

Enschede, 15 April 2021

To Ms Ingjerd SCHOU

Chairperson Committee on Rules of Procedure, Immunities and Institutional Affairs  
Parliamentary Assembly of the Council of Europe

Dear Madam President, dear Members of the Committee on Rules of Procedure, Immunities and Institutional Affairs,

With this letter I would like to bring to your attention behaviour of Ms Rosianne Cutajar in the Parliamentary Assembly of the Council of Europe which most likely violates our Code of Conduct.

During the debate about my report "Daphne Caruana Galizia's assassination and the rule of law in Malta and beyond: ensuring that the whole truth emerges" (doc. 14906) on 26 June 2019 Ms Cutajar made a powerful speech against my report and tabled a number of amendments trying to weaken the report.

Among other things she explicitly stated: "For example, paragraph 3 of the draft resolution makes conclusions and criticisms about eight different cases. None of these eight cases are the Galizia case."

It is noteworthy that Ms Caruana Galizia had written extensively on the Electrogas Affair, on the Panama papers and on 17 Black. These three topics were relevant both for the part on Ms Caruana Galizia and for the rule of law in Malta in general.

One of the eight cases in paragraph 3 concerns the Electrogas affair (paragraph 3.2). In this affair a secret Dubai company "17 black" plays an important role. In the resolution the Assembly states: "Another member of the consortium owned a secret Dubai company, 17 Black, that was expected to make large monthly payments to secret Panama companies owned by Dr Mizzi [minister] and Mr Schembri, Chief of Staff of the Prime Minister. 17 Black received large sums of money from an Azerbaijani national and a company owned by a third member of the consortium."

In the explanatory memorandum (paragraph 37) I explain that "The FIAU reported that 17 Black was owned by Yorgen Fenech, a director of the Electrogas power station and owner of one of the consortium companies."

17 Black plays a pivotal role in the report and the in the investigations and is mentioned 14 times in the resolution and the report.

A few months after the debate, in November 2019 Mr Fenech was arrested, detained, and charged with the murder of Daphne Caruana Galizia.

Ms Cutajar is widely reported to have been involved in a property deal of Mr. Fenech and to have received money for that transaction. She denies it but an investigation by the