

23 April 2021

Civil society coalition concerned about abusive legal action by former bishop against journalists and outlets in Romania

The undersigned civil society organisations are concerned about the [legal action](#) taken by a former bishop of the Romanian Orthodox Church against The Centre for Investigative Media (CIM), Delao.ro and three journalists, in relation to their reporting on alleged sexual abuse. We consider the proceedings have many of the characteristics of a Strategic Lawsuit Against Public Participation (SLAPP) and hope the courts will deal with them swiftly with due respect for European human rights law and standards.

On 2 March 2021, the former bishop filed a tort liability claim and two requests for interim injunctions against media outlets CIM and Delao.ro, and journalists Ovidiu Vanghele (of CIM) and Vlad Stoicescu and Diana Oncioiu (of Delao.ro) over a series of articles published on safelumina.ro, a joint project between the outlets. In the articles, the journalists wrote that a number of pupils at an Orthodox Christian high school were sexually abused, involving the then-bishop. The reporting led to a re-opening of criminal investigations against the former bishop. He is currently on trial for the rape of one of his students, who filed a criminal complaint against him. The tort claim, on the basis of Article 1349 of the Romanian Civil Code, is targeting the three journalists. Its object has yet to be communicated to the defendants. The requests for interim injunctions were filed against CIM and one private unrelated company owned by one of the journalists. The former bishop asked for the removal of 13 news stories from all platforms where they were published.

We consider this legal action has many of the hallmarks of a Strategic Lawsuit Against Public Participation (SLAPP). SLAPPs are abusive lawsuits filed by powerful individuals and companies as a means of silencing critical expression. They can take many forms and typically involve long and costly legal procedures or the threat thereof to intimidate and harass journalists, activists and watchdogs into silence.

This legal action by the former bishop is part of a [worrying trend across Europe](#), in which the powerful, wealthy and thin-skinned use SLAPPs to bully and intimidate public watchdogs to avoid scrutiny and escape accountability. A broad coalition of civil society organisations is calling for new law and standards at the European level to address the problem and enhance protection for critical speech. The [European Union](#), based on its competences in the area of civil procedure, should introduce an Anti-SLAPP Directive with minimum rules to guarantee strong and uniform protection of individuals and organisations. In addition, there is a need for the [Council of Europe](#) to adopt a Recommendation, which would cover a broader geographical area and can provide detailed guidance to states as to what human rights standards require from any domestic or regional anti-SLAPP law.

We will continue to closely monitor the proceedings against CIM, Delao.ro, Vanghele, Oncioiu and Stoicescu.

Signed:

ActiveWatch

ARTICLE 19

Blueprint for Free Speech

Center for Independent Journalism

Civil Liberties Union for Europe (Liberties)

European Centre for Press and Media Freedom (ECPMF)

European Federation of Journalists (EFJ)

Free Press Unlimited (FPU)

Greenpeace European Unit

Index on Censorship

IFEX

International Press Institute (IPI)

OBC Transeuropa

Organized Crime and Corruption Reporting Project (OCCRP)

South East European Network for Professionalization of Media (SEENPM)

The Daphne Caruana Galizia Foundation

This statement has been coordinated by the Media Freedom Rapid Response (MFRR), which tracks, monitors and responds to violations of press and media freedom in EU Member States and Candidate Countries. This project provides legal and practical support, public advocacy and information to protect journalists and media workers. The MFRR is organised by a consortium led by the European Centre for Press and Media Freedom (ECPMF) including ARTICLE 19, the European Federation of Journalists (EFJ), Free Press Unlimited (FPU), the Institute for Applied Informatics at the University of Leipzig (InfAI), International Press Institute (IPI) and CCI/Osservatorio Balcani e Caucaso Transeuropa (OBCT). The project is co-funded by the European Commission.

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