

COUNTERING THE USE OF SLAPPS – MODULE 6

MODULE 6

Documentation of SLAPPS on various platforms

(Training material to be shared with trainers only)

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF
SLAPPs – MODULE 6

**PRESENTATION
OUTLINE**

Council of Europe Platform to Promote the Protection of Journalism and the
Safety of Journalists

Mapping Media Freedom

Business and Human Rights Resource Centre - SLAPPs Database

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF
SLAPPS – MODULE 6

**COUNCIL OF EUROPE PLATFORM TO
PROMOTE THE PROTECTION OF
JOURNALISM AND THE SAFETY OF
JOURNALISTS**

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

INFORMATION ABOUT THE PLATFORM

The Platform for the Protection of Journalism and Safety of Journalists facilitates dialogue between governments and journalist organisations to address press freedom violations and ensure journalist safety in Council of Europe member states. Established in 2015, it compiles and disseminates information on media freedom concerns as guaranteed by Article 10 of the European Convention on Human Rights.

Partner organisations, including international NGOs and journalist associations, issue alerts and publish annual reports on media freedom and journalist safety in Europe. The Platform enables the Council of Europe to systematically monitor media freedom issues, respond effectively, and propose appropriate policy measures.

Co-funded
by the European Union



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

HOW DOES THE PLATFORM WORK?

On 4 December 2014, the Council of Europe and the Platform's Partner Organisations signed a Memorandum of Understanding. Today, 15 international NGOs and associations of journalists are partners to the Platform. In conformity with the Memorandum, the Platform allows the contributing partners to post alerts, subject to their own verification processes and standards.

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

REGISTERING ALERTS

When submitting an alert to the Platform, the Partner Organisation ensures that the information provided fulfills the following criteria:

- ▶ is it a serious concern with regard to media freedom?
- ▶ is the alleged threat or violation in one of the 46 Council of Europe member states, or in Belarus or Russia)?
- ▶ is the information reliable and based on facts?
- ▶ is the information already in the public domain? If not, is there a consent of persons who are identified or identifiable to publish this alert ?

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

DOCUMENTATION OF SLAPPS ON THE PLATFORM

Partner organisations register cases of SLAPPs as alerts. These alerts include the facts and circumstances of the case, information about claimants and defendants, the judicial or other procedures involved, the amount of awards sought, details on other requests received, and upcoming hearings (when available). Once an alert is published, the information is officially transmitted to the Member States of the Council of Europe, which are requested to respond with their position on the specific case. The alerts collected throughout the year are used to create a chapter on SLAPPs in the Platform's annual report.

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPs – MODULE 6

Slovenia No. 112/2020

39 Lawsuits against Journalists from Necenzurirano

State replied

Updated 01 Dec 2021 · Created 30 Sep 2020

Partners: INDEX ; RSF ; IPI ; ECPMF

Other acts having chilling effects on media freedom | Source of threat: Non-State | Level 2

Rok Snežič, a friend and tax policy adviser to Prime Minister Janez Janša, has filed 39 lawsuits against three journalists from the online news outlet Necenzurirano.si.

Primož Cirman, Vesna Vuković and Tomaž Modic are facing 13 criminal defamation lawsuits each over a series of articles relating to Snežič's business dealings and connections to a 2017 Bosnian loan to Janša's Slovenian Democratic Party (SDS), worth €450,000. Under Slovenian law, criminal defamation is punishable with a fine or up to a year in prison.

The articles were initially published on Siol.net, and later on Necenzurirano.si. Since March 2020, when Janša's government came to power, Snežič repeatedly mentioned his intention to file the lawsuits in various media linked to SDS, Snežič's family members, and Hungarian companies linked to Viktor Orbán.

Cirman and his colleagues said the lawsuits are an effort to intimidate by draining them of time and money, and by attempting to damage their professional reputations.

The journalists have also been subject to smear campaigns in recent months. In August 2020, Snežič accused them of "cheating the taxpayers" and made sexist remarks about Vesna Vuković, accusing her of being an "intimate friend" of a former president of the Executive Council of the then-Socialist Republic of Slovenia.

In a 25 September statement, the Slovene Association of Journalists cautioned that the initiation of civil and criminal proceedings against journalists "may be abused to intimidate and financially and administratively deplete the media." Prime Minister Janša subsequently retweeted a post from an SDS party member, who had tweeted "Panic!" along with a link to an article that accused the Association of putting "pressure on the court".

In a 26 September tweet, the State Secretary for national security, Žan Mahnič, called for an investigation into Necenzurirano.si.

Co-funded
by the European Union



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPs – MODULE 6

Malta No. 42/2020

Croatian Businessman Requests The Shift to Deposit €300,000 in Damages

No State reply ⓘ

Updated 07 Jun 2022 · Created 16 Apr 2020

Partners: ECPMF ; EFJJ/IFJ

Harassment and intimidation of journalists ⓘ Source of threat: Non-State Level 2 ⓘ

RESOLVED

On 17 March 2020, Kristijan Curavić, the executive director of the NGO Ocean Alliance, demanded that the online news portal The Shift deposits €300,000 into a bank account in compensation for damages he claims to have suffered as a result of articles exposing an alleged scam. The Shift had published a series of articles on a "White Flag" scheme, under which Ocean Alliance issued a "white flag" designation to a number of swimming areas in Malta that it certified as being litter-free. According to a letter sent on behalf of Ocean Alliance by a law firm located in Zagreb, Croatia, 15 articles contain insulting and untrue allegations. The letter provides the bank details into which the money should be deposited within 15 days. It also requests a public apology and correction of "all false allegations". The Shift refuted all claims made in the letter and replied saying documentary evidence was available to support its reports.

RESOLVED

07 June 2022

On 7 June 2022, as no follow-up was given to the letter, the partner organisations to the Platform declared this case to be "resolved", concluding it was no longer an active threat to media freedom.

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPs – MODULE 6

France No. 267/2022

Several Media Sued for Defamation by Avisa Partners

No State reply ⓘ

Updated 25 Oct 2023 · Created 22 Sep 2022

Partners: EFJ/IFJ

Harassment and intimidation of journalists ⓘ Source of threat: Non-State Level 2 ⓘ

RESOLVED



The French group Avisa Partners, specialising in economic intelligence and online influencing strategy, brought defamation proceedings against the media outlets Mediapart, Arrêt sur Images and Reflets. The group also gave formal notice to the media organisations Next Impact, ADN and Les Miroirs du Nord to remove specific references relating to its activities and especially to the disinformation campaigns carried out on behalf of large companies or foreign governments from their journalistic investigations.

On 20 September 2022, the targeted media denounced what they said were strategic lawsuits against public participation (SLAPPs).

Co-funded
by the European Union



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

DOCUMENTATION OF SLAPPS THROUGH PLATFORM'S ANNUAL REPORTS

2024 - Press Freedom in Europe: Time to Turn the Tide

“SLAPPs are a major concern and impediment, especially for journalists investigating corruption, conflicts of interest and financial crimes. Most of the lawsuits are based on alleged defamation or damage to reputation and their impact is aggravated by the fact that in many countries, defamation is still at least nominally a criminal offence.”

2023 - War in Europe and the Fight for the Right to Report

“Abusive legal threats and Strategic Lawsuits Against Public Participation (SLAPPs) have not subsided, contributing to an atmosphere of intimidation and legal bullying.”

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

MAPPING MEDIA FREEDOM

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

INFORMATION ABOUT PLATFORM

Mapping Media Freedom tracks press and media freedom violations across Europe. It offers an interactive Alert Explorer for exploring, filtering, and searching documented incidents. Regular monitoring reports and fact sheets provide detailed analysis and statistics on press freedom conditions. The platform features downloadable data visualizations and Special Topic Pages for specific issues, like SLAPPs, harassment and attacks on journalists.

The monitoring system uses various sources, including networks across countries, direct reports through ReportIt, and AI-based tools to detect violations in news articles and Tweets. Each incident is verified by experts before being published. Managed by the European Centre for Press and Media Freedom (ECPMF) and part of the Media Freedom Rapid Response (MFRR), the platform supports journalists and media workers through legal aid, advocacy, and information.

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

EXAMPLES OF DOCUMENTED SLAPPS ON THE PLATFORM

- ▶ Businessman files SLAPP against Dutch daily Het Financieele Dagblad <https://www.mapmf.org/alert/30670>
- ▶ Times of Malta SLAPPed by co-owner of Satabank <https://www.mapmf.org/alert/23221>
- ▶ Albanian journalist sued for reporting pressure to international networks <https://www.mapmf.org/alert/24994>

Co-funded
by the European Union



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF
SLAPPS – MODULE 6

**BUSINESS AND HUMAN RIGHTS
RESOURCE CENTRE – SLAPPS
DATABASE**

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

INFORMATION ABOUT THE DATABASE

The Business and Human Rights Resource Centre is composed of 12 trustees and over 70 colleagues working on advancing human rights in business. The organisation has information on local contexts through its staff members located across major regions, including Africa, Asia and the Pacific, Europe and Central Asia, North America, Latin America, and the Middle East. They have offices in London, New York, Berlin, and Bogotá.

The Resource Centre has established a database of SLAPP cases from around the world. This dataset includes cases filed from January 1, 2015, to November 2022, covering the period during which the Resource Centre has been tracking attacks against human rights defenders.

Co-funded
by the European Union



COUNCIL OF EUROPE



Co-funded and implemented
by the Council of Europe

COUNTERING THE USE OF SLAPPS – MODULE 6

EXAMPLES OF DOCUMENTED SLAPPS ON THE PLATFORM

- ▶ Bosnian environmental defenders targeted with defamation lawsuits by Green Invest owned company
<https://www.business-humanrights.org/en/latest-news/sun%C4%8Dica-kova%C4%8Devi%C4%87-2/>
- ▶ French Apples and Pears Association sues Greenpeace France over 'Poisoned Apples' article
<https://www.business-humanrights.org/en/latest-news/greenpeace-france-3/>
- ▶ Pilatus Bank sues Malta journalist Daphne Caruana Galizia in Arizona court <https://www.business-humanrights.org/en/latest-news/daphne-caruana-galizia-2/>

Co-funded
by the European Union



Co-funded and implemented
by the Council of Europe

