



International

Steward Health Care International | Calle de Velázquez, 34, 28001 Madrid

T +34 9199 93370 | E info@stewardinternational.org | www.stewardinternational.org

MEDIA RELEASE – FOR IMMEDIATE RELEASE

Steward Health Care International submits formal complaint against the Government and Judiciary of Malta to the European Commission

13 April 2023: Steward Health Care International (SHCI) has filed a formal complaint to the European Commission against the Maltese Government and the Judiciary of Malta for infringement, on several grounds, of EU Law. This complaint is filed subsequent to SHCI's appeal to the judgement on the hospitals' concession agreement.

As previously stated, the company emphatically rejects the narrative of the judge's findings in relation to SHCI's Maltese subsidiary, Steward Health Care Malta (SHCM), a judgement which fails to support its ruling with evidence or on applicable legal grounds. The judgment's narrative, which is speculative and highly conjectural, could have been disproven had SHCM been asked to supply evidence on these counts to court. Such a request was never made, neglecting therefore the right to a defence.

The judgement on the hospitals' concession breaches EU law on various fronts. It is incompatible with the key principle of free movement of capital, and is not compliant with the general principles of legal certainty and legitimate expectations, as well as the principle of proportionality.

SHCI also considers that the judge significantly and deliberately overreached his remit in his verdict. This is a serious breach of the judicial practice and a clear indication that the verdict was arrived at as a result of political, rather than factual, motives.

These failings – along with most others present in the judgement – represent major concerns for the rule of law in Malta, a country that has been afflicted by significant corruption scandals relating to the executive, legislative, and judicial arms of authority for many years (some of which have even required investigation and demands that changes be implemented by the European Banking Authority). This latest example of the deterioration of the rule of law in Malta will have serious implications for the future of foreign investment in the country.

As illustrated by the wildly unsound court verdict and subsequent coordinated behaviour by ostensibly independent government agencies, SHCI has deep concerns about the rule of law and proper functioning of the pillars of Government.

SHCI have submitted this complaint to the European Commission alongside pursuing our case in Malta and the request to appeal the preliminary ruling with the European Court of



Steward Health Care International | Calle de Velázquez, 34, 28001 Madrid

T +34 9199 93370 | E info@stewardinternational.org | www.stewardinternational.org

International

Justice. SHCI notes Malta's weakening recent record of respect for the authority and legitimacy of the European judicial authorities after the European Public Prosecutor's Office (EPPO) last month complained about being 'shut out' of magisterial inquiries.

SHCM remains committed to a fair and orderly transition and will ensure that the wellbeing of our patients and our employees remain our priority.

---ENDS---