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Britain: Rights groups back openDemocracy journalism in face of legal threat

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Leading media freedom organisations call for libel action against ‘public interest’ journalism to be dropped

A group of influential rights organisations have signalled their strong support for openDemocracy’s “public interest” journalism in the face of legal threats, in a joint statement calling for government action.

Earlier this year openDemocracy and other media outlets [published separate stories](#) on a UK-registered company, Jusan Technologies Ltd, and a Kazakhstan endowment fund, the Nazarbayev Fund.

The Nazarbayev Fund is a Kazakhstan university and schools endowment fund, associated with the former president Nursultan Nazarbayev. Jusan Technologies Ltd is a UK-registered company that controlled over \$7.8bn in gross asset value.

According to the reports, the Nazarbayev Fund owned a controlling stake in the UK company via an intermediary until late 2021, raising questions as to why a British company held some of Kazakhstan’s wealth.

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As a result of its reporting, openDemocracy is among the media outlets, including The Bureau of Investigative Journalism, that have been [threatened with legal action](#) by lawyers instructed by both the Nazarbayev Fund and Jusan Technologies Ltd.

But news of the legal threats has generated a surge in support for openDemocracy’s reporting. A crowdfunding campaign has already raised £40,000 to help with ongoing costs. This latest

intervention – a strong statement of support from a range of respected organisations – builds pressure for the legal action to stop.

The statement – signed by campaign groups and NGOs ranging from Index on Censorship to Global Witness – urges the UK government to follow through with promised measures designed to stamp out the use of UK courts to close down public-interest journalism.

Two of the groups behind the statement – Index on Censorship and Article 19 – have issued an [alert](#) to the Council of Europe’s platform to promote the protection of journalism and safety of journalists.

Too often, the UK courts have been used to close down public interest journalism

Peter Geoghegan, openDemocracy’s editor-in-chief

In June, the UK government, under the previous justice secretary, put forward measures to tackle SLAPP cases (strategic lawsuits against public participation) and bring forward legislation.

The statement says the case against openDemocracy highlights the need for urgent action from the government and calls for the legal action to be dropped.

It states: “There should be no question that investigating and reporting on the financial interests of authoritarian leaders, both during their time in office and afterwards, and entities connected with them, is clearly in the public interest. For this to be met with threats of costly and time-consuming legal action constitutes a significant and severe threat to media freedom and the public’s right to know.

“The undersigned organisations call for the legal action against openDemocracy and The Bureau of Investigative Journalism to be dropped and stand in solidarity with all outlets facing SLAPPs for their reporting. We also reiterate our calls to the UK Government to be both bold and swift with their proposals to bring forward anti-SLAPP legislation to ensure all public interest reporting is robustly protected against abusive lawsuits.”

Related story

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openDemocracy's editor-in-chief, Peter Geoghegan, welcomed the statement and said it highlighted the stakes in this case.

"These influential organisations recognise the importance of our journalism and the need for that to be supported by our laws. Instead, too often, the UK courts have been used to close down public interest journalism.

"I've been overwhelmed by the support we have received from readers since we went public. It shows that they really value what we do. The strength of this statement by such respected organisations and this alert lodged with the Council of Europe platform, puts this issue firmly on the agenda of our politicians. I hope they'll act swiftly."

The Council of Europe, with 46 member states, was founded in the aftermath of the second world war to promote human rights, democracy and the rule of law in Europe. It has taken an interest in SLAPP cases and formed a committee of experts to advise on the issue.

Jim Fitzpatrick

The full list of signatories to the statement:

Index on Censorship
European Centre for Press and Media Freedom (ECPMF)
Blueprint for Free Speech
Tax Policy Associates Ltd
ARTICLE 19
Spotlight on Corruption
Justice for Journalists Foundation
Whistleblowing International Network
Public Interest News Foundation
Rory Peck Trust
The Daphne Caruana Galizia Foundation
National Union of Journalists
English PEN
Rights and Accountability in Development (RAID)
The Campaign for Freedom of Information in Scotland
Reporters Without Borders (RSF)
Transparency International UK
PEN International
Global Witness
Society of Authors
Protect

P.S.

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