

13 ta' Settembru, 2023

Il-Prim Ministru
Il-Berġa ta' Kastilja
Il-Belt Valletta

Onorevoli Prim Ministru,

Dwar: Riforma biex tissaħħaħ il-libertà tal-kelma

Aħna hawn taħt iffirmati, ġurnalisti membri u mhux membri tal-Istitut tal-Ġurnalisti Maltin, nies li jaħdmu fix-xandir, akkademiċi, membri tas-soċjeta ċivili, u persuni li għandhom għal qalbhom id-dritt kostituzzjonali għall-espressjoni hielsa, nesprimu miegħek tħassib serju dwar in-nuqqas ta' trasparenza li bih qegħda ssir ir-riforma tal-midja fl-ambitu ta' proċess li l-għan tiegħu għandu jkun li jissaħħaħ id-dritt fundamentali tal-libertà tal-espressjoni, il-ġurnalizmu hielles, u l-parteciġazzjoni fid-djalogu pubbliku.

Napprezzaw li inti htart il-Kumitat tal-Esperti dwar il-Midja sabiex tibda twettaq waħda mir-rakkomandazzjonijiet li kienet għamlet l-Inkjesta Pubblika dwar l-Assassinju ta' Daphne Caruana Galizia. Nifhmu li l-Kumitat issa temm it-termini ta' referenza u li f'Lulju tak ir-rapport finali tiegħu. Għandna nifhmu ukoll li l-konkluzjoni tal-ħidma tal-Kumitat hija mistennija twassal lil-Gvern sabiex ihejji abbozzi ta' liġi.

Napprezzaw li inti kemm-il darba għidt li għandek il-ħsieb li r-riforma ssaħħaħ il-ġurnalizmu hielles u l-libertà tal-espressjoni. Però diżappuntati kif minkejja li għaddew iktar minn sitt ġimgħat minn meta inti rċevejt ir-rapport tal-Kumitat, dan għadu ma ġiex ippubblikat.

Filwaqt li wieħed jistenna li l-gvern ihejji liġijiet biex titwettaq ir-riforma, aħna ninsistu li kwalunkwe abbozz ta' liġi li l-gvern ihejji għandu jkun ippubblikat f'forma ta' White Paper qabel ma jiġi pprezentat fil-Parlament biex jinbeda l-proċess formali ħalli issir liġi.

Intenu li l-libertà tal-espressjoni ma tistax tiħares b'liġijiet li jitfasslu fis-sigriet. Mingħajr is-sehem attiv tal-membri tal-professjoni u tal-pubbliku, ir-riforma tkun miktuba bil-moħbi u ma tistax tirrifletti l-bżonnijiet tas-soċjeta u allura tfalli.

In-nuqqas ta' protezzjoni tal-gurnalisti, it-tfixkil u l-abbuži li jhabbtu wiċċhom magħhom kull meta, kif inhu xogħolhom, jikxfu l-abbuž tal-poter, huma attakk fuq id-dritt ta' kull ċittadin f'soċjetà demokratika li jkun informat dwar l-imġiba ta' dawk li għandhom il-poter. Kull ċittadin għandu d-dritt li jieħu sehem f'riformi li suppost għandhom l-għan li jiproteġu d-drittijiet fundamentali tiegħu.

Huwa għalhekk li nappellawlek biex immedjatament tippubblika r-rapport u r-rakkomandazzjonijiet tal-Kumitat, u konsegwentement qabel ma tmur il-Parlament b'xi proposta ta' ligi, tvara proċess ta' konsultazzjoni pubblika miftuħa u effettiva billi tiġi ppubblikata White Paper li tkun tinkludi l-abbozzi u l-intenzjonijiet tal-gvern.

Huwa mistenni ukoll li l-iStat jimplementa r-rakkomandazzjonijiet kollha tal-Inkjesta Pubblika b'mod ħolistiku. Dan jinkludi ukoll ir-rakkomandazzjonijiet li jindirizzaw l-impunita, il-korruzzjoni u abbuž ta' poter. B'hekk biss nistgħu nassiguraw li niproteġu lill-gurnalisti.

Dejjem tiegħek,

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Monique Agius
Kevin Aquilina
Nicky Aquilina
Robert Aquilina
Jessica Arena
Helene Ascjak
Charmaine Attard
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Jacob Borg
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Matthew Caruana Galizia
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COURTESY TRANSLATION

13th September, 2023

The Prime Minister
Auberge de Castille
Valletta

Honourable Prime Minister,

Re: Reform to strengthen free speech

We the undersigned, journalists members and non-members of the Istitut tal-Ġurnalisti Maltin, broadcasters, researchers, civil society activists, and people who hold dear the constitutional right to free speech, inform you of our grave concern about the lack of transparency with which media reform is being conducted, considering that this is supposed to be a process intended to strengthen free speech, journalism, and participation in public discourse.

We appreciate the fact that you have appointed a Media Experts Committee in part fulfilling one of the recommendations of the Public Inquiry into the Assassination of Daphne Caruana Galizia. We are informed that the Committee has fulfilled its terms of reference and they already submitted to you their final report in July. We presume that the conclusion of the Committee's work should lead to the preparation by the Government of legislative bills.

We appreciate your several statements that you intend to adopt a reform that strengthens free journalism and free expression. We are, however, disappointed that though six

weeks have gone by since you were given it, the Committee's report remains unpublished.

One would expect the government to prepare laws that implement the reform. We insist, however, that any legislative bill the government prepares is first published as a White Paper before it is presented to Parliament and before the commencement of the formal law-making process.

We repeat. Free expression cannot be protected by secretly drawn up laws. Without the active participation of members of the profession and of the public, this law will be secretly written. It cannot, therefore, reflect society's needs and will, consequently, fail.

The failure to protect journalists and to prevent the hindrances and the abuses they face when they live up to their duty of exposing abuse of power is an assault on the right of every citizen in a democratic society to be informed of the conduct of people holding power. Every citizen has the right to participate in the reforms that are ostensibly intended to protect their fundamental rights.

This is why we call on you to immediately publish the Committee's report and recommendations, following which, and before you take any legislative bill to Parliament, you launch an open and effective public consultation on a published White Paper which would include the bills and the intentions of the government.

We expect the State to implement all the Public Inquiry recommendations and to do so in a holistic manner. This must include the recommendations on how to address impunity, corruption, and the abuse of power. This is the only way we can ensure journalists are protected.

Respectfully,