

## **Notes in Preparation for Testimony**

**in**

**A) Court Case No. 395/2017: Ben Nasan Khaled Ibrahim Pen vs. Minister of Health, etc.**

**B) Court Case No. 220/2016: Gafà Neville vs. Lindsay David**

**C) Court Case No. 221/2016: Gafà Neville vs. Lindsay David**

These notes contain a summary of the assertions, evidence and testimony relating to the allegations that there have been illicit sales of Schengen Visas at the Maltese Consulate in Tripoli and in the issuance of Humanitarian Medical Visas by persons in the Office of the Maltese Prime Minister. If the allegations are correct, then corrupt officials have issued up to 88,000 Schengen Visas and an unknown number of Medical Visas, permitting an inflow in to the European Union of persons that could be potential security threats and/or illegal migrants. Furthermore, there are indications that persons that should have been entitled to Medical Visas free of charge might have been forced to pay for them or, in some cases not been able to access healthcare that under government agreements were guaranteed. The scheme, if the assertions prove to be correct, has netted the persons involved millions of euros.

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## Background

This document contains the notes that I have written in preparation for my testimony in the civil case of Ben Nasan Khaled Ibrahim Pen vs. Minister of Health, etc.<sup>1</sup> and two different court cases for standard libel both Neville Gafà vs. David Lindsay.<sup>2</sup> Earlier there was a fourth court case for criminal libel that the Maltese Police had launched against David Lindsay.<sup>3</sup> The reason I'm making these notes public is that I believe there is a public interest in understanding what I'm basing my testimony on.

Formally, the first case has been launched by Khaled Ben Nasan, a Syrian-born Libyan national and resident of Malta, to secure the return of € 38.000 that he alleges Neville Gafà, a Maltese government official that has work for both Ministry of Health and in the Office of the Prime Minister and has a seat on the ruling Labour Party's national executive, charged for medical visas that were never granted. In both the two remaining court cases Neville Gafà has sued the editor of the Malta Independent on Sunday David Lindsay for standard libel.

These law suits ought to be of general interest, since it implicitly – though not directly – will review the allegations that government officials illicitly have been charging to issue visas. The first case can be viewed as a test of the allegation that a government official that first was with the Maltese Ministry of Health and now works in the Office of the Prime Minister has been illicitly taking large amounts of money in exchange for medical visas between the years 2014 – 2017. If the court case can uncover examples of persons that have been forced to pay for medical visas, these payments will in and of themselves be an indication that something has been seriously amiss since medical visas according to an agreement between Malta and Libya should be free of charge. And, if it is proven that payments were made for medical visas, the question naturally arises to whom these payments were made and who benefitted if no income from fees were registered to the government accounts. Furthermore, there is a moral issue that goes wider than the question of potential corrupt issuing of visas, since it has been alleged that officials refused to issue medical visas to patients in critical need of specialist care not available in war torn Libya without payments with the result that sick and injured persons to be forced to go without vital medical procedures and some also pass away for lack of medical attention to which they should have been entitled.

I have been asked to give testimony in these court cases because I have been looking in to the allegation of misconduct in the issuing of visas since the subject first came to light on the TV program *Exodus* which I presented on the Maltese television station F Living. Exodus, which was broadcast nationally three time per week, investigated and reported on political issues and embraced studio discussions of topical political subjects.

This document links the allegations that there have been illicit sales of Schengen Visas at the Maltese Consulate in Tripoli and in the issuance of Humanitarian Medical Visas by persons in the Office of the Maltese Prime Minister to evidence and testimony that already was in the public domain and the additional information that I have found in my research. Should these allegations be found to be correct, corrupt officials can have enabled the inflow of up to 88,000 persons though Schengen visas and an additional, but unknown, number individuals though the issue of Medical Visas, in to the European Union. The persons that received these visas could be potential security threats and/or illegal migrants. Furthermore, there are indications that persons that should have been entitled to Medical Visas free of charge might have been forced to pay for them and, that persons unable to pay in some cases have not been able to access healthcare that under government agreements had been guaranteed. The arrangement can have earned the persons involved millions of euros.

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<sup>1</sup> Civil Court, First Hall, Court reference number: 395/2017, Registration date: 08/05/2017

<sup>2</sup> Civil Court of Magistrates, Court reference number: 220/2016, Registration date: 02/09/2016; Court reference number: 221/2016; Registration date: 02/09/2016.

<sup>3</sup> Malta has two forms of libel: "standard libel" and "criminal libel". Individuals normally sue only for pecuniary compensation under standard libel, but in in this case the editor is being sued for criminal libel which carries a penalty of prison.

Working on this document, I have encountered many witnesses that allege that they have paid for their visas, and who are willing to testify in court, but fear repercussions by the Maltese authorities if they do. As the formal issuers of the visas, the Maltese authorities could easily revoke their visa and would be right – legally – to do so, based on these witnesses’ own admission of their method of obtaining the visas. Given this situation, these witnesses are unwilling to give their testimony without some form of guarantee. I have therefore redacted some of the information in this report.

Given the importance of the functioning of the visa system and the witnesses lack of trust in the Maltese government it might be wise and prudent for the European Commission to provide for some form of guaranteed anonymity – or, some form of amnesty or pardon – that ensures that the witnesses can testify without the fear of deportation or losing their present rights.

This document is not intended as an accusation against any individual or party, or indeed the government. Everyone is – and, must be considered to be – innocent until convicted in a court of law. But by collecting the various rumours, reports, allegations and accusations of corruption in the issuance of visas at the Maltese consulate in Tripoli and issuance of medical visas and their possible connection to officials in the Ministry of Health and the Office of Prime Minister and Partit Laburista (PL), I want to simplify for the media and the judicial system to review the assertions and enable for those that allegedly have broken the law to defend themselves.

On a personal note, I’m sad to have to release this material in the form of a somewhat rough note since I was planning to present it in the form of a larger report or a book.

Because this note to a large extent is based on quotes from other sources and contains many news articles I will revert to myself in third person to maintain a consistent and unambiguous language.

Ivan Grech Mintoff

Malta 15<sup>th</sup> June 2018

## Introduction

On Exodus programme “The Libyan Visa Scandal”<sup>4</sup> Mr Khalid Ibrahim Ben Nasan publicly admitted that he had been the middleman between the various Libyan Authorities and the Maltese Ministry of Health, was the guest on the programme. Mr Khalid Ibrahim Ben Nasan, the person that in the media initially was called “the whistle-blower”, confirmed transactions in which Libyans paid to get medical visas. A transcript of program is available in appendix 11.

Before the program was aired, but after it had been made public that Mr Khalid Ibrahim Ben Nasan would be the guest of the program, he received threats (appendix 10). Such were the threats – and I’m willing to testify about them – that the television station wouldn’t allow the program to be broadcast and it was instead published on YouTube on the 10<sup>th</sup> of September 2016.

The two main allegations discussed in this document – the sale of medical visas and the sale of Schengen visas are interrelated at some points. However, for clarity, the document is divided in to two chapters each outlining one allegations. The documentary evidence for the respective allegations and the transcript of interviews with witnesses referenced in the text is relegated to the different appendices.

The court proceedings might also shine a light on the allegations that officials in the Maltese Consulate in Libya over a period of around 14-months in 2013 and 2014 illicitly sold Schengen visas.<sup>5</sup> In this period the Maltese consulate in Libya issued a total of 88.000 Schengen visas – that is more than 300 visas a day including Saturdays and Sundays.

## The Three Libel Cases

There have been three libel cases filed against David Lindsay in his capacity as editor of The Malta Independent on Sunday. Two standard libel cases that have been filed by Neville Gafà regarding articles on the Libyan medical visas issue. These two civil cases are currently before the Courts of Malta. Originally, there was also a third criminal libel case with charges filed Police Force based on a complaint by Neville Gafà. Criminal libel differed from a standard libel in that the former could result in a prison sentence while the latter could only result in an order for monetary compensation.

It is entirely appropriate that Mr Gafà file civil lawsuits if he feels his reputation has been slandered. However, there are numerous reasons why it is objectionable for Gafà to instigated criminal libel charges and abhorrent that the police accepted to file such a complaint.

### The Criminal Libel Case: Police v David Lindsay (Complaint by Neville Gafà)

Maltese have politicians routinely use criminal libel in their attempts to gag the media. In 2014 alone, there were 36 criminal libel cases filed by politicians and political functionaries. In most of these cases, the politicians and functionaries had not availed themselves of their legal remedy of a right of reply as prescribed at law under the Press Act. Under the right of reply a media outlet is obliged to give equal prominence to a reply from a person who feels they have been mistreated in the press. Nor have these persons, in most of these cases, availed themselves of the civil court remedy of standard libel.

Criminal libel is in most cases disproportionate – the police get involved, they arrest a journalist, make a criminal prosecution and the journalist could end up in prison and with a criminal record. The Institute of Journalists have long called on the government to remove criminal libel from Maltese law. And, as a result of legislation passed by the Maltese Parliament, as part of the Media and Defamation Act 2018 abolishing criminal libel, the courts have found that the criminal libel charges against David Lindsay to have been

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<sup>4</sup> The Exodus programme can be viewed at [https://www.youtube.com/watch?v=l\\_yriUgcw\\_M&t=2781s](https://www.youtube.com/watch?v=l_yriUgcw_M&t=2781s).

<sup>5</sup> The period for which we have statistical covers a slightly longer period and includes some time before the 14-month period.

automatically dropped. It is, however, still instructive to look at the background of the filing of criminal charges since it clarifies the way in which relations between politics and police operate in Malta.

Firstly, the criminal charges were filed just days after the government made its intention to remove criminal libel from the statute books. Mr Gafà, as a government functionary, and his legal counsel, undoubtedly were aware of the fact that criminal libel was about to be abolished. This was the last criminal libel case to be registered in Malta. With their last-minute filing, Gafà and his legal counsel evidently thought it appropriate to seize the last opportunity to intimidate the editor and the newspaper to stop the reporting on the allegations against Mr Gafà.

Secondly, it is remarkable for an individual under suspicion of criminal activity to seek a prison term for a newspaper editor over the placement of a Right of Reply is questionable. The formal reason for the police to file the criminal libel case was that the newspaper published Mr Gafà's right of reply not as a separate news item on its front page, but, rather, incorporated the right of reply into a lengthier article. Mr Gafà's right of reply was reproduced in full in both the daily edition and on the internet portal. The case revolves "more around legal technicality rather than around the truth of the published facts. The pretext here is that the Malta Independent failed to publish a proper right of reply, because it included the right of reply as part of an article and was not published as a standalone piece. [... This ...] is purely a pretext to bully the Malta Independent into silence." (Appendix 2.14)

Third, the legal counsel of Mr Gafà is the former Police Commissioner Peter Paul Zammit. The police, at the behest of government functionary Neville Gafà and his legal counsel have filed a criminal libel proceeding. Such a case could not have been launched except with the approval of the current Police Commissioner. The current Police Commissioner has been criticised because "instead of investigating [the] allegations, the Police Commissioner is now appearing as being in cahoots with Gafà' and his legal representative, in an attempt to send a newspaper editor to prison." (Appendix 2.14)

Fourth, it is debateable whether Neville Gafà's legal adviser Mr Peter Paul Zammit has a conflict of interest in these cases. Peter Paul Zammit was reinstated in to the police and promoted to Police Commissioner by the government after having left the force as mid-ranking police officer years before to work as a legal procurator (a legal advisor that is not a lawyer). He was Police Commissioner from the 12 April 2013 to 9 July 2014, when he was forced to resign after a board of Enquiry, and he has since left the police force again. During his time as Police Commissioner the police investigated the issue of Schengen Visas and found no wrong doing (see relevant chapter below).

According to Daphne Caruana Galizia Peter Paul Zammit is a friend of Manuel Mallia the Minister that was responsible for the police and "was made police commissioner by incoming Police Minister Manuel Mallia when he sacked John Rizzo to stop him prosecuting John Dalli".<sup>6</sup> Peter Paul Zammit has also been criticised by Giovanni Kessler, the Director-General of the European Anti-Fraud Office (OLAF), over the handling of the SNUS corruption case, because he refused to cooperate with OLAF on three requests to assist in the investigation concerning former European Commissioner John Dalli and also refused to arraign Dalli. Former Police Commissioner John Rizzo told the Privileges Committee of the House of Representatives that he had agreed with the Attorney General that criminal action should be taken against John Dalli and Silvio Zammit, but that he was then transferred by the Prime Minister before this could be realised. (Appendix 2.17) The then leader of the opposition, Simon Busuttil, claimed that Peter Paul Zammit had not arraign Dalli because of 'interference from the Prime Minister.' Police Commissioner Zammit was found by the Data Commissioner to have illegally leaked the personal file of a police inspector to a newspaper and he was also suspected of using his influence to have charges of assault against a person he had represented as a legal counsel dropped.<sup>7</sup>

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<sup>6</sup> <https://daphnecaruagalizia.com/2015/05/corruption-update-police-commissioner-instructed-officers-not-to-issue-charges-against-his-former-client/> and <https://daphnecaruagalizia.com/2015/05/corruption-update-police-commissioner-instructed-officers-not-to-issue-charges-against-his-former-client/>

<sup>7</sup> [http://theshiftnews.com/wp-content/uploads/2018/04/The-Rule-of-Law-in-Malta\\_release14Apr2018.pdf](http://theshiftnews.com/wp-content/uploads/2018/04/The-Rule-of-Law-in-Malta_release14Apr2018.pdf), p.14-15

### The Standard Libel Cases: Neville Gafà v David Lindsay (220/2016)

The first standard libel suit has been filed in regard to the article 'Government official was netting up to €150,000 a month in medical visas scam', published on 21 August 2016 in The Malta Independent on Sunday (appendix 2.16). The author of the article and editor of the paper David Lindsay claims the article was based on information and representations received from Khaled Ben Nasan as well as telephone conversations with high-ranking Libyan security sources who spoke on condition of anonymity. Their names were withheld in the article for fear of repercussions in Libya.

Following the article's publication, Mr Gafà's Right of Reply was published on the same day on the website of The Malta Independent, the following day in their daily edition and in the following Sunday's edition, as required by law and journalistic practice. In the Right of Reply Neville Gafà denies all allegations of misconduct and bribery in the article alleges and that he has ever received any monies in any way or manner aside from his government salary. He also asserts that the story is based on unfounded allegations and outright lies and that it hides behind alleged anonymous [a] high ranking Libyan secret service officer.

### The Standard Libel Cases: Neville Gafà v David Lindsay (221/2016)

Following the publication of the the article 'Government official was netting up to €150,000 a month in medical visas scam', published on 21 August 2016 and the Neville Gafà's reply David Lindsay meet again with Khaled Ben Nasan, and Ivan Grech Minto. Khaled Ben Nasan had taken exception to Neville Gafà's reply in which Mr Gafà had flatly denied ever receiving monetary remuneration in return for the issuance of medical visas for Libyan nationals.

At the meeting, Mr Ben Nasan produced a carbon copy booklet of hand-written 'receipts', which are better described as invoices or records of payments to Neville Gafà for visas for Libyan nationals. These include the names of the individuals requesting visas, their identity numbers and the amounts Mr Ben Nasan says were paid by him to Mr Gafà on behalf of his clients. Some of these have been scanned and are included in this report as appendix 4. These receipts show 84 payments worth a total of €34,575 payments made to Mr Gafà between the end of August 2015 and the beginning of October 2015. While the amounts per person varied, these averaged out at €411 each.

This material resulted in the article 'Receipts show €35,000 in payments made to Neville Gafà by Libyan middleman', published on 28 August, 2016 in The Malta Independent on Sunday. At that stage, Mr Grech Minto will also present voice recordings of conversations with a number of Libyan nationals who have also confirmed that they and/or family members were asked for monetary remuneration from Mr Gafà in return for Maltese visas.

The article included Mr Gafà's Right of Reply to an earlier article of similar subject matter, which had already been carried on the website and daily edition and includes his full explanation. Furthermore, the opening paragraph of the article in question also clearly states that Mr Gafà "has insisted with this newspaper that no Libyan national had ever been charged for visas to obtain medical treatment – not even the standard €66 visa fee".

Neville Gafà claims the article has a clear political bias and that the "lack of contact on the part of the journalist with Mr Gafà for his comments give the article a one-sided biased unfounded and downright libellous view so acute that [...] libel proceedings will be initiated in the coming days against the said David Lindsay, Simon Busuttil and all other persons, political or otherwise, who participate in the spreading of such libellous unfounded allegations." (Appendix 9)



## The Civil Suit: Ben Nasan Khaled Ibrahim Pen vs. Minister of Health, etc.

Khaled Ben Nasan has sued the former health ministry employee Neville Gafà, the health minister (current Health Minister Chris Fearne and former health minister Konrad Mizzi), the government's Chief Medical Officer and the Foundation for Medical Services in an attempt to recoup €36,675 that he claims Mr Gafà owes him for fees paid for visas for wounded Libyans who never received any visas. Ben Nasan claims that after part of that amount was repaid by Gafà there remained an unpaid balance of €36,675.

Neville Gafà has denied any wrongdoing and says that Libyan patients were never charged a single cent for the medical visas, not even the standard visas processing fees. He asserts that he has not received any funds apart from his government salary.

In the case filed Khaled Ben Nasan describes himself as an intermediary between the Libyan and Maltese authorities for the purpose of bringing Libyan nationals to Malta for medical treatment. He alleges that paid Neville Gafà for medical visas but that the visas were not issued, and the funds not returned. As a result, Mr Ben Nasan claims in his court case that a number of would-be patients who paid out the funds were never able to be brought to Malta.

Mr Ben Nasan has listed nearly 40 people by name as witnesses; including several Libyan ministers and politicians, Libyan military personnel and Libyans who allegedly paid for treatment for family members. The list of witnesses also includes current and former colleagues of Mr Gafà, the Maltese foreign affairs minister and current and former ministry employees.

Khaled Ben Nasan claims that although he repeatedly requested the funds to be repaid, Neville Gafà has failed to accede to the request. To support his claim Khaled Ben Nasan in addition to the testimony of the witnesses will produce transcripts of Viber message conversations between himself and Gafà and statements of the payment of 'fees' made by Libyan would-be patients. These chats show that Khaled Ben Nasan regularly asked Mr Gafà to return the funds in the first three months of 2016 and that Gafà never questions or denies Mr Ben Nasan's claims for reimbursement for the Libyan nationals who did not receive their visas. On the contrary, Gafà acknowledges the fact but continually postpones various requested meetings. Gafà has denied the veracity of these chats and documents.

## Illicit sale of Medical Visas 2014–2017

### The Allegations

On Exodus programme “The Libyan Visa Scandal” released on 10th of September 2016, Mr Khalid Ibrahim Ben Nasan publicly admitted that he had been the middle man in transactions in which Libyans paid to get medical visas. Mr Ben Nasan alleges that Libyans were forced to make such payments to Mr Neville Gafà, who at that time was the official at the Ministry of Health charged with issuing medical visas, for visas to be issued. Mr Neville Gafà since then has been promoted and is currently working as a political appointee in the Office of the Prime Minister as a person of trust.

Mr Ben Nasan claims that he took payments from persons wishing to procure a medical visa and handed the money to Mr Neville Gafà. According to Mr Ben Nasan, also patients that requiring urgent medical intervention were also forced to pay to receive visas (appendix 11, Lines 55 – 63). On at least on one occasion, Mr Ben Nasan alleges that Mr Nevil Gafà to the money but did not issue the medical visas and did not return the money. That Mr Gafà took the money but did not issue the medical visas. This is the reason that Mr Ben Nasan gives for his decision to go public (appendix 11, Lines 58 – 63).

Mr Neville Gafà has acknowledged that there was an agreement between the Libyan Authorities and the Maltese government that the medical visas would be issued free of charge (appendix 2.1, 2.8d, 2.8j) but has rejected the allegations of wrongdoing.

Following on Mr Neville Gafà rejection of the allegations, Mr Khalid M. Ibrahim Ben Nasan produced Viber chat messages between himself and Mr Gafà, in which he is pleading with Gafà to return the 38.000 Euro in 'fees' that he took for the visas that he then did not issue. In one message Mr Khalid M. Ibrahim Ben Nasan writes “Please, please, please. All I need is the people's money back” – to which Mr Gafà replies in writing without disputing that people are owed any money, “We will meet tomorrow”. Not once in the Viber chat messages does Mr Gafà ask what fee Mr Ben Nasan is referring to, and from the communication it is apparent that Mr Gafà is familiar with the problem being discussed (appendix 3 and appendix 2.5). Mr Neville Gafà denies authenticity of Viber chats (appendix 2.4, appendix 9). Mr Khalid M. Ibrahim Ben Nasan has produced what he claims are receipts for money allegedly passed to Gafà by him in exchange for medical visas (appendix 4).

### The Police Investigation

The police investigation which eventually resulting in “no wrong doing” being found by the investigators, leaves a lot to be desired. Despite the fact that the police have had the receipts (appendix 4) in their possession for many months, they did not carry out the simplest investigation to verify whether the people named in the receipts (with names, passport numbers, dates etc) were willing to acknowledge whether they did in fact pay Neville Gafà for their visas or not. I have spoken to a number of persons that would be willing to do so, if they are given guarantees that they will not be extradited as a result of their testimony. Even when the existence of the receipts became public (appendix 2.8a) the police did not investigate the matter.

Furthermore, when the police asked to interview me about my knowledge of these matters the fact that I was going to be interviewed was leaked to a pro-government newspaper by someone with knowledge of the matter – in all likelihood someone in the police – before the interview actually took place. The leaking of such information constitutes a crime in Malta (appendix 2.6 and 2.7).

After the Exodus programme was released I was contacted by individuals that confirmed the story and some of them stated a wished to testify in court against Gafà and confirm that money was paid to him to issue medical visas. In my interview with the police, we confirmed that the police already had the contact details of these potential witnesses, but these potential witnesses were never interviewed by the police.

## The Media Reaction

Pro-government media have not investigated the claims but instead written a number of articles with the intent of discrediting Mr Khalid M. Ibrahim Ben Nasan and intimidating those investigating the allegation including myself (appendix 2.3, 2.4, 2.8h, 2.8i, 2.9a, 2.9b and 2.13c). A number of suits of libels have been opened up in court against the Malta Independent after writing about the allegations (appendix 2.8j), namely court case number Court Case No. 220/2016 (Gafà Neville vs. Lindsay David) and Court Case No. 221/2016 (Gafà Neville vs. Lindsay David).

## The Political Fallout

The Office of the Prime Minister has denied the allegations but has not ordered an internal investigation despite the mounting circumstantial evidence against one of its officials (appendix 2.8h, 2.8i, 2.8j). The Prime Minister has personally denied any knowledge of potential payments for medical visa before police investigations (appendix 2.9a). The Office of the Prime Minister also denied attempts by the Libyan authorities to send an official ministerial delegation to discuss why the Libyans were being asked for such payments (appendix 2.2)

The leader of the opposition has stated that there is a clear link between Office of the Prime Minister and criminal corruption (appendix 2.13d, 2.11a, 2.2) and that the actions reported raise concerns for Malta's security and stability (appendix 2.13e). The opposition has accused the Prime Minister of a cover up and the leader of the opposition has held a special meeting of the parliamentary group to discuss the issue at which he accused the Prime Minister of lying and suppressing the misconduct of Neville Gafà (appendix 2.10 and 2.11).

## The Threats and Offers

The author of this report has been approached by persons claiming that they have been sent by members of the Office of the Prime Minister. The first time these persons offered me 'any job' that I wanted in exchange for not pursuing this matter further. The second time I was told to 'name your price in order to shut up', and the third time I was told that the messenger represented five high ranking police officers who wanted me to stop investigating and exposing information on Mr Khalid M. Ibrahim Ben Nasan's allegations and told that Mr Khalid M. Ibrahim Ben Nasan "will go down" and that they did not want me to go down with him.

Mr Khalid M. Ibrahim Ben Nasan claims that he and his family have been threatened twice and the evidence is on his mobile (appendix 10). Normally, in cases of this type, the police would immediately offer protection. The Alleanza Bidla Party and the opposition in parliament repeatedly asked that Mr Khalid M. Ibrahim Ben Nasan be given protection, but no such protection was afforded (appendix 2.12, 2.13.).

## The New Witnesses and Corroborating Testimony

I have continued my investigation of the visa scandal after the Exodus programme a number of individuals have come forward to confirm the story to me. Some of these have been willing to go on record and to testify in court. Serraj Essa, Ali S Gamati, Ayman Alzintani, Osama Mohamed Zaidi and Ali Algoool have been willing to be interviewed on tape and their interviews have been transcribed (appendix 5, 6,7 and 8). These witnesses have all confirmed their willingness to testify in a court of law. These witnesses, who wish to testify that Neville Gafà asked them for money in exchange for visas have so far not been given the opportunity to testify, and neither have they been contacted by the police for interviews even though the police have been given their details. During my testimony I will present the recordings and transcriptions of my interviews with these witnesses to the court.

Despite all the media attention, and the fact that Neville Gafà is in court for several separate investigations/court cases, there are allegations that Neville Gafà is still engaged in illicit sale of visas from his position in the Office of the Prime Minister.

#### Witness Serraj Essa

Mr Serraj Essa holds the rank of general and works in the international co-operation department in the office of the United Nations recognised Libyan Prime Minister. A copy of Mr Serraj Essa's passport can be found in appendix 5 and a transcript of my interview with him can be found in appendix 6.

In the taped interview with General Serraj Essa confirms that willing to testify. Essa verifies that there was an agreement with Maltese government for free treatment. Mr Essa also corroborates the fact that Mr Khalid Ibrahim Ben Nasan was the link to Mr Neville Gafà and that he had a meeting with Neville Gafà together with Khalid Ibrahim Ben Nasan regarding 22 wounded individuals that urgently required medical assistance. Serraj Essa alleges that Neville Gafà asks, and got, € 1,750,000 to issue these 22 medical visas.

General Serraj asserts that Neville Gafà then intervened to prevent the then Libyan Deputy Prime Minister / Libyan Minister of Health and an official delegation from coming to Malta to hold official meetings with their Maltese counterparts in order to discuss why the Libyan government was being asked for payments when there was an official agreement of free treatment and all medical visas had been stopped. He also claims that Neville Gafà intervened and prevented correspondence between the Libyan and Maltese Health Ministers. He then confirms that despite Neville Gafà telling the Libyan Health Ministry delegation to proceed Tunisia where it would be issued with the relevant visas for their travel, and with the delegation waiting for days for their visas to proceed, Gafà simply switched off his mobiles and they never received the promised visas. He has all the documentation to prove this allegation. He also confirms that even when no visa was issued to the wounded the money was not returned.

#### Witness Ali S Gamati

Mr Ali Gamati who is a senior police officer working on security related issues. A copy of Mr Ali Gamati's passport can be found in appendix 5 and a transcript of my interview with him can be found in appendix 7.

Ali Gamati claims he tried for 6 months to get medical visas from Maltese Consulate in Libya, but no visas were issued until he got in contact with Khalid Ibrahim Ben Nasan. Gamati corroborates the fact that Khalid Ibrahim Ben Nasan was the link to Mr Neville Gafà. Mr Gamati alleges that Neville Gafà asked him for € 3,000,000 to be deposited in a bank account and for payments of Euro 3,500 to be then made for each medical visa that Gafà would issue, which was then 'discounted' to Euro 3,000 per medical visa.

#### Witnesses Ayman Alzintani

Mr Ali Alzintani is an official in charge of an airport VIP lounge and use to work with the logistics for injured patients that need treatment in Malta for the Libyan Ministry of Health. Ayman Alzintani's passport copy can be found in appendix 5 and a transcript of my interview with him can be found in appendix 8.

Ayman Alzintani alleges that Neville Gafà asked him for € 2,000-2,500 to be paid to Gafà in order for him to issue the medical visas for wounded from his region, that Neville asked a person by the name of Ahmed Fenir of Zintan for Euro 25,000 because his hand was amputated, and he needed an artificial replacement.

#### Witness Osama Mohammed Zaidi

Mr Osama Mohammed Zaidi is a patient who underwent medical intervention treatment in Malta. Osama Mohammed Zaidi's passport copy can be found in appendix 5 and a transcript of my interview with him can be found in appendix 8.

Osama Mohammed Zaidi claims he was in Malta because of a serious injury. He was allowed into Malta to be operated upon and a few days after operation – despite still not being fully recovered – was kicked out of Malta by Neville Gafà because he had not paid Gafà for his visa. Osama Mohammed Zaidi alleges that Neville Gafà asked for the money personally via the translator Mabrouk Garsalla.

#### Witness Ali Mohammed Algool

Mr Ali Mohammed Algool who is in charge of logistics for people injury from his region and works in Tobruk Parliament for Office of the Prime Minister. A copy of Ali Mohammed Algool's passport can be found in appendix 5 and a transcript of my interview with him can be found in appendix 8.

Ali Mohammed Algool alleges that that he was also asked for money by Neville Gafà for visas. Ali Mohammed Algool who's role in part is to accompany the patients to Malta also alleges that Neville Gafà asked for the money personally via the translator Mabrouk Garsalla. Ali Mohammed Algool also describes a situation in which he was forced to leave Malta and when he was leaving was forced to sign a document in in English that he did not understand, but which he later understood to have the effect that he can't enter the Schengen zone for 5 years.

#### Witness Abdulhakim S.A. Mreshigh

Abdulhakim S.A. Mreshigh was in charge of correspondence between the Libyan Ministry of Health of Neville Gafà. Abdulhakim Mreshigh's passport copy can be found in appendix 5, but I have not conducted a formal taped interview with him. He is, however, willing to testify that Neville Gafà prevented a ministerial delegation including the Libyan Minister of Health from visiting Malta to enquire why money was being demanded for the medical visas.

#### Witness Naji Ejudi Duw Almabrouk

Naji Ejudi Duw Almabrouk is the uncle of two patients who underwent medical intervention in Malta. Naji Ejudi Duw Almabrouk's passport copy can be found in appendix 5, but I have not conducted a formal taped interview with him. He has, however, stated his willing to testify that Neville Gafà asked for money for their medical visas and also posted such a claim on Facebook.

## Illicit sale of Schengen Visas 2013-2014

### The Allegations

In the Exodus program Khalid M. Ibrahim Ben Nasan alleged that for a period of around 14 months in 2013 and 2014, legitimate Schengen Visa applications that were submitted in the formally correct manner were purposefully delayed and/or not processed for up to 6 months by the Maltese consulate in Libya and at the same time visas submitted via middlemen and accompanied by illicit cash payments were issued in a matter of days. During this period the Maltese consulate issued 88,000 visas – or, 300 visas a day, every day including the weekends – appendices 1.1h, 1.3h, 1.4b, 1.4d. Should this allegation prove to be correct, these Schengen visas would have allowed the entry into any EU state of non-EU citizens from an area where ISIS was active, and many war crimes had been committed (see appendix 11, lines 31-38).

In the program, Khalid M. Ibrahim Ben Nasan alleged that Ms. Marisa Farrugia, the Maltese Consul in Tripoli at the time, was the contact person within the consulate for such illicit trade (see, appendix 11, Line 35). Ms. Marisa Farrugia has rejected the allegation made by Mr Khalid M. Ibrahim Ben Nasan. However, there are many witnesses who allege abuse and who are willing to testify (See appendices 5, 6, 7 and 8).

### The Police Investigation

Several newspaper have claimed that Ms. Marisa Farrugia was called back to Malta for a police investigation which seem to collaborate the allegations made by Mr Khalid M. Ibrahim Ben Nasan (see appendices 1.1, 1.2, 1.3 and 1.4). Furthermore, these newspapers claim that the police could/would not investigate the matter properly because of a lack of co-operation from the government side and/or direct interference of the Office of the Prime Minister. One way, but by no means the only way, to interpret the lack of co-operation is that the government felt they might have something to conceal.

The police investigation took place under the term when Peter Paul Zammit was Police Commissioner by the government. He has been criticised by OLAF over his handling of the John Dalli and SNUS corruption case. Mr Peter Paul Zammit, LP, is currently acting as Mr Neville Gafà's legal adviser.

There is also purported to be evidence in the form of paper trail unavailable to the public; including, a container full of visas and thought to be in the care of the police. Despite all the evidence presented to the police (Viber chats, receipts, contacts of people willing to testify, documentation), the police investigation has concluded and that it does not enough evidence to prosecute Ms. Marisa Farrugia without contacting any of the witnesses or any of those persons mentioned in the receipts having paid for visas. No court action was ever taken against Ms. Marisa Farrugia or anyone else in this matter.

These accusations merit very serious investigation by relevant EU authorities because Malta's as well as the other EU countries' security and stability might have been seriously compromised.

### The Political Fallout

Currently there has been no real political fallout in Malta and no proper investigation has been carried out regarding these matters. Should the allegation be proven to be correct there would likely be political repercussions not only for Malta but also in many other EU states and for the public trust in the Schengen visa system. If the allegations of abuse prove to be correct it would indicate a crack in the security of the European countries and indicate that EU countries can not necessarily trust their partners with regards to security.

## Appendix 1 – Articles on visa abuse at Maltese Consulate in Libya

### 1.1 Maltese consul in Libya probed in investigation over ‘massive’ visa scam<sup>8</sup>

#### Main points:

Police probing suspected visa racket inside Tripoli consulate. Allegations of fraud in the issue of Maltese visas to Libyan nationals. Maltese companies claim that their letterheads were falsified for recommendations and official invitations used to issue visas for Libyan businessmen.

#### Allegations:

- a) Visa scam,
- b) Fraud,
- c) Falsification of business letterheads,
- d) Falsification of official invitations.
- e) Someone directly involved in crime with a Libyan criminal gang.
- f) Gang offering Businessmen immediate Maltese visa for €1,500.
- g) The Maltese embassy would give preference to issuing ‘fraudulent’ visas before bona fide applications
- h) Tripoli embassy issues up to 300 visas to Malta every day.
- i) Allegations that the Consulate was charging up to €3,000 per visa applications (normally €70).

Published by Malta Today on 2014-05-12 at 9:53 am

#### Maltese consul in Libya probed in investigation over ‘massive’ visa scam

Police probing suspected visa racket inside Tripoli consulate



Malta's consul in Tripoli Dr Marisa Farrugia has been recalled back to Malta for urgent police questioning, after police took action in a request by the government over documented evidence of extensive fraud in the Maltese embassy, in the issuing of travel visas for Libyans.

On Friday, Farrugia arrived in Malta and was interrogated by senior police officers from the Criminal Investigations Department in Floriana, where she was questioned over allegations of fraud in the issue of hundreds of Maltese visas to Libyan nationals.

The investigations took place after a number of Maltese companies raised the alarm when they realised that their letterheads were being used on recommendations and the official invitations used for the issuing of a visa for Libyan businessmen – allegedly copied and falsified to issue visas for other Libyan nationals.

PAGE 1 Malta's consul in Tripoli Dr Marisa Farrugia was recalled to Malta for urgent police questioning at the CID on Friday, after police took action over documented evidence of extensive fraud in the Maltese embassy, in the issuing of travel visas for Libyans.

The investigations took place after a number of Maltese companies claimed that

their business letterheads were being falsified for recommendations and the official invitations used for the issuing of a visa for Libyan businessmen.

The scam appears to have been an ongoing affair, with allegations that someone in the Maltese embassy in Tripoli was responsible and directly involved in the crime – in conjunction with a criminal gang.

A Libyan criminal ring appears to have been responsible in approaching Libyans businessmen and offering them an immediate Maltese visa for €1,500.

The investigations have been ongoing since March 2013, when the police were approached about the issue of falsified letterheads by an unknown individual in the Maltese embassy.

This is not the first time that allegations about impropriety at the Maltese embassy have been reported.

The police investigations also showed that the Maltese embassy would give preference to issuing ‘fraudulent’ visas before bona fide applications.

At present the Tripoli embassy issues up to 300 visas to Malta every day.

In June 2013, the Foreign Affairs ministry had issued a statement confirming that the alleged abuse in the issuing of visas by the Maltese Consulate in Libya had been under investigation for weeks.

However, despite confirming that a preliminary internal investigation was initiated upon the order of foreign affairs minister George Vella, government never revealed the outcome of the investigations.

Following allegations that the Consulate was charging up to €3,000 for visa applications which actually cost €70 (120 Libyan Dinars), the processing of applications and back-office work was outsourced to a private company.

Farrugia was posted to Libya during this period and was entrusted with overseeing the transition of the visa application process to VFS Global, a global outsourcing and technology services specialist for diplomatic missions and governments worldwide. However, company is not involved in the investigations underway.

<sup>8</sup> [https://www.maltatoday.com.mt/news/national/38916/maltese\\_consul\\_in\\_libya\\_probed\\_in\\_investigation\\_over\\_massive\\_visa\\_scam](https://www.maltatoday.com.mt/news/national/38916/maltese_consul_in_libya_probed_in_investigation_over_massive_visa_scam)



## 1.2 Malta Police seize files from Tripoli Consul during travel visa fraud investigation<sup>9</sup>

### Allegations:

- a) Files at the Maltese consular office in Tripoli were seized as part of a police investigation into alleged travel visa fraud, according to the Foreign Ministry.
- b) Marisa Farrugia, is being investigated by the police over a case of alleged visa fraud worth millions of euros.
- c) The ministry confirmed it had been receiving numerous reports of wrongdoing in the way travel visas were being issued by the consular office in Tripoli.

Published by Times of Malta on 2014-05-20 at 12:01 am

### Police seize files from Tripoli consul during travel visa fraud investigation



Files at the Maltese consular office in Tripoli were seized as part of a police investigation into alleged travel visa fraud, according to the Foreign Ministry.

Officials were in the Libyan capital over the weekend to oversee the collection of documents that were necessary to determine how the consular office worked.

The ministry was reacting to media reports that Malta's consul, Marisa Farrugia, is being investigated by the police over a case of alleged visa fraud worth millions of euros.

Dr Farrugia was called back for police questioning last week but the ministry insisted yesterday it was not privy to the discussion between the consul and the police.

"As expected, the ministry has not communicated with the police and the official on the contents of their meeting... the ministry is not informed of any charges that were levelled or could be levelled," the statement said.

It was for this reason that the ministry refrained from commenting on the official

who was identified by Malta Today as allegedly being involved in the scam.

The ministry did not answer when asked whether it would be taking any action against Dr Farrugia pending the outcome of the police investigation but insisted that "where necessary" it was ready to take any administrative action.

However, the ministry confirmed it had been receiving numerous reports of allegations of wrongdoing in the way travel visas were being issued by the consular office in Tripoli.

It said that most of the reports contained conflicting information that made it impossible to determine what was wrong.

Over the past months consular officials held meetings with officials from the Foreign Ministry, the Home Affairs Ministry and the Office of the Prime Minister in an exercise to analyse the visa issuance process.

The ministry said the working environment of the Maltese consulate was very difficult given the state of security in Libya and the pressure by Libyans, who wanted visas to leave their country. The Maltese embassy in Tripoli is one of the few EU missions still operational there and as a consequence handles hundreds of visa requests per day.

As part of the Schengen arrangement, a visa issued by Malta will allow Libyans into the EU.

Malta withdrew its consul in Benghazi, Libya's second city, last year after receiving death threats. The Benghazi office used to issue travel visas as well.

<sup>9</sup> <https://www.timesofmalta.com/articles/view/20140520/local/police-seize-files-from-tripoli-consul-during-travel-visa-fraud.519699>



### 1.3 Embassy staff 'had a year to cover tracks' on visa fraud.<sup>10</sup>

Main point:

Police investigators looking into visa racket claim and foreign ministry was slow in reacting to reports of visa fraud.

Allegations:

- a) Government dragging its feet
- b) Embassy staff had one year to cover tracks
- c) Alerted in June 2013 but only in May 2014 are suspects investigated for fraud.
- d) An average of 300 visas are issued every day for Libyans to travel to Malta.
- e) 1500 Dinar for fast-tracked visas

Published by Malta Today on 2014-05-21 at 7:16 am

#### **Embassy staff 'had a year to cover tracks' on visa fraud**

Police investigators looking into travel visa racket claim foreign ministry was slow in reacting to reports of visa fraud



Tripoli embassy staff suspected by police investigators of having formed part of a travel visa racket may have spent the past year covering their tracks, a source close to the police has informed MaltaToday.

The Maltese foreign office was first alerted to a suspected visa scam in the Tripoli consulate in June 2013, but only two weeks ago MaltaToday revealed that Maltese consul Marisa Farrugia had been investigated over the alleged fraud – sources claiming that millions in Libyan dinars were paid to the racket.

Some 300 visas every day are issued by the Maltese embassy to Libyans demanding travel permits to Malta.

In a statement issued Monday the foreign ministry claimed that the majority of reports it received in 2013 “had been conflicting” and that the ministry was unable

arrive at a conclusive decision on what was going wrong, or who was responsible.

Consul Marisa Farrugia was recalled back to Malta for questioning by the police about the alleged fraud, but this newspaper has been told that police investigators are still waiting crucial embassy files to be handed over to them.

Farrugia was only questioned once by the police from the Economic Crimes Unit over allegations of fraud in the issuing of Maltese visas to Libyan nationals.

MaltaToday is informed that up to 1,500 Libyan dinars was being charged for a fast-track visa application when the normal visa cost €70, or 120 Libyan Dinars. The processing of applications and back-office work is outsourced to a private company also used by other embassies in Libya.

Police sources told MaltaToday that as things stand, there is “insufficient information, evidence or witnesses to proceed with the investigations.”

The “racket” was uncovered by a number of Maltese companies that realised that their letterheads were being falsified to be used as recommendations and official invitations, to issue visas for unknown Libyan nationals.

Last year in June 2013, after a story in GWU daily l-Orrizont, the Ministry of Foreign Affairs had issued a statement saying that investigations were already underway before the case was reported in the media.

<sup>10</sup> [https://www.maltatoday.com.mt/news/court\\_and\\_police/39239/embassy\\_staff\\_had\\_a\\_year\\_to\\_cover\\_tracks\\_on\\_visa\\_fraud](https://www.maltatoday.com.mt/news/court_and_police/39239/embassy_staff_had_a_year_to_cover_tracks_on_visa_fraud)

## 1.4 Confirmation that Visas run into tens of thousands or 300 visas to Malta each day<sup>11</sup>

### Allegations:

- a) Police widen investigation over visa scam that uses companies with false stocks as vehicle to obtain long-term residency.
- b) Almost 75,000 visas have been issued by the Maltese embassy in Libya since 2011
  - i. in 2011, 4,923 (79% of the total) requests were acceded to;
  - ii. in 2012, 14,626 (92%) visas were issued;
  - iii. in 2013, a record 37,486 (84%) visas were issued,
  - iv. in 2014 a total of 16,333 (72%) visas were issued.
- c) Until the date of publication in 2015, 1,592 (99%) of total requested visas being issued.
- d) 300 visas to Malta each day,
- e) Malta's consul in Tripoli, Marisa Farrugia mentioned.
- f) Farrugia had been recalled back to Malta for urgent police questioning over documented evidence of extensive fraud at the Maltese embassy.
- g) Nationals from other countries seeking a hassle-free entry into the border-less, European Schengen area
- h) On the other hand, the EU commission states that no visas were issued in 2015 & 2016 by Malta to Libyans.

Published by Malta Today on 2015-09-14 at 09:06 am.

### Over 74,000 visas to Libyans by Maltese embassy since 2011

Police widen investigation over visa scam that uses companies with false stocks as vehicle to obtain long-term residency



Almost 75,000 visas have been issued by the Maltese embassy in Libya since 2011, figures obtained by MaltaToday show.

Peaking at 44,789 requests and 37,486 visas issued, 2013 alone saw half of all visas issued in the past four years.

It now transpires that the police have widened investigations over a suspected visa scam pertaining to Libyan nationals and their sponsors in Malta, following the arrest of auditor Joe Sammut.

Police are also looking into the visas that have been issued since 2011. According to sources, the investigation is "wider than originally thought".

Ever since Libya plunged into civil war in 2011, ousting dictator Muammar Gaddafi, the country has been left in a shambles, with rival governments seated in Tripoli and in Tobruk.

But during this time, Libyan nationals seeking a way out of their war-torn country travelled to Malta legally on the strength of a travel visa: since 2011, a total of 91,331 requests were made and 74,958 visas issued.

While the figures differ significantly from one year to the next, the rate of

approval also changed: in 2011, 4,923 (79% of the total) requests were acceded to; in 2012, 14,626 (92%) visas were issued; in 2013, a record 37,486 (84%) visas were issued, and in 2014 a total of 16,333 (72%) visas were issued.

So far in 2015, 1,592 visas – 99% of total requests – have been issued.

MaltaToday understands that although issued by the Maltese embassy in Tripoli, not all visa recipients could necessarily be Libyan – they could be also nationals from other countries seeking a hassle-free entry into the borderless, European Schengen area.

MaltaToday has in the past reported how the Tripoli embassy would issue up to 300 visas to Malta each day, leading to investigations – so far unsuccessful – into whether Malta's consul in Tripoli, Marisa Farrugia, was aware of any irregularities. Farrugia had been recalled back to Malta for urgent police questioning over documented evidence of extensive fraud at the Maltese embassy.

At the time, a number of Maltese companies had claimed that their business letterheads were being falsified for recommendations and the official invitations used for the issuing of a visa for Libyan businessmen.

The information also reveals that four individuals were listed as recommenders a total of 10,394 times, making them the four most 'popular' main recommenders.

The four are GRTU council member Mario Debono, auditor Joe Sammut, a certain Joanna Debono, and D Holdings, a company owned by Iuris Fiduciary Ltd.

D Holdings was listed as a recommender 1,245 times between 2012 and 2014; 983 visas were issued. Joanna Debono appeared as a main recommender on 2,204 visa requests between 2011 and 2015, of which 1,826 visas were issued.

On the other hand, Debono and Sammut appeared as main recommenders 3,531 and 3,414 times respectively of which 3,055 and 2,512 visas were issued.

However, contacted by MaltaToday, Mario Debono explained that he was suspicious about the data concerning him.

"I don't recall ever recommending over 2,000 visa applications in 2013. I am aware that my company letterheads were falsified by Libyan nationals, and that is something that I could not stop."

Debono said he had been questioned by police over his visa requests, and that he explained to them that his company letterheads had been falsified. "We do a lot of business in Libya and this kind of thing is bound to happen."

<sup>11</sup> [https://www.maltatoday.com.mt/news/national/57086/over\\_74000\\_visas\\_to\\_libyans\\_by\\_maltese\\_embassy\\_since\\_2011](https://www.maltatoday.com.mt/news/national/57086/over_74000_visas_to_libyans_by_maltese_embassy_since_2011)

## Appendix 2 – Articles on abuse of Medical Visas in the Office of the Prime Minister

Articles with allegations of abuse in issue of Medical Visas by Neville Gafà in the Office of the Prime Minister.

### 2.1 Eurosceptics vow to blow top off medical visa ‘scandal’<sup>12</sup>

Main point: Neville Gafà's lawyer claims that Mr Gafà received no money. Gafà states no fees or charges levied by himself.

Allegations:

- a) False Statements:
- b) "His lawyer, the former police commissioner Peter Paul Zammit, reiterated that Gafà “never received any monies in any way or manner” aside from his government salary."
- c) “All expenses as regards the patient are entered into a government account as debt is subsequently settled by the Libyan authorities. No fees or charges were levied by myself or the respective departments for the vetting of the persons concerned,” Gafà

Published by Malta Today on 2016-06-26 at 12:51 pm

#### **Eurosceptics vow to blow top off medical visa ‘scandal’**

Alleanza Bidla leader Ivan Grech Mintoff claims to have "more evidence" over alleged medical visa scam



Ivan Grech Mintoff, a right-wing conservative who in 2014 unsuccessfully contested the European elections, is claiming to have “more evidence” in hand as to an alleged medical visa scam.

Grech Mintoff, self-styled chairman of the minuscule eurosceptic formation Alleanza Bidla, was catapulted into the limelight after police investigators said they had no conclusive evidence to arraign Neville Gafà, an official of the health ministry, on bribery charges.

According to Libyan national Khaled Ben Nasan, Gafà would have pocketed some

€150,000 a month to issue medical visas to Libyan nationals – allegations his lawyer, Leslie Cuschieri, sent in writing to then health minister Konrad Mizzi in April 2016.

Ben Nasan, a Libyan import-export trader, had back in 2014 claimed to have played the part of interlocutor with militiamen who had kidnapped Martin Galea outside Tripoli, Libya. The claims were reported by MaltaToday but never reliably confirmed.

That a police investigation has found nothing with what to conclusively arraign Gafà, a man close to the government’s top brass, has rankled those who criticise the government of exerting undue influence on the institutions.

Grech Mintoff on Friday called a press conference, confidently announcing that Libyan army and government top brass would be willing to testify as to the way visas are issued by the Maltese government, evidence of which he had been “shown” by way of receipts, footage, voice recordings, Viber screenshots and other documents that would confirm the alleged bribery.

Some of those Viber screenshots were published in the Malta Independent.

In painting a larger-than-life picture of his politician’s role, Grech Mintoff said Ben Nasan was ignored by both government and the Opposition, until he met the Alleanza Bidla leader. And since news broke of the fruitless police investigation, Grech Mintoff claims the Nationalists “jumped on the bandwagon to score political points” by taking to task the Labour government over the medical visa investigation.

After his press conference on Friday afternoon, at 3:38pm the police called Grech Mintoff to submit any information he had in hand.

But Grech Mintoff decided against going to the police, ostensibly because MaltaToday had been “fed sensitive information” by publishing the inconsequential news that the police had taken an interest in Grech Mintoff’s allegations, which it reported that day at 4:40pm.

On legal advice, Grech Mintoff decided to drop in at the police HQ and this time

<sup>12</sup> [https://www.maltatoday.com.mt/news/national/69006/eurosceptics\\_vow\\_to\\_blow\\_top\\_off\\_medical\\_visa\\_scandal](https://www.maltatoday.com.mt/news/national/69006/eurosceptics_vow_to_blow_top_off_medical_visa_scandal)

praised the police force, saying he was “convinced they are doing diligent work” but claimed that they were under political pressure.

When MaltaToday spoke to him yesterday, Grech Mintoff demanded the newspaper reveal its source as to how it was informed that police had spoken to him. When the newspaper refused - leaks are par for the course in this business - Grech Mintoff said he would not speak to the journalist.

From then onwards, Grech Mintoff said he would not share any information with the police, but broadcast what he knows on the programme *Exodus*, a programme he and another Alleanza Bidla figurehead – Anthony Calleja – present on F-Living TV.

“If I were now to divulge anything very serious to the police, will it also end up in the media of the progressive liberals like MaltaToday? I hereby urge the investigating officers to investigate this leak to the press so that confidence from my side in the police may be restored,” Grech Mintoff thundered in a statement yesterday evening.

On his part, the health ministry official, Neville Gafà, has claimed he will sue The Malta Independent and Opposition leader Simon Busuttil over a report and other claims that were made since news broke that police were closing investigations on the bribery allegations.

His lawyer, the former police commissioner Peter Paul Zammit, reiterated that Gafà “never received any monies in any way or manner” aside from his government salary.

According to Ben Nasan’s allegations, reported in the Malta Independent, Gafà was said to have “personally made between €2 million and €3 million from the racket since it began operating in 2014”.

Ben Nasan claimed that Gafà had started a new medical visa application process through which Libyans would send over their passports in advance, and Gafà would charge varying prices for the courtesy.

Adding yet more flavour to the story was some cloak-and-dagger accusations from

Gafà himself, who claims the allegations originally stem from an “anonymous high-ranking Libyan secret service officer” – if not the whistleblower Ben Nasan, then some client he represents.

Gafà said that under a memorandum between both countries, a medical visa for a person injured in the Libyan conflict had to be first reviewed by the Libyan authorities, and then screened by the Malta Security Service, police, immigration and medical departments as agreed between both governments. “All expenses as regards the patient are entered into a government account as debt is subsequently settled by the Libyan authorities. No fees or charges were levied by myself or the respective departments for the vetting of the persons concerned,” Gafà said.

But Gafà had been featured in screenshots of Viber chats as having entertained a demand by Ben Nasan to meet and settle the return of some €38,000 after some medical visas to various Libyans did not transpire.

While the chats and their contents raise suspicion about Gafà’s relationship with the whistleblower – for the civil servant was clearly on more than professional terms with him – Gafà alleges the Viber chats show Ben Nasan was a sort of middleman collecting monies from others “on the unfounded pretext of having Libyan or Maltese clearance.”

Ben Nasan also showed Grech Mintoff the chats and voice recordings, leading the Alleanza Bidla figurehead to hold his own press conference on Friday and claim they were “just the tip of the iceberg”.

## 2.2 Medical visas scandal - Libyan Ministers 'ready to speak' if granted access to Malta<sup>13</sup>

### Main points:

Ivan Grech Mintoff handed a lot of evidence to the police and insists that they have enough material to carry out a proper investigation, if the authorities do not do their duty, he will release the information.

Grech Mintoff alleged that Mr Khaled Ben Nasan even made some form of contact with the Prime Minister. The government remains unresponsive.

Libyan Ministers who are ready to speak more about the issue if they are granted permission to come to Malta.

Mr Ben Nasan currently holds refugee status in Malta. There are more people who are willing to give testimony if given amnesty for their part in the scam.

The opposition claims this shows a link between Office of the Prime Minister) and crime.

The Government claims that there is no information about any official contact attempts by the Libyan government to send a ministerial delegation.

Published by the Malta Independent on 10 September 2016, 12:20

### Updated: Medical visas scandal - Libyan Ministers 'ready to speak' if granted access to Malta



Leader of the Alleanza Bidla, Ivan Grech Mintoff this morning made some fresh, serious allegations surrounding the Libyan medical visa scandal.

In a press conference, Mr Grech Mintoff distributed a link to a video of the programme which was originally meant to be aired on F Living Channel but for some reason, was never broadcast. He explained that it was the channel's decision to withhold the video from going public.

He explained that he has already handed a lot of evidence to the police and insists that they have enough material to carry out a proper investigation. Mr Grech Mintoff said that if the authorities do not do their duty, he would be releasing the information he is in possession of himself.

Although many of the questions by journalists were replied to with a reference to the video, Mr Grech Mintoff alleged that Mr Khaled Ben Nasan, the whistle-blower, even made some form of contact with the Prime Minister. He said that Mr

Ben Nasan decided to contact him because he simply does not trust the Malta Police Force. "Technically, he is not a whistle blower, as he does not fall under the

whistle blowers act. He did not choose to go through the normal procedures because he does not trust the local authorities."

Sources close to the medical visas scandal who had spoken with this newspaper were incredulous that the police have not found enough evidence in the medical visas racket with which to proceed against government official Neville Gafa after he was accused of misappropriating €38,000 in questionable visa 'fees'.

Transcripts from Viber conversations between middleman Khaled Ben Nasan and Mr Gafa made available to this newspaper show how the former regularly hounded Mr Gafa for the funds to be returned to the applicants over the first three months of the year. In the transcripts, Mr Gafa never questions or denies Mr Ben Nasan's claims for reimbursement for the Libyan nationals who did not receive their visas, and instead acknowledges the fact but continually postpones various requested meetings.



Neville Gafa

Mr Grech Mintoff said that many genuine Labourites have contacted him but they were concerned to speak out as they feared repercussions. He said that Alleanza Bidla reached out to the two major parties with the government remaining unresponsive and the Nationalist Party 'partially accepting' the invitation for further discussions.

"I have reason to believe that the authorities in Libya are going to call for Mr Ben Nasan's extradition. I fear that if this happens, he will go to Libya and disappear

<sup>13</sup> <http://www.independent.com.mt/articles/2016-09-10/local-news/Medical-visas-scandal-Libyan-Ministers-ready-to-speak-if-granted-visas-6736163562>

forever," he explained while saying that the Libyan man has full support from the internationally-recognised Libyan government.



He further added that there are at least five Libyan Ministers who are ready to speak more about the issue if they are granted permission to come to Malta. Mr Ben Nasan currently holds refugee status in Malta.

"There are more people who are willing to give testimony. All of this is clearly shown in the programme."

He called on the Attorney General to give amnesty to some of those who played part in the scam so that all of the truth can come out.

Mr Ben Nasan is not in hiding but according to Mr Grech Mintoff, he has received various threats. Asked several times on how he met Mr Ben Nasan, Mr Grech Mintoff said he was approached by the Libyan after watching his programme.

Ivan Grech Mintoff held a meeting with a police commissioner last Saturday. He did not divulge what was said or to whom he had spoken from the Police Force. "But following the evidence I gave them, the police inspector promised further

investigation. I trust him, but I do not trust the authorities."

#### **'Link between Castille and crime' - PN**

The PN said that, in light of the serious allegations made this morning, the PM should immediately give access and protection to anyone who had new information about the scandal.

"A serious Prime Minister does not defend those who allegedly took part in corrupt practices but uses all his powers at law to ensure that the truth comes out and that the police conduct a serious investigation so that the corrupt face justice."

It said that, up till now Joseph Muscat had chosen to defend those who were involved in the alleged scandal. The PM should grant protection and access to anyone willing to come forward with information.

The PN said this scandal "confirmed the link that exists between Castille and crime" and said that more details were emerging with every passing day that showed how big the scandal actually was and how it included corruption at the highest levels of power.

#### **'No official contact made' - Government**

In reply the government said the PN was relying on a series of allegations that had surfaced some time ago and were still being investigated by the police.

"Malta has a good relationship with Libya and there are continuous diplomatic contacts. Contrary to what is being alleged by Mr Grech Mintoff, there is no information about any official contact attempts."

The government said it would be better if the Opposition verified the statements being made by Mr Grech Mintoff instead of taking them on board just because they were against the government.

## 2.3 Skandlu tal-Visas Mediċi: Akkuzi serji fil-konfront tal-Gvern<sup>14</sup>

Main point: Libyan Authorities refused visas to come and hold minister-to-minister talks on the matter of money being asked for, for visas by Neville Gafà. The article discusses false statements and misinformation to malign those investigating the visa issues and their message.

Allegations:

- Libyan Ministers refused visas to enter Malta by Neville Gafà so that they may not reveal what they know on alleged Medical Visa scam.
- No protection given to whistle blower after receiving multiple threats
- Pro-Government media on a campaign to undermine whistle blower's credibility through mud and lies.
- “Press conference was marked by pro-government media trying to catch Mr Mintoff in a lie....”

Published by Net News on 2016-09-10 at 12:36pm

### Skandlu tal-Visas Mediċi: Akkuzi serji fil-konfront tal- Gvern

Is-Sibt, 10 ta' Settembru 2016



Hames Ministri Libjani, li lesti jiġu Malta biex jiżvelaw dettalji dwar l-iskandlu tal-visas mediċi mhux jinharġulhom il-permessi tal-visas, bl-iskop ikun li l-informazzjoni tibqa' taht it-tapit u ma ssirx maghrufa.

Dan żvelah Ivan Grech Mintoff, mill-Alleanza Bidla, li fl-aħhar ġimghat kien qed johroġ sensiela ta' dettalji godda dwar l-iskandlu tal-visas mediċi. F'konferenza tal-aħbarijiet, Grech Mintoff, ghamel akkuzi mill-iktar serji fil-konfront tal-Prim Ministru Joseph Muscat, il-Kummissarju tal-Pulizija u l-Avukat Generali.

Grech Mintoff ikkundanna lill-awtoritajiet li s'issa ma lagħux it-talba għall-protezzjoni mill-persuna li qed tikxef id-dettalji dwar dan l-iskandlu. Dan wara li l-istess persuna, li kellu kuntatti diretti mal-Prim Ministru

Joseph Muscat, għal darbtejn ġie mhedded, anke b'familtu, fosthom hajjet uliedu.

Ivan Grech Mintoff qal li l-awtoritajiet, immexxja mill-Uffiċċju tal-Prim Ministru, qed jinqdew bil-media, fosthom One, l-Orizzont, l-inews u l-Malta Today biex jittgħu sensiela ta' hmieg u gideb bl-ghan li jtaqqnu l-kredibilità tal-whistleblower u dawk kolha li qed jikxfu dan l-iskandlu.

Kompla li dan qed isir bl-ghan li ssir talba minn awtoritajiet mhux rikonoxxuti għall-estradizzjoni ta' din il-persuna lejn il-Libja, bl-iskop li jisparixxi. U b'hekk, il-verita' tibqa' mistura.

Madankollu Ivan Grech Mintoff wissa' li kemm-il darba dan isehh, l-istorja ma tiqafx hawn għaliex hemm hafna xhieda, li l-ammont tagħhom jaf jitle' saħansitra għal 100 persuna, li lesti jiżvelaw iżjed dettalji.

Izda qal li dawn il-persuni, fosthom hames Ministri Libjani, mhux jinharġulhom permess biex jiġu f'Malta bl-iskop li dak li għandhom jgħidu jibqa' mistur. Qal ukoll li hafna Libjani f'Malta qed jibzghu jtkellmu għax jinsabu taht theddida li jiġi revokat il-permess ta' residenza tagħhom.

Fid-dawl ta' dan sfida lill-awtoritajiet biex jinvestigaw sew, jew inkella jekk qed jigdeb, kif il-ġurnalisti tal-Partit Laburista qed jipruvaw jagħtu x'wiehed jifhem, allura jifthulu libell.

Fil-fatt, il-konferenza tal-aħbarijiet kienet ittimbrata wkoll mill-aġir tal-ġurnalista ta' One News, f'attentat biex il-mexxej ta' Alleanza Bidla – li jiġi n-neputi tal-eks Prim Ministru Dom Mintoff – johroġ ta' giddieb.

Għalhekk hu sfida lill-Gvern mill-gdid biex jekk m'għandux x'jahbi jfittxu b'libell għal dak li qed jgħix u allura jtiħ l-opportunità li jressaq lix-xhieda kollha. L-istess xhieda li l-Gvern ma jridx johorġulhom permess biex skont hu ma jikxfux il-korruzzjoni li għaddeja ... mhux biss dwar il-visas mediċi imma wkoll dwar skandli oħra.

Sfida wkoll lill-istazzjon tal-Partit Laburista, One, biex fid-dawl tal-akkuzi li qed jagħmel jistednux għal diskussjoni u jtenni mill-gdid l-akkuzi li qed jagħmel.

**Ikkummenta**

<sup>14</sup> <http://netnews.com.mt/2016/09/10/skandlu-tal-visas-medi-ci-akkuzi-serji-fil-konfront-tal-gvern/>



## 2.4 Eurosceptics vow to blow top off medical visa ‘scandal’<sup>15</sup>

Main Point: Gafà denying authenticity of Viber chats. Pro-government media defending Gafà and attacking the integrity of anyone who talks about Gafà’s actions.

Allegations:

- a) “Police claim no conclusive evidence on Gafà taking money for Libyan Medical visas”
- b) “police investigators said they had no conclusive evidence to arraign Neville Gafà, an official of the health ministry, on bribery charges”
- c) “Ivan Grech Mintoff, a right-wing conservative who in 2014 unsuccessfully contested the European elections...”
- d) "Grech Mintoff, self-styled chairman of the minuscule euro-sceptic formation Alleanza Bidla..."
- e) "Gafà alleges the Viber chats [appendix 3] between him and the whistle blower show Ben Nasan (whistle blower) was a sort of middleman collecting monies from others “on the unfounded pretext of having Libyan or Maltese clearance.”

Published by Malta Today on 2016-06-26 at 12:51 pm

### Eurosceptics vow to blow top off medical visa ‘scandal’

Alleanza Bidla leader Ivan Grech Mintoff claims to have "more evidence" over alleged medical visa scam



Ivan Grech Mintoff, a right-wing conservative who in 2014 unsuccessfully contested the European elections, is claiming to have “more evidence” in hand as to an alleged medical visa scam.

Grech Mintoff, self-styled chairman of the minuscule eurosceptic formation Alleanza Bidla, was catapulted into the limelight after police investigators said they had no conclusive evidence to arraign Neville Gafà, an official of the health ministry, on bribery charges.

According to Libyan national Khaled Ben Nasan, Gafà would have pocketed some

€150,000 a month to issue medical visas to Libyan nationals – allegations his lawyer, Leslie Cuschieri, sent in writing to then health minister Konrad Mizzi in April 2016.

Ben Nasan, a Libyan import-export trader, had back in 2014 claimed to have played the part of interlocutor with militiamen who had kidnapped Martin Galea outside Tripoli, Libya. The claims were reported by MaltaToday but never reliably confirmed.

That a police investigation has found nothing with what to conclusively arraign Gafà, a man close to the government’s top brass, has rankled those who criticise the government of exerting undue influence on the institutions.

Grech Mintoff on Friday called a press conference, confidently announcing that Libyan army and government top brass would be willing to testify as to the way visas are issued by the Maltese government, evidence of which he had been “shown” by way of receipts, footage, voice recordings, Viber screenshots and other documents that would confirm the alleged bribery.

Some of those Viber screenshots were published in the Malta Independent.

In painting a larger-than-life picture of his politician’s role, Grech Mintoff said Ben Nasan was ignored by both government and the Opposition, until he met the Alleanza Bidla leader. And since news broke of the fruitless police investigation, Grech Mintoff claims the Nationalists “jumped on the bandwagon to score political points” by taking to task the Labour government over the medical visa investigation.

After his press conference on Friday afternoon, at 3:38pm the police called Grech Mintoff to submit any information he had in hand.

But Grech Mintoff decided against going to the police, ostensibly because MaltaToday had been “fed sensitive information” by publishing the inconsequential news that the police had taken an interest in Grech Mintoff’s allegations, which it reported that day at 4:40pm.

On legal advice, Grech Mintoff decided to drop in at the police HQ and this time

<sup>15</sup> [https://www.maltatoday.com.mt/news/national/69006/eurosceptics\\_vow\\_to\\_blow\\_top\\_off\\_medical\\_visa\\_scandal](https://www.maltatoday.com.mt/news/national/69006/eurosceptics_vow_to_blow_top_off_medical_visa_scandal)



praised the police force, saying he was “convinced they are doing diligent work” but claimed that they were under political pressure.

When MaltaToday spoke to him yesterday, Grech Mintoff demanded the newspaper reveal its source as to how it was informed that police had spoken to him. When the newspaper refused - leaks are par for the course in this business - Grech Mintoff said he would not speak to the journalist.

From then onwards, Grech Mintoff said he would not share any information with the police, but broadcast what he knows on the programme *Exodus*, a programme he and another Alleanza Bidla figurehead – Anthony Calleja – present on F-Living TV.

“If I were now to divulge anything very serious to the police, will it also end up in the media of the progressive liberals like MaltaToday? I hereby urge the investigating officers to investigate this leak to the press so that confidence from my side in the police may be restored,” Grech Mintoff thundered in a statement yesterday evening.

On his part, the health ministry official, Neville Gafà, has claimed he will sue The Malta Independent and Opposition leader Simon Busuttil over a report and other claims that were made since news broke that police were closing investigations on the bribery allegations.

His lawyer, the former police commissioner Peter Paul Zammit, reiterated that Gafà “never received any monies in any way or manner” aside from his government salary.

According to Ben Nasan’s allegations, reported in the Malta Independent, Gafà was said to have “personally made between €2 million and €3 million from the racket since it began operating in 2014”.

Ben Nasan claimed that Gafà had started a new medical visa application process through which Libyans would send over their passports in advance, and Gafà would charge varying prices for the courtesies.

Adding yet more flavour to the story was some cloak-and-dagger accusations from

Gafà himself, who claims the allegations originally stem from an “anonymous high-ranking Libyan secret service officer” – if not the whistleblower Ben Nasan, then some client he represents.

Gafà said that under a memorandum between both countries, a medical visa for a person injured in the Libyan conflict had to be first reviewed by the Libyan authorities, and then screened by the Malta Security Service, police, immigration and medical departments as agreed between both governments. “All expenses as regards the patient are entered into a government account as debt is subsequently settled by the Libyan authorities. No fees or charges were levied by myself or the respective departments for the vetting of the persons concerned,” Gafà said.

But Gafà had been featured in screenshots of Viber chats as having entertained a demand by Ben Nasan to meet and settle the return of some €38,000 after some medical visas to various Libyans did not transpire.

While the chats and their contents raise suspicion about Gafà’s relationship with the whistleblower – for the civil servant was clearly on more than professional terms with him – Gafà alleges the Viber chats show Ben Nasan was a sort of middleman collecting monies from others “on the unfounded pretext of having Libyan or Maltese clearance.”

Ben Nasan also showed Grech Mintoff the chats and voice recordings, leading the Alleanza Bidla figurehead to hold his own press conference on Friday and claim they were “just the tip of the iceberg”.

## 2.5 Messages show middleman pleading for return of €38k in medical visa ‘fees’<sup>16</sup>

Main points: Viber chats between Neville Gafà and whistle blower. Media defending Gafà.

Allegations:

- a) Viber Messages show middleman pleading for return of €38k in medical visa ‘fees’.
- b) whistle blower asks for money held by Gafà to be returned as Gafà did not issue visa but kept the (underhand) money for them

Published by the Independent on 2016-08-24 at 09:26am.

### Messages show middleman pleading for return of €38k in medical visa ‘fees’

*'We will meet tomorrow'*

Sources close to the medical visas scandal speaking with this newspaper yesterday were incredulous that the police have not found enough evidence in the medical visas racket with which to proceed against government official Neville Gafà after he was accused of misappropriating €38,000 in questionable visa 'fees'.

Transcripts from Viber conversations between middleman Khaled Ben Nasan and Mr Gafà made available to this newspaper show how the former regularly hounded Mr Gafà for the funds to be returned to the applicants over the first three months of the year. In the transcripts, Mr Gafà never questions or denies Mr Ben Nasan's claims for reimbursement for the Libyan nationals who did not receive their visas, and instead acknowledges the fact but continually postpones various requested meetings.

The transcripts show Mr Ben Nasan had repeatedly pleaded for the return of the €38,000 in visa 'fees' since early January of this year, claims that are never denied by Mr Gafà.

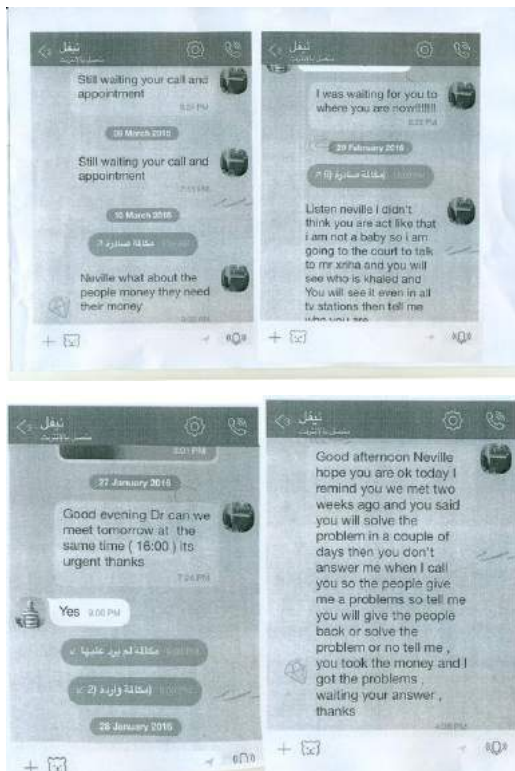
Sources have also confirmed that the police had interviewed the whistleblower, Libyan middleman Khaled Ben Nasan, soon after his lawyer Dr Leslie Cuschieri had written to then health minister Konrad Mizzi in April and his successor Chris Fearn in May in an attempt to recover €38,000 in medical visa 'fees' that applicants were owed when their passports were returned without the visas they believed they had paid for.

Sources also confirmed that Mr Ben Nasan, when interviewed at the time, had given the police copies of written, detailed receipts that show the €38,000 in payments for 42 applications to Mr Gafà for visas that never materialised.



Mr Gafà allegedly collected €2,500 in monthly fees from Libyan nationals injured in hostilities to be granted visas to receive treatment in Malta, plus another €100 per patient. The system, in which patients would simply send photocopies of their passports, is said to have operated for a good 15 months.

<sup>16</sup> <http://www.independent.com.mt/articles/2016-08-24/local-news/Messages-show-middleman-pleading-for-return-of-38k-in-medical-visa-fees-6736162798>



That system was eventually changed and Mr Gafā began asking for applicants' actual passports and other documentation to be sent over to Malta in advance. Mr Gafā allegedly also asked to be paid for each visa application separately so as to cover visa fees and hospital bookings. While amounts per visa allegedly varied from €500 to €2,500, the overall sum for the last batch of passports that were to be processed through Mr Gafā amounted to €37,800.

Those visas, however, never materialised and the passports were eventually returned to Mr Ben Nasan but the fees were not refunded. Mr Ben Nasan alleges through Dr Cuschieri that Mr Gafā told him he had used the funds to purchase a new BMW.

We will meet tomorrow - Gafa

According to the transcripts given to this newspaper, at one point in late January Mr Ben Nasan is heard in a voice message to Mr Gafā pleading for the return of the missing fees, saying, "Please, please, please. All I need is the people's money back" - to which Mr Gafā replies in writing without disputing that people are

owed any money, "We will meet tomorrow".



That meeting never took place and subsequent messages become more and more insistent, and the transcripts show Mr Gafā making continual excuses.

"Good morning Neville, the people need their money and they can't wait any longer," reads one message from Mr Ben Nasan. "...I remind you that two weeks ago we met and you said you will solve the problem in a couple of days and you don't answer me when I call you... So the people give me problems...You took the money and I got the problems."

Another reads, "I have a problem with these people and they will speak with the embassy and I think they will take action. It's no small amount, it's €37,800 and it's for people coming for medical cases. Try to give the money back or give a solution. The problem will grow - find out how to solve it till this coming Saturday...When I delayed your payment for one day you called me 100 times."

Not once does Mr Gafā ask what Mr Ben Nasan is referring to, apparently well-

familiar with the problem at hand.



Plenty of evidence, sources claim

Sources close to the investigation also claim there is plenty of evidence, in addition to the receipts given to the police by Mr Ben Nasan. Such evidence, sources claim, could easily include CCTV footage from the ministry and questioning of ministry staff, the majority of which, sources claim, are familiar with the situation. They also say that Mr Ben Nasan had not given police full access to all the documents in his possession as he wanted to hand them directly to the minister.

Tip of the iceberg

The missing €38,000 in visa fees, however, may very well be the tip of the iceberg. Authorities in Libya following the situation closely have expressed frustration with this newsroom that Libyans are not being treated as per agreement with Malta.

They allege that the racket was such that it was not always injured Libyans who were the recipients of the visas. So much so that those who received the visas to come to Malta came under the guise of an agreement between Malta and Libya to treat Libyans injured in hostilities.

Expressing angst over the state of affairs, high-ranking Libyan sources speaking with this newsroom last week claimed that many of the visas intended for Libyans genuinely injured in hostilities had gone to criminals and others who were willing to fork out thousands of euros for visas to Malta.

A senior Libyan security source this week told this newspaper on condition of anonymity considering the sensitivity of the situation in the country, "They [the perpetrators of the racket] stole money from injured children who never got their visas to be treated in Malta. Some of those children, and adults, have died in the meantime because they did not get the treatment.

"In contrast, the Italians come for the injured themselves and take them to Italy for treatment with no money asked for. Malta asks us for money and then we never get the visas...and in this latest case they did not even get their money back, let alone the visas to come to Malta for life-saving treatment."

They also allege that Mr Gafà was making up to €150,000 a month from the visa scam.

#### **Gafa denies wrongdoing**

On his part, Mr Gafà has denied wrongdoing, labelling this newsroom's reportage on the story as "pure fabrication devoid of any serious sources".

Mr Gafà was employed at the Office of the Prime Minister and was later transferred to the Health Ministry. After that, and presumably when news of his machinations came to light, he was reportedly transferred to the Foundation for Medical Services.

He insisted this week that, "Firstly, I have not only denied any allegations which were made by dubious individuals, but also personally asked the Police and also the Permanent Secretary in the Health Ministry to investigate these allegations. I

have fully cooperated in the Police investigation and gave them any information and made any information available. Secondly, I immediately asked the ministry to relieve me of such duties until investigations are over."

## 2.6 Police invite Ivan Grech Mintoff to share information on alleged medical visas racket<sup>17</sup>

Main Point: The police break the law and give Malta Today newspaper confidential information relating to an ongoing case.

Allegations:

- a) This newspaper breaks the story that Ivan Grech Mintoff was to visit the police the next day. They did this one hour after the police called me and I agreed to go. When I received the call from the police and whilst the paper was breaking the story I was with two witnesses who can confirm that I contacted no one. Yet the paper somehow found out about this. I asked for the police to investigate the illegal act on their behalf and so far nothing wrong has been found with this situation.

Published by Malta Today on 2016-08-24 at 09:26am.

### Police invite Ivan Grech Mintoff to share information on alleged medical visas racket

After holding a press conference to announce that what has been reported in the media so far is 'just the tip of the iceberg', investigating officers get in touch with Alleanza Bidla boss



The Police have contacted Alleanza Bidla leader Ivan Grech Mintoff following his assertions that the "Libya medical visas scandal is just the tip of the iceberg".

Grech Mintoff this morning held a press conference in Valletta, outside Europe House, to share his concern over the 80,000 Libyan visas issued by the embassy and permits for residency.

But while claiming that there were a number of "Libyan high-ranking military officers, ministers and people in high places within the Libyan government" willing to testify, Grech Mintoff confirmed with [illum.com.mt](http://illum.com.mt) that he had not approached the Police with the information he had seen.

Informed sources told MaltaToday that the Police called in Grech Mintoff this afternoon.

It is unclear why Grech Mintoff did not approach the police earlier, although he said that he "did not have the evidence in hand" but he had been "shown the evidence".

Grech Mintoff said that he was "shown" copies of receipts, footage, voice recordings, Viber screenshots and other documents that would confirm the alleged bribery that went on.

"The medical visas racket is just the tip of the iceberg ... the scandal reaches residence permits," Grech Mintoff said.

According to Grech Mintoff, 'whistleblower' and Libyan businessman Khaled Ben Nasan, had approached both the government and the opposition but the claims were, reportedly, ignored. The whistleblower then approached Grech Mintoff – the latter argued that the Nationalist Party then jumped on the bandwagon to score political points.

Neville Gafa, the health ministry official at the centre of the allegations, has [denied any wrongdoing](#).

In a letter to the Ministry for Health last April, Ben Nasan alleged that Gafa had started a new medical visa application process through which Libyans would send over their passports in advance and Gafa would charge varying prices.

<sup>17</sup>[https://www.maltatoday.com.mt/news/national/68964/police\\_invite\\_ivan\\_grech\\_mintoff\\_to\\_share\\_information\\_on\\_alleged\\_medical\\_visas\\_racket](https://www.maltatoday.com.mt/news/national/68964/police_invite_ivan_grech_mintoff_to_share_information_on_alleged_medical_visas_racket)

## 2.7 Grech Mintoff loses faith in the police after sensitive information is 'fed' to newspaper<sup>18</sup>

Main point: The timeline showing how the police themselves broke the law in the investigation of Gafà.

Allegations:

- a) “At 03:38 pm yesterday, the police called me on my mobile and 'invited' me to go and discuss the matter with them. I willingly agreed to go, and a date and time was set for us to meet. I did not call or speak to anyone about this matter as I felt that this whole issue is of national importance. Within one hour after the police called me, at 4:40pm, the Malta Today portal had already posted that the police had ‘invited’ me to talk to them,” Mr Grech Mintoff said”.

Published by the Independent on 2016-08-27 at 16:45 am.

### Grech Mintoff loses faith in the police after sensitive information is 'fed' to newspaper



Alleanza Bidla leader Ivan Grech Mintoff has declared that he has no faith in the police and will not be handing over any information about the medical visas scandal after sensitive information was leaked to Maltatoday.

Following a press conference yesterday, Mr Grech Mintoff was invited by the police to share any information he had with them. Within minutes of the phone call, Maltatoday ran a story saying that he had been contacted by the police.

“During yesterday's press conference, I explained that more facts will be coming out in the media regarding the Libyan visa scandal and that we should all work together quickly to prevent more harm to Malta's reputation. As opposed to what was reported, I praised the police for the work done so far. I explained that they had not yet seen the evidence that we had recently seen. I said that I would be most willing to co-operate with them, if they felt I could contribute.



Neville Gafa

At 03:38 pm yesterday, the police called me on my mobile and 'invited' me to go and discuss the matter with them. I willingly agreed to go and a date and time was set for us to meet. I did not call or speak to anyone about this matter as I felt that this whole issue is of national importance.

I was therefore totally surprised and shocked when very soon after this call, other phone calls started coming in, asking me if I was arrested! Within one hour after the police called me, at 4:40pm, the Maltatoday portal had already posted that the police had ‘invited’ me to talk to them,” Mr Grech Mintoff said.

“I did not give Maltatoday any information, so how did they get it? What confidence can one actually have that any serious investigation on something so nationally serious will actually take place by the police when Maltatoday is “fed” such sensitive information without my consent by the police themselves before they even talk to me?

If I was now to divulge anything very serious to the police, will it also end up in the media of the progressive liberals like the Maltatoday?”

<sup>18</sup> <http://www.independent.com.mt/articles/2016-08-27/local-news/Grech-Mintoff-loses-faith-in-the-police-after-sensitive-information-is-fed-to-newspaper-6736162975>





He urged the police to investigate the leak so that his confidence in the force could be restored.

“Furthermore, Neville Gafa’s lawyer is ex Police Commissioner Peter Paul Zammit, appointed as such during this present government’s legislature. He recently resigned his post. Serious allegations were made by the head of the EU’s anti-fraud agency, Giovanni Kessler regarding his conduct on the Commissioner Dalli case. He was found by a police investigation board to have ‘unjustly’ ordered the withdrawal of charges against former client of his.

It was also reported in the press that ‘A Data Protection Commission investigation revealed that the files in question, police inspector Elton Taliana’s personal record with the corps, had been in Zammit’s office when they were leaked.’

Despite all this, the Prime Minister himself is on record as saying that this person is another one of those ‘men in his trust.’ He is obviously, still connected with the government, the security/police as well as the legal system.”



**Peter Paul Zammit**

Mr Grech Mintoff said that “regrettably, all this, together with Maltatoday’s behaviour yesterday further increases my own concerns on the full matter.

After taking legal advice, as well as discussing the matter with the witnesses themselves, and despite all of the above, I nevertheless kept my appointment with the police who are carrying out the actual investigations this morning. I am convinced that they are doing diligent work. Yet, bearing all these facts above in mind, I am also convinced that no proper legal conclusion on this very serious national matter will be allowed by certain politicians and their friends.

Until these officers are allowed to work properly, free of maneuvers seen so far, there will not be any information divulged from my end to an institution that leaks important data to the press so easily. However, so that the public will become fully aware as to what is actually going on, the independent media will be used instead to inform all concerned of the evidence at hand.

I therefore urge the public to follow the newspapers on Sunday (tomorrow) as well

as to watch our next programme of Exodus on F-Living TV Channel at 3:30 pm this coming Tuesday 30th of August, where more evidence will be produced.”

## 2.8 Updated: Receipts show €35,000 in payments made to Neville Gafà by Libyan middleman<sup>19</sup>

Main Point: Newspaper reveals receipts by whistle blower for medical visas issued by Neville Gafà

Allegations:

- a) Receipts show payments of close to €35,000 made to Mr Gafà by the whistle blower between end of August 2015 and the beginning of October 2015.
- b) Viber messages [appendix 3] between Neville Gafà and Whistle blower mentioned
- c) High ranking ministers from Libya wanted to come to Malta to discuss the matter of the high charges when it is clearly stated that there should be no fees charged.
- d) Gafà denies receiving any money. "I have never received any monies in any way or manner aside from my due government salary."
- e) "The persons concerned were not requested to pay anything, not even the 66 EUR visa fee, which was waived by the Maltese government. Only accompanying family members were requested the visa fee. No fees or charges were levied by myself or the respective departments for the vetting of the persons concerned".
- f) Viber messages between whistle blower and Gafà where whistle blower is pleading with Gafà to return the e38k 'fees' that he took for the visas that he then did not issue. "Please, please, please. All I need is the people's money back" – to which Mr Gafà replies in writing without disputing that people are owed any money, "We will meet tomorrow". Not once in the transcripts does Mr Gafà ask what Mr Ben Nasan is referring to, apparently well-familiar with the problem at hand."
- g) "High-ranking sources from Libya speaking with this newspaper are not taking the matter lightly and they are concerned that it was not only genuinely injured Libyans who were always the recipients of the medical visas. Speaking with this newspaper earlier this week, they provided a letter sent to Mr Gafà last year requesting visas for a senior delegation from Libya to "follow up our patients and injured whom we sent to get medical treatments". They explain that the delegation, which included the then health minister and a ministry finance director, had wanted to look into what they considered to have been inflated fees charged for treatment and other related matters. The visas, Libyan authorities allege, were denied after the delegation had been left waiting for days in Tunisia for visas and their flight to Malta. Those visas, however, allegedly never materialised."
- h) "In a statement this morning, the Office of the Prime Minister replied to the story that was published in The Malta Independent on Sunday.... This is nothing short of another deliberate blatant lie by the journalist as the Office of the Prime Minister said in its reply to The Malta Independent on Sunday that "the said person (Khaled Ben Nasan) also insisted regularly in getting further private meetings with the Prime Minister but these were refused after he did not pass the necessary clearances".
- i) "The journalist relies on a personal message of Ben Nasan to reach the wrong conclusion that this person is "close" to the Prime Minister and that he was going to meet in the PM's office."
- j) "From the outset I must declare that the first time I saw the purported receipts was during Police questioning. I was told that the receipts were given to them by Khaled Ibrahim Ben Nasan as proof that I owed him money. I state what I already told the Police under investigation that I had never been shown or given any receipts. As already stated I have never received any monies, let alone

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<sup>19</sup> <http://www.independent.com.mt/articles/2016-08-28/local-news/Receipts-show-35-000-in-payments-made-to-Neville-Gafà-by-Libyan-middleman-6736162996>

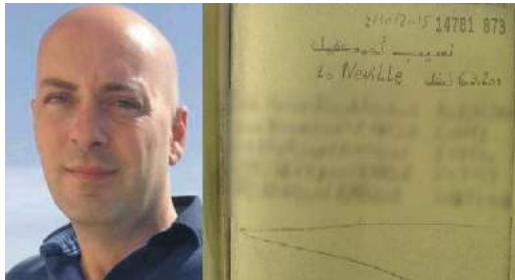


being given receipts for them. As already stated by the Police, I have been investigated, and no evidence of impropriety was found on my part.”

k) “Tomorrow I will be filing a libel proceeding against this paper.

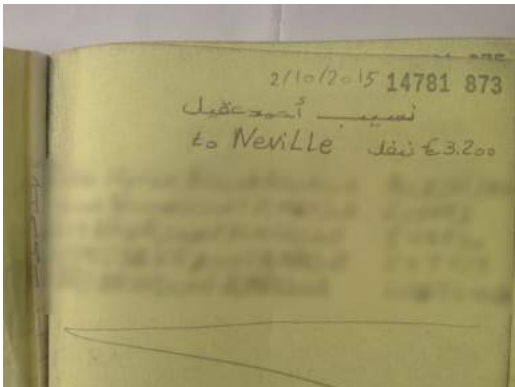
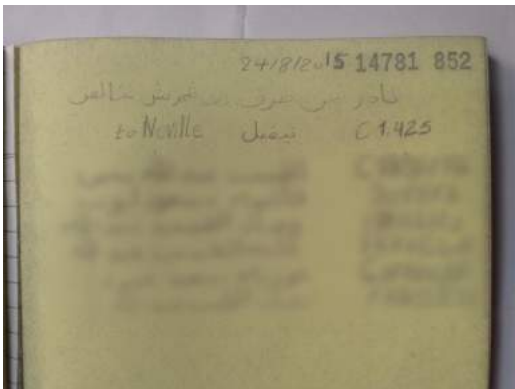
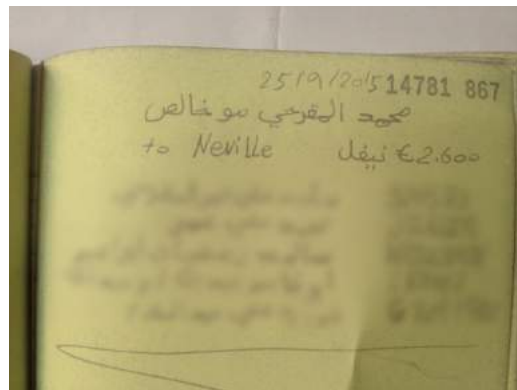
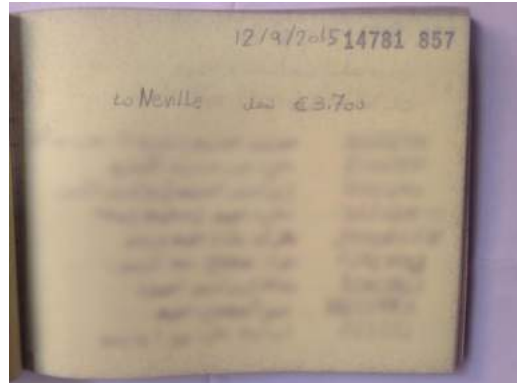
Published by the Independent on 2016-08-28 at 10:00 pm

### Updated: Receipts show €35,000 in payments made to Neville Gafà by Libyan middleman



While the individual at the centre of the medical visas scandal, Neville Gafà, has insisted with this newspaper that no Libyan national had ever been charged for visas to obtain medical treatment – not even the standard €66 visa fee – receipts made available to this newspaper purport to show payments of close to €35,000 made to Mr Gafà between the end of August 2015 and the beginning of October 2015.

A carbon copy book of hand-written receipts, which are alleged to have been issued by Libyan middleman Khaled Ben Nasan to Mr Gafà, was shown to this newspaper this week. The top of each hand-written receipt clearly indicates ‘To Neville’, and goes on to list the names of the ‘patients’, their Libyan identity card numbers and the total payments made from each batch of applicants.



[In a right of reply to this newspaper](#), signed by Mr Gafà’s legal representative, former police commissioner Peter Paul Zammit, Mr Gafà states, “I have never received any monies in any way or manner aside from my due government salary.”

In his right of reply, sent to this newspaper last Friday, Mr Gafà makes no reference to extracts of Viber conversation transcripts published by our sister daily newspaper two days earlier, on Wednesday.

Mr Gafà goes on to explain, “The persons concerned were not requested to pay anything, not even the 66 euro visa fee, which was waived by the Maltese government. Only accompanying family members were requested the visa fee. No fees or charges were levied by myself or the respective departments for the vetting of the persons concerned”.

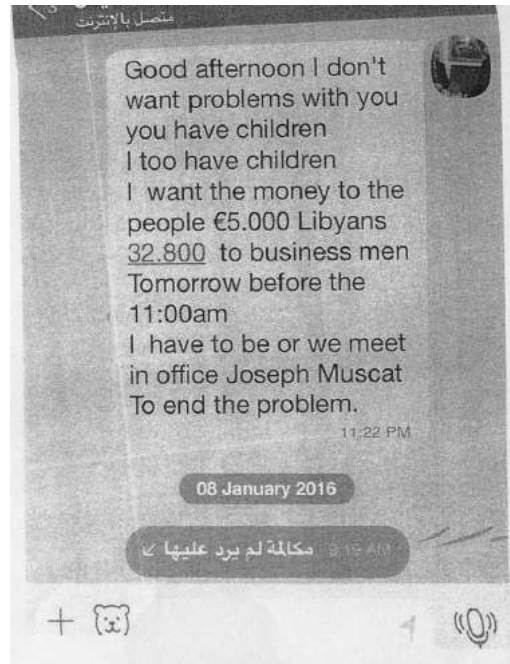
The receipts, however, appear to show a different version of events. They show €34,575 in payments, some of which clearly indicate that the payments have been made in respect to medical visas. These particular receipts are dated to Konrad Mizzi’s tenure as Health Minister.



#### Prime Minister confirms he knew Libyan middleman

This newspaper also sought answers from the Prime Minister, former health minister Konrad Mizzi and current Health Minister Chris Fearne as to whether they had ever met Mr Ben Nasan or discussed the allegations with Mr Gafà.

From the replies supplied, it transpires that Dr Muscat had met the Libyan middleman during the Libyan revolution when he was still Opposition leader and on random occasions after he was elected Prime Minister, and he has never spoken to Mr Gafà about the case.



However, Mr Ben Nasan clearly states in his Viber messages to Mr Gafà that he is close to Joseph Muscat, to the point that he insists with Mr Gafà that their next meeting will take place in the Prime Minister's Office if Mr Gafà fails to cough up the funds.

In his replies to The Malta Independent on Sunday the Prime Minister said that on becoming Prime Minister, he met with the same person as part of a wider outreach with foreign communities in Malta and during public events. The said person also insisted regularly on having further private meetings with the Prime Minister but these were refused after he did not meet the necessary clearance requirements.



Dr Mizzi, meanwhile, says he has never met the Libyan middleman and that he had referred allegations of impropriety to the Attorney General "for guidance".

But for some strange reason the matter was not immediately referred to the police by then Health Minister Konrad Mizzi while Neville Gafà retained his office and position at the Health Ministry.



Mr Fearne, meanwhile, explains that he has never met Mr Ben Nasan and had been made aware of the accusations related to Mr Gafà a few days after becoming Health Minister, and gave immediate instructions to the Permanent Secretary to report the matter to the police.

He adds that Mr Gafà was transferred from his Health Ministry office and his involvement with medical visa issues was stopped. He explains that Mr Gafà denied the allegations and adds that, "In the event of a court arraignment by the police, Mr Gafà would have been suspended pending the court outcome."

#### Libyan health minister denied visa for fact-checking mission

High-ranking sources from Libya speaking with this newspaper are not taking the matter lightly and they are concerned that it was not only genuinely injured Libyans who were always the recipients of the medical visas. Speaking with this newspaper earlier this week, they provided a letter sent to Mr Gafà last year requesting visas for a senior delegation from Libya to "follow up our patients and injured whom we sent to get medical treatments".

They explain that the delegation, which included the then health minister and a

ministry finance director, had wanted to look into what they considered to have been inflated fees charged for treatment and other related matters.

The visas, Libyan authorities allege, were denied after the delegation had been left waiting for days in Tunisia for visas and their flight to Malta. Those visas, however, allegedly never materialised.



#### Messages show middleman pleading for return of €38k in medical visa 'fees'

This week, our sister daily newspaper was provided transcripts from Viber conversations between middleman Khaled Ben Nasan and Mr Gafa. They show how the former regularly hounded Mr Gafa for the funds to be returned to the applicants over the first three months of 2016.

In the transcripts, Mr Gafa never questions or denies Mr Ben Nasan's claims for reimbursement for the Libyan nationals who did not receive their visas, and instead acknowledges the fact but continually postpones various requested meetings.



The transcripts show Mr Ben Nasan had repeatedly pleaded for the return of the €38,000 in visa 'fees' since early January of this year, claims that are never denied by Mr Gafa.

According to the transcripts made available to this newspaper, at one point in late January Mr Ben Nasan is heard in a voice message to Mr Gafa pleading for the return of the missing fees, saying, "Please, please, please. All I need is the people's money back" – to which Mr Gafa replies in writing without disputing that people are owed any money, "We will meet tomorrow".



That meeting never took place and subsequent messages become more and more insistent, and the transcripts show Mr Gafa making continual excuses.

"Good morning Neville, the people need their money and they can't wait any longer," reads one message from Mr Ben Nasan. "... I remind you that two weeks ago we met and you said you will solve the problem in a couple of days and you don't answer me when I call you... So the people give me problems... You took the money and I got the problems."



Another reads, "I have a problem with these people and they will speak with the embassy and I think they will take action. It's no small amount, it's €37,800 and it's for people coming for medical cases. Try to give the money back or give a solution. The problem will grow – find out how to solve it till this coming Saturday... When I delayed your payment for one day you called me 100 times."

Not once in the transcripts does Mr Gafa ask what Mr Ben Nasan is referring to, apparently well-familiar with the problem at hand.



In a statement this morning, the Office of the Prime Minister replied to the story that was published in The Malta Independent on Sunday

"The front page story on The Malta Independent on Sunday which claims that the Prime Minister knew of allegations with regards to an alleged visa scam is a blatant lie trying to maliciously mislead its readers.

"In this case, and whenever the Prime Minister received any allegations, he has always taken the appropriate action and passed any information to the relevant authorities. It is simply a vicious spin that in this case he acted differently.

"The journalist relies on a personal message of Ben Nasan to reach the wrong conclusion that this person is "close" to the Prime Minister and that he was going to meet in the PM's office.

"This is nothing short of another deliberate blatant lie by the journalist as the Office of the Prime Minister said in its reply to The Malta Independent on Sunday that "the said person (Khaled Ben Nasan) also insisted regularly in getting further private meetings with the Prime Minister but these were refused after he did not pass the necessary clearances".



Meanwhile Neville Gafa wrote to the paper.

Reference is made to the Malta Independent on Sunday front page story entitled "Receipts show €35,000 in payments made to Neville Gafa' by Libyan middleman".

It is now evident more than ever that the Malta Independent on Sunday is relying on very dubious sources whose intention is solely to mount a frame up on me, to hide their misdeeds.

From the outset I must declare that the first time I saw the purported receipts was during Police questioning. I was told that the receipts were given to them by Khaled Ibrahim Ben Nasan as proof that I owed him money.

I state what I already told the Police under investigation that I had never been shown or given any receipts. As already stated I have never received any monies, let alone being given receipts for them.

As already stated by the Police, I have been investigated, and no evidence of impropriety was found on my part.

This has clearly left these individuals disarmed with their only way remaining to sustain their lies is by passing them to the media in an exercise of conjecture.

I note with very deep regret that The Malta Independent on Sunday is playing along this one dubious source and once again did not have the basic decency to ask for my version of the story.

As I did I remain open further investigation and will cooperate as I did until now with all authorities to get to the bottom of this issue.

Tomorrow I will be filing a libel proceedings against this paper.

Neville Gafa'.



## 2.9 Prime Minister denies knowing of medical visas scam before police investigations<sup>20</sup>

Main Point: The Prime Minister denies any knowledge of Medical visa scam before police investigations.

Allegations:

- a) In a statement, the Office of the Prime Minister said the front-page report by the Malta Independent on Sunday – which reported that Muscat “knew of the allegations weeks before they flagged to the police by health minister Chris Fearné” – was a “blatant lie” and intent of “maliciously misleading readers.”
- b) The newspaper construed this message as meaning that Ben Nasan was “close” to the Prime Minister – a conclusion, which according to the Office of the Prime Minister, was “nothing short of another deliberate blatant lie by the journalist”.

Published by Malta Today on 2016-08-28 at 10:29 am.

### Prime Minister denies knowing of medical visas scam before police investigations

Office of the Prime Minister denied reports that Prime Minister Joseph Muscat knew of allegations surrounding medical visas racket before details were reported to the police



The Office of the Prime Minister has refuted reports that the Prime Minister Joseph Muscat had knowledge of the racket involving medical visas before it was reported to the police.

In a statement, the Office of the Prime Minister said the front-page report by the Malta Independent on Sunday – which reported that Muscat “knew of the allegations weeks before they flagged to the police by health minister Chris Fearné” – was a “blatant lie” and intent of “maliciously misleading readers.”

“Whenever the prime minister received any allegations, as is in this case, he always took the appropriate action and passed any information to the relevant authorities. It is simply a vicious spin that in this case he acted differently,” the OPM underlined.

The remarks were made against the backdrop of an alleged racket involving medical visas. Neville Gafa, a health ministry employee and a political appointee, was accused by a Libyan whistleblower of allegedly masterminding the racket, but [a police investigation has cleared him of masterminding the racket](#).

The allegations were raised by Libyan national Khaled Ben Nasan, a Libyan businessman turned whistleblower who had allegedly served as middleman

between Neville Gafa and Libyan patients. In a letter to the Ministry for Health last April, Ben Nasan alleged that Gafa had started a new medical visa application process through which Libyans would send over their passports in advance and Gafa would charge varying prices.

For over a year, Gafa allegedly charged Libyans a €2,500 monthly fee to secure medical visas, treatment and accommodation in Malta, as well as an additional €100 charge. However, Ben Nasan told then-health minister Konrad Mizzi in April and his successor Chris Fearné a month later that Gafa had not refunded €38,000 in payments for 42 medical visas that never materialized.

Transcripts from Viber conversations between the two were leaked to the Malta Independent on Wednesday, showing that Ben Nasan had been demanding the return of the €38,000 since January.

Moreover, new transcripts published on Sunday show Ben Nasan insist with Gafa that their next meeting will take place in the Prime Minister’s office if the latter fails to return the monies paid.

The newspaper construed this message as meaning that Ben Nasan was “close” to the Prime Minister – a conclusion, which according to the Office of the Prime Minister, was “nothing short of another deliberate blatant lie by the journalist”.

“The journalist relies on a personal message of Ben Nasan to reach the wrong conclusion that the person is ‘close’ to the Prime Minister and that he was going to meet in the PM’s office,” it said.

The newspaper also reported comments by Muscat who confirmed that he met with Ben Nasan during the Libyan revolution and on becoming prime minister,

they met against during a wider outreach programme with foreign communities in Malta.

The prime minister also insisted that Ben Nasan’s requests for further private meetings were turned down as he did not meet the necessary clearance requirements, and that he has never spoken to Gafa about the case.

On Sunday, newspaper *Il-Quint* reported that [an application by Khaled Ben Nasan to obtain a residence permit in Malta was refused twice](#). The newspaper reports that Syrian-born Ben Nasan, who holds a Libyan passport, had his applications refused by the Security Services and immigration police after failing security checks, and after being declared to have used “unreliable information”.

<sup>20</sup> [https://www.maltatoday.com.mt/news/national/69003/prime\\_minister\\_denies\\_knowing\\_of\\_medical\\_visas\\_scam\\_before\\_police\\_investigations#.WwrFO0iFOUK](https://www.maltatoday.com.mt/news/national/69003/prime_minister_denies_knowing_of_medical_visas_scam_before_police_investigations#.WwrFO0iFOUK)

## 2.10 Fl-iskandlu tal-visas mediċi lil Libjani, Muscat jitfixkel fil-gideb tiegħu stess – il-PN

Main Point: Opposition states that Prime Minister is caught lying with regards to Libyan Visa Scandal.


Allegations:

- "In a bid to defend those who are accused of corruption in the issuing of Libyan medical visas, Prime Minister Joseph Muscat ended confused in his own lies.
- "Yesterday itself, the Head of the Nationalist Party Simon Busuttil said that Muscat has known for at least one year about these allegations because last year, during a meeting of the Security Committee, the Leader of the Opposition had raised the case and said that there were rumours about tampering issue medical visas.
- "in one statement, Muscat lied twice: first said he did not know anything about this scandal free, but in the next sentence, said he states that as soon as he knew he passed things onto the police.... but the Health Minister Chris Fearne said it was the Permanent Secretary of the Ministry of Health who had passed the case at the Police, not the Prime Minister.
- The Nationalist Party said that this scandal is also a great one because, like many other scandals in this legislature, Castille it was carried out by a person who is very close of the Chief of Staff of the Prime Minister and Minister Keith Schembri Konrad Mizzi, who were caught opening secret companies in Panama.
- In light of these developments, involving now even the Prime Minister Muscat, the leader of the Nationalist Party Simon Busuttil called a meeting of the Parliamentary Group on Tuesday to discuss recent developments.

Published by Net News on 2016-08-29.

### Fl-iskandlu tal-visas mediċi lil Libjani, Muscat jitfixkel fil-gideb tiegħu stess – il-PN

It-Tnejn, 29 ta' Awwissu 2016



Fid-daghdigħa biex jiddefendi lil min qed jiġi akkużat b'korruzzjoni fil-hruġ tal-visas mediċi lil Libjani, il-Prim Ministru Joseph Muscat spiċċa jitfixkel fil-gideb tiegħu stess.

Dan qalu l-Partit Nazzjonalista fi stqarrija wara li lbierah, il-gazzetta The Malta Independent on Sunday żvelat kif Muscat kien jaf bl-allegazzjonijiet ta' korruzzjoni f'Kastilja b'rabta ma' dan l-iskandlu.

Ilbierah stess, il-Kap tal-Partit Nazzjonalista Simon Busuttil sostna li Muscat ilu mill-anqas sena jaf b'dawn l-allegazzjonijiet għax sena ilu, waqt laqgħa tal-Kumitat tas-Sigurtà, il-Kap tal-Oppożizzjoni qajjem il-każ u qal li kien hemm xnighat dwar tbaġħbis fil-hruġ tal-visas mediċi.

Il-Partit Nazzjonalista nnota kif ma'danakollu, fi stqarrija waħda, Muscat irnexxielu jgħid li lillu nnifsu darbtejn: l-ewwel qal li ma kien jaf b'xejn dwar dan l-iskandlu, iżda fis-sentenza ta' wara, qal li kien jaf u li għadda l-affarijiet għand il-Pulizija.

Dan meta, ma' The Malta Independent on Sunday, il-Ministru tas-Saħħa Chris Fearne qal li kien is-Segretarju Permanenti tal-Ministeru tas-Saħħa li

għadda l-każ għand il-Pulizija – jiġifieri mhux il-Prim Ministru.

Il-Partit Nazzjonalista sostna li dan hu skandlu kbir għax, bhal hafna skandli oħrajn f'din il-leġiżlatura, inhadem f'Kastilja minn persuna li hu qrib hafna ta' Chief of Staff tal-Prim Ministru Keith Schembri u tal-Ministru Konrad Mizzi, li nqabdu li fethu kumpaniji sigrieti fil-Panama.

Fid-dawl ta' dawn l-iżviluppi, bl-involvement issa anke tal-Prim Ministru Muscat, il-Kap tal-Partit Nazzjonalista Simon Busuttil sejjah laqgħa tal-Grupp Parlamentari għal għada t-Tlieta biex matulha jiġu diskussi dawn l-ahhar żviluppi f'sensiela ta' skandli ta' korruzzjoni f'Kastilja, temmet tghid l-istqarrija.

**Ikkummenta**

<http://netnews.com.mt/2016/08/29/fl-iskandlu-tal-visas-medi-ci-lil-libjani-muscat-jitfixkel-fil-gideb-tiegħu-stess-il-pn/>

Translated via Google translate<sup>21</sup>:

https://translate.google.com/translate?hl=en&sl=auto&tl=en&u=http%3A%2F%2Fnetnews.com.mt%2F2016%2F08%2F29%2Ffiskandlu-tal-visas-medici-lil-libjani-muscat-jitfikkal-fil-gideb-tiegħu-stess-il-pn%2F

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http://netnews.com.mt/2016/08/29/fiskandlu-tal-visas-medici-lil-libjani-muscat-jitfikkal-fil-gideb-tiegħu-stess-il-pn%2F

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LOCAL

### In scandal medical visas to Libyans, Muscat confused in his own lies - PN

Monday, 29 August 2016

**NET**  
NET Newsroom

In dagħdigha ta' defendi dawk li huma akkużati ta' korruzzjoni fil-ħruġ ta' viżi ta' libjani, il-Prim Ministru Joseph Muscat qiegħed li qed jinfexxi l-istess li qed jinfexxi.

This PN said in a statement after yesterday, the newspaper The Malta Independent on Sunday revealed as Muscat was aware of allegations of corruption Castille connection with this scandal.

Yesterday itself, the Head of the Nationalist Party Simon Busuttil said that Muscat has at least one year knows these allegations because years ago, during a meeting of the Security Committee, the Leader of the Opposition raised the case and said that there were rumors about tampering issue medical visas.

The Nationalist Party as noted however, in one statement, Muscat got belie himself twice: first said he knew about this scandal free, but in the next sentence, said he knew and last things at the police.

This is when, with The Malta Independent on Sunday, the Health Minister Chris Fenech said it was the Permanent Secretary of the Ministry of Health passed the case at the Police, that is not the Prime Minister.

The Nationalist Party said that this scandal is great because, like many other scandals in the legislature, Castille constructed by a person who is very close of the Chief of Staff of the Prime Minister and Minister Keith Schembri Konrad Mizzi, apprehended that opened secret companies in Panama.

In light of these developments, involving now even the Prime Minister Muscat, the leader of the Nationalist Party Simon Busuttil called a meeting of the Parliamentary Group on Tuesday to discuss recent developments a series of scandals of corruption Castille, says the statement ended.

**MOST FOLLOWED**

Simon Schembri resume smiling

**PHOTOS: Owners of restaurants in the Waterfront irritated the way nehhejlhom tables**

**Maltese sent eight years in prison after a fraud of € 100 million in the UK**

**TAGS**

adrian Delia, nationalist party, court, joseph muscat, Simon Busuttil, local football, incident, police, malta, Konrad Mizzi, gozo, Keith Schembri, egrat, corruption, Durdine, Castille, Castille, Simon, news

<sup>21</sup><https://translate.google.com/translate?hl=en&sl=auto&tl=en&u=http%3A%2F%2Fnetnews.com.mt%2F2016%2F08%2F29%2Ffiskandlu-tal-visas-medici-lil-libjani-muscat-jitfikkal-fil-gideb-tiegħu-stess-il-pn%2F>

## 2.11 Watch: PN parliamentary group discusses Libyan medical visas scandal<sup>22</sup>

Main point: Opposition parliamentary group meets to “discuss the prevailing situation with regard to the latest political storm that has hit the government.”

Allegations:

- a) unless the government takes action on the latest controversy, it would be a confirmation that Castille is a nest of corruption.
- b) the PN said Prime Minister Dr Joseph Muscat knew all about the scandal long before it was broken by the media as PN leader Simon Busuttil had told the PM about it last year.
- c) “the visa scandal was discussed as were the links there could be with the Office of the Prime Minister.”

Published by the Independent 2016-08-30 at 19:12

### Watch: PN parliamentary group discusses Libyan medical visas scandal



The medical visas scandal exposed by The Malta Independent on Sunday over the past weeks was the subject of a discussion within the Nationalist Party parliamentary group that took place this afternoon, with an MP saying afterwards that unless the government takes action on the latest controversy, it would be a confirmation that Castille is a nest of corruption.

Nationalist MPs who spoke to the media at the end of the meeting said the sole purpose of the meeting was for the party to discuss the prevailing situation with regard to the latest political storm that has hit the government.

Speaking to journalists, PN MP Claudio Grech said would not go into what was discussed, while Charlo Bonnici said that the visa scandal wasn't the only thing they spoke about. When asked by PL media of his thoughts about Dr Busuttil being “weak”, he said he has “no time for fairy tales.”

Antoine Borg and George Pullicino left the building together with Mr Borg saying that the visa scandal was discussed as were the links there could be with the Office of the Prime Minister. Mr Pullicino added that if the government doesn't take any

action over this case, it is a confirmation that Castille is a nest for corruption.

TMIS published receipts which purport to show that €35,000 in payments were made to Health Ministry employee Neville Gafa by a Libyan middleman supposedly in exchange for medical visas for Libyan citizens who were victims of conflict, visas which however were not issued.

In a statement yesterday, the PN said Prime Minister Dr Joseph Muscat knew all about the scandal long before it was broken by the media as PN leader Simon Busuttil had told the PM about it last year.

Mr Gafa is denying all allegations.

<sup>22</sup> <http://www.independent.com.mt/articles/2016-08-30/local-news/Watch-PN-parliamentary-committee-discusses-Libyan-visa-scandal-members-give-full-support-to-leader-6736163110>



## 2.12 Medical visas: Libyan middleman's family threatened for second time in a week<sup>23</sup>

Main point: Libyan middleman's family threatened for second time in a week.

Allegations:

- a) Ben Nasan received sms "Khaled I gave you a warning and this is your last chance if you send any information or present any files or any recordings about me or [name withheld] or [name withheld] or [name withheld] or anyone from the staff of visa unit you will never see your children again."
- b) At around 11pm on Thursday evening, he had noticed four missed calls on his phone from a number with which he was not familiar. The report goes on to explain how he found the phone belonging to the SMS number switched off when he tried to return the call.
- c) The phone number was supplied to the police and this newspaper also tried calling it several times, but our calls were always diverted to voicemail.
- d) says this was the second threat against Ben Nasan's family that week. In another report to the police, filed on the next Wednesday morning, Ben Nasan claimed his children had been threatened. In the earlier report, Mr Ben Nasan received a call on his mobile phone on the Tuesday night from a number appearing as 'unknown'. The caller, speaking in Maltese, told Mr Ben Nasan: "[If] you are going to say something and give documents and video, you can forget your children."
- e) According to his report filed with the police on Friday, which has been seen by this newspaper, Ben Nasan asked the anonymous caller: "What do you mean 'forget them'," to which the caller replied, "God forgive them [*Alla jahfrilhom*]."
- f) Ben Nasan then asked the unknown caller whether this was a threat and was given the reply: "Take it as you will. Before you get home [from the programme EXODUS, which was meant to be aired live] forget your children."

Published by the Independent on 2016-09-04 at 10:30 am

### Medical visas: Libyan middleman's family threatened for second time in a week



The Libyan national who had served as a middleman in the medical visas racket claims that his children have been threatened for the second time this week.

A report to the police, filed by Khaled Ben Nasan at Swieqi police station on Friday morning, alleges that he received an SMS, in English, on Thursday night that read: "Khaled I gave you a warning and this is your last chance if you send any information or present any files or any recordings about me or [name withheld] or [name withheld] or [name withheld] or anyone from the staff of visa unit you will never see your children again."

In his report, Mr Ben Nasan explains how, at around 11pm on Thursday evening, he had noticed four missed calls on his phone from a number with which he was not familiar. The report goes on to explain how he found the phone belonging to the SMS number switched off when he tried to return the call.

The phone number was supplied to the police and this newspaper also tried calling it several times, but our calls were always diverted to voicemail.

Mr Ben Nasan says this was the second threat against his family he has received this week. In another report to the police, filed on Wednesday morning at St

Julian's police station, Mr Ben Nasan claimed to have had his children threatened. In the earlier report, Mr Ben Nasan said that he received a call on his mobile phone at 9.10pm on Tuesday night from a number appearing as 'unknown'.

The caller, speaking in Maltese, told Mr Ben Nasan: "[If] you are going to say something and give documents and video, you can forget your children."

According to his report filed with the police on Friday, which has been seen by this newspaper, Mr Ben Nasan asked the anonymous caller: "What do you mean 'forget them'," to which the caller replied "God forgive them [*Alla jahfrilhom*]."

Mr Ben Nasan then asked the unknown caller whether this was a threat and was given the reply: "Take it as you will. Before you get home [from the programme, which was meant to be aired live] forget your children."

Mr Ben Nasan has been at the epicentre of the medical visas scandal since it was recently revealed how he had written to former Health Minister Konrad Mizzi – as well as his successor Chris Fearn – to allege how a member of the Ministry's staff, Neville Gafa, had skipped off with close to €38,000 in fees that Libyans allege they paid for the issuance of medical visas.

The visas from that batch of applicants had not been granted and, as alleged by Mr Ben Nasan, the passports had been returned without the visas or the visa 'fees'.

Mr Gafa has since denied any wrongdoing or having received any funds apart from his government salary, despite the fact that this newsroom has published transcripts of Viber message conversations and receipts for the payment of 'fees' made by Libyan would-be patients.

It had been known since last Saturday that more details were to emerge from a television programme hosted by Ivan Grech Mintoff, the leader of the *Alleanza Bidla* political party and who has served as an interlocutor for the long and winding story, although it had never been publically stated that Mr Ben Nasan was to be interviewed.

This newspaper is informed that the programme was cancelled on account of other considerations, and that it will be broadcast shortly on one medium or another.

<sup>23</sup> <http://www.independent.com.mt/articles/2016-09-04/local-news/Medical-visas-Libyan-middleman-s-family-threatened-for-second-time-in-a-week-6736163298>

## 2.13 Medical visa scandal: Busuttil calls on authorities to provide protection to Libyan whistleblower<sup>24</sup>

Main Point: Opposition Leader calls on authorities to provide protection to Libyan whistle blower.

Allegations:

- a) "The whistle blower has allegedly received two threats against him and his family this week. Dr Busuttil said that should anything happen to this individual, he will be holding the authorities personally responsible."
- b) Opposition Leader Simon Busuttil has called on the relevant authorities, namely the Attorney General and the Police Commissioner to immediately provide protection to the Libyan medical visa whistle blower. "in view of the sensitive information he claims to have."
- c) Dr Busuttil said that instead of providing protection, the whistle blower is receiving more scrutiny while the police have not taken any action.
- d) "There is a clear link between corruption and Castille, the OPM," he said.
- e) These are not just issues of corruption, but an issue of national security, he continued.

Published by the Independent on 2016-09-04 at 10:57 am.

### Medical visa scandal: Busuttil calls on authorities to provide protection to Libyan whistleblower



Opposition Leader Simon Busuttil has called on the relevant authorities, namely the Attorney General and the Police Commissioner to immediately provide protection to the Libyan medical visa whistleblower.

The whistleblower has allegedly received two threats against him and his family this week. Dr Busuttil said that should anything happen to this individual, he will be holding the authorities personally responsible.

"There is a Libyan saying he has information about a scandal tied to the issuing of medical visas – for injured Libyans to come to Malta and receive health care. This information needs to be seriously scrutinised," he said in a radio interview this morning.

It has been alleged that Neville Gafa, who worked at the Office of the Prime Minister, received bribes for the issuing of medical visas. The allegation follows that the visas were actually issued to individuals bribing Mr Gafa rather than the injured Libyan's they were intended for. It has been alleged that Mr Gafa has

profited by at least €38,000 over the racket.

*The Malta Independent on Sunday* broke the story regarding the second threat in one week. A police report was filed by the Libyan national in an effort to gain protection.

In the report to the police, filed by Khaled Ben Nasan at Swieqi police station on Friday morning, it was alleged that he received an SMS, in English, on Thursday night that read: "Khaled I gave you a warning and this is your last chance if you send any information or present any files or any recordings about me or [name withheld] or [name withheld] or [name withheld] or anyone from the staff of visa unit you will never see your children again."

Dr Busuttil said that instead of providing protection, the whistleblower is receiving more scrutiny while the police have not taken any action.

"There is a clear link between corruption and Castille, the OPM," he said.

He called on the Attorney General and the Police Commissioner to immediately provide protection to this witness, in view of the sensitive information he claims to have.

"Do not let this situation deteriorate. If you do not provide protection and something happens to this man, I will hold you [authorities] personally responsible."

These are not just issues of corruption, but an issue of national security, he continued.

Turning to Air Malta, Dr Busuttil expressed solidarity with the national airline's workers because of the current state of uncertainty. Government is currently in talks with Alitalia, following a Memorandum of Understanding, over the possibility of bringing in the latter as a strategic partner.

Air Malta has been experiencing serious financial difficulty for a number of years. Under EU state aid rules, the government is unable to inject any cash into the airline in order to bring it back on solid ground.

<sup>24</sup> <http://www.independent.com.mt/articles/2016-09-04/local-news/Medical-visa-scandal-Busuttil-calls-on-authorities-to-provide-protection-to-Libyan-whistleblower-6736163327>

“The government’s assertion that the only way forward for Air Malta is to bring in a foreign partner is wrong. We have proposed an alternative, but nobody is listening. As a country, we will be losing control of a company that connects us with the rest of the world. We the PN feel that there is another way forward for Air Malta. I have ordered for this to be presented in detail over the coming days.

“Instead of losing control of Air Malta by selling it to foreigners, we propose opening up the airline to private local investment, keeping Air Malta truly Maltese.”

Addressing public sentiment that voting for either main stream party is a choice between “the lesser of two evils,” Dr Busuttil said he does not want this to be the case and is working for the PN to be a real and viable alternative.

He spoke of the raising of standards and extensive internal work in order to carry this out.

“The PN is not just there to criticise, but wants to carry out the most fundamental goal of pushing Malta forward in the right direction.”

He slammed the government for claiming to be a socialist government that belongs to the people – he said that it is a select few who are benefitting from decisions taken by the current administration.

#### **Government reacts**

In reaction to Dr Busuttil’s interview this morning, the Labour Party (PL) have slammed the Opposition Leader for claiming that the month of September belongs to the Nationalist Party (PN).

The PN will be hosting their annual Independence Day celebrations. In light of the statement made by Dr Busuttil, the PL said that this is proof of a tribal and elitist mentality, symptomatic of the establishment the PN forms part of.

“The Maltese and Gozitan population have long rejected this style of politics. The facts clearly show that every month on the calendar, September included, belong to all Malta and Gozo.

“This is so because:

“Moody’s, the credit ratings agency have confirmed the A3 rating for Malta, had have also confirmed the positive and stable economic outlook. Moody’s said that Malta’s economy is strong, especially in the light of high levels of competitiveness.

“The Planning Authority (PA) approved a restoration application for St Luke’s Hospital years after it was left to deteriorate by the previous government, all the while Mater Dei did not host enough beds. This is an important health investment project worth €200 million that also involved Karen Grech Hospital and the Gozo General Hospital.

“Investment worth €9 million for a newly built St. Thomas Hospital, generating 40 new jobs and will also enter a partnership with the government in order to reduce waiting lists for operations.

Malta broke another record in the battle against unemployment: for the second month running Malta has retained its position of lowest unemployment rates in the EU.

“For the first time, a decision was taken to regulate the fish farming sector, with the aim to protect the water quality of the sea.

“In light of this, September belongs to all Maltese and Gozitans, not just of the PN as was said by Opposition Leader Simon Busuttil,” a press release issued today by the PL said.

## 2.14 Solidarity with David Lindsay<sup>25</sup>

### Main points/ Allegations:

The editor of the Malta Independent on Sunday is being sued for criminal libel for articles published about the Libya visa scam. Criminal libel that the current Police Commissioner has requested a prison term.

Neville Gafa's legal counsel making this request is former Police Commissioner, Peter Paul Zammit.

The current Police Commissioner appears to cahoots with the accused in their attempt to send a newspaper editor to prison.

The Police, in breach of professional secrecy, leaked that Grech Mintoff was going to give the police information about this case.

Grech Mintoff is alleging that a number of Libyans want to come to Malta to testify about the visa scams but that the government is hindering them by refusing to issue them a visa.

"This case will make history once it gets going."

The Manager of the Malta Independent, accuses the government of using the police to silence the press.

Mr Peter Paul Zammit, who is appearing in this case for Neville Gafa', has a direct conflict of interest, first because he is a legal consultant to the government and secondly, it is important to establish, whether, when he was Commissioner of Police, he investigated or not allegations of visa corruption that the Labour Media was publishing against Ms Marisa Farrugia. These stories were being published in the Labour press when Mr Zammit was Commissioner of Police. His position in this case constitutes what is clearly a direct conflict of interest.

Published by the Independent on 2016-10-17 at 07:58

### Solidarity with David Lindsay

The editor of the Malta Independent on Sunday, David Lindsay, is being sued for criminal libel in connection with the news item he published about the Libya visa scam. While I have no problem with editors being sued for publishing untruths, there are different types of libel. Even in Malta, we have both what is being termed as "standard libel" and "criminal libel". Normally, individuals sue only for pecuniary compensation. In this case, the editor is being sued for criminal libel, which means that the Police Commissioner has been asked to request the stiffest penalty, prison, should David Lindsay be found guilty. To add insult to injury, the person making this request on behalf of Mr Neville Gafa' is former Police Commissioner, Peter Paul Zammit.

This situation raises a number of legitimate questions. Why is Mr Neville Gafa' suing only David Lindsay and not also the person who broke the story who happens to be none other than *Alleanza Bidla's* leader, Ivan Grech Mintoff? Is it not the duty of the media, in any free European state, to report any serious allegations coming from a reliable source? In this case, the source of these reports is well known – Mr Ivan Grech Mintoff. But instead of investigating these allegations, the Police Commissioner is now appearing as being in cahoots with Gafa' and his legal representative, in an attempt to send a newspaper editor to prison. The fact is that Mr Neville Gafa' has cold feet and is not prepared to also sue Mr Grech Mintoff. This only goes to prove that what Mr Grech Mintoff says is true and that the editor published nothing but the truth.

It is a known fact that the Police, in clear breach of professional secrecy, leaked particulars concerning Mr Ivan Grech Mintoff to Malta Today. Malta Today broke the news that Mr Grech Mintoff was going to the depot to give the police information about this case. This piece of news was published well before the meeting had taken place and the only persons who knew about this meeting were only Mr Grech Mintoff and the Police. This is extremely serious as well as dangerous. I have seen documents and messages related to this case. Some of these documents have already appeared in the press.

But there is another important development, which Mr Lindsay could consider a

blessing in disguise. Mr Grech Mintoff is alleging that a number of Libyans want to come to Malta to testify about the visa scams but that the government is hindering them by refusing to issue them a visa. Since the Police started criminal proceedings, these individuals should be named as witnesses. In theory, the government cannot stop them from coming or depositing their testimonies, including sworn written affidavits in Court. This case will make history once it gets going, which brings me to two other important points.

The first is the message that Pierre Portelli, Managing Director of the Malta Independent, wrote on his Facebook page. He accuses the government that despite its stand in favour of civil liberties, it turns to the Police to silence the Press. In Europe, these tactics are today associated with totalitarian States.

I would remind the government that civil liberties are worthless when accompanied by oppressive policies. The first country to make transgender operations possible was Germany – to be precise, the Weimar Republic. But today it is not remembered for the introduction of such an advanced concept of civil liberty but for being the harbinger of the extreme right coming to power. When the Nazis took power, very few wept for the loss of democracy since the previous system in Germany was only democratic in name while the country suffered from a running inflation.

This government should be on its guard for the way those who are very close to it use the police to achieve their own political ends. The impression that is being conveyed is that behind these ends lie financial and oil interests.

There are other historical precedents that have experienced the danger in adopting such methods. When, for sinister motives, a democracy starts resorting to the Police to silence the opposition, democracy is in trouble. In the minds of many, democracy begins to appear as an alternative political system. Consequentially, the history of brutal regimes will start to be revised and they will once again appeal to society.

Then there is the issue of whether Mr Peter Paul Zammit, who is appearing in this case for Neville Gafa', has a direct conflict of interest, first because he is a legal consultant to the government and secondly, it is important to establish, whether,

<sup>25</sup> <http://www.independent.com.mt/articles/2016-10-17/blogs-opinions/Solidarity-with-David-Lindsay-6736165305>

when he was Commissioner of Police, he investigated or not allegations of visa corruption that the Labour Media was publishing against Ms Marisa Farrugia. These stories were being published in the Labour press when Mr Zammit was Commissioner of Police. His position in this case constitutes what is clearly a direct conflict of interest. I am interested to know what is the stand of the Chamber of Advocates about this point.

Hence, Mr Lindsay should not fear. I am certain that he will prove his story and I am sure that Mr Ivan Grech Mintoﬀ will produce all the necessary evidence to support what The Malta Independent on Sunday has published, if he is asked to appear as witness. In fact, the whole case is revolving more around legal technicality rather than around the truth of the published facts. The pretext here is that the Malta Independent failed to publish a proper right of reply, because it included the right of reply as part of an article and was not published as a standalone piece. I find this argument by Mr Gafa' and his legal representative extremely shallow. For this reason, I agree wholeheartedly with those who are arguing that this is purely a pretext to bully the Malta Independent into silence.

The point that is being overlooked here is that the law of criminal libel is very tricky. Those who resort to it should be sure of their facts. They should not rush in, eager to claim their pound of flesh. In their eagerness to prosecute the free press, those resorting to these tactics do not realize that the inherent law of criminal libel is a double-edged sword, which is not to be found in standard libel cases.

If Mr. Lindsay proves his case and therefore what he stated is the truth, the matter should not end there. One expects that criminal charges will be instituted against Neville Gafa' for having lodged a false report and wasting precious court time. These charges too carry a prison sentence.

## 2.15 Alleged medical visas racket: Neville Gafà sues newspaper, Simon Busuttil for libel<sup>26</sup>

Main points / Allegations:

Legal counsel says story based on unfounded allegations and outright lies.

Neville Gafà will be suing The Malta Independent on Sunday, opposition leader Simon Busuttil and “other politicians” following allegations that he netted up to €150,000 a month in medical visas scam.

The Police this week said that it did not find any evidence pointing towards criminal action by Gafà.

In a letter to the editor of the Malta Independent Gafà’s lawyer Peter Paul Zammit reiterated that Gafà “never received any monies in any way or manner” aside from his government salary.

“The persons concerned were not requested to pay anything, not even the €66 visa fee which was waived by the Maltese government,” Gafà said.

“No fees or charges were levied”

“The article gives the impression that [Gafà] went to collect monies in Libya from injured persons, when if anything it is the alleged middleman, who had no legal or statutory rights to enter into these government to government negotiations, who results from the same article as having collected monies on the unfounded pretext of having Libyan or Maltese clearance.”

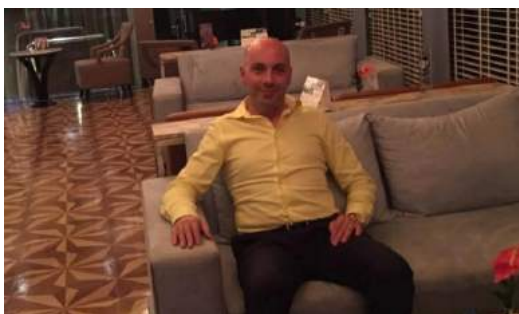
The Nationalist Party say that the police investigation was farcical. PN deputy leader Beppe Fenech Adami said the police investigation was intended to kill off the story and to discredit the source.

Grech Mintoff, who claimed to be aware of mobile chats and voice recordings, has not approached the Police. At the same time, he claimed that what is known so far is “just the tip of the iceberg”.

Published by Malta Today on 26 August 2016 at 1:58 pm

### **Alleged medical visas racket: Neville Gafa sues newspaper, Simon Busuttil for libel**

Lawyer says newspaper based its story ‘on unfounded allegations and outright lies and hiding behind alleged anonymous high ranking Libyan secret service officer’



Health Ministry employee Neville Gafa will be suing The Malta Independent on Sunday, Opposition leader Simon Busuttil and “other politicians” following allegations that he netted up to €150,000 a month in medical visas scam.

The Police this week said that it did not find any evidence pointing towards criminal action by Gafa.

In a letter to the editor of the Malta Independent, and copied to media outlets, Gafa’s lawyer Peter Paul Zammit reiterated that Gafa “never received any monies in any way or manner” aside from his government salary.

The Malta Independent claimed that Gafa “personally made between €2 million and €3 million from the racket since it began operating in 2014”. Gafa suspended himself from duties pending police investigations.

The allegations were raised by Libyan national Khaled Ben Nasan, a businessman who last year set up an import-export company called Aurum Tribus. In a letter to the Ministry for Health last April, Ben Nasan alleged that Gafa had started a new medical visa application process through which Libyans would send over their passports in advance and Gafa would charge varying prices.

Gafa accused the author of the newspaper article “based his story on unfounded allegations and outright lies and hiding behind alleged anonymous high ranking Libyan secret service officer”.

Gafa argued in his letter that the Maltese government had signed a memorandum of understanding with the Libyan Authorities to help in providing medical assistance to persons injured in this conflict.

“The person who were to be provided this service were to be identified by the Libyan authorities and cleared from their end, and subsequently reviewed by the local Secret Service, Police, Immigration and medical departments and services. The persons concerned were not requested to pay anything, not even the €66 visa fee which was waived by the Maltese government,” Gafa said.

“All other expenses as regard the patient were entered into a government account as debt to be subsequently settled by the Libyan authorities. No fees or charges were levied by myself or the respective departments for the vetting of the persons concerned.”

Gafa said that all due diligence effected “included, and actually commenced from the Libyan secret service which therefore gives lie to the source quoted by the journalist concerned”.

“The article gives the impression that [Gafa] went to collect monies in Libya from injured persons, when if anything it is the alleged middleman, who had no legal or statutory rights to enter into these government to government negotiations, who results from the same article as having collected monies on the unfounded pretext

<sup>26</sup>[https://www.maltatoday.com.mt/news/national/68958/alleged\\_medical\\_visas\\_racket\\_neville\\_gafa\\_sues\\_newspaper\\_simon\\_busuttil\\_for\\_libel#.WyN4XmZ7HMJ](https://www.maltatoday.com.mt/news/national/68958/alleged_medical_visas_racket_neville_gafa_sues_newspaper_simon_busuttil_for_libel#.WyN4XmZ7HMJ)

of having Libyan or Maltese clearance.”

The letter goes on to add that Malta has since provide 600 medical services, some of them major and life threatening cases, to those that have been filtered through the system.

Former MEP hopeful Ivan Grech Mintoff, who according to Gafa’s lawyer “acted as interlocutor to the anonymous secret service source”, this morning [held a press conference](#) to express concern over the alleged racket and how it impact Malta’s reputation.

Grech Mintoff, who claimed to be aware of mobile chats and voice recordings, has not approached the Police. At the same time, he claimed that what is known so far is “just the tip of the iceberg”.

The Nationalist Party yesterday lashed out at the police for what it claimed was “a farcical” investigation. PN deputy leader Beppe Fenech Adami said that the police investigation was clearly intended to kill off the story and to discredit the Libyan businessman.



## 2.16 Government official was netting up to €150,000 a month in medical visas scam<sup>27</sup>

### Main points / Allegations:

Government official was netting up to €150,000 a month in medical visas scam.

Neville Gafà, worked at the Office of the Prime Minister and later at the Health Ministry – personally made between €2 million and €3 million from the racket since it began operating in 2014.

Libyans who received medical visas were not always sick or injured. Persons getting visas have not been properly vetted, and criminals have been granted access to Europe through Malta issued Schengen visas. High ranking Libyan sources claim that many of the visas intended for Libyans genuinely injured in hostilities instead went to criminals and persons willing to pay for visas to Malta.

Injured persons did not get visas if they could not pay and children, and adults, have died because they couldn't get a visa to get treatment.

Gafà was employed initially at the Office of the Prime Minister and was later transferred to the Health Ministry. After that he was reportedly transferred to the Foundation for Medical Services. And now Gafà is back at OPM.

It was recently reported how Mr Gafà had pocketed €38,000 in visa 'fees' from Libyan nationals and refused to return the money after having purchased a new BMW with the funds.

The Libyans were allegedly being charged €2,500 per visa and an additional €100 per patient.

Published by the Malta Independent on 2016-08-21 at 11:40

### Government official was netting up to €150,000 a month in medical visas scam



The racket involving medical visas for injured Libyans saw a Maltese government official netting up to €150,000 a month, according to high-ranking Libyan sources that came forward this week to speak with this newspaper in the wake of recent media reports.

The official, Neville Gafà, worked at the Office of the Prime Minister and later at the Health Ministry – personally made between €2 million and €3 million from the racket since it began operating in 2014.



Neville Gafà

Worse still, the racket was such that it was not even injured Libyans who were always the recipients of the visas. So much so that those who received the visas to come to Malta under the guise of an agreement between Malta and Libya to treat Libyans injured in hostilities were people who had not been properly vetted and count among their ranks criminals who have been granted access to Europe through Malta's Schengen Zone membership.

Expressing no small amount of angst over the state of affairs, high ranking Libyan sources speaking with this newspaper also claim that many of the visas intended for Libyans genuinely injured in hostilities instead went to criminals and others who were willing to fork out thousands of euros for visas to Malta.

A senior Libyan security source told this newspaper on condition of anonymity considering the sensitivity of the situation in the country, "They [the perpetrators of the racket] stole money from injured children who never got their visas to be treated in Malta. Some of those children, and adults, have died in the meantime because they did not get the treatment.

<sup>27</sup> <http://www.independent.com.mt/articles/2016-08-21/local-news/Government-official-was-netting-up-to-150-000-a-month-in-medical-visas-scam-6736162687>

“In contrast, the Italians come for the injured themselves and take them to Italy for treatment with no money asked for. Malta asks us for money and then we never get the visas... and in this latest case they did not even get their money back, let alone the visas to come to Malta for life-saving treatment.”

The source’s reference to ‘this latest case’ refers to the €38,000 in ‘fees’ for some 40 visas that government official Neville Gafà allegedly made off with when the plug was finally pulled on the racket. And although recent media reports have implicated Gafà as the scam’s main fixer, this was allegedly merely the very tip of the iceberg.

Gafà was employed at the Office of the Prime Minister and was later transferred to the Health Ministry. Gafà’s Facebook profile, which is replete with rabid anti-Nationalist Party posts, lists both former positions. After that, and presumably when news of his machinations came to light, he was reportedly transferred to the Foundation for Medical Services.

Libyan security sources speaking with this newspaper, through interlocutor Ivan Grech Mintoff, who also leads the *Alleanza Bidla* political party, this week were incensed and claim that many, including children, actually died waiting for their visas, while others never got their visas at all – visas that instead went to those willing to fork out thousands of euros for them.

Libyan security services sources speaking with this newspaper have made several other accusations, which this newspaper will continue to follow up.

It was recently reported how Mr Gafà had pocketed €38,000 in visa ‘fees’ from Libyan nationals and refused to return the money after having purchased a new BMW with the funds. The Libyans were allegedly being charged €2,500 per visa and an additional €100 per patient.

The funds, according to sources well acquainted with the racket speaking with this newspaper, were tucked into passports awaiting their visa stamps and when efforts by a Syrian middleman, Khaled Ben Nasan, to recoup the funds and passports were made, the passports were eventually returned – minus the cash. The incident led Mr Ben Nasan to have his lawyer write to then health minister Konrad Mizzi

in a still unsuccessful attempt to recover the funds.

But sources speaking to this newspaper from Libya are outraged not only over the missing funds, but over the fact that the medical visas were not going to those truly in need but, rather, to those who were willing and able to pay for them.

## 2.17 Dalli reacts as former Commissioner Rizzo says he was to have been accused of knowing about trading in influence<sup>28</sup>

### Main points / Allegations:

Former Police Commissioner John Rizzo told the Privileges Committee of the House of Representatives that former EU Commissioner John Dalli was to have been tried in court for knowledge about trading in influence.

Rizzo said he had wanted to conduct a final interview with Mr Dalli before arraigning him before the criminal court but was unable to do so as Dalli was abroad and had a medical certificate.

It had been agreed with the Attorney General that criminal action should be taken against Zammit and Dalli on the basis of the evidence collected by the Malta police and Olaf.

Mr Rizzo revealed that after he was ordered by the Prime Minister to step down. Rizzo was told by the Prime Minister on April 8, that he was being transferred because he had served as police commissioner for 12 years and he was replaced as police commissioner on April 12. Rizzo did not know of other reasons why he was transferred.

Mr Dalli returned in late March or early April 2013.

Rizzo's successor as police commissioner, Peter Paul Zammit, never spoke to him about the case.

The new commissioner carried out his own investigations and decided not to proceed any further.

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### **Dalli reacts as former Commissioner Rizzo says he was to have been accused of knowing about trading in influence**



Former Police Commissioner John Rizzo told the Privileges Committee of the House of Representatives this morning that former EU Commissioner John Dalli was to have been accused in court of having 'known about everything' - knowing about trading in influence.

He said he had wanted to conduct a final interview with Mr Dalli before arraigning him before the criminal court, but was unable to do so as he was abroad and had presented certificates to show he could not travel as he was sick.

Mr Rizzo also revealed that after he was ordered by the Prime Minister to step down from the post of police commissioner, his successor, Peter Paul Zammit, never spoke to him about the case.

The Privileges Committee is considering a breach of privilege raised by the Prime Minister against the Leader of the Opposition. Dr Muscat felt aggrieved by claims

by the Opposition leader that there had been political interference in the police investigation of allegations against Mr Dalli. Commissioner Peter Paul Zammit had decided not to arraign Mr Dalli, saying there was insufficient evidence to proceed against him.

Mr Dalli had stepped down from the European Commission after Olaf, the anti-fraud agency, reported that he had known of trading in influence by his assistant Silvio Zammit as the EU was preparing amendments to the Tobacco Directive.

Mr Rizzo told the committee today that he was contacted by the Attorney General in October 2012 and asked whether the allegations by the EU anti-fraud agency Olaf against Mr Dalli should be investigated.

Mr Rizzo said he had read the Olaf report and decided that the case should be investigated afresh.

"We re-lived the whole process," Mr Rizzo said, saying the police interviewed all the persons involved, including the Olaf investigators. He conducted some of the interviews himself.

This was a very difficult case, he said, and the investigations were almost concluded. It was agreed with the Attorney General that criminal action should be taken against Mr Zammit and Mr Dalli.

*"Commissioner Peter Paul Zammit never spoke to me about the Dalli case- Former Commissioner Rizzo"*

Mr Dalli returned in late March or early April 2013.

Mr Rizzo said he was replaced as police commissioner on April 12 and was never able to interview Mr Dalli again. The new commissioner carried out his own investigations and decided not to proceed any further.

Replying to questions, Mr Rizzo said that among the people he had spoken to was Olaf director general Giovanni Kessler, but added that local police did not rely on the Olaf findings but had investigated all over again.

<sup>28</sup> <https://www.timesofmalta.com/articles/view/20140731/local/dalli-reacts-as-former-commissioner-rizzo-says-he-was-to-have-been.530035>