

The logo for ARTICLE 19, featuring the text "ARTICLE 19" in red on a white, torn-paper-like shape.

**ARTICLE 19**

EUROPE

# Defending Freedom of Expression in Europe and Central Asia

Annual Report 2022

**ARTICLE 19 Europe**

Amsterdam Law Hub  
Nieuwe Achtergracht 164  
1019 WV Amsterdam  
The Netherlands

**E:** europe@article19.org

**W:** www.article19.nl

**Tw:** @article19europe

**Fb:** facebook.com/article19org

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## EXPRESSION AT A GLANCE

In 2022, freedom of expression across Europe and Central Asia faced significant challenges. Russia's full-scale invasion of Ukraine sent shockwaves throughout the region and beyond, underscoring the critical importance of access to reliable information. As disinformation increasingly became a tool of warfare, so too did the need to safeguard access to trustworthy, verified news. Journalists, activists, and human rights defenders in Ukraine made heroic efforts, often at great personal risk, to document and report the truth, capturing the realities of the war and the immense human suffering on the ground.

This past year we also witnessed an alarming rise in restrictions and attacks on journalists, human rights defenders, and civil society actors, often under the guise of protecting national security, fighting terrorism or combating disinformation. Governments across the region increasingly employed legal harassment, including Strategic Lawsuits Against Public Participation (SLAPPs), arbitrary arrests, and media censorship to stifle dissent.

Nonetheless, grassroots movements, independent journalists, and civil society groups remained resilient, fighting to protect free expression and hold power to account, despite growing pressures. ARTICLE 19 Europe stood firmly alongside our partners, engaging in dialogues with both domestic and international policymakers to spotlight the most serious threats to freedom of expression. Looking ahead, we remain committed to developing innovative programs that safeguard people's rights and ensure their voices are heard.

## FREE EXPRESSION IN DIGITAL ERA

Digital technologies offer new means to champion, safeguard, and exercise human rights, influencing how we obtain and disseminate information, develop opinions, engage in discourse, and rally for causes. At the same time, these technologies are also employed to stifle, curtail, and infringe upon these rights, exemplified by practices like surveillance, censorship, online harassment, and lack of transparency in content moderation.

ARTICLE 19 Europe is committed to protecting freedom of expression online. In 2022, we analysed legislation and policies aimed at fostering censorship online as well as formulated recommendations to the governments. We continued to engage in dialogue with big tech and developed policies on how to uphold free expression on social media platforms.

Over the years, internet legislation in Turkey has become more restrictive, expanding its scope and imposing more severe penalties. In October 2022, Turkey passed a package of amendments that introduced a penalty of up to three years imprisonment for “spreading disinformation”. Together with Human Rights Watch, we [analysed](#) the most concerning provisions including criminal disinformation offence, content removal, data privacy or sanctions for tech companies. We called for the government to [repeal the law](#) and we continued to be involved in a dialogue with tech companies advocating for them to resist any complicity with government censorship.

We observed with great concern how governments in Central Asia continued to adopt a series of controversial laws allowing them to exert further control over online content and abuse existing legislation to force their critics into self-censorship. Vague provisions that criminalise insult or inciting hatred are weaponised to jail individuals for as little as a social media post. Journalists like Bolot Temirov face legal action due to their critical coverage of the ruling political elite. Access to online resources including independent media outlets is regularly blocked without explanation or justification. ARTICLE 19 Europe [developed a series of reports](#) analysing these growing challenges in Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan.

While digital technologies have created new opportunities for women journalists to conduct their vital work and engage with their audience, the same technologies are also a space where patterns of abuse that women have long faced offline are reproduced and amplified. In April 2022, ARTICLE 19 Europe, the International Press Institute (IPI) and the Plataforma por La Libertad de Información (PLI), co-hosted a multi-stakeholder roundtable discussion to identify the main obstacles for prompt and thorough investigations into cases of online harassment against women journalists in Spain. As a result, we set out [a series of recommendations](#) regarding legislative changes, capacity building, and the response of social media platforms. Our extensive work related to Spain can be accessed through a [dedicated webpage](#) that we developed this year.

## TOWARDS RESILIENT CIVIL SOCIETY

A vibrant civil society plays a crucial role in making democracy stronger. Journalists, activists and other public watchdogs keep people in power on their toes, exposing corruption, nepotism, or shady business, reporting on issues of public interest and making sure people's voices are heard and considered in shaping the policies that affect our lives. Unfortunately, several governments across the region seek to weaken the resilience of civil society groups, using smear campaigns and other forms of intimidation to discredit and silence their critics, and enacting laws that unduly limit free speech and freedom of assembly.

ARTICLE 19 Europe is dedicated to supporting grassroots initiatives to strengthen their capacity and activism on the ground. In 2022, we issued policies and guidelines for successful advocacy, analysed restrictive laws and practices undermining free speech and media freedom, put forward recommendations on how to combat these challenges, and advocated for change as well as organised workshops for lawyers, journalists and human rights defenders.

### Countering legal harassment against journalists

Investigative journalists, human rights defenders or environmentalists work to expose corruption and abuses of power, keeping governments and corporations accountable to us all. Yet powerful politicians and wealthy businesspeople are weaponising the law to harass or silence public watchdogs who reveal their wrongdoings. Known as Strategic Lawsuits Against Public Participation (SLAPPs), these lawsuits help those in power evade public scrutiny.

ARTICLE 19 Europe remained a leading voice in the fight against Strategic Lawsuits Against Public Participation (SLAPPs) in the region. Our advocacy and research, coupled with awareness-raising campaigns contributed to building recognition of the malicious character and dire impact of such legal actions and pronounced the need to put forward robust measures to tackle them. Our [legal expertise](#) was accompanied by a [series of interviews with journalists](#) which helped to demonstrate how SLAPPs bully, silence and bankrupt public watchdogs, decrease media freedom, curtail access to reliable information – and, ultimately, threaten democracy.

Years of work bore significant fruit in 2022 at the international, regional, and national levels.

In March 2022, ARTICLE 19 Europe published research investigating [the problem of SLAPPs across Europe](#) and the urgent reforms needed to address this growing problem. The regional report included key findings and recommendations set out in detailed country analyses on [Serbia](#) (February 2022) and [Spain](#) (December 2021). As part of the Coalition Against SLAPPs in Europe ([CASE](#)) – with whom we drew up a model anti-SLAPP law – and in partnership with the EU Group of Experts on SLAPPs, we used this research to advocate for an EU-wide directive. We organised a panel discussion featuring experts, journalists and European Commission Vice President for Values and Transparency Věra Jourová.

In April, [the European Commission introduced an anti-SLAPP initiative](#), which included the core recommendations we had advocated for. We contributed to a [policy brief](#) that fleshed out the strengths and weaknesses of the unveiled proposal as well as priorities for potential amendments. We are now working to ensure the proposed directive is not watered down and includes key protections, that member states support it, and that it is passed into European law.

### Eurovision-style contest exposes Europe's worst offenders

ARTICLE 19 Europe and partners organised a Eurovision-style contest at [the European Anti-SLAPP Conference](#) in October, where we named, shamed, and voted for Europe's worst offenders. The contest attracted [media attention in nominees' home countries](#), showing the power of parody to expose abuses of

power. In addition, we coauthored a [joint declaration](#) concluding the conference that provided concrete recommendations to national policymakers and the EU institutions. We will continue to use all the tools at our disposal to ensure a strong EU-wide law on SLAPPs is passed.

## Improving media freedom and the safety of journalists

### Tackling threats and chilling effect

As part of the Media Freedom Rapid Response ([MFRR](#)) mechanism and the Council of Europe's [Platform on Safety of Journalists](#), ARTICLE 19 Europe continued to monitor and respond to threats against journalists and to address legislative proposals aimed at weakening media freedom and pluralism in the region.

We co-authored an annual report '[Defending Press Freedom in Times of Tension and Conflict](#)' that provided an overview of alerts reported to the Council of Europe's Platform, analysed major threats that hinder journalists' reporting, and discussed the legal framework and measures required to improve the protection of journalists.

In 2022, we attended fact-finding missions to [Albania](#), [Kosovo](#), and [Italy](#). We met with journalists, public officials, law enforcement, regulatory bodies, and public broadcasters to assess the state of play for media freedom and put forward recommendations on how to strengthen media resilience and support independent journalism.

We further developed closer collaboration with journalist associations and regional networks especially in the Western Balkans, and supported partners' calls for legal reforms that would benefit the media landscape in their countries. Concurrently, we provided expertise to debunk decisions incompatible with international media freedom and freedom of expression standards, including [blanket publication ban](#) in Albania, amendments to the [Criminal Code in Serbia](#) or the [acquisition of regional newspapers publisher](#) by a state-owned company in Poland or [the licencing process](#) in Serbia. We consolidated the resources related to our work in Serbia to make them easily available on [this dedicated webpage](#).

In addition, following the appointment of the new government in Italy led by Giorgia Meloni, we [examined the domestic legislation and recommended reforms](#) needed to safeguard media freedom and freedom of expression including, decriminalisation of defamation, protection of journalists' sources, or improving access to information.

We continued to document and support individual cases of journalists who were attacked, intimidated or surveilled including [police raids](#) on editorial offices in Italy, the publication of [Emilia Şercan's stolen photos](#) in Romania, [death threats against Danas journalists](#) in Serbia, the dismissal of a SLAPP-targeted journalist [Grzegorz Rzeczkowski](#) in Poland, defamation lawsuits against investigative reporters [Nikola Leontopoulos](#), [Thodoris Chondrogiannos](#), and [Thanasis Koukakis](#) in Greece, or a fine imposed on photographer [Javier Bauluz](#) under Spain's controversial 'Gag Law'. In addition, we sent letters to the authorities i.e. to Albanian Commissioner for the Right to Access to Information and Personal Data Protection regarding [privacy breaches](#).

We have long warned that the EU law should consider media not simply as economic actors, but recognise independent journalism as a public good that needs protecting in its own right. That's why we welcomed the European Commission's initiative to launch public consultation for the European Media Freedom Act (EMFA). Our [submission](#) made several recommendations on how the EMFA could improve the protection of media freedom, including by considering the socio-political dimension of the media market, harmonised measures guaranteeing media independence and pluralism, and guidance for State support to the media sector.

## Fighting against impunity

Combating impunity for crimes against journalists is essential for safeguarding freedom of expression. Jan Kuciak, Daphne Caruana Galizia, Giorgos Karaivaz or Güngör Arslan were killed for investigating and exposing crime, corruption and reporting on other vital public interest issues. Assassination of a public watchdog rarely happens in a void. Rather, it's preceded by consistent and sometimes coordinated smear campaigns to create a hostile climate in which a journalist is singled out, vilified, discredited and eventually isolated. ARTICLE 19 Europe expressed unwavering support to the families of killed journalists and repeatedly called for justice, emphasising that any comprehensive strategy to address impunity must encompass paths to combat hateful narratives aimed at scapegoating those who speak truth to power.

On 14 October 2022, [Malta's Criminal Court sentenced brothers Alfred and George Degiorgio](#) to 40 years each for their role as hitmen in the assassination of Malta's leading investigative journalist, Daphne Caruana Galizia who was killed in a car bomb on 16 October 2017. ARTICLE 19 Europe attended court in Valletta to monitor proceedings. In July, a year on from the publication of the landmark Public Inquiry into Caruana Galizia's assassination, we issued a [report exploring the efficacy of the Maltese Public Inquiry model](#) and the lessons learned from the process. The report was coupled with an analysis [examining the government's proposals](#) to improve the protection of journalists.

We continue to call out the unacceptable [lack of implementation of the recommendations](#) made by the landmark Public Inquiry into Caruana Galizia's assassination and proposed legal amendments relating to SLAPPs, which fail to meet international standards. And we will continue to push for full justice for Daphne and the crimes she was killed for exposing.

## Driving change locally

At the heart of ARTICLE 19 Europe's mission lies the unwavering commitment to protecting journalists and human rights defenders, an essential cornerstone for safeguarding freedom of expression. We are there for our partners to [amplify their stories](#) and to help create an environment in which they can work safely. In turn, they lead us in the process of developing and implementing sound strategies on how best to assist communities on the ground.

We helped our local partners in Central Asia to support more than 200 individuals persecuted or prosecuted by their governments in the region in 2022. Together with partners, we also monitored and documented digital rights violations against activists, journalists, religious minorities, and others, and issued statements or appeals in their defence in at least 100 cases.

Together with The Bar Human Rights Committee of England and Wales ("BHRC"), we organised a series of trainings for [civil society](#) and [lawyers](#) in Turkey in international human rights law and mechanisms to reinforce protections for refugee and migrant populations.

## Defying the oppression

Freedom of expression in Turkey has been under attack for years, with a drastic decline since the Gezi Park protests in 2013. The government and the police's extremely violent reaction to the peaceful protest was a turning point in relations between civil society and the authorities. The Gezi Park trial concluded with [Osman Kavala being handed down an aggravated life sentence](#) and harsh prison sentences for seven other co-defendants. It remains one of the most striking examples of the damage caused to the country's freedoms due to the absence of an independent judiciary.



ARTICLE 19 Europe have extensively documented the widespread abuse of the Turkish Penal Code and Anti-terrorism Law provisions to prosecute and convict journalists and any perceived government critic. We developed [several case profiles](#), provided legal analyses of the Turkish legal framework in the context of international freedom of expression standards and reviewed the provisions most commonly misused to target civil society. We submitted expert opinions and third-party interventions in individual cases to national, regional and international courts as well as joint submissions to international bodies e.g. in the case of prolonged judicial harassment against opposition figure [Selahattin Demirtaş](#). We will not cease to demand the immediate and unconditional release of Osman Kavala, Selahattin Demirtaş and other [vital dissenting voices](#) standing up against the ongoing crackdown on civil society.

Two years on from an unprecedented nationwide wave of protests, the Lukashenko regime continued a sweeping crackdown on civil society in Belarus – which was exacerbated by the ongoing Russian invasion of Ukraine. On several occasions using international forums like the [UN Human Rights Council](#) and through a rich variety of means (research, briefings, audiovisual stories, joint initiatives), ARTICLE 19 Europe reaffirmed its [solidarity with the courageous people of Belarus](#), who remain persistent in their fight for democracy and freedom despite unabated repression.

Our former staff member Andrei Aliaksandrau and his partner Irina Zlobina remain behind bars in Belarus, after being arrested as part of a widespread crackdown following the highly disputed 2020 presidential election. On 12 January 2022 – the one-year anniversary of their arrest – ARTICLE 19 Europe and Index on Censorship launched [a campaign](#) calling for their immediate and unconditional release. Andrei, Irina and other political prisoners are harassed and prosecuted for their vital work for the Belarusian community. We documented and amplified cases of gross human rights violations against rights defenders and journalists including from [Viasna](#), [BelaPan](#), or the Belarusian Association of Journalists (BAJ).

We were thrilled to learn that the Nobel Peace Prize 2022 was awarded to the imprisoned head of Viasna Ales Bialiatski, Russian human rights organization Memorial, and Ukrainian human rights organization Center for Civil Liberties. We are humbled to have had a unique opportunity to support the work of some of these courageous and trailblazing human rights advocates and advocate for the international community to step up their efforts to assist civil society communities in Eastern Europe.

## Making protest safe for all

Across time and history, protest movements have been central to social change. Alarmingly, the authorities and law enforcement regularly quash demonstrations and resort to violence. That's why, ARTICLE 19 International launched [#FreeToProtest](#): a four-year global campaign to ensure all people feel empowered to use their right to protest.

In Poland, the process of dismantling democratic institutions and distilling constitutional safeguards for citizens consequently deployed by the right-wing PiS government has sparked a great resistance that has evolved into the biggest civil society awakening that the country has seen since the 'Solidarność' movement.

ARTICLE 19 Europe teamed up with journalists and legal experts to research the anti-government protests between 2015 and 2021 that mobilised around three main issues: the politicisation of the judiciary, reproductive rights and discrimination against LGBTQI+ people. We look forward to reporting on further impacts from the campaign in 2023.

## THE POWER OF INFORMATION

Russia's full-scale invasion of Ukraine underscored a dual front beyond the military campaign: the battle for narrative control. Kremlin has weaponised propaganda and disinformation to dilute its responsibility for crimes against Ukrainian people, deny its status as the aggressor, and persecute anyone who speaks up about the truth about the war.

Throughout the year, ARTICLE 19 Europe formulated various calls for officials, media and the public to be vigilant when sharing information about the war against Ukraine and to help counter deliberate propaganda campaigns. We built on existing expertise and developed [succinct explainers](#) on media, access to information, safety and digital rights in a time of war.

We supported the work of Digital Security Lab Ukraine in combating Russian digital aggression and disinformation, including by publishing policy briefs, commentaries, and analysis, as well as providing – in partnership with local organisations – training and digital security support to NGOs, activists, and media workers.

The mounting crimes committed against Ukraine constitute a violation of international law and the founding principles of the United Nations Charter. Access to reliable information is crucial to document and eventually investigate war atrocities. We urged [the UN to set up a Commission](#) of Inquiry to collect evidence of [Russia's human rights violations](#) in Ukraine to hold perpetrators accountable, and we welcomed the establishment of such a Commission in March 2022. We took local partners to the Organization for Security and Cooperation in Europe Warsaw Human Dimension Conference, where we co-hosted, contributed to, or moderated three side events on Russia's invasion of Ukraine, freedom of expression, women human rights defenders, and the crucial role of journalists in providing reliable information. And we will continue to work to ensure the narrative cannot be twisted and the truth cannot be buried.