Analizi ta' Informazzjoni Finanzjarja et*, delivered by the First Hall Civil Court (Constitutional Jurisdiction) on 27 June 2024;
- *Vivaro Ltd vs Il-Korp għall-Analizi ta' Informazzjoni Finanzjarja et*, delivered by the First Hall Civil Court (Constitutional Jurisdiction) on 27 June 2024; and
- *Triton Capital Markets Limited gia FXDD Malta Limited (C-48817) vs Il-Korp għall-Analizi ta' Informazzjoni Finanzjarja et*, delivered by the First Hall Civil Court (Constitutional Jurisdiction) on 05 December 2024.

These first instance rulings were all appealed by both the FIAU and the State Advocate before the Constitutional Court.

On 18 November 2024, the Constitutional Court delivered its first two decisions appeals lodged for two particular cases decided by the First Hall Civil Court (Constitutional Jurisdiction) back in 2023, namely in:

- *Phoenix Payments Ltd (C 77764) vs Il-Korp għall-Analizi ta' Informazzjoni Finanzjarja (FIAU) u l-Avukat tal-Istat*, delivered by the First Hall Civil Court (Constitutional Jurisdiction); and
- *XNT Limited (C 52182) vs Il-Korp għall-Analizi ta' informazzjoni Finanzjarja u l-Avukat ta' l-Istat*, delivered by the First Hall Civil Court (Constitutional Jurisdiction).

The Constitutional Court concluded that the AML/CFT enforcement framework does not violate Article 39(1) of the Constitution or Article 6(1) of the European Convention on Human Rights. Thus, the Court proceeded to overturn the decisions of the First Hall, Civil Court (Constitutional Jurisdiction). These landmark rulings are considered to have an extensive effect in reaffirming the enforcement functions, not only of the FIAU, but of all national authorities that are equipped with sanctioning statutory powers to impose administrative sanctions.

III. Media Pluralism and Media Freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media freedom and pluralism (if applicable).

Recommendation 4: Adopt legislative and other safeguards to improve the working environment of journalists including on access to official documents, taking into account European standards on the protection of journalists and on access to official documents.

On 4 October 2022, the Government had tabled three Bills to the House of Representatives aimed at strengthening the fourth pillar of democracy:

- Committee for the Recommendation of Measures for the Protection of Journalists, other Media Actors and Persons in Public Life (Establishment) Bill ([Bill Number 17](#));
- Constitution of Malta (Amendment) Bill ([Bill Number 18](#)); and
- Protection of the Media and Journalists (Various Laws) (Amendment) Bill ([Bill Number 19](#)).

The legislative process was halted to allow the Committee of Experts to prepare an updated report following public consultations. This report was submitted to Government on 24 July 2023, and subsequently presented to the House of Representatives by the Prime Minister on 2 October 2023. During the parliamentary session, the Prime Minister announced plans to publish a White Paper outlining proposed media reform laws based on the Committee's final report, responding to requests for transparency. The Government is currently working towards releasing the White Paper, expected by the end of February 2025.

In addition, on 31 July 2024, the [Strategic Lawsuits Against Public Participation Order \(Subsidiary Legislation 460.40 of the Laws of Malta\)](#) was enacted and notified to the European Commission via the Themis database on the same day. The Order fully transposes Directive (EU) 2024/1069 of the European Parliament and Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic lawsuits against public participation' into national legislation.

Recommendation 5: Strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.

Malta's constitutional and legal framework safeguards the independence for public service media in a democratic society. In light of the European Media Freedom Act (EMFA), the Government is actively developing draft legislation to ensure compliance with EMFA obligations and related EU instruments. This includes implementing measures to prevent undue influence by public authorities, specifically:

- Prohibiting public authorities from forcing journalists or their associates to disclose sources or confidential communications;
- Preventing the detention, sanctioning, or surveillance of media service providers and their staff for the purpose of uncovering sources; and
- Banning the use of intrusive surveillance software on devices used by media professionals or their associates.

A. [Media Authorities and Bodies](#)

32. Measures taken to ensure independence, enforcement powers and adequacy of resources of (financial, human and technical) media regulatory authorities and bodies.

Reference should be made to the response to Recommendation 5.

33. Conditions and procedures for the appointment and dismissal of the head/ members of the collegiate body of media regulatory authorities and bodies.

There are no new developments to report.

34. Existence and functions of media councils or other self-regulatory bodies.

There are no new developments to report.

B. Safeguards Against Government or Public Interference and Transparency and Concentration of Media Ownership

35. Measures adopted to ensure the fair and transparent allocation of state advertising.

There are no new developments to report.

36. Safeguards against the state/ political interference, in particular:

- safeguards to ensure editorial independence of media (private and public).
- specific safeguards for the independence of governing bodies heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions.
- information on specific legal provisions and procedures applying to media service providers including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration and corporate governance.

There are no new developments to report.

37. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners.

There are no new developments to report.

C. Framework for Journalists' Protection, Transparency and Access to Documents

38. Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also to follow-up given the alerts lodged with the Council of Europe's Platform to promote the protection of journalism and the safety of journalists.

There are no new developments to report.

39. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists.

As per the information reported under Section 18, Media Relations is one of the topics covered as part of the continuous professional development for officers.

In 2024, the Malta Police Force participated in the Council of Europe seminar on the role of the Police in the Protection of the Safety of Journalists (26-27 September 2024). This seminar was part of a five-year Campaign by the Council of Europe for the Safety of Journalists, which was launched in October 2023 and set to conclude in 2027.

Information on the Threat to Life (TTL) assessment Registry for 2024 by the Police:

Type	Quantity
Full TTL Assessment	14
Preliminary Checks Only	16
Total Assessments	30

Sub-Categories	Quantity
Journalists	5
Activists and/or Concerned Citizens	2
Judiciary Members	4
Members of Parliament	5
Disciplined Forces / Authority	1
Private Citizens	13
Total Assessments	30

Below are statistics related to press releases issued by the Communications Office and on-site media briefings which are held for cases that generate public interest (such as fatal/serious accidents and homicides):

	2021	2022	2023	2024 (Till November)
On-site press briefings	80	88	92	88
Press Releases	877	862	786	662

40. Access to information and public documents, by public at large and journalists (including transparency authorities where they exist, procedures, costs/fees, timelines, administrative / judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information).

Following a public call for tender, a reputable international company has been tasked with setting up a new Freedom of Information (FoI) case management system. This system aims to enhance processing efficiency, improve accessibility, and promote transparency for the general public. It will also facilitate direct communication between system administrators, the FoI management team, and users. The new system is anticipated to be operational by the end of the first quarter of 2025. In addition to these improvements, the FoI system will feature an online portal that allows applicants to track their requests and includes a communication tool for clear and prompt exchanges between parties, thus enhancing accessibility for all users involved.

41. **Lawsuits (including SLAPP – strategic lawsuits against public participation) and convictions against journalists (including defamation) and measures taken to safeguard against manifestly unfounded and abusive lawsuits.**

The Media and Defamation Act (Chapter 579 of the Laws of Malta) eliminates the possibility for the institution of safeguard against manifestly unfounded and abusive lawsuits.

Reference should also be made to the response to Recommendation 3.

Other

Lovin Malta Limited (C75368) et vs L-Avukat tal-Istat:

The case is nearing its conclusion, as the third-party intervenor, One Productions Ltd, is set to present its evidence. This will finalise the evidence-gathering phase and transition the lawsuit into the submissions and observations stage, before it is ultimately adjourned for judgment. It is important to note that there are four stakeholders directly involved in this lawsuit: the plaintiff, the defendant, and two intervenors. Previously another third-party intervenor, Media Link Communications Ltd, completed its presentation of evidence with the testimony of Prof. Joseph Pirota, a professional in media and telecommunications.

IV. Other Institutional Issues Related to Checks and Balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable).

Recommendation 6: Step up measures to establish a National Human Rights Institution taking into account the UN Paris Principles.

Malta remains committed to implementing measures that achieve equality and fight discrimination in all spheres of life. The Government is currently in advanced internal discussions to finalise the Equality Bill and the Human Rights and Equality Commission Bill, both of which aim to establish a National Human Rights Institution (NHRI) and enhance protections against discrimination in various domains.

The proposed Bill to establish the NHRI will guarantee that its status, structure, mandate, powers, and operations align with the Paris Principles, ensuring a robust framework for promoting and protecting human rights.

In parallel, discussions with relevant stakeholders are in progress, focusing on how the NHRI will effectively coordinate with other governmental entities. This collaborative approach aims to enhance the efficacy of the NHRI, fostering a cohesive strategy that addresses equality and discrimination issues comprehensively.

Recommendation 7: Introduce a framework for public participation in the legislative process.

The Government is taking significant steps to streamline its structure, enhancing coordination of public consultations across various Ministries. A new Public Consultation Department will be established to create organized channels for citizens to substantially contribute to decisions impacting their lives, from urban development projects to environmental regulations and social policies. This Department will spearhead consultations on national and EU affairs, serving as the Government's primary conduit for public engagement, facilitating comprehensive dialogues on a wide array of issues affecting citizens and stakeholders across multiple sectors. This initiative will establish a robust platform for stakeholder engagement, ensuring Malta's interests are effectively represented at the EU level.

The Department will promote informed public discourse, encouraging active participation from citizens, businesses, NGOs, and other relevant entities. By providing clear avenues for feedback on both EU and national matters, it will ensure that public perspectives are incorporated early in the decision-making process. This strategic approach is designed to support policymaking that is streamlined, transparent, inclusive, and aligned with Malta's socio-economic priorities.

The Public Consultation Department will be responsible for a range of functions to boost public engagement and promote effective, inclusive policymaking, including:

1. Coordination of Public Consultations: Organising and overseeing consultations on national and EU policies to ensure Government decisions reflect public opinion.
2. Stakeholder Engagement on National Affairs: Collaborating with stakeholders on national issues to align policies with Malta's interests, in partnership with entities like the Malta Council for Economic and Social Development (MCESD) and civil society organisations.
3. Feedback Collection and Analysis: Gathering and analysing public feedback to identify trends and concerns, supporting evidence-based policy development.
4. Digital Consultation Platforms: Creating and managing online platforms for accessible and transparent participation in consultations, offering real-time updates on policy progress.
5. Inclusive Engagement Strategies: Ensuring consultation activities are accessible to all societal segments, including marginalised and underserved communities, to capture a wide range of perspectives.
6. Transparent Reporting: Publishing summaries and reports on consultation outcomes to demonstrate how public input influences policy decisions, enhancing transparency and trust.
7. Monitoring and Feedback on Implementation: Assessing the impact of policies and gathering ongoing public feedback to drive continuous improvement and adherence to public needs.

The Department will closely collaborate with key Government stakeholders, especially the MCESD, to broaden the reach and effectiveness of public consultations. This partnership aims to capture a diverse

array of social, economic, and community interests, ensuring the feedback is representative of Malta's various societal priorities.

Through this cooperative effort, the insights and input collected will help shape policies in line with Malta's economic and social development goals, ensuring responsiveness to the real needs and aspirations of its citizens. This collaboration will enhance the impact of public consultations and reinforce transparency and trust in the policymaking process.

In addition, the Government would like to highlight the below statistics, which illustrate the emphasis placed on public consultations over the past four years:

2021	94 consultations published, of which 23 were legislative and 71 were non-legislative
2022	44 consultations published, of which 12 were legislative and 32 were non-legislative
2023	55 consultations published, of which 19 were legislative and 36 were non-legislative
2024	58 consultations published, of which 21 were legislative and 37 were non-legislative

The following are the top five public consultations published during 2024 bearing the highest number of submissions:

- Partial Local Plan Review of the SMLP for Hal Far (Phase 2);
- Planning Authority presents Amendment for Public Consultation to clarify interpretation of building height limitations;
- Family Court Reform - First Phase;
- *Bl-Oħla Dawl Libbist* - The Reform of the Voluntary and Not for Profit Sector; and
- Reform Effective Justice for Victims of Drugs.

The [website](#) has undergone changes to render it more accessible and user-friendly in order to enhance the public consultation process across all social dimensions.

A. The Process for Preparing and Enacting Laws

42. Framework, policy and use of impact assessments and evidence-based policymaking, stakeholders'/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making process), and transparency and quality of the legislative process both in preparatory and the parliamentary phase.

There are no new developments to report.

43. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions).

There are no new developments to report.

44. Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

The stability of Malta's legal framework and its adherence to the principles of the rule of law are firmly rooted in democratic constitutional legislative processes. Maltese legislation can take the form of either primary or secondary legislation.

Primary legislation follows a parliamentary procedure, starting with a presentation of the motion to the House for First Reading, followed by the publication of the Bill in the Government Gazette, making it accessible to the public. Additionally, the public can attend the Committee Stage wherein clauses are discussed separately and in detail, promoting transparency and inclusion in the legislative process.

Secondary legislation involves the publication and enactment of Legal Notices, which are approved by the Cabinet of Ministers. However, the Interpretation Act (Chapter 249 of the Laws of Malta) provides a mechanism for any Member of Parliament to table a motion within 28 days before the House of Representatives, requesting the annulment or amendment of such legislation. This ensures that even secondary legislative measures are subject to parliamentary oversight and potential revision.

45. Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.

There are no new developments to report.

46. Regime for constitutional review of laws.

There are no new developments to report. However, the Office of the Law Commissioner has been further strengthened with additional resources, as detailed in the table below:

Year	Allocated Budget	Actual Expenditure
2020	€55,000	€107,892
2021	€150,000	€184,267
2022	€150,000	€253,369
2023	€200,000	€ 240,131.70
2024	€260,000	€346,002.79

B. Independent Authorities

47. Independence, resources, capacity and powers of national human rights institutions (NHRIs), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions.

In line with the Government's commitment and strategy to increase the capacity, authority and public accountability of national institutions, substantial increases have been made to the resources allocated to the national body responsible for equality body. Specifically, in 2024, the National Commission for the Promotion of Equality (NCPE) was allocated a recurrent budget of €750,000, with an additional €15,000 for capital expenses.

The NCPE has moreover received funding from the Council of Europe to enhance its internal capacity regarding the European Social Charter, specifically focusing on Article E, which addresses non-discrimination.

In addition, the NCPE is actively implementing the EU co-funded project "Strengthening Knowledge on Integration and Non-Discrimination" (SKIN), which is scheduled to conclude in June 2025. The total budget allocated for this project is €234,470, with 90% funded by the European Union and 10% by Malta, spanning a duration of 32 months.

48. Statistics / reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years.

Follow up of Ombudsman Recommendations

On 13 March 2024, the Office of the Principal Permanent Secretary issued the [Governance Action on the Parliamentary Ombudsman's Annual Report 2022](#), wherein Government announced that 86.1 % of the recommendations have been actioned.

Follow up of National Audit Office Recommendations

On 27 November 2024, the Office of the Principal Permanent Secretary issued its publication on [Governance Action on the NAO's Annual Report on Public Accounts 2022 and other NAO Reports, 2023](#). 92.2% of the Auditor General's recommendations were implemented by the Public Service. The implementation rate by 3.2% when compared to the report published in 2023. The Auditor General presented 294 recommendations in the annual report on Public Accounts 2022. Moreover, 9 recommendations were brought forward from the previous year, for a total of 303 recommendations. Out of the presented recommendations, only 13 were not accepted by the public administration. From the remaining recommendations, the public administration identified 631 actions to address risks and shortcomings arising from the various audit findings. 582 of these actions were fully implemented by the end of October 2024.

Moreover, the NAO has established a systematic follow-up mechanism to assess the implementation of its audit recommendations by the respective entities. This process is crucial for enhancing good governance, as it ensures that the recommendations are effectively put into practice. Each year, the NAO published follow-up audit reports that evaluate the extent to which audited entities have acted upon the recommendations from previous audits.

For the year 2023, the NAO released its [first volume](#) of follow-up audits in June 2023, presenting the findings of nine finance and compliance audits from prior years. The findings revealed that approximately 72% of the recommendations were either fully or partially implemented or had registered significant progress in the process of being implemented. This statistic was equal to 84% for the [second volume](#) of follow-up audits, published in November 2023, which reviewed four performance audits and one IT audit.

For the year 2024, NAO released the [first volume](#) of its follow-up audits in June 2024, which analysed ten finance and compliance audits published in previous years. The findings indicated that approximately 66% of the recommendations were either fully or partially implemented or had registered significant progress in the process of being implemented, while a further 7% were considered no longer applicable. Subsequently, in November 2024, the NAO issued the [second volume](#) of its follow-up audits, covering four performance audits and one IT audit. This report revealed that 77% of the recommendations were either fully or partially implemented or had registered significant progress in the process of being implemented.

49. Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators.

Financial Intelligence Analysis Unit (FIAU)

The Financial Intelligence Analysis Unit (FIAU) is a Government agency established under Article 15 of the Prevention of Money Laundering Act (Chapter 373 of the Laws of Malta). The FIAU possesses a distinct legal personality, allowing it to engage with both national and international entities through contracts and agreements. The FIAU is responsible for combating money laundering and financing terrorism, with its functions detailed in Article 16 of the Act.

Governance of the FIAU is defined under Article 18, where the Board of Governors (BoG) sets policy directions, ensures implementation, and advises the Minister responsible for Finance on AML/CFT

issues. The Director manages the Unit's day-to-day operations based on these policies. The composition and independence of the BoG are safeguarded by Articles 19 and 21, which outline qualifications for membership and regulatory autonomy, ensuring that members act based on their judgment without external influence.

The Director of the FIAU is appointed by the BoG following a public selection process as per Article 23. Other staff members are recruited by the Director under the BoG's prescribed terms. The financial and operational accountability of the FIAU is ensured by mandatory audits conducted by independent auditors and the Auditor General, with annual reports submitted to the Minister and Parliament (Articles 41 and 42).

The FIAU is highly regarded both domestically and internationally for its diligent and independent operations, as confirmed by Malta's 5th round mutual evaluation report (MER 2019).

Malta Financial Services Authority (MFSA)

The Malta Financial Services Authority (MFSA) is dedicated to enhancing its position as an independent, proactive and trustworthy supervisory authority with the main purpose of safeguarding the integrity of markets and maintaining stability within the financial sector, for the benefit and protection of consumers. The MFSA's mission and vision is driven by its five core values which are Integrity, Trustworthiness, Dependability, Excellence and Independence. These values guide the MFSA in the conduct of its operations and they constitute the foundation of the Authority's governance and work ethic.

In 2023, the MFSA published its Strategic Statement outlining the objectives that will guide its mission and contribute towards securing Malta's future as a resilient and efficient financial services jurisdiction. This statement sets out the Authority's long-term objectives and more immediate strategic priorities in the context of the current economic environment. As enshrined in the MFSA's Strategic Statement, the Authority has been investing steadily in professional competences, information technology and in creating efficiencies in its core functions, including regulation, supervision and enforcement.

The MFSA remains committed to reducing bureaucracy and to continuously improve the regulatory framework with a view to improving the effectiveness, efficiency and overall customer experience. Furthermore, the MFSA remains committed to ensure greater transparency and accountability by continuing to update and increase the visibility of its regulatory, operational and enforcement policies and processes, and by maintaining a steadfast approach to policy development through informed and open consultation. This is being done as the Authority seeks to strengthen its financial independence through further efficiency gains and proposed changes to its institutional funding structure.

C. Accessibility and Judicial Review of Administrative Decisions

50. Transparency of administrative decisions and sanctions (including their publication and rules on collection of related data).

There are no new developments to report.

51. Judicial review of administrative decisions:

- **short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of.**

There are no new developments to report.

52. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art 267 TFEU).

There are no new developments to report.

53. Implementation of final judgements by the public administration and State institutions and follow-up given to supranational judgements, including decisions of the European Court of Human Rights, as well as available remedies in case of non-implementation.

There are no new developments to report.

54. Respect of the good administration principle (including the obligation of the administration to give reasons for decisions).

Apart from being set out in the spirit of the Public Administration Act (Chapter 595 of the Laws of Malta), the principle of good administration is properly safeguarded at national level through inter alia the codification of article 469A of the Code of Organization and Civil Procedure (Chapter 12 of the Laws of Malta). This provision provides for the judicial review of acts of public authorities. Judicial review of administrative acts/decisions implies the Courts' ability to inquire into the legal validity of decisions taken by the administration with the intention of providing protection from any possible abuse of power. Judicial review of administrative decision can also be sought before the Administrative Review Tribunal, as established under the Administrative Justice Act (Chapter 490 of the Laws of Malta).

In addition to this, there is also the possibility of an *ad hoc* review by specialised Boards and Tribunals where an administrative decision may be challenged for example before the Immigration Appeals Board in the case of decisions taken by the Principal Immigration Officer. Apart from the said provisions, the courts of civil jurisdiction retained a residual power to conduct the examination of legality of official acts and decisions which are not subject to judicial review under any specific provision of law. This is done through an interpretation of the general jurisdiction of such courts in Article 32 (2) of the Code of Organisation and Civil Procedure.

55. Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies.

Apart from the abovementioned judicial remedies dealing with administrative decisions, it is the function of the Ombudsman to investigate any action taken by or on behalf of the Government, or other authority, body or person to whom the Ombudsman Act (Chapter 385 of the Laws of Malta) applies, being an action taken in the exercise of their administrative functions. The Ombudsman may conduct any such investigation on his own initiative or on the written complaint of any person having an interest who claims to have been aggrieved by any action of an administrative authority.

The Ombudsman may, if he considers it desirable so to do, decline to exercise his power given to him under the Ombudsman Act in any case where adequate means of redress are or have been available to the complainant under any other law, provided that the Ombudsman may conduct an investigation if satisfied that in the particular circumstances it is not reasonable to expect the complainant to resort or have resorted to such means of redress.

It is also pertinent to note that the Ombudsman will not investigate any complaint on the subject-matter of which proceedings are pending in a court or other tribunal and shall suspend the investigation if any interested person shall file a demand before any court or other tribunal on the subject-matter of the investigation - provided that an investigation may be proceeded with in respect of problems of general interest contained in the complaint.

Finally, in exercise of his functions the Ombudsman shall not be subject to the direction or control of any other person or authority.

D. The Enabling Framework for Civil Society

56. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice including, registration, transparency and dissolution rules).

The Office of the Commissioner for Voluntary Organizations (OCVO) continued its effective and comprehensive dialogue with the Malta Council for the Voluntary Sector (MCVS), which is the official recognised representative body of the voluntary sector and voluntary organisations (VO). The VO Plus Convention, under the President of Malta's patronage, has continued to support national consultations with stakeholders and regulators. The Commissioner led the reform process in consultation with the sector which has now been concluded. There were over 100 submissions, mainly focusing on the facilitation or simplifications of the bureaucratic process. Legislative amendments are additionally in the pipeline to reflect discussions held within the context of the proposed directive of the European Commission on the establishment of ECBA. These amendments would boost legal recognition of the sector, an important pillar in the context of the social, economic and democratic development of the country.

57. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes to protect them from attacks - verbal, physical or on-line, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as remedies.

Reference should be made to the response to Recommendation 3.

58. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding).

The Malta Council for Voluntary Sector (MCVS) regularly issues funding opportunities for all eligible voluntary organisations which are enrolled with the Office for the Commissioner for Voluntary Organisations. The funds managed by MCVS are local funds addressing a variety of project opportunities as well funds to support voluntary organisations in their affiliation with EU bodies and participation in the events organised by them. The MCVS also participates in the European Solidarity Corps and the Interreg Italia-Malta European Regional Development Fund. All enrolled organisations can access these funds through the [Funding Portal](#) and are encouraged to apply on the basis of offering a level playing field to all NGOs in Malta. There are also EU funding opportunities such as the Structural Funds, the EEA Grants and the Norway Grants. Malta has also strengthened the role of *Servizzi Ewropej Malta* as a contact point and an information platform for EU Funds for civil society organisations. The Government partners with several not-for-profit service providers to offer social work services in the form of Public Social Partnerships. Enrolled and compliant organisations can also enjoy fiscal and other incentives.

E. Initiatives to Foster a Rule of Law Culture

Other – please specify

The Government has continued to implement various legislation which shows respect towards the principle of the Rule of Law. Public debates have continued almost daily on national television and radio

programmes pertaining to rule of law matters. Media outlets continue to freely publish content online and on newspapers.

In addition, on 20 June 2024, the resident of Malta held the year '**State of the Nation**' conference, based on the fourth National Survey that gathers scientific data on the evolving aspirations, concerns, and character of Malta's population, while fostering an informative debate that can guide leader's proposals.