



# EUROPEAN SLAPP CONTEST 2021

If there are two things that Europe does well, it's cheesy pop music... and [SLAPPS](#).

Yes, these days it seems the only thing the rich and powerful in Europe enjoy more than a flamboyant song-and-dance routine is an abusive lawsuit targeting critical speech. Whether you're a multinational corporation, an unscrupulous politician, or simply a celebrity with a few too many skeletons in their closet, SLAPPS are as popular right now as an [ABBA-themed](#) Greek island wedding.

So if we're to have a European *song* contest, isn't it high time we had a European *SLAPP* contest?

Certainly, 2020 was a busy year in the diaries of SLAPP litigants across the continent. While the rest of us were completing jigsaw puzzles and learning how to make sourdough, these thin-skinned bullies were busy devising ways to intimidate and harass their critics into silence. Throughout the year environmental activists, investigative reporters, political opponents and local campaigners all found themselves on the receiving end of these aggressive legal tactics.

All in all then: a perfect year to launch our inaugural European SLAPP Contest.

Next month, a carefully selected jury of experts and free speech champions will meet to discuss and vote on five different awards. The winners of the awards will be livestreamed at an event on May 12th 2021. These will be promoted via the CASE member groups, with an opportunity for the public at large to participate in a people's vote.

Until then, without further ado, we present... your 2021 nominees!

## **SUMMARIES OF AWARDS**

### **AWARD 1: CORPORATE BULLY OF THE YEAR**

*Awarded to the corporation that has most aggressively pursued SLAPPs and legal intimidation tactics against its critics.*

- 1. Coren (Spain):** it may be one of the largest [meat and dairy companies](#) in the world, but Coren is as easily rattled in the face of criticism as one of its chickens. Last year Coren used its economic might to file a [defamation lawsuit](#) demanding seven-figure damages against an ecological farmer and activist in Spain. The SLAPP came after Manuel Garcia, the defendant, [appeared on Spanish television](#) to criticise Coren's irrigation practices - criticism based on [scientific evidence](#) of the impact of waste from industrial livestock on levels of water pollution. The lawsuit was filed in the context of a [broader campaign of intimidation](#) by the livestock lobby in Spain: in the last two years five activists and at least two scientists have received threatening letters from groups with strong ties to Coren.
- 2. Eni (Italy):** Eni is one of the largest oil and gas companies in [the](#) world - and also one of the most litigious (in a [competitive field](#)). Eni has frequently filed SLAPPs and issued legal threats against critics, with 2020 being a particularly busy year for its lawyers: in response to adverse [witness statements](#) and [news stories](#) regarding a court case in Milan, Eni resorted to defamation lawsuits against [whistleblowers](#), [news outlets](#) and [journalists](#). Eni's most recent lawsuit, filed in December 2020, targets 29 articles published by the newspaper [Il Fatto Quotidiano](#) - and demands that all are removed from the paper's website.
- 3. RWE (Germany):** RWE is a German fossil fuel giant which has made a habit of using legal intimidation to silence and discourage climate activists. RWE has filed [civil lawsuits](#) against individual climate activists - including one lawsuit demanding €2 million, and another demanding 50,000 Euros from an activist simply for calling for civil disobedience on Twitter - and issued a number of [legal threats](#) since 2017. The fossil fuel giant has used its [seven-figure compensation claims](#) to intimidate and discourage further activism, [wrongly suggesting](#) the activists had already been found liable.

### **AWARD 2: SLAPP POLITICIAN OF THE YEAR**

*Awarded to the politician who has proven most reliant on SLAPPs and legal intimidation to respond to opposition, dissent, and efforts at accountability.*

- 1. Arnold Schuler (Italy):** Arnold Schuler is the Minister of Agriculture and former Vice-President of the Autonomous Province of Bozen/Bolzano in Italy, a province which produces [10% of the EU's apples](#). High levels of pesticide use in apple farming has been a [major concern](#) of environmentalists in the region and Mr. Schuler has shown little tolerance of these dissenting voices. To [target a campaigner and an author](#) - as well as their board members and publisher respectively - he has used a SLAPP lawsuit with potential damages amounting to millions of Euros. In the face of a public backlash to the lawsuit, Schuler [announced he would withdraw his complaint](#) - though then made this withdrawal conditional on the defendants refraining from publishing [data on pesticide use](#). The defendants rejected this effort to block publication and the case continues.

2. **Matteo Salvini (Italy):** No European SLAPP Contest would be complete without the mention of Italian far-right politician and former Interior Minister, Matteo Salvini. His political career has been littered with dozens of defamation lawsuits targeting [journalists](#), [political opponents](#), and [anyone](#) who criticises him or his party, the League. Not surprisingly, Salvini has [almost always lost](#) these lawsuits but he continues to sue critics. He makes this year's awards by virtue of a number of ongoing lawsuits, including one filed against the politician [Cecile Kyenge](#) for arguing that the League is a racist party, and an [80-year old priest](#) for saying "either you are a Christian, or you are with Salvini".
3. **Jarosław Kaczyński (Poland):** Jarosław Kaczyński is leader of Poland's ruling Law and Justice Party (PiS) and the country's current Deputy Prime Minister. The growing number of SLAPPs in Poland reflects a broader deterioration of media freedom in the country and PiS is taking the lead: [Kaczyński, PiS and other state bodies](#) in Poland brought over 50 lawsuits against Gazeta Wyborcza, a local newspaper, and its [journalists](#). Separately, Kaczyński [sued](#) law professor Wojciech Sadurski for defamation in response to the professor's criticism of PiS.

### **AWARD 3: LITIGATION ADDICT**

*Awarded to the individual or organisation that has the most unhealthy relationship with abusive lawsuits - and who is most in need of a spell in anti-SLAPP rehab.*

1. **The Bollere Group (France):** The French conglomerate Bollere Group, controlled by billionaire Vincent Bollere, is one of the [largest companies in the world](#). In recent years Bollere and associated companies have responded to growing controversies about its operations with SLAPPs, filing around 30 lawsuits since 2009 against journalists, NGOs, and broadcasting companies - and losing almost all of them. The most recent of these SLAPPs, filed at the end of 2019 by the palm oil company Socfin, targeted [FIAN International and three other NGOs](#) for a report and a series of press releases about the companies operations in Sierra Leone.
2. **HRT (Croatia):** HRT is a state-owned radio & TV company in Croatia that has filed a wave of lawsuits against journalists - many of them its own - and other news outlets in the country. It has filed [no less than 36 lawsuits](#) in a media climate that is proving increasingly hostile to the press: one report has estimated that there are [at least 905 lawsuits](#) against journalists and news outlets in the country, totaling to a damages claim of 9 Million Euros.
3. **Rok Snežič (Slovenia):** Rok Snežič [runs a tax "optimisation" company](#) and is said to be an unofficial financial advisor to Slovenian Prime Minister Janez Janša. He has also developed an expertise in SLAPP suits – filing a staggering [39 defamation lawsuits](#) in 2020 against three investigative journalists in relation to their reporting on a corruption scandal. The lawsuits were accompanied by a [sexist smear campaign](#) against the defendants.

### **AWARD 4: BULLY LAWYERS OF THE YEAR**

*Awarded to the lawyer or legal organisation that has facilitated the most abusive and aggressive legal strategies on behalf of their clients.*

1. **Carter-Ruck (UK):** Carter-Ruck is a UK-based law firm whose expertise in so-called ["reputation management"](#) has for years attracted the most notorious SLAPP litigants to its offices - helping to turn London into the ["Town Called Sue"](#). Over the last two years the law firm has further built up its notoriety for facilitating SLAPPs: by threatening three journalists on behalf of the Maltese government after they sent questions in relation to a book on the

murder of [Daphne Caruana Galizia](#); by threatening [Global Witness](#) after they sent mining magnate Dan Gertler allegations for him to comment on; by threatening the Guardian, Daily Telegraph, and the Financial Times on behalf of the [Hungarian Government](#); and by suing freelance journalist [Clare Rewcastle Brown](#) after she exposed one of the world's largest financial scandals, 1MDB.

- 2. Ordo Iuris (Poland):** Ordo Iuris [describes itself](#) as a legal organisation that aims to “promote a legal culture based on respect for human dignity and rights”. In reality, it is an [ultra-conservative institute](#) whose work often seems to make a mockery of this sentiment: it has been a [driving force](#) behind the country's criminalisation of abortion, with the [coordinator of its bioethics centre](#) saying that women planning to have abortion should be forcibly placed in mental health units, and has propagated a “[Municipal Charter of Family Rights](#)” in response to what it calls the “propaganda campaign” of the “political LGBT movement”. With reference to this and other more explicitly anti-LGBT+ resolutions, a group of activists created an “[Atlas of Hate](#)” map - depicting municipalities covering one-third of the country. Ordo Iuris announced it would offer legal support to any municipality wanting to defend its reputation: since then, it has filed [five lawsuits](#) on behalf of different municipalities, demanding “social compensation” as well as an apology during conferences at the European Parliament. This was hardly an isolated case of legal bullying: last year it sued an MP and a film director for accusing the institute of promoting “[fascist laws](#)” and last month, Ordo Iuris announced its lawyers would pursue [defamation cases](#) against an MEP and an MP for condemning the Polish clampdown on LGBT+ rights.
- 3. Pierre Versini-Campinchi (France):** Pierre Versini-Campinchi is the legal representative of VINCI Construction, a company that has faced tough criticism for its [alleged forced labour practices](#) in Qatar. Versini-Campinchi is leading VINCI Construction's legal campaign against those speaking out about the company's alleged human rights abuses, most notably suing the [NGO Sherpa and individual employees](#) (a case that continues today). But Versini-Campinchi's reputation for legal bullying extends beyond VINCI: in 2021 alone cases pursued by the lawyer against the newspaper [Mediapart](#) and the radio station [France Inter](#), along with individual journalists at the station, were both dismissed - with the court recognising in every case that the lawsuits targeted good faith reporting in the public interest.

#### **AWARD 5: INTERNATIONAL BULLY OF THE YEAR**

*Awarded to the most shameless efforts by an international plaintiff to use European courts to silence criticism and dissent.*

- 1. Isabel dos Santos (Portugal):** Isabel dos Santos is the daughter of Angola's former president, Jose Eduardo Dos Santos, and until last year was said to be the [richest woman](#) in Africa. In early 2020, the ICIJ published the so-called [Luanda Leaks](#), a trove of 715,000 emails, charts, contracts, audits, and accounts that help explain how Dos Santos built a business empire worth an estimated \$2bn. These leaks led to a series of criminal investigations against Dos Santos and associated companies in [Portugal](#), [Angola](#), and the [Netherlands](#). Only a couple of months before the leaks, however, Dos Santos sued [former Portuguese MEP Ana Gomes](#) for accusing her of money laundering - claiming that her “reputation and good name” has been damaged.
- 2. Tony Robbins (Ireland):** Tony Robbins is a self-help guru whose empire is shaking over [allegations of sexual harassment](#) and abuse by at least ten women, as reported by BuzzFeed.

While [Buzzfeed stood by its reporting](#) - stating that it was backed by substantial evidence - Tony Robbins responded with a [defamation lawsuit](#) against the media company. While Robbins is American and BuzzFeed is an American company, however, Robbins chose to sue in Ireland - on the tenuous grounds that Twitter's European headquarters is in Dublin. Why? Because, as the [TechDirt blog](#) has commented, the lawsuit would be "laughed out of court in the US".

- 3. Korindo (Germany):** Korindo - a palm oil, logging and wind tower conglomerate based in Indonesia - has attracted international criticism for engaging in [large-scale deforestation](#) and disregarding the [rights of Indigenous peoples](#) in Papua, Indonesia. Korindo has responded to this criticism with legal intimidation and a SLAPP case in a German court. Having first threatened the Forest Stewardship Council (FSC) - a leading certification body - with a cease and desist letter, the organisation agreed to [heavily redact](#) three separate reports into Korindo's practices that found "clear and convincing evidence" that the company had violated indigenous rights and cleared rainforests with High Conservation Values. The company also sent legal threats to a range of [NGOs and broadcasters](#). In 2020, a Korindo affiliated company initiated a SLAPP against Germany's [Rainforest Rescue](#) (Rettet den Regenwald) and the Washington, D.C.-based [Center for International Policy](#) (CIP). So how does a Korean-Indonesian conglomerate sue NGOs in Hamburg? By using an affiliated [wind tower manufacturer](#), PT Kenertec Power Systems, despite [no accusations](#) being leveled against it (indeed, even its status as a legitimate plaintiff is being [challenged in court](#)).

*[Full profiles of the nominees start on the next page]*

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## AWARD 1: CORPORATE BULLY OF THE YEAR

### 1. Coren Agroindustrial AS



Name: Coren Agroindustrial AS

Status: Second-degree cooperative

Founded: 1998

Sector: meat products

Location: Spain

2017 Gross Revenue: [1300 million euros](#)

Other details: [one of the 35 largest meat companies in the world](#)

#### SLAPP Checklist

✓ Sued target for criticising irrigation practices – despite the harmful impact of such practices being corroborated in scientific reports

✓ Part of broader campaign of legal intimidation by livestock lobby against activists and scientists researching its environmental conditions

✓ Extortionate seven-figure damages demanded from a single environmental activist

Coren is a meat production giant from Spain that [has been criticised](#) for allegedly engaging in environmentally destructive practices. [Scientific reports have proven](#) that food production is linked to the pollution of ground and surface waters in Northwestern Spain. Rather than aligning its irrigation practices with [European legislation](#) and standards, however, Coren has chosen to go after individual activists who voice these concerns.

#### Known Instances of SLAPPs/Legal Intimidation

##### **Coren v. Manuel Garcia**

**Defendant:** Manuel Garcia (ecological farmer)

**Case summary:** Manuel Garcia is an ecological farmer and member of local environmental NGO called Movemento Ecoloxista da Limia, from the Spanish region of Galicia.

In 2019, Mr. Garcia [appeared on a well-known Spanish television programme](#) alleging the practice of irrigation with untreated slurry, which carries antibiotics and many other chemicals that pollute both groundwater and surface water, such as that of the As Conchas reservoir. During the interview, he showed a recording from his mobile phone to illustrate this kind of practices, alleging that the recordings showed the moment when a water cannon from a Coren farm was irrigating a meadow on a communal hill.

The harmful effects of such irrigation practices in the region have been corroborated by [official data and various scientific reports](#).

Five months after his comments on the TV show, in February 2020, [Coren Group filed a civil defamation lawsuit](#) against Mr. Garcia for criticising the company's waste management practices on Spanish television. Mr. Garcia faced a demand of 1 Million Euros in damages.

**Current status:** In spite of the excessive damages claimed by Coren Group, Mr. Garcia reiterated his complaints in court about the lack of treatment of slurry and manure on the farms and the liability of Coren Group from such practices.

Greenpeace Spain published a report called "[Coren against Manuel](#)" on the issue and subsequently had a meeting with the executive board of Coren. The executive board committed, among other issues, not to continue any legal proceedings against Manuel at present or in the future, opening a dialogue to channel the demands of Manuel and Movemento Ecoloxista da Limia. This was confirmed by letter in February 2020.

**Additional relevant information:** The lawsuit has been filed in the context of a [broader campaign of intimidation](#) by the livestock lobby in Spain: in the last two years five activists and at least two scientists have received threatening letters from groups with strong ties to Coren.



## 2. Eni S.p.A.



Name of Corporation: Eni S.p.A.

Founded: 1953

Sector: Oil and gas

Location: Rome, Italy

Gross Revenue: EUR 69.881 Billion (2019)

Profit/Loss: EUR 148 Million (2019)

### SLAPP Checklist

✓ Frequently resorts to lawsuits and legal threats in response to damaging news stories

✓ Claims enormous damages, including a 5 million EUR claim against an individual journalist

Eni is one of the largest oil and gas companies in the world, with a history of filing lawsuits and issuing legal threats against its critics. The fossil fuel giant has, in particular, used lawsuits and threats to try to intimidate those providing information in a 1 billion Euro bribery case in Nigeria.

### Known Instances of SLAPPs/Legal Intimidation

#### **Eni v. il Fatto Quotidiano**

**Defendant:** il Fatto Quotidiano (Italian newspaper)

**Case summary:** In December 2020, the Italian fossil fuel giant Eni initiated a lawsuit against an Italian newspaper, il Fatto Quotidiano, on defamation grounds. In the defamation lawsuit against il Fatto Quotidiano, [the company claims](#) EUR 350.000 in damages in response to 29 articles - as well as enquiries, political reports, speeches, comments and even court records and calendars - about the company.

Eni demands that the newspaper removes all articles about the company from its website. All this, the company claims, constitutes a [“denigrating and defamatory campaign”](#) of [“political propaganda”](#) about a corruption trial in Milan (since concluded in Eni’s favour).

The lawsuit has not moved to court yet, which might happen in the next months given that the newspaper's [editor-in-chief has already stated publicly](#) and to its readers that they won’t back down on the case.

#### **Claudio Descalzi v. Piero Amara**

**Defendant:** Piero Amara (former legal advisor to Eni)

**Case summary:** In 2019, [Eni's CEO Claudio Descalzi sued a former legal advisor](#) Piero Amara for defamation after excerpts of the lawyer's written testimony relating to its Nigerian corruption case were published in several newspapers.

Amara had stated that [he was instructed by Eni's top management](#) to convince Vincenzo Armanna to retract his witness statements, in an effort to tamper a key witness in the OPL245 trial in Milan Court.

### **Eni v. Claudio Gatti**

**Defendant:** Claudio Gatti (journalist)

**Case summary:** Also in 2019, Eni sued the Italian journalist Claudio Gatti for defamation in response to the book "Enigate" on the OPL245 corruption case. Eni [claims damages for at least 5 million euro](#) and the book to be withdrawn from the market.

### **Eni v. Vincenzo Armanna**

**Defendant:** Vincenzo Armanna (former Eni manager)

**Case summary:** Eni sued another witness, [Vincenzo Armanna](#), former Eni manager and OPL245 project leader in Nigeria, for defamation after he testified in court that a senior official from the company had [bribed him to withdraw his allegations of graft](#).

**Current status:** While the lawsuits above are pending, [a Milan court acquitted Eni and Claudio Descalzi \(Eni's CEO\)](#) in the Nigerian corruption case, known as the OPL245 case. The prosecutor has the right to [appeal the verdict](#).

### 3. RWE AG



Name of corporation: RWE AG

Founded: 1898

Parent company: N/A

Sector: energy

Location: Essen, Germany

Gross revenue: €13.125 billion (2019)

Net income: €1.210 billion (2019)

#### SLAPP Checklist

✓ Targets individual climate activists as a means of deterring others.

✓ Claims excessive seven-figure damages against activists involved in acts of civil disobedience

✓ Targeted a [journalist](#) covering the direct action as well as participating activists

✓ issued cease and desist letter against a climate activist merely for speaking out in support of civil disobedience

RWE AG has filed multiple lawsuits against individual climate activists in Germany and issued at least four cease and desist letters since 2017. The fossil fuel giant has used extreme compensation claims to intimidate and discourage further activism.

#### Known Instances of SLAPPs/Legal Intimidation

##### **RWE AG v. Daniel Hofinger**

**Defendant:** Daniel Hofinger (climate activist)

**Case summary:** RWE issued a number of cease and desist letters against climate activist Daniel Hofinger (24). In the first three letters, the company demanded Mr. Hofinger not to enter the company premises. Mr. Hofinger complied with this demand since "[he didn't have the strength to face a billion-dollar company in court.](#)"

Despite complying with the order, RWE later [issued a fourth letter](#) demanding € 50.000 as a "contractual penalty" for criticising RWE on Twitter and calling for mass civil disobedience in one of his public speeches. Mr. Hofinger denied making any payments.

**Current status:** Unknown.

##### **RWE AG v. German Climate Activists**

**Defendant:** 14 climate activists

**Case summary:** [RWE claimed 2 Million Euros in compensation](#) against German climate activists due to the protest that took place in one of RWE's coal mining plants in Germany. Along with the civil damages case, 14 activists were criminally charged for "trespassing" and "disrupting the electricity

supply". [The criminal charges were dropped](#) in trial and the accused received € 250 fine for resisting arrest. [RWE also sued Jannis Grosse](#), a journalist who was photographing the climate activists during their protest.

**Current status:** Unknown.

## AWARD 2: SLAPP POLITICIAN OF THE YEAR

### 1. Arnold Schuler



Position: Minister of Agriculture and former Vice-President of the Autonomous Province of Bozen/Bolzano

Location: Italy

#### SLAPP Checklist

- ✓ Filed a complaint for “defamation of South Tyrolean agriculture” along with 1300+ farmers
- ✓ Targeted both individual campaigners and authors - and tried to pursue their board members and publishers
- ✓ Used the threat of not withdrawing the complaints / continuing with litigation to try to block publication of pesticide data
- ✓ If the defendants lose the criminal lawsuit, they may face claims of damages amounting to millions of Euros

Arnold Schuler is the Provincial Minister of Agriculture of the Autonomous Province of Bozen/Bolzano. In 2017 he filed a [criminal lawsuit for the defamation of the South Tyrolean agriculture](#) against the Munich Environmental Institute (MEI), and author Alexander Schiebel, for their work highlighting the use of harmful pesticides in South Tyrol. The use of SLAPPs targeting anti-pesticide activists in the region is not exclusive to Arnold Schuler: in recent years, Bozen/Bolzano Regional Government has used lawsuits to challenge [the legitimacy of the referendum](#) which resulted in a ban of pesticides in Mals, targeting [the organisers of the referendum](#) including the [mayor of Mals](#).

#### Known Instances of Legal Intimidation

##### **Arnold Schuler v. Karl Bär & Alexander Schiebel**

**Defendant:** Karl Bär (agricultural policy advisor at the Munich Environmental Institute) & Alexander Schiebel (Austrian author and filmmaker)

**Case summary:** In 2017 Arnold Schuler, together with over 1300 apple farmers from the region, [filed a criminal complaint against the defendants](#) for [defaming the South Tyrolean agriculture](#), following their criticisms about the high use of pesticides in the Italian region where Mr. Schuler is the Minister of Agriculture of the Autonomous Province of Bozen/Bolzano and was the Vice President of the region at the time of initiating this lawsuit.

The Munich Environmental Institute was targeted because of its campaign called “Pesticide Tyrol” in which [a billboard was placed](#) in Munich to raise public awareness. The case against Alexander Schiebel was brought because of a specific paragraph on the pesticide issue in his book called “Das Wunder von Mals”.

Both defendants have criticised the regional government since “apple plantations in the region are sprayed with pesticides up to 20 times per season, an above-average use in Europe’s largest

continuous apple-growing region.” After two years of investigations the Bolzano public prosecutor’s office decided to press charges against Bär and Schiebel for defamation. The defendants face [imprisonments, judicial fines and up to millions of Euros of potential damages claims](#) if they lose the criminal lawsuit.

**Current status:** The trial started in September 2020 and the next hearing is set for 28 May 2021. Schuler made the withdrawal of the complaints conditional on the defendants not [publishing pesticide data](#), which was not accepted by the defendants.

The lawyers of the plaintiffs were ordered to collect all the powers of attorney from the 1300+ complainants by the end of 2020 but this process was delayed due to various circumstances, including the quite dire covid situation in the Bolzano region.

Arnold Schuler had initially sued Alexander Schiebel’s publisher, Jacob Radloff and UIM board members but the court has [decided to discontinue those proceedings](#).

## 2. Jarosław Kaczyński



Position: Deputy Prime Minister (October 2020 - present)

Country: Poland

### SLAPP Checklist

✓ Lawsuits filed against critics in media and academia

✓ Apparent coordination with other lawsuits filed against same targets

✓ During his term, his party and state-controlled institutions filed around 50 lawsuits against one newspaper

In 2019 Jarosław Kaczyński, leader of the ruling Law and Justice Party (PiS) in Poland, [sued law professor Wojciech Sadurski](#) in response to comments made on Twitter about the PiS. Kaczyński's lawsuit appears to be in coordination with other lawsuits the law professor faces in Poland by PiS and the country's public broadcaster, TVP. Kaczyński separately [filed a criminal libel complaint](#) against two journalists at Gazeta Wyborcza for publishing reports about his alleged involvement in the construction of a 190-metre-tall skyscraper in Warsaw. The lawsuits come in the context of a general deterioration in media freedom and a growth in the use of SLAPPs: in one year alone, [PiS and state-controlled bodies](#) brought over 50 lawsuits against one local newspaper, Gazeta Wyborcza.

### Known Instances of SLAPPs/Legal Intimidation

#### Jarosław Kaczyński v. Wojciech Sadurski

**Defendant:** Wojciech Sadurski (Polish law professor)

**Case summary:** Wojciech Sadurski is facing a series of lawsuits in response to his criticism of the Polish government. [The proceedings against Prof. Sadurski include](#) disciplinary proceedings at the University of Warsaw, civil proceedings of harm to good name, and criminal proceedings of defamation. In the lawsuit filed by the Deputy Prime Minister of Poland, [Mr. Kaczyński accused](#) Prof. Sadurski of "comparing a legally acting political party to an organised criminal group is one of heaviest accusations aimed at discrediting, defaming and attributing characteristics considered generally as dishonourable."

Prof. Sadurski also faces two other criminal and civil lawsuits [filed by TVP](#), state-owned TV in Poland, for his tweet about the murder of Gdansk mayor, Paweł Adamowicz. In the criminal defamation cases, [Prof. Sadurski faces](#) large punitive fines, community service or up to two years of imprisonment.

**Current status:** Proceedings continue.

#### Jarosław Kaczyński v. Wojciech Czuchnowski and Iwona Szpala

**Defendant:** Wojciech Czuchnowski and Iwona Szpala (journalists at Gazeta Wyborcza)

**Case summary:** Since 2015, Gazeta Wyborcza has received over [55 legal threats](#) by Kaczyński, his political party PiS, the state and state-controlled institutions in relation to the articles it has published. The legal grounds for these threats include civil defamation actions and alleged infringement of personal interests.

In February 2019 the two journalists at the newspaper published a report regarding an alleged corruption involving Kaczyński in a deal to build a skyscraper in Warsaw. Following this, Kaczyński [filed a criminal defamation lawsuit](#) against the two journalists.

**Current status:** Proceedings continue.



### 3. Matteo Salvini



Position: Former Deputy Prime Minister of Italy and Former Minister of the Interior (June 2018 - September 2019)

Country: Italy

#### SLAPP Checklist

✓ Filed dozens of defamation lawsuits against journalists and political opponents, almost all of which have been rejected

✓ Targeted Speech includes criticism of Salvini's immigration policies, populism, and the racism of his party

✓ Lawsuits have accompanied other efforts to punish and harass critics

Matteo Salvini is a far-right politician in Italy who served as the country's interior minister from 1 June 2018 to 5 September 2019. He has frequently used SLAPPs as a mechanism to silence the criticism of journalists, political opponents, unionists, and many more. In June 2019, [L'Espresso magazine gave an overview](#) of what it says are "dozens" of defamation cases that Salvini has filed. Salvini's legal intimidation tactics are best summarised by L'Espresso as "*Salvini sues everybody, but he always loses*".

#### Known Instances of SLAPPs/Legal intimidation

##### Salvini v. Roberto Saviano

**Defendant:** Roberto Saviano (journalist)

**Case summary:** Salvini [sued journalist Roberto Saviano](#) over a tweet that described him as "Il ministro della mala vita" ("The minister of the underworld"), referring to the title of a book from 1910 about the contacts between government and organized crime.

He is [seeking 20.000 Euros](#) from Saviano on defamation grounds. These words were written and pronounced by Roberto Saviano after Salvini had threatened to withdraw police protection for the author during his term as the Minister of Interior whose office chairs the committee to give and withdraw police protection in Italy. Saviano is an author known for his bestselling book called "Gomorra" on mafia and [lives under armed guard protection](#) because of his work.

**Current status:** Unknown.

##### Salvini v. Cécile Kyenge

**Defendant:** Cécile Kyenge (former MEP and minister in Italy)

**Case summary:** Cécile Kyenge, an Italian politician and the first ever black minister in Italy, [faces a defamation lawsuit](#) by Salvini for calling his political party, the League, racist. During her time as a minister from 2013 and 2014, Kyenge was regularly [targeted by the members of Salvini's party](#) with racist slurs.

**Current status:** A judgment is [expected by 2021](#) and Kyenge faces a fine if the court rules in favor of Salvini.

### **Salvini v. don Alberto Vigorelli**

**Defendant:** don Alberto Vigorelli (a 80-year-old priest)

**Case summary:** During a mass in November 2016, don Alberto Vigorelli said “Either you are a Christian, or you are with Salvini”. He was commenting on the reading of the Gospel, Matthew 25:31-40, “For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in”.

Salvini [sued the 80-year-old priest for defamation](#). The day before the trial, in February 2020, Salvini [wrote on social media](#): “If this priest, who hates me, will apologize, and give 1000 euro to an NGO that cares for disabled people, I will withdraw my lawsuit”. But the priest [refused](#) saying that there is no reason for an apology.

**Current status:** The trial started in February 2020. Proceedings continue but with a delay due to Covid-19 pandemic.

### **Salvini v. L'Espresso**

**Defendants:** Marco Damilano (editor-in-chief) and 5 journalists of L'Espresso (Leo Sisti, Paolo Biondani, Gloria Riva, Giovanni Tizian and Stefano Vergine)

**Case summary:** In 2018, Salvini as the Minister of the Interior sued the journalists of the weekly magazine L'Espresso for their [articles](#) published between 3rd June and 15 July 2018, in which they reported about the scandal of the 49 million Euro gap, the missing electoral reimbursements from the accounts of the League (Salvini's political party).

**Current status:** In January 2020 a judge for the preliminary investigations [dismissed the lawsuit](#) recognizing that the articles “are the result of journalistic investigations”.

### **Salvini v. Davide Vecchi**

**Defendant:** Davide Vecchi (former journalist of Il fatto quotidiano)

**Case summary:** In 2018 Davide Vecchi [tweeted](#) that he has won the 7th lawsuit initiated against him by Matteo Salvini. The last one he won against Salvini is about [an article he wrote](#) for Il fatto quotidiano newspaper criticizing Salvini's populism in which he stated that Salvini has never worked in his life. This was enough for Salvini to sue Vecchi for defamation.

**Current status:** In January 2016 a judge for preliminary investigations [dismissed](#) the lawsuit, finding that Vecchi had written the truth.

**Salvini v. Luigi De Magistris**

**Defendant:** Luigi De Magistris (Mayor of Naples)

**Case summary:** In 2017, Naples Mayor De Magistris [refused to grant Salvini's party an available space for a rally](#) where Salvini was invited. The mayor had declared that he would not grant any space to Salvini's party because of their clearly racist and anti-South policies. Salvini then, as representative of his party, sued De Magistris for defamation and instigation to commit a crime.

**Current status:** In 2018 the judge for preliminary investigations [dismissed](#) the lawsuit filed by Salvini saying that De Magistris' expressions were dissent and political criticism.

**Salvini v. Emiliano Fittipaldi**

**Defendant:** Emiliano Fittipaldi (a journalist of L'Espresso)

**Case Summary:** During a TV talk show, the journalist Emiliano Fittipaldi criticized Salvini's policy on immigration, saying that the influx of refugees would not be stopped by the Navy shooting anyone approaching. He was [sued by Salvini](#) on defamation grounds.

**Current Status:** after three years of legal proceedings, a judge for preliminary investigations decided to dismiss the lawsuit, upon the prosecutor's request.

## AWARD 3: LITIGATION ADDICT

### 1. Bolloré Group



Name of Corporation: Bolloré Group

Founded: 1822

Type of Corporation/Products: Logistics, cargo, paper, automobiles

Location: France

Revenue: EUR 24 Billion (2019)

Profit/Loss: EUR 1.4 Billion (2019)

#### SLAPP Checklist

- ✓ Sues anyone anyone who talks about the company, its subsidiaries, its activities or its CEO Vincent Bolloré in disparaging terms
- ✓ Together with its subsidiaries has filed more than 20 lawsuits since 2009 despite losing or withdrawing most of them
- ✓ Weaponises laws on “commercial denigration” as well as defamation, thereby circumventing laws on freedom of the press

Bolloré Group, and its subsidiaries, [have frequently resorted to SLAPPs](#) over the last decade. SLAPPs have become part of Bolloré Group’s general strategy of dealing with tough questions and hard facts about its operations - particularly in Africa, with subsidiaries such as [Socfin and Socapalm proving particularly litigious](#). Claiming to be [one of the largest 500 companies](#) in the world, the conglomerate has not hesitated to pour resources into pressuring journalists, whistleblowers and NGOs into silence through costly legal procedures. These lawsuits have been filed repeatedly despite the fact that the cases are almost always rejected in court.

#### Known Instances of SLAPPs/Legal Intimidation

##### **Socfin and Socapalm v. French Media Outlets and NGOs**

**Defendants:** three media outlets (Mediapart, L’Obs, Le Point) and two NGOs (Sherpa and ReAct) based in France

**Case summary:** In 2016, Socfin and its Cameroonian subsidiary Socapalm, filed a [defamation lawsuit](#) against three media outlets and two NGOs over their coverage of the protests by rural residents and farmers who live near Socfin plantations in West Africa.

The French court rejected the case against Sherpa, ReAct and Mediapart in 2018 though Socfin had decided to appeal this decision. It subsequently [withdrew its appeal](#) request in 2019.

**Current status:** defendants won. Socfin appealed but subsequently withdrew its appeal.

##### **Socfin v. Greenpeace France**

**Defendant:** Greenpeace France

**Case summary:** In 2017, [Socfin lodged a criminal defamation complaint](#) against Greenpeace France accusing the NGO of damaging the reputation of Socfin. This SLAPP lawsuit came after Greenpeace France published a report in 2016 on deforestation caused by Socfin in Africa.

**Current status of the proceedings:** Socfin withdrew its complaint.

### **Socfin & Hubert Fabri v. NGOs**

**Defendants:** Four NGOs (affiliated with 11.11.11 and FIAN) and seven of their employees based in Belgium and Luxembourg

**Case summary:** [These lawsuits](#) in Luxembourg based on defamation and violation of privacy relate to reports and press releases by a number of NGOs on the company's operations in Sierra Leone and an awareness-raising campaign during Socfin's general assembly in 2019. In parallel to these proceedings, Socfin also [initiated several defamation lawsuits](#) in Sierra Leone against the NGO Green Scenery and its executive director.

**Current status:** Ongoing.

### **Other SLAPP Lawsuits by Bollore Group**

Bollore Group has filed more than 20 SLAPP lawsuits since 2009 against journalists, NGOs, human rights defenders, lawyers, and many more. The defendants include, among others, France Inter, France Culture, France Info, France 2, Bastamag, Libération, Mediapart, L'Obs, Le Point, Rue 89, Greenpeace, React, and Sherpa.

## 2. HRT (Hrvatska radiotelevizija)



Name of Corporation: Hrvatska radiotelevizija (state owned)

Founded: 1926

Type of Corporation/Products: Radio & Television

Location: Croatia

### SLAPP Checklist

✓ Filed dozens of lawsuits mostly against individual journalists – including its own former employees

✓ Total damages sought in three case alone is more than 100.000 Euros

HRT is a state-owned radio & TV company in Croatia, which has become increasingly hostile towards journalists and news outlets in the country, initiating [36 SLAPP suits](#). The lawsuits initiated by HRT have been filed in the context of a general deterioration of media freedom in Croatia and create a chilling effect on all journalists: According to figures gathered by [the Croatian Journalists' Association](#), as of May 2020, [there were at least 905 active lawsuits](#) against 18 media outlets and journalists, demanding a total of 69 million kuna (€9 million).

### Known Instances of SLAPPs/Legal Intimidation

#### HRT v. Journalists and News Outlets

**Defendants:** Journalists and Croatian news outlets

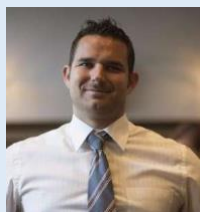
**Case summary:** HRT filed no less than [36 lawsuits against journalists and Croatian news outlets](#). The defendants include Hrvoje Zovko, a former HRT journalist of over 20 years who also serves as the president of Croatian Journalists Association (CJA).

Zovko lost his job at HRT after a debate with HRT's editor-in-chief regarding the coverage of a political event. He subsequently was subjected to [three SLAPP suits personally](#). Zovko returned to work at HRT after a labour court ruling but [he was again dismissed in 2021](#) without any official notice.

[CJA was also sued](#) by HRT while its representative in HRT, [Mikleušević Pavić](#), faced an additional SLAPP suit. In these SLAPP suits, HRT uses civil and criminal defamation as well as criminal offences against its reputation as legal grounds. The total damages sought in these cases are [over 100.000 Euros](#).

**Current status:** While the lawsuits against Hrvoje Zovko are ongoing (one won by Zovko in the first instance but appealed by HRT), HRT [offered an out of court settlement](#) in the lawsuit initiated against CJA. However, the offer of settlement was refused by the association because it implied that the association would admit all legal liability and would apologize. Lawsuits against other journalists and news outlets are ongoing.

### 3. Rok Snežič



Position: Tax expert and unofficial financial advisor to the Slovenian Prime Minister

Country: Slovenia

#### SLAPP Checklist

- ✓ Filed 39 lawsuits against three journalists
- ✓ Lawsuits accompanied by smear campaign against the defendants
- ✓ Efforts to intimidate and harass targets supported by Slovenian Secretary for National Security

Rok Snežič has filed a staggering number of 39 criminal defamation lawsuits against three investigative journalists in relation to their reporting on a corruption scandal. Meanwhile, he has made a number of derogatory comments about the defendants as the cases are still pending.

#### Known Instances of SLAPPs/Legal Intimidation

##### Rok Snežič v. Three Journalists (a total of 39 lawsuits)

**Defendants:** Primož Cirman, Vesna Vuković and Tomaž Modic (Slovenian journalists)

**Case summary:** in 2020, Rok Snežič [filed 39 criminal defamation lawsuits](#) against three journalists from the online news outlet Necenzurirano.si. Each of the defendants are facing 13 lawsuits in response to the articles they have published on Rok Snežič's business activities, mainly revolving around a €450,000 Bosnian loan to the political party in power in Slovenia. Under Slovenian law, criminal defamation is punishable with a fine or up to a year in prison.

**Current status:** All of the 39 cases are still open and waiting for court hearings. Defendants have sent their written responses in each case.

##### **Additional relevant information:**

Apart from the lawsuits, Rok Snežič has led a smear campaign against the defendants. He even made [sexist comments](#) about one of the journalists, Vesna Vuković, and accused the defendants of "cheating the taxpayers". Also, the Slovenian Secretary for National Security, Žan Mahnič, [called for an investigation](#) into Necenzurirano.si on Twitter as part of the ongoing intimidations and attempts to discredit their journalism.

## AWARD 4: BULLY LAWYER/FIRM OF THE YEAR

### 1. Carter-Ruck

The logo for Carter-Ruck, featuring the name "Carter-Ruck" in white text on a dark blue rectangular background.

A law firm founded by Peter Carter-Ruck

Founded: 1982

Location: London, the UK

#### SLAPP Checklist

✓ Has represented dozens of the most notorious SLAPP litigants in cases against journalists, newspapers and others

✓ Threatens journalists in response to efforts to hold the rich and powerful to account

Carter-Ruck is a notoriously aggressive law firm in the UK specializing in libel law that has attracted criticism for the chilling effect its [intimidation tactics](#) have on the press. Over the years the firm has represented [governments](#) and [billionaires](#) in their efforts to silence criticism.

#### Known Instances of SLAPPs/Legal Intimidation

##### **Representing the Hungarian Government against the Guardian and Daily Telegraph**

**Defendant:** The Guardian & Daily Telegraph (in separate proceedings)

**Case summary:** Carter-Ruck [represented the Hungarian government](#) in sending legal letters to put pressure on international newspapers that are critical about policies of Hungary.

**Current status:** No lawsuit has yet been initiated.

##### **Additional relevant information:**

Carter-Ruck has [sent similar letters to Financial Times](#) on behalf of the Hungarian government regarding the newspaper's coverage of human rights violations of refugees in the Serbian transit zone.

##### **Representing the Maltese Government against Journalists**

**Defendants:** Carlo Bonini, John Sweeney, and Manuel Delia (journalists)

**Case summary:** Carlo Bonini, John Sweeney and blogger Manuel Delia published a book on the murder of investigative journalists Daphne Caruana Galizia in 2019. Prior to publishing the book the authors had sent questions to Malta's Prime Minister Joseph Muscat, his wife, Michelle Muscat, and three ministers.

Before the book was on the shelves, Manuel Delia [received a legal intimidation letter](#) from Carter Ruck on behalf of the Maltese Government [stating that](#) allegations in the book are "highly defamatory" and they "reserve all their rights in relation to the publication and repetition of any allegation that is defamatory and untrue".



**Current status:** No lawsuit has yet been initiated.

### **Representing Dan Gertler against Global Witness**

**Defendants:** Global Witness (NGO)

**Case summary:** In July 2020, Global Witness [published an investigation report](#) that Dan Gertler, an Israeli businessman, allegedly used a money laundering network to evade [US sanctions](#) against him in relation to his “*opaque and corrupt mining and oil deals in the Democratic Republic of the Congo (DRC)*”.

Before publishing the report, Global Witness reached out to Dan Gertler to comment on the allegations in the draft report. However, instead of substantive comments, Global Witness [received a series of letters](#) sent by Carter-Ruck, accusing Global Witness and its partner PPLAAF (the Platform for the Protection of Whistleblowers in Africa) of “*using criminal methods and breaching ethical standards*”. Carter-Ruck also [demanded deletion of any bank records](#) two organizations held and [expressly stated](#) the possibility of lodging a criminal complaint.

**Current status:** No lawsuit has yet been initiated.

## 2. Ordo Iuris



Name: Ordo Iuris Institute for Legal Culture

Founded: 2013

Location: Poland

### SLAPP Checklist

✓ Targets activists, politicians, and directors with defamation lawsuits for criticising the LGBT+ record of local municipalities

Ordo Iuris [describes itself](#) as a legal organisation that aims to “promote a legal culture based on respect for human dignity and rights”. In reality, it is an [ultra-conservative institute](#) whose work has been the driving force behind Poland’s attempt to [criminalise abortion](#), and the [anti-LGBT+ movement](#). The organization [represents anti-LGBT+ municipalities](#) in Poland against LGBT+ activists. Moreover, in 2020, Ordo Iuris sued an MP and a film director for accusing the institute of promoting “[fascist laws](#)” and last month, the organisation announced its lawyers would pursue [defamation cases](#) against an MEP and an MP for condemning the Polish clampdown on LGBT+ rights.

### Known Instances of SLAPPs/Legal Intimidation

#### **Representing Local Municipalities Against LGBT+ Activists**

**Defendant:** Three Polish LGBT+ activists

**Case summary:** With its [ultra-conservative](#) agenda, Ordo Iuris has been a driving force behind Poland’s attempt to [criminalise abortion](#), and the [anti-LGBT+ movement](#). In response to Ordo Iuris’ “[Local Government Charter of the Rights of the Family](#)”, a group of activists created an “[Atlas of Hate](#)” map - depicting municipalities that adopted or rejected anti-LGBT+ resolutions, based on the Charter sponsored by Ordo Iuris. [The European Commission](#) and the [European Parliament](#) have condemned the resolutions.

Following the publishing of the Atlas of Hate, Ordo Iuris [announced it would offer legal support](#) to municipalities wanting to defend their reputation. Since then, [it has represented five municipalities](#) against the activists, demanding a public apology for statements at the European Parliament and financial compensation of USD 24,000 to be deposited to “pro-family” organizations.

**Current status:** The proceedings continue.

#### **Ordo Iuris vs. Agnieszka Holland and Anna Maria Żukowska**

**Defendants:** Agnieszka Holland (film director) and Anna Maria Żukowska (Member of Parliament)

**Case summary:** In 2020, last year Ordo Iuris sued Agnieszka Holland [for accusing the organization of promoting fascist laws](#) in a TV interview and Anna Maria Żukowska [for calling the organization an institute of fascist culture](#) in a protest. The institute backed the defamation lawsuits [stating that](#) it “fights against manipulation” and that comments of the defendants harmed its personality rights.

**Current status:** Legal proceedings continue.

### ***Ordo Iuris vs. Sylwia Spurek, Małgorzata Prokop-Paczkowska, and Media Outlets***

**Defendants:** Sylwia Spurek (Member of European Parliament), Małgorzata Prokop-Paczkowska (Member of Parliament), British Daily Mail (newspaper), French Culture (media outlet)

**Case summary:** In March 2021, Ordo Iuris [announced its lawyers would pursue defamation cases](#) against Sylwia Spurek for [condemning the Polish clampdown on the rule of law and LGBT+ rights](#) during debates in the European Parliament and against Małgorzata Prokop-Paczkowska for [her comments](#) comparing the treatment of LGBT+ people with the treatment against Jews in Poland during the Holocaust.

The institute also [declared that it would sue](#) British Daily Mail for mentioning a “Polish death camp” and a media outlet called [French Culture for mentioning](#) “Poland’s alleged responsibility for the crimes of the Third Reich”.

Ordo Iuris [stated](#) that it will initiate these lawsuits in defence of the good name of Poland.

**Current status:** The lawsuits are expected to be filed imminently.

### 3. Pierre Versini-Campinchi



Lawyer

Country: France

#### **SLAPP Checklist**

- ✓ Leads SLAPP strategy of VINCI construction, including three lawsuits against human rights NGO Sherpa and its employees
- ✓ Initiates defamation lawsuits against journalists and media outlets for their investigative journalism about his clients

Pierre Versini-Campinchi is the legal counsel of VINCI Construction, which has been under the spotlight for alleged forced labour practices in Qatar. Pierre Versini-Campinchi is leading the SLAPP strategy of VINCI Construction by attempting to silence human rights defenders and NGOs, most notably Sherpa. He has also pursued journalists and media outlets for their critical coverage about his clients.

#### **Known Instances of SLAPPs/Legal Intimidation**

##### **Representing VINCI Construction Against Sherpa**

**Defendants:** Sherpa and its employees

**Case summary:** In 2015, French NGO Sherpa [filed a complaint](#) for alleged forced labour against VINCI Construction in Qatar. In response to public allegations on the complaint, VINCI Construction [initiated a number of SLAPPs](#) against Sherpa and its employees, including claims based on defamation, and violation of presumption of innocence. These lawsuits are filed by Pierre Versini-Campinchi, VINCI Construction's legal counsel.

**Current status:** So far the lawsuits for violation of presumption of innocence have been unsuccessful. The defamation lawsuit is still pending.

##### **Representing Eliane Houlette Against Edwy Plenel**

**Defendants:** Mediapart (newspaper), France Inter (radio station)

**Case summary:** In June 2020, the French news outlet Mediapart published [an article accusing](#) the former head of the French National Financial Prosecutor's Office, Eliane Houlette, [for violating the secrecy of an investigation](#) by revealing findings of wiretapping. Following this, Pierre Versini-Campinchi initiated a defamation lawsuit against Edwy Plenel, the director of publications at Mediapart.

**Current status:** In March 2021, [a French court acquitted Edwy Plenel](#) on grounds of “good faith and legitimacy of the information published”, while recognising that the publication contained defamatory allegations.

### ***Representing Anne Lauvergeon Against France Inter***

**Defendants:** France Inter (radio station) and one of its journalists

**Case summary:** Anne Lauvergeon was the head of Areva Group, a multinational energy corporation, between 2010-2011. In 2016, France Inter radio [aired an episode](#) on the suspicion of fraud and corruption in Areva Group’s acquisition of the Canadian uranium mining company, Uramin. The case had already been subject to two judicial proceedings in France, [Lauvergeon also being indicted in one](#).

Following the radio show, Pierre Versini-Campinchi initiated a defamation lawsuit on behalf of Anne Lauvergeon against the radio station and one of its journalists

**Current status:** A French court [dismissed the lawsuit](#) stating that though some passages were defamatory, the subject matter fell within the public interest and the defendants provided a sufficient factual basis.

## AWARD 5: INTERNATIONAL SLAPP BULLY OF THE YEAR

### 1. Isabel Dos Santos



Position: Businessperson

Location: Angola

#### SLAPP Checklist

- ✓ Initiated a lawsuit against a political figure for alleging money laundering - later supported by ICIJ investigations
- ✓ Appealed the case even after it was rejected by court - and even after the source of her wealth had been exposed by the ICIJ

Isabel Dos Santos is a businessperson and the daughter of Angola's former president, Jose Eduardo Dos Santos. She alleged that her reputation was harmed by a former Portuguese MEP accusing Dos Santos of money laundering in Portugal, specifically via Portuguese banks in which she was a major shareholder. The former MEP's comments were later supported by the investigative reports of the [International Consortium of Investigative Journalists \(ICIJ\)](#), which led to a [criminal investigation against Dos Santos](#) in Angola and [freezing of bank accounts](#) in Portugal.

#### Known Instances of SLAPPs/Legal Intimidation

##### *Isabel Dos Santos v. Ana Gomes*

**Defendant:** Ana Gomes (former MEP in Portugal)

**Case summary:** In 2019, in relation to an interview by Isabel Dos Santos, Ana Gomes stated that "Isabel dos Santos is very indebted because, in settling the debts, she launders as much as she wants! And the Bank of Portugal turns a blind eye...". Following these statements, Isabel Dos Santos [initiated a lawsuit](#) in Portugal against the former MEP alleging that her reputation and good name has been damaged.

**Current status:** The lawsuit was rejected by the court. Dos Santos [appealed](#) the judgment.

## 2. Korindo



Name of Corporation: Korindo

Founded: 1969

Type of Corporation/Products: palm oil, logging and wind tower manufacturing

Location: Indonesia

### SLAPP Checklist

- ✓ Engages in judicial forum shopping to target critics in Europe
- ✓ Lawsuit targets classic advocacy activities by small NGOs, including sending letters to corporate customers
- ✓ Demands retraction of statements as well as hefty penalties - including imprisonment

Korindo has attracted increasing levels of criticism in recent years for its [deforestation activities](#) around the globe. In response to efforts by environmental groups to hold the company to account for its environmental and indigenous rights record it has turned to lawsuits to intimidate and harass its critics in court.

### Known Instances of SLAPPs/Legal Intimidation

#### *Korindo v. Environmental NGOs*

**Defendants:** Germany-based Rettet den Regenwald (Rainforest Rescue) and US-based Center for International Policy

**Case summary:** The company Kenertec, which claims to be part of a “Korindo Group”, filed a [defamation lawsuit](#) against environmental NGOs in December 2020. The lawsuit came after NGOs sent letters to Korindo’s major customers Siemens AG and Nordex SE in October 2016, to make them aware of [Korindo’s alleged large scale rainforest destruction in Indonesia](#).

The lawsuit challenges some of the assertions in those letters and is demanding a retraction of statements as well as seeking judicial penalties – [a fine of up to 250,000 € or imprisonment up to 2.5 years](#).

Korindo has engaged in large-scale deforestation and violations of the rights of Indigenous people in Papua and North Maluku, Indonesia, as exposed in the 2016 “[Burning Paradise](#)” report and numerous other reports, publications and documentaries, including a recent [BBC exposé](#).

The choice of Germany as the location to pursue the lawsuit and Kenertec, rather than Korindo, being the plaintiff reflects how the company is pursuing “jurisdiction shopping”. Kenertec [has not been accused by the NGOs](#) for the environmental destruction and the company [will have to prove in court](#) that it is actually a subsidiary of Korindo Group.

**Current status:** The first hearing of the lawsuit was held in January 2021. Proceedings continue.

### **Korindo v. Forest Stewardship Council**

**Defendant:** Forest Stewardship Council

**Case summary:** Forest Stewardship Council (FSC) is a global certification body for sustainable forest management, which is [investigating Korindo's alleged wrongdoings](#) as per a complaint by Mighty Earth.

FSC was scheduled to release summaries of its findings in September 2019 based on a two-year investigation. However, upon receiving [a cease and desist letter](#) from Korindo, FSC [heavily redacted](#) three separate reports into Korindo's practices that [found "clear and convincing evidence"](#) that the company had violated indigenous rights and cleared rainforests with High Conservation Values. The company also [sent legal threats](#) to [broadcasters](#) reporting on the issue, including BBC News and Al Jazeera.

**Current status:** FSC's investigation into Korindo's alleged human rights violations and deforestation practices continue, however, the [110-page main report](#) was never published.



### 3. Tony Robbins



Position: Self-help author & speaker

Location: United States

#### SLAPP Checklist

- ✓ Engaged in libel-tourism to sue US website Buzzfeed in Ireland.
- ✓ Threatened to sue Twitter over the same issue

Tony Robbins is a self-help author and a motivational speaker. Over the decades he has built himself a “self-help empire” but his empire is shaking over [allegations of sexual assault that took place in 1985](#). Tony Robbins denied the allegations and initiated a lawsuit against Buzzfeed in Ireland, despite the news outlet being based in the United States – a move that can perhaps be explained by the fact that [the bar to prove defamation against a public figure like him](#) is considerably lower in Ireland than the United States.

#### Known Instances of SLAPPs/Legal Intimidation

##### Tony Robbins v. Buzzfeed

**Defendant:** Buzzfeed

**Case summary:** Tony Robbins has sued Buzzfeed in Ireland for defamation over reports that he [allegedly sexually assaulted an underage girl in 1985](#). Robbins’ lawyer also hinted at [a potential lawsuit](#) against Twitter over the issue.

The person who had allegedly been sexually assaulted wrote a statement describing the prolonged sexual assault. The Buzzfeed article also cites the statements of the alleged victim and the witnesses of the incident.

Robbins chose to initiate the lawsuit in Dublin, Ireland despite the headquarters of Buzzfeed being in New York. This has raised questions as to the “libel tourism” characteristic of the case since Irish laws are considered to be plaintiff-friendly, compared to the US as [the bar to prove defamation](#) against a public figure like Tony Robbins is considerably higher in the US.

Buzzfeed [stood by its reporting](#) saying that it is “*based on hundreds of interviews, audio recordings, and documentary evidence*”.

**Current status:** legal proceedings continue.