

EU rules needed against abusive lawsuits targeting critical voices

- Strategic Lawsuits Against Public Participation (SLAPPs) undermine EU values and the EU justice system
- Proposals for early dismissals of SLAPPs, sanctions for claimants, and support for victims
- Concerns about SLAPPs being funded from state budgets



Daphne Caruana Galizia was facing 47 lawsuits, which were inherited by her family after her murder ©AFP© STRINGER / AFP

Parliament is calling for new EU rules to curtail vexatious legal actions intended to intimidate and silence critical voices.

In a report adopted with 444 votes in favour, 48 against and 75 abstentions, MEPs propose a series of measures to counteract the threat that Strategic Lawsuits Against Public Participation (SLAPPs) pose to journalists, NGOs and civil society in Europe. SLAPPs are frivolous legal actions based on exaggerated and often abusive claims, aiming to intimidate and professionally discredit their targets, with the ultimate objective of blackmailing and silencing them.

MEPs worry about the effect of these lawsuits on EU values, the internal market and the EU justice system. The text highlights the frequent imbalance of power and resources between claimants and defendants, which undermines the right to a fair trial. MEPs are particularly concerned about SLAPPs being funded from state budgets, and their use in combination with other state measures against independent media outlets, journalism and civil society.

Measures to protect victims and sanction abusers

Parliament regrets that no member state has so far passed targeted legislation against SLAPPs. Therefore, it calls on the Commission to present a package of measures, including legislation. According to MEPs, these should include:

- an EU directive against SLAPPs establishing minimum standards, which should **protect victims while preventing and sanctioning the misuse of anti-SLAPP measures**;
- an **ambitious legal framework** in the upcoming Media Freedom Act;
- the **prevention of ‘libel tourism’ or ‘forum shopping’** – where claimants choose to file their actions in the most favourable jurisdiction – through uniform and predictable defamation rules, and by establishing that cases should be decided by the courts in the defendant’s habitual place of residence;
- **rules on early dismissal** by the courts so that abusive lawsuits can be stopped quickly based on objective criteria; **the claimant should face sanctions** if they fail to justify in what way their action is not abusive ;
- **safeguards against combined SLAPPs**, i.e. those combining criminal and civil liability charges, and measures to ensure that defamation cannot be used for SLAPPs; and
- **an EU fund to support victims of SLAPPs and their families**, as well as adequate **training of judges and lawyers**.

Quotes

Co-rapporteur [Timo Wölken \(S&D, DE\)](#) said: “We cannot stand by and watch as the rule of law is increasingly threatened, and the freedoms of expression, information and association are undermined. It is our duty to protect journalists, NGOs and civil society organisations reporting on matters of public interest. Our courts should never be a playground for rich and powerful individuals, companies or politicians, nor should they be overloaded or abused for personal gain.”

Co-rapporteur [Roberta Metsola \(EPP, MT\)](#) said: “This report should serve as a blueprint to protect journalists, to shield those seeking the truth, to safeguard freedom of expression and

uphold our right to know. This cross-party, cross-committee report marks a watershed moment for journalism in the fight against abusive lawsuits. There is no place for abuse of our justice systems - that is the message we sent with our strong vote today.”

Next steps

On 4 October, the European Commission [launched](#) a public consultation to feed into an upcoming initiative to tackle abusive lawsuits filed against journalists and rights defenders. The Commission is expected to [present](#) a European Media Freedom Act in 2022, aimed to safeguard the independence and pluralism of media.

Further information

[Adopted text \(11.11.2021\)](#)

[Plenary debate \(10.11.2021\)](#)

[Press conference with rapporteurs Roberta Metsola \(EPP, MT\) and Tiemo Wölken \(S&D, DE\) \(11.11.2021\)](#)

[Press release on committee vote \(14.10.2021\)](#)

[Press Release - SLAPPs: MEPs discuss how to curb chilling effect of lawsuits against journalists and NGOs \(02.06.2021\)](#)

[Press Release - Media freedom: EP warns of attempts to silence critics and undermine pluralism \(25.11.2020\)](#)

[Procedure file](#)

[Legislative train](#)

[EP Study: The Use of SLAPPs to Silence Journalists, NGOs and Civil Society](#)


[EP Study: Safety of journalists and the fight against corruption in the EU](#)


[EP Multimedia Centre: free photos, video and audio material \(press freedom in the EU\)](#)

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