
EU Parliament: new anti-SLAPP rules to protect media and activists from intimidation

(Strasbourg) The European Parliament has given the green light to new rules protecting journalists and activists “from abusive lawsuits aimed at silencing them”. With 546 votes in favour, 47 against and 31 abstentions, MEPs in Strasbourg have today approved a new directive, agreed with the Council on 30 November 2023, to “ensure individuals and organisations working on matters of public interest such as fundamental rights, allegations of corruption, protection of democracy or the fight against disinformation are given EU protection” against “strategic lawsuits against public participation (SLAPPs)”. The protection will apply to all cross-border cases except when both the defendant and claimant are from the same EU country as the court or when the case is only relevant to one member state”. During negotiations with EU governments, MEPs obtained better protection for the victims by introducing two safeguards, namely early dismissal if the case is unfounded; and the possibility to ask the claimant to pay the estimated costs of proceedings, including legal representation of the defendant, and damages. Rapporteur Tiemo Wölken (Germany) said: “SLAPP lawsuits are a threat to the rule of law and seriously undermine the fundamental rights to freedom of expression, information and association. They are a form of legal harassment and an abuse of the justice system, increasingly used by powerful individuals and organisations to avoid public scrutiny. This directive will help fight SLAPPs”.

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