

# COUNTERING THE USE OF SLAPPS

Division for Cooperation on Freedom of Expression

## MODULE 6

### Documentation of SLAPPS on various platforms

*(Training material to be shared with trainers only)*

#### CONTENTS

COUNCIL OF EUROPE PLATFORM TO PROMOTE THE PROTECTION OF JOURNALISM AND THE SAFETY OF JOURNALISTS	2
MAPPING MEDIA FREEDOM	6
BUSINESS AND HUMAN RIGHTS RESOURCE CENTRE - SLAPPS DATABASE	7
NATIONAL CONTEXT	7

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# COUNTERING THE USE OF SLAPPS

## Module objective

This session will provide information about available platforms that document SLAPP claims in Europe. The aim of this session is to familiarise participants with the Platform to Promote the Protection of Journalism and the Safety of Journalists, as well as the Mapping Media Freedom platform, focusing on their roles in documenting SLAPPS.

## Session techniques and methods

- ▶ Presentation

## Duration

- ▶ 30 – 45 minutes

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

### → Presentation

Allocated time: 10 minutes

#### Guidance for trainers

The trainer will prepare a PowerPoint presentation to provide information about the platforms. In addition to using the presentation, the trainer will navigate the platform's website during the session, allowing participants to see the website firsthand, become acquainted with it, and learn how to find information. When possible, it is recommended to invite a partner organisation of the platform to share their experiences with the participants.

### 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.

### 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. When submitting an alert to the Platform, the Partner Organisation ensures that the information provided fulfils 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)?

## COUNTERING THE USE OF SLAPPS

- ▶ is the information reliable and based on facts?
- ▶ is the information already in the public domain? If not, have persons who are identified or identifiable given their consent to publish this alert?

The member states are expected to act and address the issues and inform the Platform on the actions taken in response to the alerts.

### 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). The alert also indicates what follow-up action is requested from the Member State(s) concerned. Once an alert is published, the information is officially transmitted to the Member State concerned, which is requested to respond with their position on the specific case and on the requested follow-up action. The alerts collected throughout the year are used to create a chapter on SLAPPS on the Platform's annual report.

### Examples of documented SLAPPS on the platform

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.

<https://fom.coe.int/en/alerte/detail/72423132;globalSearch=true>

# COUNTERING THE USE OF SLAPPS

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 ; EFJ/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.

<https://fom.coe.int/en/alerte/detail/62749755;globalSearch=true>

# COUNTERING THE USE OF SLAPPS

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).

<https://fom.coe.int/en/alerte/detail/107638032;globalSearch=true>

# COUNTERING THE USE OF SLAPPS

## 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."

### 2022 - Defending Press Freedom in Times of Tension and Conflict

"Legal action against journalists by three-piece suit lawyers may appear less crude than contract killings, online threats or street violence, but such cases bring serious risks for journalism. SLAPPs (Strategic Lawsuits Against Public Participation) continued to be used as a tool to silence critical media."

### 2021 - Wanted! Real action for media freedom in Europe

"Journalists and media workers continue to be the target of abusive legal proceedings aimed at inhibiting critical reporting, including through strategic lawsuits against public participation (SLAPPs). Lawsuits were brought by powerful individuals or companies that had little legal merit and were designed to intimidate and harass journalists by introducing burdensome legal costs. Criminal defamation and insult laws remain widespread in Europe."

## MAPPING MEDIA FREEDOM

### → Presentation

Allocated time: 10 minutes

### 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 visualisations 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.

Anyone can report media freedom violations through [ReportIt](#). Reports can be submitted anonymously or with contact details for follow-up. Providing detailed information and supporting materials, like news articles or footage, helps with verification. Submitted alerts are reviewed by experts before publication.

### 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>

# COUNTERING THE USE OF SLAPPS

## BUSINESS AND HUMAN RIGHTS RESOURCE CENTRE - SLAPPS DATABASE

### → Presentation

Allocated time: 10 minutes

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.

### 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/>

## NATIONAL CONTEXT

This part will include information on national databases to document SLAPPS when the handbook will be adapted to national contexts.

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## 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

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

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## INFORMATION ABOUT THE PLATFORM

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## REGISTERING ALERTS

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

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- ▶ is the information reliable and based on facts?
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## DOCUMENTATION OF SLAPPS ON THE PLATFORM

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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.

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## COUNTERING THE USE OF SLAPPS – MODULE 6

France No. 267/2022

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## 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.”

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# MAPPING MEDIA FREEDOM

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## INFORMATION ABOUT PLATFORM

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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.

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## 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>

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# BUSINESS AND HUMAN RIGHTS RESOURCE CENTRE – SLAPPS DATABASE

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## INFORMATION ABOUT THE DATABASE

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## 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/>

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