

HUMAN RIGHTS,
DEMOCRACY
AND THE RULE OF LAW

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

DROITS DE L'HOMME,
DÉMOCRATIE
ET ÉTAT DE DROIT

Council of Europe Curriculum on Countering the Use of Strategic Lawsuits Against Public Participation (SLAPPs)

Division for Cooperation on Freedom of Expression

14 November
2024

- ✓ **The objective** of the curriculum is to enable judges, prosecutors, police officers, lawyers and other legal professionals to recognize SLAPPs and apply European standards to deal with them.
- ✓ **Authors** - the Council of Europe Curriculum on Countering the Use of SLAPPs was developed by CoE international consultants Flutura Kusari and Peter Noorlander.

- ✓ **Target Audience:** Judges, prosecutors, and lawyers
- ✓ **Interactive & Collaborative:** Uses innovative training methods
- ✓ **Standards:** Council of Europe Recommendation CM/Rec(2024)2, EU Directive 2024/1069 & ECtHR case law
- ✓ **Adaptable:** to the needs of civil society
- ✓ **Length of the training** – 2-5 days
- ✓ **Tentative agenda + pre and post evaluation test**

Modules

- ✓ **Module 1: Introduction to Strategic Lawsuits Against Public Participation**
- ✓ **Module 2: SLAPPs testimony**
- ✓ **Module 3: The right to freedom of expression and the role of the media and other public watchdogs**
- ✓ **Module 4: European instruments on countering the use of SLAPPs**
- ✓ **Module 5: SLAPP indicators**
- ✓ **Module 6: Documentation of SLAPPs on various platforms**
- ✓ **Module 7: Procedural safeguards**
- ✓ **Module 8: Legal remedies against SLAPPs**
- ✓ **Module 9: Support measures for SLAPP targets and victims and victims**

Module 1: Introduction to Strategic Lawsuits Against Public Participation

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Module 1: Introduction to Strategic Lawsuits Against Public Participation

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Module objective

The aim of this session is to introduce Strategic Lawsuits Against Public Participation (SLAPPs), including their historical context, impact on human rights, and the formation of the European movement that led to the European response to these challenges. The session will also explain how anti-SLAPP measures are designed to prevent misuse of the legal system in ways that undermine the right to freedom of expression while still upholding justice for genuine cases of defamation, privacy invasion, and other rights.

Session techniques and methods

- Brainstorming
- Presentations
- Large group discussion

Duration

60 - 75 minutes

Module 1: Introduction to Strategic Lawsuits Against Public Participation

1. How familiar are you with Strategic Lawsuit Against Public Participation?



Brainstorming Exercise

Allocated time: 10 -15 minutes

Guidance for Trainers

The training on SLAPPs will begin with a group brainstorming session, facilitated by the trainer, to discuss participants' familiarity with Strategic Lawsuits Against Public Participation (SLAPPs).

The trainer should ask participants whether they know what SLAPPs are and if they have ever encountered them. This can be particularly relevant for judges or those involved in SLAPP cases as lawyers, victims, or in any other capacity. The trainer can also ask how participants dealt with SLAPPs, if applicable.

Participants are encouraged to share their thoughts, which can be written on a flip chart, on post-it notes placed on the wall, or on an interactive whiteboard. At this stage, there should be no critique or discussion of the contributions; the trainer's role is limited to listing ideas and preventing premature debate.

Once all responses have been noted, the trainer will facilitate feedback, including discussion, analysis, and categorization of the ideas contributed. The trainer can wrap up the session by thanking participants for their contributions. If possible, the paper on which the contributions have been noted should be left on the wall as a reminder of the various identifying characteristics that the group has developed.

Council of Europe pilots new training module to counter SLAPPs



Are you familiar with Strategic Lawsuits Against Public Participation (SLAPPs)?

Before the training	After the training
Yes 43%	Yes 100%
No 57%	

The European Commission, the European Parliament, and the Council of Europe have introduced international instruments to counter the use of SLAPPs. Do you know what these instruments are?

Before the training	After the training
Yes 10%	Yes 93%
No 90%	No 7%

Are you familiar with the indicators listed in the CoE Recommendation on SLAPPs that help identify SLAPPs?

Before the training	After the training
Yes 10%	Yes 93%
No 90%	No 7%

Pre- and post- tests results from the piloting training session in Prevala/Prizren on 2-3 October 2024

How to benefit from the training curricula?

- ✓ Representatives of public authorities in Council of Europe member states can contact the Council of Europe's Division for Cooperation on Freedom of Expression to request support in organising training sessions.

Thank you for
your attention !



Cooperation on Freedom of Expression

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