



## New research exposes global trends in legal attacks facing journalists

20 April 2023 – LONDON

The Thomson Reuters Foundation, in collaboration with the [Tow Center for Digital Journalism at Columbia University](#), has today published new research on '[Weaponising the Law: Attacks on Media Freedom](#)'.

The report - funded by the Foundation and authored by renowned press freedom experts Joel Simon, and Carlos Lauría, and legal expert Ona Flores - is the first of its kind to bring together both qualitative and quantitative data to build a cohesive global overview of prevalent trends in the weaponisation of the law against journalists.

Following a systematic review of national legislation, government regulations and judicial decisions, as well as reports by media and civil society groups, nearly 500 members of the Foundation's extensive network of journalists responded to a survey on their lived experiences of the most serious legal threats facing independent press. Their insights, alongside the perspectives of 37 renowned media freedom experts, laid bare the surging tide of attacks on journalists around the world and identified the key legal tactics commonly deployed by perpetrators.

While the rule of law serves to protect free expression, press freedom and the rights of journalists around the world, legal attacks – often known as 'lawfare' - are increasingly levied against journalists in efforts to compromise their safety, silence public interest reporting and erode trust in journalism. Amplified by recent events such as the pandemic and the invasion of Ukraine, tactics are used in myriad ways by different players to criminalise media practitioners in order to control narratives, suppress scrutiny and to seize power.

Almost half (47.6%) of respondents from the Foundation's network, representing 106 countries, said that they or their media organisation were facing legal threats, illustrating the sheer scale of this war on independent journalism.

The report identifies and analyses eight critical legal threats to journalists around the world, illustrated with notable global case studies, and offers 10 key recommendations for tangible action to curb negative legislative trends, expand legal support and enhance cross-sector collaboration.

The key threats are:

1. **Defamation and insult:** misused to prevent open public debate and shield powerful individuals from legitimate criticism
2. **Strategic Lawsuits Against Public Participation (SLAPPs):** by definition, unfounded and lack merit. Their primary objective is to silence critical voices through harassment, intimidation and expensive legal proceedings.
3. **Espionage, treason and foreign influence:** national security laws which can be used to sanction freedom of expression and curtail media freedom.
4. **Cyber libel and other cybercrime provisions:** much-abused sweeping offences in authoritarian regimes and backsliding democracies, used to target independent and critical journalism.
5. **Fake news:** using the pretext of restricting the spread of false information, numerous countries are leveraging “fake news” laws to censor critical reporting.
6. **Counter-terrorism and anti-extremism:** In the last few years, many countries have increased penalties and created new vaguely-worded terrorism or extremism offences that are used to crack down on dissent.
7. **Financial crimes:** can result in long-term imprisonment, heavy fines or unfounded tax bills, which can bankrupt media and independent journalists.
8. **Leser majeste, desacato laws and seditious libel:** carry the threat of prison or fines for those who criticise or report on public officials. The fear of criminal sanctions necessarily discourages citizens from expressing their opinions on issues of public interest.

**Antonio Zappulla, CEO of the Thomson Reuters Foundation, said:**

“Around the world, cases of ‘lawfare’ against journalists are rising exponentially as tactics to control the free flow of information have taken new and sinister forms. The shocking number of journalists who responded to our survey with personal experience of legal attacks indicates that this is a matter of extreme concern. When the law is weaponised to intimidate, silence and discredit independent media, our democratic values are eroded.

“Through this report and our many other initiatives, the Foundation leverages its legacy of media and legal expertise to facilitate a greater understanding of threats to media freedom – including the weaponisation of the law. I believe that this report will help empower practitioners committed to defending media freedom to better understand and effectively navigate these threats, and to respond accordingly.”

**Joel Simon, report author and Director of Journalism Protection Initiative, Craig Newmark School of Journalism, said:**

“For the first time in this report, we classify the full range of legal threats to media freedom based on input from leading experts and journalists on the front lines. We highlight the dramatic ways in which journalists experience legal repression. We provide a roadmap for action, strategies that can be used to ensure that law is used to protect journalists, not repress them. We hope to draw attention to the

mounting abuses, and also inform and inspire policy makers, activists, and journalists themselves who are meeting the challenge.”

The report will be launched today at 4pm BST (5pm CEST) with a panel discussion hosted at the International Journalism Festival in Perugia, Italy – [available via livestream](#) during and after the event. Antonio Zappulla and Joel Simon will present the key findings and the Foundation’s Director of Media Freedom Programmes, Will Church, will then lead a discussion with media defence experts including Judge Chile Eboe-Osuji and Jodie Ginsberg, President of the Committee to Protect Journalists, to shed light on the most serious, and often lesser-known legal threats affecting media freedom.

### **Notes to editor**

- The report was authored by Joel Simon (Founding Director of the Journalism Protection Initiative at the Craig Newmark Graduate School of Journalism, at the City University of New York and 2022 fellow at the Tow Center for Digital Journalism), Carlos Lauría (journalist and international press freedom expert) and Ona Flores (senior attorney at the [OAS Office of the Special Rapporteur for Freedom of Expression](#)).
- The 493 journalists polled are members of the Thomson Reuters Foundation’s journalism training alumni network. They represent 106 countries in Latin America and the Caribbean, the Middle East and North Africa, Sub-Saharan Africa, Europe, North America and the Asia Pacific region. Surveys were translated into five languages to maximise their accessibility and reach.
- The 37 media freedom experts were selected by the research team at the Tow Center for Digital Journalism, with input from the Thomson Reuters Foundation. They represent a range of specialisations and were selected based on their credentials, experience and global and regional perspectives.
- For more information about the report and the methodology, [visit the website](#).
- For more than 35 years, the [Thomson Reuters Foundation](#) has been committed to strengthening the ecosystem for independent media around the world. Our legacy of work has allowed us to develop global networks that bring together journalists and media organisations, as well as lawyers and governments. This gives us unparalleled insights into the complexities of these growing issues – from the perspective of those targeted, and of those working to provide solutions.
- The report is one of many initiatives spearheaded by the Thomson Reuters Foundation that leverages its legal expertise to support journalists and independent media outlets. The Foundation’s global pro bono legal service, TrustLaw, has facilitated the production of a suite of practical legal tools to help journalists understand their rights and protections, and navigate new and unfamiliar laws. More information about the Foundation’s legal resources for journalists can be found on the [report website](#).

### **About the Thomson Reuters Foundation**

The Thomson Reuters Foundation is the corporate foundation of Thomson Reuters, the global news and information services company. As an independent charity, registered in the UK and the USA, it works to advance media freedom, foster more inclusive economies, and promote human rights. Through news, media development, free legal assistance and convening initiatives, it uses the combined power of journalism and the law to build global awareness of critical issues faced by humanity, inspire collective leadership and help shape a prosperous world where no one is left behind.

### **About the Tow Center for Digital Journalism**

Operating as an institute within Columbia University's Graduate School of Journalism, the Tow Center for Digital Journalism provides journalists with the skills and knowledge to lead the future of digital journalism and serves as a research and development center for the profession as a whole.