

COUNCIL OF EUROPE TRAINING PROGRAMME ON COUNTERING THE USE OF SLAPPS



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

The Council of Europe Training on Countering the Use of Strategic Lawsuits Against Public Participation (SLAPPs) is a learning and action course targeted at judges, prosecutors, and lawyers. It is an interactive programme that applies collaborative methodologies to the learning process.

— The curriculum is based on international standards, in particular Council of Europe Recommendation CM/Rec(2024)2 on countering the use of strategic lawsuits against public participation (SLAPPs) and EU Directive 2024/1069 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic lawsuits against public participation'), as well as the European Court of Human Rights case law.

— The curriculum is easily adaptable to the needs of civil society and will help raise awareness of the detriment SLAPPs can cause to public watchdogs, as well as the available support mechanisms for SLAPP targets and victims.

THE TRAINING PROGRAMME

■ The ultimate objective of the curriculum is to enable judges, prosecutors, police officers, lawyers and other legal professionals to identify SLAPPs and apply European standards to deal with them. For judges, this means being able to recognise and dismiss SLAPPs, using national legal procedures to implement European standards. For defence lawyers, this means empowering them to recognise SLAPPs and equipping them with legal arguments drawn from European standards to advocate for the rights of their clients and have SLAPPs dismissed. For prosecutors and police officers, it ensures they refrain from pursuing cases that present the characteristics of SLAPPs.

■ The programme includes sections intended for trainers, and provides guidance on good practices in conducting training for legal professionals.

■ The training can be delivered over a period ranging from two to five days, depending on the level of prior knowledge of participants and the amount of training time available. The training is designed to be delivered in face-to-face settings, with a possibility to be delivered online.

■ Representatives of public authorities of the Council of Europe Member States can contact the Council of Europe's Division for Cooperation on Freedom of Expression to request support in organising training sessions.

■ The Curriculum was developed by Flutura Kusari and Peter Noorlander, Council of Europe consultants.

CONTENT

MODULE 1- INTRODUCTION TO SLAPPS

■ This module defines SLAPPs and explores how they pose significant barriers to the protection and realisation of human rights.

MODULE 2 - WITNESS TESTIMONY

■ Through either live or recorded video testimony, this module presents the experience of a SLAPP target, offering practical insights into the impact of SLAPPs.

MODULE 3 - FREEDOM OF EXPRESSION AND THE ROLE OF PUBLIC WATCHDOGS

■ This module discusses the right to freedom of expression and the role of media and other public watchdogs in a democratic society.

MODULE 4 - EUROPEAN STANDARDS ON SLAPPS

■ This module presents the newly adopted European standards on SLAPPs.

MODULE 5 - DEFINITIONAL CRITERIA AND INDICATORS OF SLAPPS

■ This module clarifies the definitional criteria and indicators that distinguish SLAPPs, providing guidance on how to identify those cases in practice.

MODULE 6 - DOCUMENTING SLAPPS

■ This session emphasises the importance of documenting SLAPPs and aims to familiarise participants with the existing tools and their role in documenting SLAPPs.

MODULE 7 - PROCEDURAL SAFEGUARDS

■ This module explores anti-SLAPPs procedural safeguards required under European standards.

MODULE 8 - REMEDIES FOR SLAPPS TARGETS AND VICTIMS

■ This module details the remedies required under European standards and explores ways to implement these remedies within national laws and regulations.

MODULE 9 – SUPPORT FOR SLAPPS TARGETS AND VICTIMS

■ This module analyses the different types of support required under European standards.

Council of Europe Cooperation on Freedom of Expression

The Council of Europe supports Member States to improve their policies, legislation, environment, and capacities in the area of freedom of expression, media, and access to information, in line with the European standards. It works with ministries, parliaments, audio-visual regulators, law enforcement, journalists, self-regulatory bodies, civil society and media watchdogs. More specifically, its cooperation projects include advising on policies and legal frameworks, as well as providing capacity building, training and awareness-raising in the following areas:

- ▶ Promoting the role of media in a democratic society
- ▶ Safeguarding media pluralism, diversity and transparency of media ownership
- ▶ Aligning the national legal framework and practice with the standards of the Council of Europe and the case-law of the ECtHR related to freedom of expression (Article 10 of the ECHR)
- ▶ Strengthening governance of public service media
- ▶ Reinforcing independence and capacity of national regulatory authorities in the age of digital transformation
- ▶ Promoting media literacy
- ▶ Countering disinformation
- ▶ Improving quality of journalism in relation to media coverage of elections and sports, combating hate speech, promoting green journalism and gender equality in media
- ▶ Ensuring the safety of journalists and media actors, including in times of war and conflicts
- ▶ Advising on anti-SLAPPs legislation and defamation legal framework and practice
- ▶ Ensuring access to information in line with the Council of Europe Convention on Access to Official Documents (Tromsø Convention)



**Council of Europe,
Division for Cooperation on Freedom of Expression
Contact: foe.cooperation@coe.int**

PREMS 195224

ENG

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE