

**The Terms of Reference for the Public Independent Inquiry into the murder of Daphne Caruana Galizia are the following:**

To investigate and report to the Prime Minister, following the Resolution of the House of Representatives of the 12 December, 2018 and the resolution of the Parliamentary Assembly of the Council of Europe of the 26 June 2019 (Resolution 2293 (2019)), on the death of Ms. Daphne Caruana Galizia on the 16th October 2017 and on the events preceding, concomitant with, and following upon, the death with a view:

1. to determining whether any wrongful action or omission by or within any State entity facilitated the death or failed to prevent it and in particular whether any State entity knew or ought to have known of a real and immediate risk to Ms. Daphne Caruana Galizia's life at the time from the criminal acts of a third party and failed to take measures within the scope of its powers which, judged reasonably, it might have been expected to take in order to avoid that risk;
2. to establishing whether the State had and has in place effective criminal law provisions and other practical means to avoid the development of a de facto state of impunity through the frequent occurrence of unresolved criminal acts and to deter the commission of serious criminal offences, backed up by law enforcement machinery for the prevention, suppression, investigation and punishment of serious breaches of the law;
3. to determining whether the State has fulfilled and is fulfilling its positive obligation to take preventive operational measures to protect individuals whose lives are at risk from criminal acts in particular in the case of journalists;
4. to conducting the inquiry in such a way as not to impede or compromise any criminal investigation or prosecution or its integrity;
5. The Inquiry shall be held in public but the Board of Inquiry may, where it considers it

necessary, conduct particular hearings *in camera* in such a way as to protect the confidentiality of investigations and of information received in confidence both when the confidentiality of those investigations or information is protected by law and when the Board of Inquiry considers that in camera hearings are otherwise justified;

6. The Board of Inquiry shall have access to all information held by State entities and it shall act in accordance with the Inquiries Act and shall, subject to these terms of reference, regulate its own procedure on all matters including the question of access by the family of the deceased and by the public to the proceedings and acts of the inquiry.

7. The Board of Inquiry shall endeavour to conclude its work within a time frame of nine months without prejudice to the proper fulfilment of these terms of reference.