

Information event of the German No SLAPP Alliance on 16.11.2023 at the European House, Berlin

Strategic Lawsuit(s) Against Public Participation SLAPPs - This phenomenon is a form of legal abuse that seeks to suppress criticism through legal action. SLAPPs aim to intimidate critical voices and have a chilling effect on civil society discourse and the critical public sphere, in the interests of corporations, wealthy individuals and political actors.

In the face of an increase in SLAPPs in Germany, individuals and organisations from civil society have joined together to form the German No-SLAPP Alliance and have already intervened publicly on various occasions or provided support to those affected by SLAPPs. The German No-SLAPP Alliance is also part of the Coalition Against SLAPPs in Europe - CASE. In November, you will have the opportunity to learn more about SLAPPs and the German No-SLAPP Alliance and its members in Berlin.

Thursday, 16.11.23
15h - 18h Workshops
18h Wrap-up Workshops
18h30 Keynote Tiemo Woelken
19h-20h Panel discussion
20h Conclusion
European House in Berlin, Unter den Linden 78.

PROGRAMME

1. Part 15h - 18h: Workshops	
15h	Get together
15:30h - 16:30h	Workshops:SLAPPs in practice - experience values, defence strategies, exchange <ul style="list-style-type: none">- Workshop 1: PATFox - Pioneering Anti-SLAPP Training for Freedom of Expression, EU-funded training for lawyers, in cooperation with the RAV- Workshop 2: FragDenStaat - GegenRechtsSchutz
16:30h	Break
17h - 18h	Workshops continue

2. Teil: Reception, Keynote, Panel	
18h	Wrap Up Workshops, Welcome evening audience
18:30h	Keynote: Tiemo Wölken MeP (SPD), Rapporteur in the European Parliament
19h	Panel, Q&A with: <ul style="list-style-type: none"> - RA Dr. Jasper Prigge, lawyer - Mika, activist - Julius Geiler, journalist - Bettina Behrend, Rainforest Rescue (NGO) Moderation: Joschka Selinger, Society for Freedom
20h	Sounding off

Further background

SLAPP - A EUROPEAN PHENOMENON

All participants in public discourse can potentially be affected by this kind of abuse of rights - throughout the EU. In 2017, the murder of Maltese investigative journalist Daphne Caruana Galizia shook the European public. At the time of her death, Caruana Galizia was the subject of several proceedings in connection with her research and reports, for which she ultimately had to pay with her life. The Daphne Foundation, together with the European Centre for Non-for-Profit Law, Transparency International, The European Centre for Press and Media Freedom, Civil Liberties Union Europe, Article19, the Munich Environmental Institute and others, founded the Coalition Against SLAPPs in Europe - CASE. Also in response to this alliance work, the European Commission finally presented a proposal for a directive to curb SLAPPs in April 2022 (52022 PC 0177 - EN - EUR-Lex). The proposed directive will be negotiated in the trilogue of the European institutions in summer and autumn 2023.

NO-SLAPP ALLIANCE GERMANY

In Germany, too, individuals and organisations are repeatedly affected by SLAPPs. In 2017, Karl Bär, now a member of the Bundestag and at the time an agricultural consultant at the Umweltinstitut München e.V., was denounced by the South Tyrolean regional council for agriculture and over 1370 South Tyrolean farmers* for a poster campaign on the use of

pesticides in South Tyrolean apple cultivation. In 2020, the trial was opened in Bolzano; in 2022, the trial ended with an acquittal for the defendant. Or the environmental protection organisation Rettet den Regenwald e.V., against which the Indonesian palm oil and timber company Korindo brought an action before the Hamburg Regional Court in 2019. The lawsuit was ended in February 2023 by a settlement in which the plaintiff could not prevail with any claim. The numerous warnings and lawsuits by Georg Friedrich Prinz von Preußen, which also affected the internet portal for freedom of information FragDenStaat and the Deutsche Journalistinnen- und Journalisten Union (dju) in ver.di, among others, constitute a whole complex of cases.

These proceedings were successfully conducted and greater damage was averted from the defendants - significantly because the accusations were recognised as SLAPPs and strategic action was taken against them. However, even with this successful approach, these cases also led to litigation that sometimes lasted for years, involved considerable financial and personal risks and put the organisations and individuals concerned under extreme pressure - and at times prevented them from doing other project work.

In addition, it can be assumed that there is a high number of unreported cases in Germany as well, in which those affected give in to the demands of the plaintiffs and do not continue to communicate publicly on the respective topics - the "chilling effect" sought by the plaintiffs.

Such lawsuits have serious consequences, both for those affected and for civil society. The defendants usually face high legal costs, years of litigation and horrendous claims for damages. This leads to the risk of self-censorship, with which those affected try to avoid such lawsuits, which can sometimes threaten their very existence. This can lead to blind spots in the social debate precisely where a critical public is particularly urgently needed. In addition, abusive lawsuits endanger the effectiveness of rule-of-law principles, the credibility of the state bodies that are supposed to implement them and the public's trust in the judiciary.

Against this background, the No-SLAPP Alliance Germany was formed, to which Blueprint for Free Speech e.V. and Reporters without Borders e.V. (RSF), as well as DJV or Green Legal Impact e.V. (GLI) belong, in addition to the affected organisations Umweltinstitut München e.V., Rettet den Regenwald e.V., FragdenStaat and dju in ver.di.

In addition, since 2022, the "Pioneering anti-SLAPP Training for Freedom of Expression" (PATFOX) has offered training events for lawyers in eleven European countries, including Germany, funded by the European Commission.

We would be very pleased to welcome you in Berlin on 16 November. Please send us your feedback regarding participation by 10 November.

Please send registrations, questions and feedback to:

Philipp Wissing, M.A. - Blueprint for Free Speech

philippw@blueprintforfreespeech.net