



### CASE REPORT

<b>Case No:</b>	K/023
<b>Complaint:</b>	Appointment as High Commissioner of a person in business with a Maltese fugitive.
<b>Complainant:</b>	Anthony De Bono
<b>Complaint Date:</b>	10 January 2020
<b>Report Date:</b>	5 May 2021

### The Complaint

1. On 10 January 2020 I received a letter from Mr Anthony De Bono (“the Complainant”) requesting me to investigate *“recurrent and real-time blocking of the course of justice to address alleged criminal acts, both of commission and omission by Minister of Foreign Affairs Hon Carmelo Abela, the Permanent Secretary of the Foreign Affairs Ministry Ms Fiona Formosa and Ambassador to Ghana H.E. Jean Galea Mallia”*. The letter (“the Complaint”) is attached and marked as Document A. It was accompanied by a dossier which is not being reproduced in this case report because it is voluminous and parts of it are not relevant to the Complaint.

2. The Complaint concerned the appointment of Jean Claude Galea Mallia as Malta’s Honorary Consul in Ghana and, later, High Commissioner to the same country. The Complainant stated that in the summer of 2017 he had discovered that Mr Galea Mallia was in a business partnership with Aaron Galea, a Maltese national resident in Ghana who was wanted by the police in Malta in connection with allegations of fraud, and who was the subject of national and international arrest warrants. Mr Galea Mallia was already Malta’s Honorary Consul in Ghana at the time.



3. The Complainant claimed that the then Minister for Foreign Affairs and Trade Promotion, the Hon Carmelo Abela MP, had been made aware of Mr Galea Mallia's links with a fugitive from justice, yet the Minister still proposed the appointment of Mr Galea Mallia as Malta's High Commissioner to Ghana. The Complainant also claimed that the Minister and Ambassador Fiona Formosa, then Permanent Secretary in the Ministry for Foreign Affairs, failed to inform Parliament's Standing Committee on Public Appointments about these links when it considered Mr Galea Mallia's appointment as High Commissioner.

4. The Complainant further stated that he had informed Mr Mario Cutajar, Principal Permanent Secretary and Secretary to Cabinet, about the case in order that he should brief the incoming Prime Minister prior to the formation of the new Cabinet in January 2020. However, Mr Cutajar failed to take any action and informed the Complainant that he considered the case closed from his end.

5. The Complaint called for the resignation of the Minister, his Permanent Secretary, and the High Commissioner to Ghana, *"notably in respect of Minister for breaching the Ministers and Parliamentary Secretaries Code of Ethics Article 4.3 and the Permanent Secretary for having led to the further breach of Article 4.6 by the Minister when he misled Parliament."*

### The Context

6. It is important to establish a clear timeline of events as a first step in determining whether the Complaint or any aspect thereof can be investigated under the Act. Key events can be set out as follows:

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|--------------------------|--|
| <i>Late 2009</i>         | Jean Claude Galea Mallia takes up residence in Ghana and starts work with a company owned by Aaron Galea.  |
| <i>19 September 2010</i> | Media reports claim that Aaron Galea is <i>"on the run in Ghana"</i> after allegedly defrauding people in Malta of some €1 million through an unlicensed investment scheme. <sup>1</sup> |

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<sup>1</sup> See <https://www.maltatoday.com.mt/news/national/4772/zabbar-local-on-the-run-in-ghana#.X8en9WhKhPY>.



- 18 May 2015* Jean Claude Galea Mallia is appointed Honorary Consul of Malta in Ghana.
- 24–29 July 2017* A Maltese trade delegation headed by the President of Malta visits Ghana. Mr Galea Mallia seeks to involve Aaron Galea in the delegation’s activities but is told that the latter should not participate, and that Mr Galea Mallia should cease contact with him.
- 17 October 2018* Jean Claude Galea Mallia appears before Parliament’s Standing Committee on Public Appointments in connection with his proposed appointment as Malta’s first High Commissioner to Ghana. The Committee agrees to advise in favour of the appointment.
- 23 October 2018* The Permanent Secretary at the Ministry for Foreign Affairs and Trade Promotion is directed to request from the Republic of Ghana its *agrément* or formal acceptance of Mr Galea Mallia’s appointment as High Commissioner.
- 27 February 2019* The Republic of Ghana issues its *agrément* in connection with Mr Galea Mallia’s appointment as High Commissioner. In accordance with established diplomatic practice, the appointment is considered definitive from this point onwards.
- 19 March 2019* High Commissioner Galea Mallia formally presents his letters of credence to the President of Ghana.

### **Decision to Investigate**

7. The Standards in Public Life Act (chapter 570 of the laws of Malta) empowers me to investigate the conduct of members of the House of Representatives, including ministers and parliamentary secretaries, and persons of trust in the private secretariats of ministers and parliamentary secretaries. The term “person of trust” as defined in the Act does not include the Principal Permanent Secretary or the Permanent Secretary of the Ministry for Foreign Affairs. Hence, I can only consider the Complaint in so far as it concerns Minister Carmelo Abela.

8. Furthermore, article 14(1) of the Act states that “*Nothing in this Act shall permit the Commissioner to investigate an allegation on an act which occurred*



*prior to the date on which this Act comes into force.” The Act was brought into force with effect from 30 October 2018 by means of legal notice 319 of 2018. Article 14(2) of the Act states also that “A complaint under this Act shall not be entertained unless it is made not later than thirty working days from the day on which the complainant had knowledge of the fact giving rise to the complaint or than one year from when the fact giving rise to the complaint happened, whichever date is the earliest.”*

9. These time limits do not allow me to consider the Complainant’s charge that Minister Carmelo Abela failed to inform Parliament’s Standing Committee on Public Appointments about the association between Jean Claude Galea Mallia and Aaron Galea when it considered Mr Galea Mallia’s appointment as High Commissioner.

10. On 15 January 2020 I wrote to the Complainant to inform him about these limitations. I invited him to state which circumstances in his complaint could be considered within the parameters of the Act.

11. The Complainant replied on the same day (Document B) acknowledging that his complaint would only be considered in so far as it concerned Minister Abela. He claimed that there was *“a recurrent and real-time blocking of the course of justice [...] In other words the former Minister Carmelo Abela and the Permanent Secretary were aware on that very day, that the Ambassador was aiding and abetting the criminal fugitive in Ghana”*.

12. On 20 February 2020 I wrote again to the Complainant reiterating that I had no jurisdiction over Permanent Secretaries and that I could only consider the Complaint in so far as it concerned Minister Abela. The Complainant replied on 24 February 2020 (Document C) referring to the *“key indicator”* in his complaint as set out in the heading of his original letter, that is to say *“Recurrent and real-time blocking of the course of justice to address alleged criminal acts, both of commission and omission by Minister of Foreign Affairs – Hon Carmelo Abela”*.<sup>2</sup>

13. However, it remained unclear what specific acts of commission or omission on the part of Minister Carmelo Abela did the Complainant have in

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<sup>2</sup> As from 15 January 2020 the Hon Carmelo Abela MP became Minister within the Office of the Prime Minister. He was succeeded as minister responsible for foreign affairs by the Hon Evarist Bartolo MP.



mind. The only clarification provided by the Complainant lay in his claim that the Minister was “*aware ... that the Ambassador [Mr Galea Mallia] is aiding and abetting the criminal Fugitive in Ghana*” (Document B).

14. The charge that an ambassador or high commissioner of Malta in another country is associated with an individual who is residing in that country so as to avoid justice in Malta is a serious one. Were such a charge true, it could have serious repercussions for Malta’s international reputation. It would also place the ambassador or high commissioner in a conflict of interest since it would be his or her duty to alert the authorities in Malta to the presence of the fugitive and, also, to facilitate efforts to bring the fugitive to Malta to face justice.

15. In the light of article 14(1) of the Act, Minister Carmelo Abela could be the subject of an investigation only for failing to take remedial action as from 30 October 2018 onwards in connection with Mr Galea Mallia’s impending appointment as High Commissioner, should it be concluded that such remedial action was objectively necessary. Remedial action might have involved:

- (a) advising Parliament’s Standing Committee on Public Appointments of the link between the designate High Commissioner and the fugitive in order that the Committee could reconsider its advice in favour of the appointment;
- (b) withholding the impending appointment; or
- (c) recalling the High Commissioner.

16. The second option, that of withholding the appointment of Mr Galea Mallia as High Commissioner to Ghana notwithstanding the Public Appointments Committee’s advice in favour of the appointment, would have been possible by virtue of article 38(5) of the Public Administration Act (chapter 595 of the laws of Malta). The proviso to this article states among other things that:

*the final decision as to whether an appointment which is subject to the procedure provided in this article is to be made shall in any case pertain to the Minister.*

17. It should be noted that action under paragraphs (a) and (b) above was open only until 27 February 2019, when Ghana issued its *agrément* and the High Commissioner’s appointment became definitive. Action under paragraph (c) became possible subsequently.



18. These three options should also be assessed in the light of article 14(2) of the Act. This provision effectively establishes a time window of thirty working days immediately preceding the date of submission of a complaint. Alleged actions that are the subject of the complaint can only be investigated if the complainant came to know of them within this time window.

19. In this particular case it is reasonable to assume that the Complainant was following developments concerning the appointment of Mr Galea Mallia as High Commissioner as they occurred, so allegations about actions occurring well before the time window of thirty working days must be excluded from my investigation. The allegation that the Minister failed to act in accordance with options (a) and (b) is time-barred on this count, since such action could only have been taken up to 27 February 2019. While there are aspects to these two options that merit consideration in this report, they are not covered by my investigation as set out herein.

20. If it is deemed that circumstances warranted the action listed as option (c) above, then the Minister's duty to take such action would have persisted throughout the time window, given that he retained the foreign affairs portfolio up to 15 January 2020, i.e. five days after the submission of the Complaint. Hence the allegation that the Minister failed to act in accordance with option (c) is not time-barred. To determine whether or not this allegation is justified, it is of course necessary to consider events occurring well before the thirty-working-day time window, but this is legitimate as long as the allegation itself is not time-barred.

21. The purpose of this report is therefore to determine whether Minister Carmelo Abela should have recalled High Commissioner Galea Mallia from Ghana while he held office as Minister for Foreign Affairs and Trade Promotion. Should it be determined that such action was required, its non-fulfilment by Minister Abela could be considered either:

- a lack of proper diligence sufficient to constitute a breach of article 5.3 of the Code of Ethics for Ministers and Parliamentary Secretaries, which appears as the second schedule of the Standards in Public Life Act: this provision obliges ministers to "*work diligently and hard in the performance of their duties*"; or
- the exercise of a discretionary power in a manner that constitutes an abuse of power, as referred to in article 22(2) of the Standards in Public Life Act.



## Investigation Procedure

22. In the course of my correspondence with the Complainant, I asked him to provide information relevant to the Complaint. Under cover of his letter dated 24 February 2020 (Document C), the Complainant provided documentation concerning Galea Investments Ltd, the company owned by Mr Jean Claude Galea Mallia, and correspondence including among other things emails dating back to August 2017 and January – February 2018, purportedly indicating that Mr Aaron Galea was active in this company. I do not consider it necessary to publish this documentation.

23. Also on 24 February 2020, I wrote to the Acting Commissioner of Police asking whether any national or international warrants had been issued for the arrest of Mr Aaron Galea. On 9 March 2020, the Acting Commissioner of Police replied by email confirming that Mr Aaron Galea was a person of interest and that warrants had indeed been issued. I consider it appropriate not to share this correspondence.

24. On 12 March 2020 I wrote to the Hon Carmelo Abela, Minister within the Office of the Prime Minister (letter attached and marked as Document D) informing him of the Complaint and setting out the focus of my investigation as it was at that time, based on my initial appraisal of the Complaint and the circumstances surrounding it. I requested Minister Abela's reactions to the Complaint, asking in particular why the Minister did not consider it necessary to inform the Public Appointments Committee about Jean Claude Galea Mallia's alleged business links with Aaron Galea.

25. I received a reply from Dr Luciano Busuttil on behalf of Minister Abela on 24 March 2020 (letter attached and marked as Document E) stating *inter alia* that:

*Minister Abela denies in the most categorical manner that he was aware of the so-called facts that are indicated in the complaint. No information ever reached Minister Abela to indicate that Galea Mallia was in business with a person who was or is subject to criminal procedures. To this day the Minister does not know whether the alleged facts mentioned in the letter are factually true or simply rumours.*<sup>3</sup>

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<sup>3</sup> Translated from Maltese in keeping with my policy of drafting case reports in whichever of Malta's two official languages is used by the complainant.



26. Dr Busuttil also stated that nominations for ambassadorial posts are vetted by the Security Service before presentation to Parliament's Public Appointments Committee. He added that the Committee was fully at liberty to carry out the scrutiny it considered necessary on each nomination. The Committee unanimously approved the nomination of Mr Galea Mallia after focussing their inquiries on his business ventures in Ghana and Malta, and after confirming that he had a clean criminal record in both countries.

27. Dr Busuttil added that while the Complainant was claiming to be acting solely as a concerned citizen, he had a conflict of interest since he had a commercial interest in the company HandsOn Systems, which intended to trade with Aaron Galea's company at a time when the Complainant knew, according to his own allegations, that Mr Galea had problems with justice. Furthermore, the documentation provided by the Complainant could not be relied on since it did not prove that the Minister knew of Mr Galea Mallia's alleged links to a person who had problems with justice.

28. I also took note of the written statement<sup>4</sup> given by high commissioner designate Jean Claude Galea Mallia to the Public Appointments Committee prior to his appearance before it on 17 October 2018, as well as the transcript of the meeting itself.<sup>5</sup>

29. On 12 March 2020 I wrote to the Hon. Evarist Bartolo, Minister for Foreign and European Affairs, in order to bring the case to his attention for any action he might deem necessary. I copied this letter to the Prime Minister in view of his role in ambassadorial appointments under article 111 of the Constitution.

30. On 12 May 2020 I received a letter from Minister Bartolo (Document I), who forwarded a lengthy statement by High Commissioner Galea Mallia about his business interests in Ghana and his relationship with Aaron Galea. Mr Galea Mallia began by stating *"that I never had a business with Mr Aaron Galea and that since being given this prestigious position, I have relinquished all my companies as to avoid any possible conflict of interest."*

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<sup>4</sup> Available at <https://www.parlament.mt/media/105188/jean-claude-galea-mallia-questions-and-answers.pdf>.

<sup>5</sup> Available at [https://www.parlament.mt/media/102968/20181017\\_006d\\_hat.docx](https://www.parlament.mt/media/102968/20181017_006d_hat.docx).





31. Mr Galea Mallia stated that he went to Ghana in 2009 to work for a company owned by Mr Galea, but later on he started his own business in Ghana. He stated that Mr Galea was not a partner in his new venture, but added *“I won’t deny that he did assist me on a number of occasions.”*

32. Mr Galea Mallia stated that it was only in July 2017, at the time of the Maltese trade visit to Ghana, that he learned of *“an issue of unpaid taxes”* involving Aaron Galea. Mr Galea Mallia went on to state: *“After discussing this with Hon. Carmelo Abela and on advice of Anton Buttigieg [the CEO of TradeMalta Ltd], I started to keep my distance from then onwards.”* He also stated that after his appointment as High Commissioner he decided to gradually divest himself of his companies since the Public Appointments Committee had expressed concerns about the possibility of a conflict of interests, notwithstanding that he *“had the right to keep ownership of such companies”*. It does not appear that the Public Appointments Committee raised any objection in principle regarding the appointment as ambassador of a person resident and carrying on business in the host country, but the Committee limited its questioning to whether or not Mr Galea Mallia had a conflict of interest on account of his specific business interests.

33. Mr Galea Mallia also made allegations about the Complainant which I shall not comment upon since they are extraneous to my investigation.

34. Minister Bartolo’s letter included also a statement by the then-Permanent Secretary, Ambassador Fiona Formosa, stating that she had not been made privy to deliberations concerning Mr Jean Claude Galea Mallia’s nomination as High Commissioner until after it was cleared by the Public Appointments Committee. At this point she received instructions to seek the *agrément* from Ghana. Ambassador Formosa also made allegations about the Complainant which, again, are extraneous to my investigation.

35. Subsequently I summoned Ambassador Fiona Formosa, who by then had ceased to hold office as Permanent Secretary of the Ministry for Foreign Affairs, to give evidence as a witness. She duly did so on 16 September 2020. She referred to the visit to Ghana of a Maltese trade delegation led by the President of Malta in July 2017 and stated that Mr Anton Buttigieg, CEO of TradeMalta Ltd, had visited Ghana earlier that month to lay the groundwork for the trade visit. On 18 July 2017 Mr Buttigieg informed her that during his preparatory visit to Ghana, Jean Claude Galea Mallia had introduced Aaron Galea to him as his business partner. Mr Buttigieg had described Mr Galea as



*“potentially a shady character”* whose presence could embarrass Malta. Ambassador Formosa alerted the Minister’s Chief of Staff to this. She was not aware of any subsequent developments except that Aaron Galea was told that he should not feature in the events attended by the trade delegation.

36. Ambassador Formosa also stated that, as Permanent Secretary, she was not involved in the appointment of ambassadors until such appointments were cleared by the Public Appointments Committee, although she might ordinarily be asked about the suitability for ambassadorial office of individuals who were career diplomats.

37. Asked whether an ambassador of Malta to another country was expected to inform the Maltese authorities if a Maltese fugitive from justice was residing in the host country, Ambassador Formosa stated that in her opinion the ambassador should do so since it was part of his or her role to gather intelligence, but there was no formal obligation to this effect. In any case, no proof had been adduced that Mr Galea Mallia had been informed that Mr Galea was indeed a fugitive from justice.

38. Ambassador Formosa stated also that there were no clear rules on whether or not an ambassador could have commercial interests in his or her host country. However, an ambassador was expected to avoid embarrassing the government of Malta.

39. I also summoned Mr Anton Buttigieg, CEO of TradeMalta Ltd, to give evidence, and he duly did so on 25 September 2020. Mr Buttigieg stated that he had visited Ghana on 3 July 2017 for an advance visit during which the then-Consul, Jean Claude Galea Mallia, had introduced him to Aaron Galea, describing the latter as his business partner.

40. After the advance visit ended, due diligence was conducted and it was found, mainly from Maltese newspaper reports describing the alleged fraud carried out by Mr Aaron Galea, that he was a fugitive. Mr Buttigieg alerted the Permanent Secretary to this on 18 July 2017, recommending that Mr Galea should not be present during the trade visit. The Permanent Secretary replied the same day, copying in the Minister’s Chief of Staff and Private Secretary.

41. Mr Buttigieg presented me with copies of this exchange (Document G) and other documentation concerning the trade visit which does not have a bearing on the Complaint.



42. Mr Buttigieg stated that the following day he met the Minister for Foreign Affairs and made clear his opinion that Aaron Galea should not participate in the visit. The Minister agreed, but he did not wish to intervene directly with the Consul so he told Mr Buttigieg to pass on the message. Mr Buttigieg stated that during the visit he made it clear to the Consul that the latter had to cease contact with Aaron Galea.

43. Mr Buttigieg as well had harsh comments to make about the Complainant.

44. On 26 March 2021 I wrote to Minister Carmelo Abela forwarding to him the evidence gathered in the course of my investigation, in fulfilment of my obligation under article 18(3) of the Standards in Public Life Act, and inviting him to present any final comments or reactions should he wish to do so.

45. Dr Luciano Busuttil replied on the Minister's behalf with two separate letters, both dated 7 April 2021 (Documents H and I). The key points made by Dr Busuttil in these letters are the following:

- (a) I am precluded from investigating the case by article 14(1) and 14(2) of the Standards in Public Life Act;
- (b) in particular, the appointment of HE Jean Claude Galea Mallia became definitive on 17 October 2018, the date on which it was approved by Parliament's Public Appointments Committee: this date was before the entry into force of the Act;
- (c) in my letter of 12 March 2020 (Document D), I failed to inform Minister Abela that I was conducting a fully-fledged investigation, and I should have informed him of my decision to open such an investigation;
- (d) the Minister was deprived of his right to be present and to put questions when I was taking evidence from witnesses;
- (e) this represents a breach of his fundamental rights and his right to be heard, more so when my decisions are not subject to appeal;
- (f) I did not present the Minister with any proof of Jean Claude Galea Mallia's links with Aaron Galea or that Aaron Galea is sought on charges of fraud;
- (g) nor does it emerge from the documents I sent to the Minister that the latter was aware of the alleged facts mentioned above; and
- (h) I did not present the Minister with all the evidence in my possession.



46. Dr Busuttil again made unfavourable comments about the Complainant.

47. Point (g) above reiterated Minister Abela's claim not to have known anything about the alleged links between Jean Claude Galea Mallia and Aaron Galea. Since this claim was contradicted by the evidence in my possession, I sought a meeting with the Minister in order to obtain an explanation for what appeared to be a misleading statement on his part.

48. The meeting was duly held on 27 April 2021. I was accompanied by Charles Polidano, Director General in my office, while the Minister was accompanied by Dr Luciano Busuttil. The Minister subsequently wrote to me on 30 April 2021 explaining what had led him to make the claim which was contradicted by the evidence (Document J).

## Considerations

### *Preliminary considerations*

49. I shall briefly address the points made Dr Luciano Busuttil on behalf of Minister Carmelo Abela in his letters of 7 April 2021. My responses below correspond to these points as listed in paragraph 45 above.

- (a) I have addressed the issue of time-barring in paragraphs 15 to 21 of this case report.
- (b) I have it on the authority of Ambassador Fiona Formosa that an ambassador's appointment becomes definitive when the host country issues its *agrément*. Furthermore, the role of the Public Appointments Committee as set out in the Public Administration Act is not to make appointments but simply to advise on proposed appointments. Article 38(5) of this Act specifies that the final decision on an appointment remains up to the responsible minister.
- (c) My letter of 12 March 2020 to Minister Abela (Document D) stated quite clearly that I was conducting an investigation. This may have escaped Dr Busuttil's attention.
- (d) My role under the Standards in Public Life Act is to conduct investigations and where I am of the opinion that the allegation forming the subject matter of the investigation appears *prima facie* to have been contrary to law or in breach of any statutory duty or ethical duty, I should report my opinion to Parliament's Standing Committee on Standards in Public Life.



The rights of persons under investigation are safeguarded by article 18(3) of the Act, which grants them access to all evidence and the right to be heard before I make any findings or recommendations.

- (e) The claim that my decisions are not subject to appeal overlooks the role of Parliament's Standards Committee, which makes a final decision in cases where I find that misconduct as aforesaid has occurred.
- (f) The claim that I did not present the Minister with any proof of Jean Claude Galea Mallia's links with Aaron Galea or proof that Aaron Galea is sought on grounds of alleged fraud is also unfounded. My second letter to the Minister included inter alia Mr Galea Mallia's own statement setting out his links with Aaron Galea (see Document F) and an email dated 9 March 2020 from the Acting Commissioner of Police making it clear that Mr Galea is sought by the police.
- (g) It is undoubtedly clear from the chain of correspondence reproduced in Document G that the Minister was alerted to the connection between Mr Galea Mallia and Aaron Galea, as well as the allegations surrounding Mr Galea, shortly before the July 2017 trade visit to Ghana. This issue is discussed further in paragraph 62 below. I forwarded the correspondence in question to the Minister on 26 March 2021.
- (h) Finally, I have presented to the Minister all the material I have gathered that I consider relevant to the case.

#### *The motivation of the Complainant*

50. No fewer than four individuals – the Minister, the former Permanent Secretary, the CEO of TradeMalta and the High Commissioner himself – have questioned the Complainant's motives in bringing this case to light. However, it is not my role to consider what motivates a complainant to present a complaint. In fact, the proviso to art 13(1)(b) of the Standards in Public Life Act specifically states that a person making an allegation shall not be required to show any personal interest in support of his or her allegation. From this it follows that even if one had a personal interest, he or she does not need to show it. It is my role only to consider whether or not the complaint is valid. The fact that a complainant has an interest in the outcome does not invalidate the complaint. I have therefore dismissed this issue and focussed my investigation exclusively on the merits of the case.



51. The issues under consideration, bearing in mind the parameters set by article 14 of the Standards in Public Life Act, can be encapsulated in three questions:

- (a) Did Jean Claude Galea Mallia's association with Aaron Galea represent a conflict of interest in his role as High Commissioner of Malta to Ghana?
- (b) At any time whilst Minister Carmelo Abela was still responsible for the foreign affairs portfolio, did he learn about Mr Galea Mallia's association with Aaron Galea?
- (c) In the light of the above, should the Minister have taken steps to recall Mr Galea Mallia?

52. The first two questions represent essential background against which the third question, which is the focus of my investigation, must be considered. Each question will be addressed in turn.

*Did Jean Claude Galea Mallia's association with Aaron Galea represent a conflict of interest in his role as High Commissioner of Malta to Ghana?*

53. I have already expressed the view that an ambassador or high commissioner of Malta in another country would be in a conflict of interest if he or she were associated with an individual residing in that country who was wanted by the police in Malta. The matter that needs to be established, therefore, is whether Mr Jean Claude Galea Mallia had such an association, and whether this association remained in effect after he became High Commissioner to Ghana.

54. Mr Galea Mallia was undoubtedly in some form of association with Mr Galea up to July 2017, when he was still Honorary Consul. Mr Galea Mallia himself admits to this (Document F). In addition there is the testimony given by Mr Anton Buttigieg, CEO of TradeMalta, who states that when he met Mr Galea Mallia in Ghana in July 2017, the latter introduced Aaron Galea as his "business partner". Mr Buttigieg states that, to his knowledge, there was no formal business partnership between Jean Claude Galea Mallia and Aaron Galea, and the association between them may have been looser and more informal. However, while it is clear that Aaron Galea was involved in Mr Galea Mallia's company, to the extent that he had an email address with the company, the precise nature of their association is immaterial.



55. High Commissioner Galea Mallia states that after the July 2017 trade visit he began to keep his distance from Mr Galea. He also states that upon his appointment as High Commissioner in early 2019 he began to divest himself of his commercial interests in Ghana. If true, this offers added comfort concerning the termination of his links with Aaron Galea since those links appear to have been commercial in nature and centred around the company Galea Investments Ltd.

56. However it is of some concern that, in his written replies to the Public Appointments Committee prior to his appearance before it in October 2018, Mr Galea Mallia made no reference to Galea Investments Ltd, although this company had been in existence since November 2013. He only referred to two other companies, Stocktrade Co. Ltd and Bedouin Pool Lounge, stating that upon confirmation of his appointment as High Commissioner he would relinquish his directorship of the former, and he was already in the process of divesting himself of his shares in the latter.<sup>6</sup>

57. Another point of concern is the continuing existence of a profile on the social networking website LinkedIn which gives Mr Galea Mallia's occupation as director of "Galea Investors".<sup>7</sup> This is separate from his LinkedIn profile as High Commissioner to Ghana. Nevertheless, this in itself does not prove that Mr Galea Mallia failed to divest himself of his commercial interests. Out of date profiles on LinkedIn are by no means uncommon.

58. The Complainant has provided me with emails dating to early 2018 which purportedly indicate that Mr Aaron Galea was still involved in Mr Galea Mallia's business activities up to then. However, there is no evidence of Mr Galea's continued involvement subsequently.

59. Mr Anton Buttigieg stated in his testimony on 25 September 2020 that, in his view, the High Commissioner appeared to have ceased contact with Mr Galea. He also stated that, to his knowledge, the High Commissioner had divested himself of his shares in Galea Investments Ltd and the company was now run by Adams Goodman, who had been a company director. Mr Buttigieg added that he had visited Ghana a number of times following the trade

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<sup>6</sup> See page 3 of document at <https://www.parlament.mt/media/105188/jean-claude-galea-mallia-questions-and-answers.pdf>.

<sup>7</sup> See <https://gh.linkedin.com/in/jean-claude-galea-mallia-28b4639a>.



delegation visit of July 2017, and he did not see any sign of Mr Galea. Moreover, there were now over 20 Maltese companies operating in Ghana and none of them had mentioned Mr Galea.

60. I am prepared to rely on the evidence given by Mr Buttigieg, who comes across as an individual of high professional integrity and who, it should be recalled, had alerted the Ministry for Foreign Affairs and the Minister himself to Mr Galea Mallia's links with Aaron Galea in July 2017.

*At any time while Minister Carmelo Abela was still responsible for foreign affairs, did he learn about Mr Galea Mallia's association with Aaron Galea?*

61. Minister Carmelo Abela denies that he ever received information about Jean Claude Galea Mallia's business association with a person subject to criminal procedures.

62. However, this is not consistent with the evidence given by the CEO of TradeMalta, Mr Anton Buttigieg. On 18 July 2017, when Mr Buttigieg alerted Permanent Secretary Fiona Formosa to Mr Galea Mallia's association with Aaron Galea, he recommended that *"the Minister should be informed about these latest developments."* Evidence that this was indeed done emerges from an email sent later that day by Minister Carmelo Abela to his Chief of Staff, Arthur Garrard, asking *"Does he live there?"* This is evidently a reference to Aaron Galea's residence in Ghana. Mr Garrard forwarded the Minister's email to Mr Buttigieg saying *"Vide minister's comment below"*. This chain of correspondence (Document G) includes Mr Buttigieg's email to the Permanent Secretary, eliminating any doubt as to whether the Minister had seen the latter.

63. In addition, Mr Buttigieg testified that he had discussed the issue in person with the Minister on 19 July 2017, a few days before the departure of the trade delegation to Ghana. High Commissioner Galea Mallia himself states that he discussed his association with Aaron Galea directly with the Minister (Document F). Given this evidence, the Minister did not seem credible in his claim that he was unaware of Mr Galea Mallia's association with Aaron Galea. I therefore felt obliged to request an explanation from the Minister.

64. I discussed this issue directly with Minister Abela on 27 April 2021 and asked him for an explanation in writing of this apparent contradiction. On 30





April 2021, the Minister wrote to me (Document J) stating among other things as follows:

*With reference to the copy of emails dated 18 June 2017, I confirm that these emails were referring to the context of the visit that H.E. the President of the Republic and a commercial delegation that she was to lead to Ghana. I ask you to take into consideration that I was not the original recipient of the email but I was given a copy of almost all the thread, up to the point where I asked a question. My attention was focussed solely on the presence or otherwise of the persona non grata that Anton Buttigieg, in his capacity as CEO of Trade Malta, had complained about. This was just a few days before the delegation left Malta. You will therefore understand that the priority at that moment was this and this alone.*

*When the present complaint was made, three years had passed and I no longer recalled the detailed content of that email, which I had received just a few weeks after taking office as Minister for Foreign Affairs and Trade Promotion. This was the case both when I replied to the complaint and even when the nomination of the Ambassador was made.<sup>8</sup>*

65. The Minister twice denied knowledge of the links between Jean Claude Galea Mallia and Aaron Galea: on 24 March 2020 (Document E) and 7 April 2021 (Document I). On 7 April 2021 (at the time of the second denial), the emails that proved otherwise were in the Minister's possession. In his letter the Minister explained that Document I had originally been drawn up in March 2020 as a detailed reply to my first letter, but it had not been sent at this stage, so its contents should be considered in the context of the information available to him at the time. The date of 7 April 2021 was included by his lawyer in Document I in place of its original date by mistake. This is credible since the letter refers to my letter of 12 March 2020 and not to my letter of 26 March 2021.

*Should the Minister have taken steps to recall Mr Galea Mallia?*

66. As already noted, there is no evidence to indicate that Mr Galea Mallia's association with Mr Galea lasted beyond early 2018. Hence during the

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<sup>8</sup> Translated from Maltese.



timeframe of reference of this report (the thirty working days preceding 10 January 2020, the date of submission of the Complaint) there appeared to be no grounds for Mr Galea Mallia to be recalled.

67. Even if a conflict of interest still existed during this period, this would not necessarily have warranted the recall of Mr Galea Mallia. A conflict of interest arising as a result of an individual's appointment to an office does not necessarily require the reversal of that appointment. Such action would depend on the nature and seriousness of the conflict, and whether or not the conflict affects the core duties of the appointee or only a peripheral function. In many cases the conflict can be satisfactorily resolved by other means. For instance, the appointee could recuse himself or herself from decisions in which he or she would be subject to a conflict of interests. Alternatively, the appointee could be required to divest himself or herself of the interest that gives rise to the conflict – action which Mr Galea Mallia appears to have taken in this particular case well before the timeframe of reference of this report.

68. Genuine conflicts of interest should never be ignored or tolerated. However, a sense of proportion should be maintained in deciding on the appropriate course of action to resolve such conflicts, and it should be borne in mind that unduly draconian action can itself be detrimental to the national interest. In this context I should report that, during his verbal testimony, Mr Anton Buttigieg expressed the opinion that Mr Galea Mallia was possibly Malta's best performing High Commissioner. Mr Buttigieg informed me that he had received only positive feedback about the High Commissioner from the Maltese business community in Ghana. He was firmly of the view that the High Commissioner should be kept in office, and he had made a recommendation to this effect to Minister Evarist Bartolo. Mr Buttigieg observed that Mr Galea Mallia had been very young when he first moved to Ghana and fell in with Aaron Galea, and he should not suffer consequences for an error of judgement made at that age.

#### *Possible action prior to the timeframe of reference*

69. As noted earlier in this report, prior to 27 February 2019, when Mr Galea Mallia's appointment as High Commissioner to Ghana became definitive, Minister Carmelo Abela could have referred the appointment back to Parliament's Public Appointments Committee for reconsideration in the light of Mr Galea Mallia's association with Aaron Galea. Alternatively, the Minister could have chosen to withhold the appointment by virtue of article 38(5) of the



Public Administration Act. This report has not considered these two options because they fall outside the timeframe of reference deriving from article 14(2) of the Standards in Public Life Act.

70. However, it is not at all clear that there are legal grounds for an appointment to be referred back to the Public Appointments Committee for reconsideration, even if such action was warranted in this particular case.

71. The procedure followed by the Public Appointments Committee is set out in articles 37 and 38 of the Public Administration Act (chapter 595 of the laws of Malta). This Act requires the responsible minister to give notice of a proposed appointment to the Committee. There is no requirement for the responsible minister to submit any additional information, due diligence, background checks, or justifications for the suitability of the nominee. It is up to the members of the Committee to submit written questions concerning “*the professional competence, suitability and background of the nominee*” (art. 38) and, in the light of the nominee’s replies, to ask follow-up questions during his or her appearance before the Committee.

72. Minister Abela states that nominees for ambassadorial positions undergo screening by the Security Service (Documents E and I), and there were no adverse findings in Mr Galea Mallia’s case. Ambassador Fiona Formosa corroborates this in her testimony. However, this process does not appear to cover screening for possible conflicts of interest. According to Ambassador Formosa, there are no clear rules on whether an ambassador can have commercial interests in his or her host country. Moreover, screening is not a legal obligation.

73. There is a lacuna in the Public Administration Act in that the ministry proposing an appointment is not required by law to carry out any due diligence on its nominee, or to forward the results of that due diligence to the Committee. In Mr Galea Mallia’s case the Committee appears to have verified only that he had a clean criminal record in both Malta and Ghana.<sup>9</sup> Nor is the ministry proposing an appointment obliged to advise the Committee if it is aware from the information available to it that the nominee’s replies to the Committee are incorrect or incomplete.

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<sup>9</sup> See [https://www.parlament.mt/media/102968/20181017\\_006d\\_hat.docx](https://www.parlament.mt/media/102968/20181017_006d_hat.docx).



## Conclusion

74. Key aspects of the Complaint predate the entry into force of the Standards in Public Life Act, so I am precluded from investigating them.

75. The matter which I have been able to investigate is whether Minister Carmelo Abela should have recalled High Commissioner Galea Mallia during the timeframe of reference of this report, which is the period of thirty working days immediately preceding the submission of the Complaint on 10 January 2020. It is my conclusion that there has been no *prima facie* breach of ethics on the Minister's part since there appear to have been no grounds for the Minister to recall High Commissioner Galea Mallia.

76. Minister Abela stated that he was not aware of his nominee's business interests with a person who was a fugitive from justice in Malta, despite emails showing that he had been copied in on such intelligence and had actively participated in that exchange. The Minister explained that, at the time, his focus had been exclusively on the fugitive's possible involvement in the trade visit to Ghana, and subsequently he did not recall the exchange of emails. I accept that the Minister did not deliberately seek to mislead me although I do expect in future that, prior to making a statement of this nature to my office, one would make proper checks and not rely on memory, especially when they are handed all documentation and given the opportunity to reply in writing.

### *Shortcomings in Ambassadorial Appointments*

77. This case has highlighted a number of procedural shortcomings in ambassadorial appointments. To address these shortcomings I recommend that:

- (a) The Ministry for Foreign Affairs should be required to conduct more extensive due diligence before advancing a nomination for an ambassadorial post. Such due diligence should cover not only security-related issues but also the nominee's commercial activities and interests. The results of this due diligence should be forwarded to the Public Appointments Committee and in sufficient time for it to take the information into account in its consideration of the nomination.
- (b) Furthermore, it should be incumbent on the Ministry to scrutinise its nominee's replies to the Committee and inform the Committee if it is



aware of any significant omissions or inaccuracies in the information provided by the nominee to the Committee.

- (c) The Permanent Secretary of the Ministry, as its administrative head, should be responsible for the above-mentioned processes since it seems that the Permanent Secretary has a limited role in ambassadorial appointments at present.
- (d) The Ministry should establish a clear policy concerning the commercial activities, if at all, that an ambassador is permitted to carry out in his or her host country, and this policy should cover ambassadors appointed from outside as well as within the career diplomatic service of Malta.

78. In the light of the ambiguities discussed at paragraphs 56 and 57 of this case report, I also recommend that the Ministry should establish precisely what commercial activities, if any, continue to be carried out by its High Commissioner in Ghana. The Ministry should monitor those activities, if any, to ensure that there is no conflict with his role as High Commissioner and that the distance with Mr Aaron Galea is duly maintained.

79. Copies of this case report are being given to the Complainant, to Minister Carmelo Abela, and to Parliament's Standing Committee for Standards in Public Life for information purposes.

80. For a number of years the Principal Permanent Secretary has issued annual "governance action" reports setting out the action taken by the administration in response to recommendations issued by the Ombudsman and the National Audit Office in the course of their investigations and audits.<sup>10</sup> In a previous report<sup>11</sup> I proposed that this practice, which I consider to be highly commendable, should be extended to cover recommendations by my office that go beyond the specific circumstances of each case, as do the four recommendations in paragraph 77 above. I am reiterating this proposal and I am accordingly forwarding a copy of this report to the Principal Permanent Secretary.

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<sup>10</sup> See <https://publicservice.gov.mt/mt/Pages/Media/Publications.aspx>.

<sup>11</sup> See my report on case K/030, dated 25 January 2021 and available from <https://standardscommissioner.com/wp-content/uploads/Commissioner-for-Standards-case-report-K030.pdf>.



81. Finally, it does not appear from the information available to me that any individual within the Ministry for Foreign Affairs has informed the police that Aaron Galea, a person sought by them in connection with alleged financial crimes, is residing in Ghana. I am therefore forwarding a copy of this report to the Commissioner of Police in the hope and expectation that, with the full support and cooperation of the Ministry for Foreign Affairs and Malta's High Commission in Ghana, he will be able to establish the precise whereabouts of Mr Galea and take such action as is necessary to bring him to Malta to face justice.

82. This report is also being published through the official website of my office.

**Dr George Marius Hyzler**  
Commissioner for Standards in Public Life



### Attached Documents

- Document A Letter dated 10 January 2020 from Mr Anthony De Bono.
- Document B Letter dated 15 January 2020 from Mr De Bono.
- Document C Letter dated 24 February 2020 from Mr De Bono.
- Document D Letter dated 12 March 2020 to Minister Carmelo Abela.
- Document E Letter dated 24 March 2020 from Dr Luciano Busuttil on behalf of Minister Carmelo Abela.
- Document F Letter dated 12 May 2020 from Minister Evarist Bartolo.
- Document G Exchange of emails dated 18 July 2017 between Mr Anton Buttigieg, Chief Executive Officer, TradeMalta Ltd, and the Ministry for Foreign Affairs and Trade Promotion.
- Document H Letter dated 7 April 2021 from Dr Luciano Busuttil on behalf of Minister Carmelo Abela.
- Document I Additional letter dated 7 April 2021 from Dr Luciano Busuttil on behalf of Minister Carmelo Abela.
- Document J Letter dated 30 April 2021 from Minister Carmelo Abela.



10<sup>th</sup> January 2020

Dott George Hyzler  
Commissioner for Standards in Public Life  
11, St Paul's Street,  
Valletta.

Dear Mr Commissioner,

**Subject: Recurrent and real-time blocking of the course of justice to address alleged criminal acts, both of commission and omission by Minister of Foreign Affairs – Hon Carmelo Abela**

Greetings.

Please allow me to forward the attached dossier, manifesting recurrent and real-time blocking of the course of justice to address alleged criminal acts, both of commission and omission, attributable to the Minister of Foreign Affairs Hon Carmelo Abela, the Permanent Secretary of the Foreign Affairs Ministry Ms Fiona Formosa and Ambassador to Ghana H.E. Jean Galea Mallia. These acts of commission and omission should, in my view, lead to their immediate resignations notably in respect of the Minister for breaching the Ministers and Parliamentary Secretaries Code of Ethics Article 4.3 and the Permanent Secretary for having led to the further breaching of Article 4.6 by the Minister when he misled Parliament.

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Furthermore and against the background of the current national developments, including the appointment of a Cabinet of Ministers under the leadership of a new Prime Minister, the Principal Permanent Secretary Mr Mario Cutajar should explain why he failed, in his capacity as PPS and that of the Secretary to the Cabinet of Ministers, to take immediate action following my email messages of the 9<sup>th</sup> and 30<sup>th</sup> December 2019, 6<sup>th</sup> and 8<sup>th</sup> January 2020, as well as to my registered letter of the 17<sup>th</sup> December 2019, when it was explained to him that the announcement of a Cabinet of Ministers is the logical aftermath following next Sunday's appointment of the next Prime Minister, who irrespectively of pending investigations, should be timely briefed of the potential ineligibility of Hon Carmelo Abela for a Ministerial portfolio.

In summary and to serve as background for your investigations, the case kick-started in 2017, when by virtue of my long-standing association with Ghana being a close friend and his special envoy for HM King Osei Tutu of Ghana (*see annexed credentials*) I drafted the King's invitation to the President of Malta Marie Louise Coleiro Preca to visit Ghana which Her Excellency did in July/August 2017 and which visit was eventually reciprocated by the State Visit of the President of Ghana H.E. Akufo Addo. These visits led to the Government of Malta's decision to establish our first Embassy in Africa. Indeed it was just before the President of Malta's state visit to Ghana, when I had established that the Hon Consul for Malta in Ghana Mr Jean Galea Mallia was in partnership with a certain Aaron Galea in Galea Investments Ltd and with whom the representatives of the Minister of Foreign Affairs were meeting to prepare the State Visit programme. In view of my original initiative with King Osei, I felt it incumbent upon me to carry out the usual research on who is managing the State Visit programme and at that juncture I found out that this Aaron Galea was a fugitive from Malta with a National and International arrest warrant for having defrauded a number of Maltese families (the Malta Today's pertinent press report is included as Doc 8 in the



dossier). This state of play was timely brought to the attention of the Minister who failed in taking action and exposed the President of Malta and indeed our Nation to extremely serious repercussions. This issue was aggravated further when the Hon Consul Jean Galea Mallia ( *who had the onus to inform the Maltese Government of his association with the fugitive Aaron and his awareness of Aaron Galea's escapade to Ghana*) was recommended by the Minister to become Malta's Ambassador to Ghana. The dossier illustrates how the Minister and his Permanent Secretary failed to advise the Chairman of the Parliamentary Standing Committee for the scrutiny of certain Public Appointments, Hon. Dr Edward Zammit Lewis and the committee member representing the opposition, Hon Carm Mifsud Bonnici, who deliberated positively in regard to the new Ambassador Jean Galea Mallia, thereby rendering themselves for extreme criticism for superficiality. I had approached Hon Zammit Lewis who confirmed that the respective file, presented in parliament, did not include any details hence my accusation of the Permanent Secretary Ms Fiona Formosa for misleading Parliament apart from aiding and abetting criminality by association. Both the Prime Minister and Hon Owen Bonnici Minister of Justice were kept in the loop as you will find out in the dossier.

Persisting in error, coupled with the ineffectiveness of the Principal Permanent Secretary, Minister Carmelo Abela accompanied by Ambassador Jean Galea Mallia, who should have by now filed his long overdue report with the Minister of Foreign Affairs and consequently the Commissioner of Police advising him that the Ambassador knew of the whereabouts of the Maltese fugitive Aaron Galea, officially participated at the Malta and Africa – a Strategy for Partnership 2020-2025, held yesterday in Malta with wide media coverage.

This underlines the passiveness of the Principal Permanent Secretary, both in his capacity as the head of the Civil Service as well as the Secretary to the Cabinet, even though he had been fore warned on the 9<sup>th</sup> December 2019 and eventually through the registered letter RR414139592 MT delivered on the 17<sup>th</sup> December 2019, that there are alleged serious and corroborated criminal acts of omission and commission by Civil Servants under his charge and by a Minister of State.

Please be informed that following my intimation of reporting the case to the Commissioner for Standards, the Principal Permanent Secretary, irresponsibly confirmed in writing on the 8<sup>th</sup> January 2020 that the case is closed from his end. My response was that the closure of the file does not relieve him from addressing the obstruction of the course of justice, just as much from precluding him to inform the Deputy Prime Minister of these developments, notably when a new Cabinet of Ministers is in the offing. More importantly when both potential prime ministers professed in their campaigns that no one is above the law and on detection of potential criminality pledged immediate investigations irrespective who is the suspected culprit.

It should therefore be appreciated if you would kindly appraise this submission with a view to advising further on the measures to be taken to remedy the situation that should not, in my assessment, exclude the resignations of the Minister of Foreign Affairs, the Maltese Ambassador to Ghana and the Permanent Secretary of the Foreign Affairs. The Principal Permanent Secretary's demeanour merits the same level of scrutiny. I would also inform you that the Maltese Embassy in Ghana should be inaugurated in the next weeks and a Trade delegation from Malta is scheduled for next March.

I thank you and I am available for any clarification if at all necessary.

Respectfully,



Ambassador (ret'd) Anthony De Bono

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15<sup>th</sup> January 2020

**Dott George Hyzler**  
**Commissioner for Standards in Public Life**  
**11, St Paul's Street,**  
**Valletta.**

**Dear Mr Commissioner**

Thank you for response to my complaint filed and discussed on the 10<sup>th</sup> January at your office.

I acknowledge the fact that, in line with the respective act, you will only be addressing my submission in regard to the Minister (*in this instance former Minister Carmelo Abela*). At this juncture I would inform you that the documentation, as produced in the dossier, exposes the passiveness of former Minister of Justice Hon Owen Bonnici and indeed former Prime Minister Dr Joseph Muscat, rendering them parties to the impunity being extended to Minister Carmelo Abela, the Permanent Secretary of the Foreign Ministry and Malta's Ambassador to the Republic of Ghana.

It is also pertinent to underline that although you are following, as should be the case, the terms of Cap 570 of the Standards in Public Life Act, this is at variance from the reasoning and wrong assessment by the Principal Permanent Secretary (*perhaps by virtue of his lack of knowledge of the Act*), who had informed me that once the subject at issue is with the Commissioner for Standards in the Public Life and notwithstanding that the Permanent Secretary of the Ministry of Foreign Affairs and Malta's Ambassador to the Republic of Ghana were amongst the accused, the case is closed at his end.

I had refuted that stand as you will note in my email message **dated 8<sup>th</sup> January hereunder**, notably when with such an argument, the Permanent Secretary of the Ministry of Foreign Affairs and Maltese Ambassador to the Republic of Ghana **will, in my view, continue to enjoy impunity**, hence my firm belief that there is a **recurrent and real-time blocking of the course of justice**, meaning my submission is in conformity with **Article 14 (1) (2)**. In other words the former Minister Carmelo Abela and the Permanent Secretary of Foreign Affairs are aware **on this very day**, that the Ambassador is aiding and abetting the criminal Fugitive in Ghana.

I, therefore, opine that in the context of **Article 13 and 1B**, which states that the Commissioner shall have the following functions : *to investigate on his initiative or on the written allegation of any person any matter alleged to be in breach of any statutory or any ethical duty of any person to whom the act applies*, my dossier provides the subjects afore mentioned that merit your investigation.

Furthermore I am of a strong conviction and kindly allow me to be presumptuous that the case being investigated fits like a glove with Article 18.4 of the act which specifies that : if during or after any investigation, the Commission is of the opinion that there is substantial evidence of any significant breach of duty or misconduct on the part of any person to whom this act applies, he shall refer the matter to the appropriate authority (*in my view to Prime Minister Hon Robert Abela who professed that ' no one is above the law' and on this very day during the appointment of Ministers when most of them reiterated the drive for discipline, good governance, law enforcement and fight against criminality*) including the police.

I do hope that you appreciate the purity of my intentions which are solely aimed at preserving the Nation's repute in this particular case with the King of Ghana H.M Osei Tutu ( who had visited Malta) and indeed the Diplomatic world notably when Malta is vying for the United Nations Security Council seat later on this year.

Renewed thanks,

Respectfully,

**Antony De Bono**

Note: email message addressed to Principal Permanent Secretary as referred to in the text above.

**From:** Anthony Debono <[REDACTED]>  
**Sent:** Wednesday, 08 January 2020 15:16  
**To:** Cutajar Mario at OPM <mario.cutajar@gov.mt>; Mark Simiana <[REDACTED]>  
**Subject:** Re: [EXTERNAL] - Fwd: Minister of Foreign Affairs - Hon Carmelo Abela 2 year alleged Blocking the Course of Justice, Misleading Parliament and Aiding & Abetting a Fugitive (with international warrant of arrest) who is/was in business partnership with ...

Dear Mr Cutajar,

Thank you for your reply, which I am referring to my Lawyer Dr Mark Simiana for onward transmission of the case to Hon Dr George Hyzler the Commissioner for Standards. In your message you have stated that the case is closed from your end. Irrespectively, I would inform you that you were made aware ( by email from the 9th December and subsequently by correspondence through an official registered letter - RR414139592MT - delivered on 17th December) **that there are alleged serious and corroborated criminal acts of omission and commission by civil servants under your charge as Principal Permanent Secretary** and by a Minister of State, in your capacity as Secretary to Cabinet. You should be aware that the two potential prime ministers have professed in their campaigns, that no one is above the law and that on detection of potential criminality, they have pledged immediate investigation irrespective of who is the suspected culprit. Indeed the closure of the file doesn't relieve you from the continued blocking of the course of justice just as much as it doesn't preclude you from informing the Prime Minister and/ or the Deputy Prime Minister of the state of play, notably when a new Cabinet of Ministers will be appointed early next week. Thank you,

[REDACTED]

24<sup>th</sup> February 2020

**Dott George Hyzler**  
**Commissioner for Standards in Public Life**  
**11, St Paul's Street,**  
**Valletta.**

**Dear Mr Commissioner**

Thank you for your letter of the 20<sup>th</sup> February ( with the heading ' Complaint concerning appointment of High Commissioner to Ghana – Complaint no.032') which, in my opinion, and with all due respect , is not reflecting the key indicator in my original heading that of ***'Recurrent and real-time blocking of the course of justice to address alleged criminal acts, both of commission and omission by Minister of Foreign Affairs – Hon Carmelo Abela'*** , thereby confirming that I am very much aware of the requirements as specified in **Cap 570** of the Standards in Public Life Act, namely that only Ministers, Parliamentary Secretaries and Persons of Trust fall under the jurisdiction of the Commissioner.

This is indeed manifested in my **registered Letter** to Hon Dr Robert Abela – Prime Minister (**Documents 1, 1.1, 1.2,1.3,1.4.1.5,1.6** ) , Hon Evarist Bartolo – Minister for Foreign Affairs (**Document 2**) and Hon Dr Byron Camilleri – Minister for the Interior (**Document 3**) **who have been advised that the Commissioner for Standards in Public Life will not, according to the Act, be investigating the Civil Servants namely Mr Mario Cutajar, Principal Permanent Secretary, Ms Fiona Formosa, Permanent Secretary Ministry for Foreign Affairs and the Malta High Commissioner to Ghana H.E. Jean Galea Mallia** ( I am informed through my sources that the re-appointment of High Commissioner Jean Galea Mallia has not, as yet, been confirmed following the appointment of the new Cabinet of Ministers), hence the logical sequence of their responsibility to investigate the Civil Servants.

I would also add further that in my letter addressed to you, Mr Commissioner, on the 15<sup>th</sup> January, specifically at paragraph two of that document, I made reference to the passiveness in the taking of action by other Ministers, who in my opinion should also fall to be censored on the premise that I had stated ***"the documentation , as produced in the dossier, exposes the passiveness of former Minister for Justice Hon Owen Bonnici and indeed former Prime Minister Dr Joseph Muscat, rendering parties to the impunity being extended to Minister Carmelo Abela, "***

I am pleased to attach the following Documents which will show:

1. that Galea Investments Ltd is an officially registered company in the Republic of Ghana (**Documents A and B refer**)
2. Copies of correspondence with the redacting of the officer's name who was employed in the private secretariat of Minister Carmelo Abela and who had checked with the Police Headquarters and confirmed that there were existing arrest warrants (national and International) He was the same officer that was informing Minister Abela of all circumstances (**Documents C and D refer**)
3. Information (including indicative email addresses) confirming the active role that Mr Aaron Galea had in association with the High Commissioner Jean Galea Mallia and a research carried out by a Director in the Company that Galea Investments was part thereof (**Doc E 1, 2, 3 and Doc F refer**)

There is no denying the fact that any casual reader of all the submissions and research that I have been carrying out should stand in awe witnessing a common citizen struggling to see justice meted out rather than having the civil service and its political masters strive to respect the values as defined in the Code of Ethics and Codes of Discipline. It is heartbreaking to witness the routine addressing of any issue, serious or otherwise brought about after media reports and it is against this backdrop that I opined to the Prime Minister that *“ I have kept these alarming circumstances close to my heart, thereby avoiding wide media exploitation, who unfortunately seem to have an upper-hand in the inducement of action by Government.*

I do hope that you will find this report useful in assisting you with your deliberations and I am available at your behest, should you require any further elaboration.

Respectfully,

Anthony ( Tony ) De Bono



12 March 2020

Hon Carmelo Abela MP  
Minister within the  
Office of the Prime Minister

By email to [carmelo.abela@gov.mt](mailto:carmelo.abela@gov.mt)

Minister,

**Case K/023: appointment and continuation in office of HE Jean Claude  
Galea Mallia as High Commissioner of Malta to Ghana**

I have received a complaint concerning the appointment of HE Jean Claude Galea Mallia as Malta's High Commissioner to Ghana. The complainant claims among other things that:

- (1) during his time as Malta's Consul in Ghana, Mr Galea Mallia was in a business partnership with Aaron Galea, a Maltese national residing in Ghana who is wanted in Malta for alleged fraud, through the Ghana-registered company Galea Investments Ltd;
- (2) this rendered Mr Galea Mallia's appointment as High Commissioner to Ghana inappropriate;
- (3) as Minister for Foreign Affairs you were aware of this, yet you failed to inform Parliament's Public Appointments Committee when it considered Mr Galea Mallia's appointment as High Commissioner to Ghana on 17 October 2018; and
- (4) you failed to take any action to resolve this situation subsequently.

Relevant correspondence is attached.

I have ascertained that this complaint has a material basis as follows:

- (1) Mr Aaron Galea is the subject of a European Arrest Warrant and an Interpol Red Notice;



- (2) there is evidence to support the allegation that, prior to his appointment as High Commissioner, Mr Galea Mallia was in a business partnership with Mr Aaron Galea in Ghana;
- (3) to this day, Mr Galea Mallia has a profile on LinkedIn (separate from his profile as High Commissioner to Ghana) as director of “Galea Investors”, which suggests a continuing connection with Mr Aaron Galea.

Relevant documentation is also attached.

It can be argued that if, as the evidence suggests, Mr Galea Mallia was in a business relationship with a person wanted in Malta for fraud, his appointment as High Commissioner would reflect negatively on this country and would place him in a conflict of interest since, as the principal representative of Malta in Ghana, it would be his duty to support efforts to bring his business associate to justice. Undoubtedly, Parliament’s Public Appointments Committee should have had the opportunity to consider this matter.

The Act precludes me from investigating matters that occurred before 30 October 2018. Hence, I cannot inquire into the claim that you failed to inform Parliament’s Public Appointments Committee about Mr Galea Mallia’s links to Aaron Galea before it advised in favour of his appointment as High Commissioner to Ghana.

However, I note that Mr Galea Mallia’s appointment as High Commissioner to Ghana only became effective in February 2019. During the intervening period you had ample time to inform the Public Appointments Committee about his business relationship with Mr Aaron Galea in order that it could decide whether or not to reconsider its advice. I am focussing on this issue in my investigation of this case.

The following provisions of the Code of Ethics for Ministers and Parliamentary Secretaries appear relevant to this issue:

*4.4 Ministers shall be, to the widest extent possible, open to providing information to Parliament and to the public in general.*

*4.6 Ministers shall require public officials that fall within their ministries, to provide the most complete and accurate information when requested by the Parliamentary Committees.*

*5.7 Honesty – Ministers shall avoid entering into conflicts of interest between the public interest and their private interest and shall provide*



*complete and correct information to Parliament, to the Cabinet and the public in general.*

9. MINISTERS AND PARLIAMENT

*9.3 Ministers shall do their utmost so as to provide the most accurate and correct information possible and any correction that may be required shall be made at the first opportunity.*

You are kindly requested to submit your views on and reactions to the above, stating in particular why you did not consider it necessary to inform the Public Appointments Committee about Mr Jean Claude Galea Mallia's alleged business links with Mr Aaron Galea.

I would appreciate a reply by Friday 20 March 2020.

Yours sincerely,

Dr George Marius Hyzler  
Commissioner for Standards in Public Life



OFFICE: 8, ESSEX, LORD BYRON STR.,  
HAMRUN HMR08

☎ 21249119/ ☎ [REDACTED]

E-MAIL: [REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

Date 24 ta' Marzu 2020

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**Dr. George Marius Hyzler**  
**Kummissarju Għall-Istandards fil-Ħajja Pubblika**  
**11, Triq San Pawl,**  
**Valletta**

**Re:K/023: Ħatra tal-ET Jean Claude Galea Mallia bħala Kummissarju Għoli ta' Malta għal Ghana**

**Għażiż Kummissarju Hyzler,**

Nikteb għan-nom u fuq inkarigu tal-Onorevoli Ministru Carmelo Abela bi twegiba għall-ittra tiegħek datata 12 ta' Marzu 2020 dwar is-sugġett hawn fuq indikat.

Ippermettili, f'dan l-istadju inizjali inressaq il-veduti tal-Onorevoli Ministru rigward il-kontenut tal-ittra su riferita. Jekk ikun il-każ, il-klijent tiegħi qed jirrizerva id-dritt li jagħti twegiba aktar dettaljata wara li jkollu aċċess għad-dokumenti kollha li huma fil-pussess tiegħek.

Fl-ewwel lok u in linea preliminari, il-klijent tiegħi qed jirreferik għall-artikolu 14(3) tal-KAP 570. Skont dan l-artiklu int prekluz milli tinvesiga dan il-każ billi dan il-każ, apparti li seħħ qabel it-30 t'Ottubru 2018, il-persuna li ressqet l-ilment, u cioè Anthony De Bono kien jaf bil-fatti, saħanasitra qabel ma l-E.T. Galea Mallia kien biss ikkunsidrat għall-pożizzjoni ta' Kummissarju Għoli ta' Malta għal Ghana u addirittura anke qabel ma ttiehdet id-decizjoni li tinfetah ambaxxata gewwa l-Ghana. Huwa kien jokkupa l-kariga ta' Konslu Ġenerali qabel mal-Onorevoli Ministru inħtar Ministru Għall-Affarijiet Barranin u Promozzjoni tal-Kummerċ.

Barra minn dan, għadarba Anthony Debono kien jaf bl-allegat fatti, kellu żmien 30 jum biex iressaq l-ilment tiegħu. Dawn it-tletin jum għaddew kemm mid-data li in-nomina ta' Galea Mallia giet approvata mill-Parlament, u anki wara li gie aċċettat mill-Gvern tal-Ghana bħala Kummissarju Għoli fi Frar 2019.

Fit-tieni lok u bla preġudizzju għas-suespost, il-Ministru Abela jiċċhad bl-aktar mod kategoriku illi huwa kien jaf b'dawk li qed jigu msejha bhala fatti li huma indikati fl-ilment. Il-Ministru Abela qatt ma waslet għandu xi informazzjoni li tindika li Galea Mallia kien f'negozju ma' persuna li fuqha kien hemm jew hemm proceduri kriminali. Sal-lum il-ġurnata il-Ministru għadu ma jafx jekk dawn l-allegat fatti imsemmija fl-ittra humiex fatti veri jew sempliċement qlajjiet.

Il-Ministru Abela uza id-diskrezzjoni kollha ta' *bonus paterfamilias* meta fl-ewwel lok gie irrakkomandat lil Galea Mallia bhala l-aktar persuna idonea ghall-poizzjoni ta' Kummissarju Gholi u fit-tieni lok meta ipproponih ghall-kunsiderazzjoni tal-Kumitat Permanenti tal-Parlament dwar Hatriet Pubblici. Dan billi kull nomina hija skrutinizzata mis-Servizz tas-Sigurta` qabel ma tasal ghand il-Parlament. Ma irrizulta xejn dwar Galea Mallia.

Fit-tielet lok il-Kumitat Parlamentari ghandu l-liberta` kollha li jaghmel l-iskrutinju li jehtieglu fuq kull nomina. Fil-fatt mill-minuti tal-laqgħa tal-Kumitat tas-17 ta' Ottubru 2018 irrizulta li l-membri kollha unanimament qablu li n-nomina ta' Galea Mallia ghandha tkun approvata u dan wara li iffukaw l-iskrutinju tagħhom fuq in-negozji li ghandu jew ahjar kellu Galea Mallia fil-Ghana u Malta u anki wara li ikkonfermaw il-fedina penali Maltija u dik tal-Ghana tal-istess Galea Mallia li kienu netti.

Il-Ministru apparti li ma jindahalx fl-iskrutinju parlamentari ghax kieku jikser ir-regoli tar-Rule of Law, kif diga` inghad qatt ma kellu xi forma ta' informazzjoni fuq Galea Mallia li setghet tpoġġi lil Galea Maltija bhala mhux il-kandidat idoneju.

Fit-tielet lok, Anthony De Bono fl-emails tiegħu jiddikjara li qed jaghmel dan l-ilment biss bhala cittadin inkwetat. Madanakollu Anthony Debono ghandu kunflitt ta' interess billi ghandu interessi kummercjali fid-ditta HandsOn Systems, liema ditta kienet se taghmel negozju ma' dik li hi d-ditta ta' Aaron Galea fi zmien li De Bono kien jaf li Aaron Galea kellu problemi mal-gustizzju u dan skont l-istess allegazzjoni ta' Debono nnifsu. Dan jista jigi pruvat ampjament, jekk ikun il-każ, fit-twegiba dettaljata. Di piu id-dokumenti li gew mogħtija lill-mittenti ma humiex affidabbli billi bl-ebda mod ma jfissru bicca prova biex isostnu dak allegat u cioe li l-Ministru kien jaf li Galea Mallia, allegatament, kien fi shab ma xi hadd li kellu problemi mal-gustizzja u xjentement ma infurmax lill-Parlament dwar dan jew ma ha l-ebda azzjoni sussegwenti.

Fir-raba' lok, id-dokumenti kollha u senjatament dokumenti li Debono jirreferi ghalihom fl-email tiegħu datata 24 ta' Frar 2020 kellhom jghaddu ghand il-Ministru mittenti u dan skont l-Artiklu 18(3) tal-KAP 570. Dan hu nuqqas kbir li jilledi d-drittijiet fundamentali tal-klijent tiegħi billi ma gewx segwiti il-principji legali tal-gustizzja naturali li persuna li dwaru qed issir investigazzjoni, ghandu jkollu access ghall-provi kollha li huma fil-pussess tal-ufficju tiegħek, anki wara talba da parti tal-Ministru de quo. Ghal dan il-għan il-klijent tiegħi jirrizerva kull dritt spettanti lillu skont il-Ligi minhabba dan in-nuqqas.

**Għaldaqstant, għar-raġunijiet su esposti u oħrajn li l-Ministru jirrizerva li jressaq fi stadju ulterjuri jekk ikun il-każ, din l-investigazzjoni għandha tieqaf minnufih.**

Inselli għalik



Avv. Luciano Busuttil

Cc klijent



Dr. George Marius Hyzler  
Commissioner for Standards in Public Life

12 May 2020

Commissioner

Your letter of the 12 March, re: **Case K/023 – appointment and continuation in office of HE Jean Claude Galea Mallia as High Commissioner of Malta to Ghana**, refers.

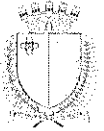
I have asked the High Commissioner for a statement on the complaint raised and the following is his statement:

*May I start by explicitly stating that I never had a business with Mr Aaron Galea and that since being given this prestigious position, I have relinquished all my companies as to avoid any possible conflict of interest.*

*To put everything in perspective and as transparent as can be, I would like to start by explaining my relationship with Mr Aaron Galea. Back in 2008 I was talking to his brother who was in class with me at St. Edwards College, he revealed that his brother (Aaron) was visiting Ghana regularly to do business there. Showing interest in the possibility of getting out of Malta for an adventure, I asked him if there were any opportunities for me. Later, I was offered a job to work for a company owned by Mr Galea and the son of the former president of Ghana. I quickly accepted, though I had requested that they would give me the chance to finish university prior to leaving. At the latter end of 2009 I received my final results and quickly left to Ghana thinking I would be staying there just for a few years and return back to Malta.*

*At that stage he had already told me of an issue he had on a property deal gone wrong in Bulgaria, though I didn't give it much importance as I knew it was during the credit crunch and that a lot of businessmen were complaining of faltered deals due to the economic situation around the world. Keep in mind that I was as naïve as a 22year old coming out of University would be! Having arrived in Ghana, I was posted to the North where I was in charge of the operations revolving mining services. After a few months I fell very ill with malaria and almost died. After recovering, I decided to return to Accra and I realised the number of business opportunities that were posed in front of me and instead of heading to Malta, I decided to take the leap of faith and try opening a business of my own. Having more business acumen and being the only Maltese person I knew in Ghana, I turned to Mr Aaron Galea for advice and guidance as I tried to learn the ropes of how to actually build and run a business in Ghana. Note that he was not a partner in the business but I won't deny that he did assist me on a number of occasions.*

*At a point in time, Mr Aaron Galea spoke to me on how he had once helped the Maltese Foreign Ministry with the repatriation of Ghanaian irregular migrants back to Ghana and that it was suggested to him that he should consider taking the post of Honorary Consul. Hearing all this gave*



*me more reassurance of his relations with Maltese authorities. Since he had never taken the offer, I thought I would try and take up the post of honorary consul aware of the fact that there would be no financial gains from it, but this did not deter me in any way. After meeting with H.E. George Vella, then Minister of Foreign Affairs, circa one year later on 18<sup>th</sup> May 2015 I was informed that my appointment as Honorary Consul was accepted by the Ghanaian Foreign Ministry.*

*In 2017, during the visit led by H.E. Marie-Lousie Colerio Preca and Hon. Carmelo Abela, I was called aside by Mr Anton Buttigieg (CEO Trade Malta) who was extremely cross at me for inviting Mr Aaron Galea to the business delegation. He informed me about another issue of unpaid taxes and that this could tarnish the image of the visit. With the new information at hand, I immediately asked Mr Galea to leave after explaining that I was not aware of the tax case and if I knew how bad it was, I would have never even asked him to attend. This stands to show that I did not really comprehend the full picture of the situation. After discussing this with Hon. Carmelo Abela and on advice of Anton Buttigieg, I started to keep my distance from then onwards.*

*Allow me to reiterate that after my appointment I took the decision to slowly remove all the companies I had, as not to create any possible doubt of conflict of interest as this was raised by the public appointment committee. I did this knowing that I had the right to keep ownership of such companies. Today I dedicate 24hrs a day to my job and have to try and see how to juggle the 'married life' into it. Don't get me wrong, I love what I do and I do not regret it in anyway, even if it has to come to an abrupt stop due to false claims by Mr Anthony Debono. What he failed to mention is that Galea Investments (meaning Jean Claude ONLY – we just happen to have the same surname) was asked to partner with Handson Ltd to setup a company in Ghana as they realised that my contacts on the ground would be instrumental to their growth in the country. This was before the visit in 2017 and as honorary consul I was allowed to do so. Having said that, Mr Anthony Debono is well aware that I am listed as sole owner of the company as he has a copy of the company documents. As soon as I was asked to take the post of High Commissioner (ie; even before I went in front of the public appointment committee), I felt compelled to immediately resign as director of Handson Ghana and give the shares back to the company at zero cost. Might I add that Mr. Tony Debono was furious at the news of me leaving the company as he possibly felt betrayed but also because I was being offered the post of High Commissioner, something he had felt would be his right for one reason or another!*

*It is clear that Mr Tony Debono has a personal grudge against me and also against Hon Carmelo Abela. Might I add, that at a point in time Mr. Tony Debono offered me 200k Euro in compensation just to assist in a gold deal taking place in Ghana. This was before I took the post of High Commissioner and still I refused to assist him, as it smelled rotten from the first moment I heard about it. This obviously didn't go down well with him as he was assisting third parties in Malta promising them that he could deliver. I remember informing the CEO of Handson on this case as to quickly intervene on the matter. His hate towards me was also evident in his recent emails where he asked 'Thumas Group' to take me to court based on AGAIN fake accusation related to visas. As you are well aware, we have not even started issuing visas so pointless even discussing what he was trying to imply.*

*I do wish to take the opportunity to apologize for all the inconvenience caused. I can assure you that since my appointment, I carry the utmost due diligence on all entities that wish to meet me as I do understand and appreciate the responsibility I carry as the highest representative of Malta in Ghana.*

Furthermore, I asked the Permanent Secretary, Ambassador Fiona Formosa for her input and she has replied as follows:



*I have to add that Mr Debono also made a number of baseless accusations against me saying that I failed in my duties since I should have seen some file (I have no idea which) and should have advised Minister Abela and prevented Mr Galea's appointment as HC. Suffice to say I was only instructed to proceed with requesting 'agrement' from Accra after Mr Galea was cleared for the nomination of HC by the relevant HOR Committee. So I do not see how I could have advised and prevented something about which I had no information whatsoever. I never saw the file that went before HOR and I followed instructions to seek 'agrement'.*

*I also note the only interaction I had with Mr Debono was when, again on Minister's instructions, I told him not to present himself as the High Commissioner of Malta in Ghana when he appeared in a photo together with the Rector and the present High Commissioner of Ghana in Malta with a caption listing him as the High Commissioner. This solicited an accusation from him that I was failing my duties and should resign. I had replied to him copying Minister and all the other dignitaries he had copied in his email, that I had been merely following instructions. Minister had then told me not to reply to him anymore and I did not.*

We await the outcome of the proceedings from your office.

Should you require any further clarification from my part, kindly advise.

Yours sincerely,

**Evarist Bartolo**  
Minister for Foreign and European Affairs

cc: Hon Prime Minister

**Anton Buttigieg**

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**From:** Anton Buttigieg  
**Sent:** Tuesday, 18 July 2017 15:22  
**To:** Garrard Arthur at MFTP  
**Subject:** RE: Urgent - Aaron Galea, Accra, Ghana

Hi Arthur,

Aaron Galea is based in Accra, Ghana. I doubt that he ever travels to Malta (but that is my assumption).

What I know for sure is that Aaron Galea is meeting and supporting Maltese companies travelling to Ghana looking for business opportunities. This was very evident during our pre-visit. I wonder how no-one has carried any due diligence about Aaron, as these matters would easily come to surface (if we confirm that this is him). I think this is only a matter of time.

So far, no one seems to have picked this intelligence, but as soon as this happens they will make the connection to the Honorary Consul. At that point, the damage would have been done and the Ministry would come under pressure (and TradeMalta too).

The Honorary Consul (Jean Claude Galea Zammit) was appointed in 2016. To my understanding Galea Investments was already set up back then. A question I have been asking myself since yesterday is this - did anyone carry out any serious due diligence prior to his appointment?

Regards,

Anton

Anton Buttigieg  
Chief Executive Officer  
Trade Malta Limited

**Address:** The Clock Tower, Level 1, Tigne Point, Sliema, TP 01

**I:** +356 2247 2400 **Mob:** +356 [REDACTED]

**Web:** [www.trademalta.org](http://www.trademalta.org)

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**From:** Garrard Arthur at MFTP [mailto:[arthur.garrard@gov.mt](mailto:arthur.garrard@gov.mt)]  
**Sent:** 18 July 2017 14:56  
**To:** Anton Buttigieg <[anton.buttigieg@trademalta.org](mailto:anton.buttigieg@trademalta.org)>  
**Subject:** Fwd: Urgent - Aaron Galea, Accra, Ghana

Anton

Vide ministers comment below

Sent from my iPhone

Begin forwarded message:

**From:** Abela Carmelo at MFTP <[carmelo.abela@gov.mt](mailto:carmelo.abela@gov.mt)>  
**Date:** 18 July 2017 at 14:48:39 GMT+2

**To:** Garrard Arthur at MFTP <[arthur.garrard@gov.mt](mailto:arthur.garrard@gov.mt)>

**Subject:** Re: Urgent - Aaron Galea, Accra, Ghana

Does he live there?

Sent from my iPhone

On 18 Jul 2017, at 8:34 AM, Garrard Arthur at MFTP <[arthur.garrard@gov.mt](mailto:arthur.garrard@gov.mt)> wrote:

Getting interesting by the minute.

This may prove an equally embarrassing situation as Tony Debono's case.  
Naqbel ma Anton.

Sent from my iPhone

Begin forwarded message:

**From:** Formosa Fiona at MFTP <[fiona.formosa@gov.mt](mailto:fiona.formosa@gov.mt)>

**Date:** 18 July 2017 at 14:02:07 GMT+2

**To:** Anton Buttigieg <[anton.buttigieg@trademalta.org](mailto:anton.buttigieg@trademalta.org)>

**Cc:** Ronald Micallef <[ronald.micallef@maltaenterprise.com](mailto:ronald.micallef@maltaenterprise.com)>, Garrard Arthur at MFTP <[arthur.garrard@gov.mt](mailto:arthur.garrard@gov.mt)>, Mangion Alessandro at MFTP <[alessandro.mangion@gov.mt](mailto:alessandro.mangion@gov.mt)>

**Subject:** RE: Urgent - Aaron Galea, Accra, Ghana

Dear Anton

Thank you for this. Am copying Chief of Staff and Private Secretary to the Minister who may wish to alert him soonest on this for his direction. I would add to your recommendations that OPR is to be informed asap.

Regards  
Fiona

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**From:** Anton Buttigieg [[anton.buttigieg@trademalta.org](mailto:anton.buttigieg@trademalta.org)]

**Sent:** 18 July 2017 12:14

**To:** Formosa Fiona at MFTP

**Cc:** Ronald Micallef

**Subject:** Urgent - Aaron Galea, Accra, Ghana

Dear Fiona,

Good morning.

Regrettably, I must bring to your attention another serious matter.

During our pre-visit trip to Ghana, Jean Claude Galea Mallia, Malta's Honorary Consul in Accra, introduced us to his business partner, Mr Aaron Galea (no parental relation), who we understand is also a shareholder in Galea Investments, a company duly registered in Ghana.

Whilst browsing the internet, Ronald Micallef stumbled across the following newspaper article -  
<http://www.maltatoday.com.mt/news/national/4772/zabbar-local->

[on-the-run-in-ghana#.WW3KDYiGOyi](#). Whilst one would have to corroborate Aaron Galea's identity with the individual mentioned in this article, it is very likely that the individual with met in Accra is the same person.

A further search on the internet produced the following results (including several Court Proceedings):

<https://www.google.com.mt/search?q=aaron+galea+malta+4728870m&oq=aaron+galea+malta+4728870m&aqs=chrome..69i57.50065j0j4&sourceid=chrome&ie=UTF-8#safe=off&q=aaron+galea+malta+472880m>

These searches do not directly implicate the Honorary Consul though it would seem that there are issues regarding his business partner which the Ministry needs to be aware of both in regard to the forthcoming State Visit and for future activity in Ghana.

Given the above findings, and on the assumption that Mr Aaron Galea is the same person mentioned in the online articles, we would like to put forward several comments and recommendations.

1. Aaron Galea is potentially, a shady character who is very close to our Honorary Consul in Accra. This is far from an ideal situation.
2. Whilst in Accra, we were planning to organise a panel discussion with the Honorary Consul, in his capacity as Director of Galea Investments. We feel that this can no longer be done and the session must be carried out with Jean Claude Galea Mallia in his capacity as Honorary Consul instead.
3. Aaron Galea cannot be present at any of the events during the State Visit and Business Mission.
4. Although there is nothing to show that the Honorary Consul is implicated in any illicit dealings, the Ministry might wish to carry out a due diligence exercise to determine any negative connotations that might harm Malta's reputation in the long-term.
5. We think the Minister should be informed about these latest developments.

I look forward to receiving your feedback.

Regards,

Anton

Anton Buttigieg  
Chief Executive Officer  
Trade Malta Limited

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☎ 21249119/ ☎ [REDACTED]

E-MAIL: [REDACTED]

[REDACTED]  
[REDACTED]  
Date 7 ta' April 2021

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**Dr. George Marius Hyzler**  
**Kummissarju Għall-Istandards fil-Ħajja Pubblika**  
**11, Triq San Pawl,**  
**Valletta**

**Re:K/023: Ħatra tal-E.T. Jean Claude Galea Mallia bhala**  
**Kummissarju Għoli ta' Malta għal Ghana**

**Għażiż Kummissarju Hyzler,**

Nikteb għan-nom tal-Onorevoli Ministru Carmelo Abela, rigward is-suġġett fuq indikat u bi twegiba għall-ittra tiegħek datata 26 ta' Marzu 2021 li permezz tagħha infurmajt lill-klijent tiegħi li kont lest li tagħlaq ir-rapport dwar l-investigazzjoni.

Il-klijent tiegħi iżomm ferm fl-ewwel lok li int prekluz milli tinvestiga u fi kwalunkwe każ l-ilment sar aktar minn tletin jum minn meta min għamel l-ilment sar jaf jew seta' jsir jaf bil-fatti li fuqhom qed jilmenta.

Fit-tieni lok, il-klijent tiegħi ma jistgħax jifhem meta l-uffiċċju tiegħek iddeċieda li jwettaq investigazzjoni billi fil-korrispondenza li l-klijent tiegħi rċieva aktar minn sena ilu, ma kienx hemm indikat li din kienet investigazzjoni vera u proprja. Fil-fatt il-kummenti li ntabab jagħmel il-klijent tiegħi kienu kummenti suċċinti hafna li wassal permezz ta' ittra iffirmata mis-sottoskritt.

Ġaladarba kien hemm bidla min-naha tiegħek, fejn qabel ma kontx qed titratta dan l-ilment bhala investigazzjoni vera u proprja, kellek tinforma lill-klijent tiegħi li kienet għaddejja investigazzjoni kontrih.

Di piu, il-klijent tiegħi kellu id-dritt sagrosant, li apparti jkun jaf li kellu din l-investigazzjoni kontrih, li jkun preżenti meta int bagħat għal xi persuni biex jagħtuk informazzjoni fuq il-każ. Dan billi huwa dritt fundamentali ta' kull persuna li jkollha id-dritt tisma' in prima persona dak li jkun qed jingħad fuq il-każ tagħha u li jkollu l-opportunita li jagħmel dawk il-mistoqsijiet li jidhirlu opportuni.

Dawn iż-żewġ azzjonijiet da parti tiegħek jiksru d-drittijiet fundamentali tal-klijent tiegħi u l-prinċipju tal-gustizzja naturali ta' *audi alteram partem*, u kwindi qed jirriserva d-drittijiet spettanti lilu skont il-liġi bil-Kostituzzjoni ta' Malta u l-Konvenzjoni Ewropea għad-Drittijiet tal-Bniedem u kull liġi oħra opportuna. Tenut kont, fuq kollox li d-deċiżjonijiet tiegħek ma humhiex appellabbli billi fil-liġi ma hemmx dan id-dritt.

Fit-tielet lok, qed nannetti risposta aktar dettaljata, li tkompli turi kemm min allega dawn il-qlajjiet kontra l-klijent tiegħi ma huwiex persuna affidabbli, kif anki sostnew il-persuni li xehdu quddiemek.

Madanakollu, dwar il-mertu il-klijent tiegħi jirrespingi bil-qawwa kollha dak allegat għar-raġunijiet imsemmija fit-tweġiba originali u din annessa ma' din l-ittra.

Għaldaqstant il-mittenti filwaqt li qed iżomm fermi d-drittijiet spettanti lilu kif ingħad aktar 'il fuq, jirrespingi l-allegazzjonijiet li saru fil-konfront tiegħu u jitlob li d-deċiżjoni tiegħek tiskaġunah minn kull htija u piena.



**Dr. Luciano Busuttil B.A., LL.D,**

[REDACTED]  
[REDACTED]  
Date 7 ta' April 2021

**Dr. George Marius Hyzler**  
**Kummissarju Għall-Istandards fil-Hajja Pubblika**  
**11, Triq San Pawl,**  
**Valletta**

**Re:K/023: Hatra tal-E.T. Jean Claude Galea Mallia bhala Kummissarju Għoli ta' Malta għal Ghana**

**Għażiż Kummissarju Hyzler,**

Nikteb għan-nom u fuq inkarigu tal-Onorevoli Ministru Carmelo Abela bi twegiba għall-ittra tiegħek datata 12 ta' Marzu 2020 dwar is-sugġett fuq indikat.

Ippermettili inressaq it-twegiba tal-klijent tiegħi għall-punti u allegazzjonijiet kontenuti fl-ittra tiegħek. Nibda biex insostni illi dawn l-allegazzjonijiet u akkużi kontenuti fl-ittra huma **għal kollox infondati fil-fatt u fid-dritt u fil-mertu** kif ser ikun manifestament sottomess f'din it-twegiba.

### **Preliminari**

Fl-ewwel lok u in linea preliminari qed ikun rilevat illi partijiet mill-ittra su riferita, aktar milli allegazzjonijiet, jinftemu bhala akkużi ta' fatt li diġa' qed ikun kunsiderat bhala kompjut. Dan qabel ma l-uffiċċju tiegħek għadu sema' iż-żewġ partijiet. Tgħallimni li l-prinċipju sagrosant ta' *audi alteram partem* irid jinżamm minn kull entita' li trid tagħti xi forma ta' ġudizzju, qabel ma' fil-fatt tagħmel dan. Dawn il-partijiet ser issir ferenza għalihom man mano li tiġi mwiegba l-ittra.

Fit-tieni lok u in linea preliminari ukoll, minghajr preġudizzju għas-suespost, dan il-każ ma jistgħax jiġi investigat mill-uffiċċju tiegħek u dan stante illi skont l-artikolu 14 tal-KAP 570:

*14.(1) Ebda haġa f'dan l-Att ma għandha tippermetti lill-Kummissarju li jinvestiga xi allegazzjoni fuq xi att li ġara qabel id-data meta dan l-Att jibda jseħħ.*

*(2) Ma għandhiex tittiehed konjizzjoni ta' lment taħt dan l-Att kemm-il darba dak l-ilment ma jsirx sa mhux aktar tard minn tletin jum tax-xogħol minn dakinhar li fih min jagħmel l-ilment kien jaf bil-fatt li ta lok għall-ilment jew minn sena minn meta jkun seħħ il-fatt li jkun ta lok għall-ilment, skont liema data tiġi l-ewwel.*

Kif innota ben tajjeb il-Kummissarju fl-ittra tiegħu, dan l-uffiċċju ma jistgħax jinvestiga każ li jkun seħħ qabel daħal fis-seħħ il-Kapitlu 570 tal-Liġijiet ta' Malta. Dan il-kapitolu sar ligi fit-30 t'Ottubru 2018 u kwindi wara illi seħħet u giet approvata l-hatra tal-E.T. Jean Claude Galea Mallia. Din il-hatra giet approvata mill-Parlament waqt seduta tal-Kumitat Parlamentari dwar Hatriet Pubblici tas-17 ta' Ottubru 2018 skond l-anness dokument DOK CA1 u cioe kopja tal-agenda tal-ordnijiet tal-gurnata tal-kumitat de quo li fiha giet approvata n-nomina.

Is-subinciz 2 tal-istess artikolu suċitat, iżid jghid li l-ebda ilment ma ghandu ikun ikkunsidrat sakemm ma jsirx sa tletin jum ta' xogħol minn meta min qed jagħmel l-ilment kien jaf bil-fatt jew minn sena minn meta seħħ il-fatt, skond liema data tiġi l-ewwel.

Illi fil-każ odjern, il-fatt illi sar l-ilment dwaru minn Anthony Debono, seħħ **waqt laqgħa pubblika**, li anki kienet trasmessa live streaming, tal-Kumitat Parlamentari dwar il-Hatriet Pubblici nhar is-17 t'Ottubru 2018. Meta wiehed jeżamina l-emails ta' Anthony Debono, illi kienu annessi mal-ittra tiegħek, l-ilment jirrigwardja in-nomina u l-hatra da parti tal-Gvern ta' Malta tal-E.T. Jean Claude Galea Mallia bhala Kummissarju Għoli ta' Malta għall-Ghana, liema nomina u hatra saret fatt kompjut wara li din in-nomina kienet approvata mill-Kumitat Parlamentari.

Huwa skorrett da parti tal-uffiċċju tiegħek li jghid illi l-hatra saret fi Frar 2019. Fi Frar 2019 ġew ipprezentati l-kredenzjali tiegħu lill-Gvern tal-Ghana. Dan il-proċess huwa għal kollox estraneju mill-Gvern ta' Malta billi wara li n-nomina tkun giet notifikata lill-Gvern tal-Ghana, sta għal dan il-Gvern li jaċċetta o meno tali nomina. Fi Frar 2019 giet ifformalizzata din l-aċċettazzjoni da parti tal-Gvern tal-Ghana.

Kwindi l-fatt li fuqu sar l-ilment ma huwiex meta l-E.T. Jean Claude Galea Mallia gie aċċettat mill-Gvern tal-Ghana imma meta gie kkonfermat u nominat mill-Gvern Malti, wara proċess ta' skrutinju li qabel ma kienx eżistenti.

Kwindi għal dawn ir-raġunijiet biss, dan l-ilment anqas ghandu jkun ikkunsidrat.

## **Mertu**

Illi bla preġudizzju għas-suespost, il-mittenti jixtieq iressaq it-twegibiet tiegħu għal kull parti tal-ittra li ntbgħatet lilu, inkluż għad-dokumenti li ġew annessi.

L-ilment huwa maqsum f'erba partijiet.

Fl-ewwel parti tal-ilment, qed ikun allegat li l-E.T. Jean Claude Galea Mallia, fiż-żmien li kien Konslu Ġenerali ta' Malta fil-Ghana, kien shab f'negozju ma' ċertu Aaron Galea, Malti residenti l-Ghana, li hu mfittex (skond dan l-ilment) f'Malta fuq akkużi ta' frodi permezz tas-soċjeta' kummerċjali Galea Investment Ltd., soċjeta' registrata fil-Ghana.

Minn din il-parti tal-ilment, jidher biċ-ċar illi min qed iressaq l-ilment u cioe' Anthony Debono, qabel ma biss kien għad hemm il-ħsieb li tinfetaħ ambaxxata Maltija fil-Ghana, kien jaf illi Jean Claude Galea Mallia kien shab ma' Aaron Galea li allegatament hu imfittex fuq akkużi ta' frodi.

Qed ikun rilevat illi dawn il-provi li juru li fil-fatt Jean Claude Galea Mallia kien shab ma' dan Aaron Galea fiż-żmien imsemmi f'din il-parti tal-ilment, u li dan Aaron Galea jinsab imfittex fuq akkużi ta' frodi huma nieqsa u mhux annessi ma' din l-ittra. Jekk l-uffiċċju tiegħek ghandu f'idejh din id-dokumentazzjoni, kien obligat jgħaddi kopja tagħha lill-

Onorevoli Ministru biex ikun jista' jwiegeb u jiddefendi lilu innifsu minn dawn l-akkuzi bla bazi bl-ahjar mod possibbli.

Skont dan l-ilment, l-allegazzjoni kontenuta fl-ewwel parti, irrendiet il-pożizzjoni ta' Jean Claude Galea Mallia mhux tenibli biex ikun ikkunsidrat bhala ambaxxatur. Bir-rispett kollu qed ikun rilevat illi qabel ma xi hadd jaghmel xi forma ta' gudizzju fuq jekk persuna kinitx idoneja jew le, irid ikun hemm ghall-inqas l-icken prova li tikkorrobora dak li qed ikun allegat. L-ET Jean Claude Galea Mallia kien ilu Konslu Ġenerali sa minn qabel l-2013. Jekk dak allegat minn Anthony Debono sehħ meta Jean Claude Galea Mallia kien konslu, il-fatti li qed ikunu allegati fl-ilment sehħew ghalhekk sn-in qabel ma biss kien nominat ghal kariga ta' Ambaxxatur. Jekk dawn il-fatti kienu pre ezistenti ghan-nomina tieghu u ezistenti ghal meta kien konslu, ergo, il-pożizzjoni tieghu ta' konslu ma kinitx tenibli, jekk jintuza l-istess argument li gie prezentat f'dan l-ilment.

Jidher li Anthony Debono kien jaf b'dan kollu. L-emails li gew prezentati mal-ittra, jirreferu ghal dati meta l-ET Galea Mallia kien konslu. Biex Anthony Debono kellu access ghall-emails li gew prezentati, huwa evidenti illi kellu x'jaqsam mal-kumpanija 'handsonsystems'. Kien konvenjenti ghal Anthony Debono li jnehhi dettalji tar-recipjenti fl-email datata 9 ta' Jannar 2018. Kien ikun opportun da parti tal-ufficċju tieghek li qabel ma jiehu u jikkunsidra bhala prova din l-email, jitlob l-email originali minghand Anthony Debono u jekk dan ma jipprovdihiex, din tkun sfilzata mill-atti tal-ilment. Jista' jaghti l-każ li fir-recipjenti ta' din l-email, kien hemm is-sur Debono innifsu u jekk dan hu l-każ, mela kien jinkombi fuq l-piz li jinforma lill-Gvern li l-ET Galea Mallia kien allegatament involut ma' dan Aaron Galea. Wiehed isaqsi 'Min hu dan Nicky?'. Ghandu x'jaqsam mas-sur Debono? Dawn huma mistoqsijiet li l-ufficċju tieghek kellu jsaqsi lil min qed jaghmel l-ilment qabel ma jacċetta dawn id-dokumenti bhala awtentici.

Bir-rispett kollu id-dokument markat bhala email tad-9 ta' Jannar 2018 ma huwiex awtentiku u jista' jkun dokument iffabrikat jew manomess.

Illi b'ricerka sempliċi fuq l-internet wiehed isib illi Anthony Debono huwa iċ-Ċermen tas-soċjeta' Handsonsystems kif jidher minn dan il-link <https://www.handsonsystems.com/blog/author/handsonsystems/>. Dan l-artiklu kien pubblikat f'Lulju 2018. Skont dan il-link jidher li Anthony Debono huwa Ċermen mhux eżekuttiv ta' HandsOn System : <https://www.handsonsystems.com/the-team/>.

Minn ricerka mill-Malta Business Registry jirrizulta li HandsOn Systems Limited (C50462) ghandha bhala azzjonista uniku lil HandsOn Holdings Limited (C83982). Din ghandha zewg diretturi u cioe' George Farrugia u Anthony De Bono li huma ukoll ir-rappreżentanti legali u gudizzjarji tas-soċjeta'. HandsOn Holdings ghandha azzjonist wiehed u cioe' Pearl Ventures Holding Limited (C 83332) u li tnejn mill-azzjonisti taghha huma George Farrugia u Anthony Debono.

Kwindi ghal Anthony Debono, kien tajjeb li jaghmel negozju permezz tas-soċjeta' li ghandu interess fiha ma' dan Aaron Galea u l-E.T. Galea Mallia meta Debono kien jaf b'dak li allega fl-ilment tieghu u ma niggzitet il-kuxjenza bhala 'common citizen struggling to see justice' (sic) f'dan il-każ! Kwindi jekk dak li lment Debono mal-ufficċju tieghek huwa minnu, kif dan ma nfirmax lill-Gvern, jew lil xi Membru Parlamentari membru fil-Kumitat dwar Ħatriet Pubblici b'dak li lment mieghek?

Kif jista' Debono jghid li l-Ministru Abela kien jaf b'dak li lment minnu Debono dwar l-E.T. Galea Mallia u Aaron Galea, meta ma ngaghet l-ebda prova li jissostanzja dak li qed jallega fuq Aaron Galea u li l-Ministru kien a konoxxenza ta' dawn il-fatti?

Jidher mir-rapport stess ta' Anthony Debono datat 10 ta' Jannar 2020, huwa kien jaf li Aaron Galea kien fil-fatt sugġett għal European Arrest Warrant u li kien qed ikun imfittex f' Malta, billi għamel referenza għal press report tal-Maltatoday u mhux għax ipprezenta xi dokumenti uffiċjali, qabel ma sehhet iż-żjara uffiċjali tal-E.T. Il-President Marie Louise Coleiro Preca fil-Ghana, liema żjara sehhet fl-2017, kif jidher mill-anness dokument DOK CA2 li hija ittra ta' ringrazzjament mill-E.T il-President lil E.T. Jean Claude Galea Mallia.

Kwindi, Anthony Debono kellu kull opportunita' li jinforma lil min kien qed jagħmel skrutinju ta' Galea Mallia, u wkoll lill-Ministru li ressaq in-nomina f'isem il-Gvern ta' Malta, b'dak li kien jaf. Dan ma għamlux u kwindi għandu jkun hu li jgorr responsabilita' li zamm informazzjoni mistura għandu bla ma nforma lill-Gvern u l-Parlament. Debono ma għab l-ebda evidenza li jissostanzja dak li allega u cioè' li nforma lill-awtoritajiet b'dan il-fatt qabel iż-żjara statali. Din iż-żjara statali fil-fatt sehhet grazzi għal kontribut ta' Jean Claude Galea Mallia, kif jidher fid-dokument CA2 u mhux kif qed jallegra Debono, li sehhet grazzi għalih!

Fit-tieni parti tal-ilment, l-uffiċċju tiegħek jagħmel allegazzjoni serja hafna, ibbazata fuq ir-rapport ta' Anthony Debono. Skond din il-pati tal-ilment, il-klijent tiegħi qed ikun akkużat li dolożament heba l-fatt li l-E.T. Galea Mallia kien fi shab ma' Aaron Galea.

Bid-dovut rispett, qed ikun sottomess illi, filwaqt li l-klijent tiegħi jiċhad bil-qawwa kollha il-fatti f'dan l-iment u cioè li kien jaf bl-informazzjoni li qed jallegra Anthony Debono u li naqas milli jgħaddi din l-informazzjoni lill-Parlament, mill-ittra nnifisha u mid-dokumenti annessi mal-ittra li ntbgħatu lill-mittenti mill-uffiċċju tiegħek ma jirriżulta minn imkien li (i) dak allegat hu minnu u (ii) li fuq kollox il-Ministru kien jaf b'dawn il-fatti.

Illi sabiex l-uffiċċju tiegħek ikun jaf il-proċedura kif taħdem, il-Kumitat Parlamentari dwar Hatriet Pubbliċi huwa awtonomu u l-eżekuttiv fl-ebda mument ma jista' jindaħal jew jinfluwenza il-proċess li jsir quddiem dan il-kumitat.

L-unika haġa li jagħmel il-Ministru hu li f'isem il-Gvern ta' Malta (għaliex ambaxxatur hu maħtur mill-Prim Ministru u mhux mill-Ministru għall-Affarijiet Barnin) jressaq jew jirtira nomina ta' ambaxxatur. Madanakollu, qabel ma titressaq in-nomina għall-iskrutinju, il-kandidat ikollu jagħti *curriculum vitae* lill-Ministeru u wkoll obbligat jagħti kull informazzjoni li tista' tkun relevanti. Di piu, isir proċess ta' screening tal-kandidat permezz tas-Servizzi tas-Sigurta' li jagħmlu skrutinju fuq il-persuna nominata.

Ovjament jekk f'dan il-każ qed nitkellmu dwar soċjeta' registrata fil-Ghana, ftit li xejn l-awtoritajiet Maltin jistgħu ikollhom informazzjoni. Illi di piu, l-iskrutinju isir fuq il-persuna nominata u sakemm ma jirriżulta xejn u l-ebda isem mir-riċerka, in-nomina tiġi ikkonfermata u mibgħutha lill-Kamra tad-Deputati.

Il-proċess ta' skrutinju ta' nomina ta' ambaxxatur huwa wiehed rigoruż u mill-aktar ampju. Huwa proċess ikkontrollat mill-Parlament innifsu u fl-ebda mument il-Ministru ma jista' jintervjeni.

Interessanti wiehed jinnota l-proċess ta' skrutinju li kien jinvolvi il-hatra in kwistjoni. Anness ma' din it-twegiba qed nannetti il-mistoqsijiet CA3 u CA4, bit-twegibiet mogħtija u Dok CA5 li hu l-verbal tas-seduta kollha. Jiġi sottomess illi l-Kumitat Parlamentari skrutinizza ukoll iċ-ċertifikati tal-kondotta tal-E.T. Galea Mallia kemm ta' Malta u kif ukoll tal-Ghana, liema dokumenti pero, ma kienux resi pubbliċi u kwindi mhux ser ikunu

annessi ma' din it-twegiba. Madanakollu, l-uffiċċju tiegħek għandu l-obbligu li jara dawn id-dokumenti.

Mill-verbal tas-seduta fejn l-E.T. kien approvat jirrizulta illi il-mistoqsijiet u d-diskussjoni iffukaw fuq l-interessi kummerċjali li għandu jew seta' kellu l-E.T. Galea Mallia. Il-Ministru Abela **ma kienx jaf li Galea Mallia ma min kien shab fin-negozju għax mir-riċerka ma rrizulta xejn li jnehhi l-idonjeta' tal-kandidatura ta' Galea Mallia.**

Il-Kumitat ta' Skrutinju tal-Parlament kellu kull opportunita' li jagħmel il-mistoqsijiet kollha li dehrlu opportuni li jagħmel. Jekk il-fatti li qed jallega Anthony Debono huma minnhom, kellu jgħaddi din l-informazzjoni Debono stess.

L-Onorevoli Ministru Abela ma kienx jaf min hu dan Galea Mallia hliet meta saret iż-żjara statali fil-Ghana. Dan Galea Mallia kien gie ndikat bhala l-aktar persuna idoneja biex jokkupa l-kariga ta' ambaxxatur ta' Malta fil-Ghana wara s-success li nkiseb miż-żjara statali li għaliha ha l-mertu hu. Galea Mallia kien l-għażla naturali wara l-irwol kruċjali tiegħu fil-Ghana bhala Konslu Ġenerali.

Fl-ittra tiegħek sostnejt illi l-uffiċċju tiegħek iċcertifika li Aaron Galea hu soġġett għal Mandat ta' Arrest Ewropew u Interpol Red Notice. Bir-rispett kollu qed ikun sottomess li dan ma kienx parti mill-evidenza illi intbghatet mal-ittra tiegħek u kwindi il-mittenti ma jistgħax jikkummenta jew jgħaddi l-osservazzjonijiet tiegħu fuq dan il-fatt. Dan in-nuqqas jipprekludi lil-mittenti milli jkun jista' jiddefendi lilu innifsu bl-ahjar mod u kif tikkontempla l-ligi.

Di piu, fl-istess ittra issostni illi Galea Mallia kien shab fin-negozju ma' Aaron Galea u hemm il-provi li jikorroboraw dan. L-unici provi li waslu għand il-mittenti huma l-emails, jew dawk li suppost huma emails, li gew ampjament analizzati aktar 'l fuq. L-unika persuna li kellha access għal dawn il-provi kien biss Anthony Debono li għażel jibqa' sieket u ma jinfurmax lill-Ministru u lill-Parlament qabel ma Galea Mallia gie approvat.

Bid-dovut rispett kollu, li wiehed jagħti mportanza profil LinkedIn bhala prova tal-kontenut tiegħu, dan l-istess profil, għall-inqas irid ikun analizzat u konfermat illi huwa awtentiku u genwin. Fil-fatt minn riċerka fil-LinkedIn, l-E.T. Galea Mallia għandu profil ieħor, bir-ritratt tiegħu, li fih hu indikat **biss**, bhala l-Kummissarju Għoli ta' Malta għal Ghana. Żgur li ma hijiex l-aqwa prova li l-uffiċċju tiegħek kien obligat li jressaq.

Bid-dovut rispett ukoll, mid-dokumenti annessi mal-ittra ma hemm l-ebda dokument li jidher bhala dokument uffiċjali ta' xi registru ta' kumpanniji fil-Ghana li jagħti dettalji dwar is-soċjeta' li Debono qed jgħid li kellu negozju fiha Galea Mallia.

Apparti dan kollu li ngħad hawn fuq, l-aktar punt kruċjali hu dak li, detto ma non concesso li dak li allega Debono hu minnu, jekk il-Ministru Abela kienx jaf b'dan kollu u xjentement (għax jekk kien jaf kif allega Debono, u baqa sieket, l-att jigi wiehed doluż) heba din l-informazzjoni.

Il-verita' hi li l-uniku persuna li heba l-informazzjoni u baqa sieket kien Anthony Debono innifsu li kellu kull opportunita' li jressaq din l-informazzjoni fil-mument opportun u mhux qagħad jistenna li n-nomina tkun approvata halli jattakka ing-ustament Ministru tal-Gvern.

Dan l-ilment, l-uffiċċju tiegħek qed jgħid li potenzjalment qed igib lill-Ministru mittenti bi ksur tal-Kodiċi ta' Etika tal-Ministri u senjatament l-artikoli 4.4, 4.6, 5.7 u 9.3.

Rigward l-artikolu 4.4, apparti li dan l-artikolu jitlob li l-Ministru jagħtu kwalsijasi informazzjoni, l-ewwel u qabel kollox, biex jagħmlu dan, il-Ministri irid ikollhom dik l-informazzjoni u li l-informazzjoni tkun ikkorroborata u ma tkunx biss għajdut. F'dan il-każ, il-Ministru ha l-prekawzjonijiet kollha neċessarji billi qabel ma ressaq in-nomina saret riċerka mis-Servizzi tas-Sigurta' ta' Malta fuq l-individwu u wara kien hemm il-Parlament li kien liberu jagħmel l-iskrutinju li jrid bl-akar mod ampju, fejn il-Ministru la indaħal, la seta' jindaħal u wisq anqas iddaħhal mill-istess Kumitat. Il-Ministru ha l-mizuri bħala *bonus pater familias* biex jiġbor l-informazzjoni u aktar minn hemm ma setgħax jagħmel. Kwindi, sa fejn kien konsapevoli l-Ministru, l-informazzjoni kollha li kellu f'idu dwar Galea Mallia kien għaddiha. **Kwindi dan l-artikolu ma japplikax!**

Rigward l-artikolu 4.6, apparti li dan l-artikolu ma japplikax għax fil-mument li Galea Mallia kien quddiem il-Kumitat ta' Skrutinju ma kienx fil-vesti ta' uffiċjal tal-ministeru imma bħala kandidat għall-ambaxxatur, ma jirriżulta minn imkien li l-Ministru ostakola b'xi mod jew ta' xi ordni lil Galea Mallia biex ma jgħidx kollox. Meta wiehed jeżamina d-domandi li saru, wiehed malajr jasal għal konkluzjoni li **dan l-artikolu ma japplikax!**

Rigward l-artikolu 5.7, mid-dicitura tal-istess artikolu żgur li ma jistgħax japplika għal dan il-każ billi jirrigwardja kunflitti ta' interessi personali li l-Ministru jkollu. Ċertament minn imkien ma jirriżulta mill-ilment li l-Ministru qed ikun akkużat b'xi kunflitt ta' interess personali. Effettivament il-mittenti jinsab żbalordit kif issemma dan l-artikolu f'dan il-każ. Mingħajr l-iċken dubju **dan l-artikolu ma japplikax!**

Rigward l-artikolu 9.3, fejn Ministru irid jagħti l-informazzjoni kollha korretta, biex wiehed jeżamina jekk hemmx ksur ta' dan l-artikolu, trid tingieb għall-inqas biċċa prova li l-Ministru kien jaf b'dawn il-fatti (dejjem jekk huma ċari) u ma nfermax lill-Parlament. Dan l-artikolu ma jistgħax japplika għax il-Ministru ma kellux din l-informazzjoni u baqa ma wasal xejn għandu qabel din l-ittra dwar is-sugġett indikat. Ovvjament din l-ittra waslet tardivament kif diġa spjegajt qabel, billi l-proċess Parlamentari kien konkluz fis-17 t'Ottubru 2018. **Għalhekk dan l-artikolu ma japplikax!**

Rigward id-dokumenti annessi, Anthony Debono jagħmel referenza għal diversi dokumenti li kienu annessi mal-emails tiegħu. Dawn id-dokumenti qatt ma waslu għand il-mittenti, minkejja illi ntalbu permezz ta' email datata 16 ta' Marzu 2020. Dan huwa nuqqas serju li jrendi dan il-proċess kollu null u li jikser id-drittijiet fundamentali tal-Ministru, billi il-mittenti ma ngħatax aċċess għad-dokumenti kollha li allegatament jeżistu.



**Dr. Luciano Busuttil B.A., LL.D,**





Dr. George Marius Hyzler  
Kummissarju għall-Istandards fil-Ħajja Pubblika  
Triq San Pawl  
Valletta

30 ta' April 2021

Re: K/023

Sur Kummissarju,

Nagħmel referenza għall-każ imsemmi hawn fuq, kif ukoll għad-dokumentazzjoni illi int bagħat fis-26 ta' Marzu 2021, u nixtieq inressaq xi kjarifiki:

1. Fl-ewwel lok, nagħmel referenza għall-ittra datata 7 t'April 2021 u li tagħmel referenza għall-ittra originali tiegħek datata 12 ta' Marzu 2020. Din l-ittra inkitbet f'Marzu 2020 biex twieġeb għall-ittra originali tiegħek, imma ma ġietx prezentata f'dak l-istadju. Id-data ta' 7 t'April 2021 huwa żball u allura din l-ittra trid tittieħed fil-kuntest li nkitbet qabel ma ġew f'idejja d-dokumenti li ntbagħtu minnek kif indikat aktar 'il fuq.
2. B'referenza għall-kopja ta' emails datati 18 ta' Ġunju 2017, nikkonferma illi dawn l-emails kienu qed jirreferu fil-kuntest taż-żjara li l-E.T. il-President tar-Repubblika u delegazzjoni kummerċjali li kienet se tmexxi fil-Ghana. Nitolbok tieħu in kunsiderazzjoni li jien ma kontx ir-riċipjent originali tal-email imma ngħatajt kopja tat-thread kwazi kollha, jiġifieri sal-punt li jien għamilt mistoqsija. L-attenzjoni tiegħi kienet iffukata biss fuq il-preżenza jew le tal-persuna *non grata* li Anton Buttigieg, fil-kapaċita' tiegħu ta' CEO ta' Trade Malta lmentat dwarha. Dan kien propju ffit jiem qabel id-delegazzjoni ħalliet Malta. Tifhem allura li l-prijorita' f'dak il-mument kienet din u din biss.



3. Meta sar l-ilment odjern, għaddew tlett snin u l-kontenut dettaljat ta' dik l-email li jien irċevejt ftit gimgħat biss wara l-insedjament tiegħi bħala Ministru għall-Affarijiet Barranin u l-Promozzjoni tal-Kummerċ, ma ftakarhomx, kemm meta wegibt għal-ilment u anki meta saret in-nomina tal-Ambaxxatur. Dwar din tal-aħħar wieħed irid iqis ukoll illi l-iskrutinju dwar jekk il-persuna hiex idonea jew le biex tinħatar Ambaxxatur sar fuq diversi livelli, inkluż fuq għall-ewwel darba fuq livell Parlamentari. Dan l-iskrutinju jagħti komfort akbar dwar l-għażla tal-individwu.
  
4. Finalment, qed nirreferi ukoll għad-domandi li saru mill-Membri Parlamentari waqt is-seduta tal-Kumitat Permanenti Dwar Hatriet Pubblici u senjatament għad-domanda numru 8 u t-twegiba tal-istess Ambaxxatur li ndirettament jirreferi għall-kontenut ta' dawk l-emails.

Inselli għalik,

Carmelo Abela  
Ministru