

SLAPP cases against KRIK – update - November 2024

Since 2021, KRIK has faced an unprecedented wave of **SLAPP** cases, with now **16 ongoing lawsuits** (see [the table below](#)) (*while before that since 2015 until 2021 KRIK had 10 previous cases with final decisions all ruled in KRIK's favour*). **This makes KRIK the Serbian independent media outlet with the most SLAPP cases.** These lawsuits include civil cases, mostly for defamation which is the most frequent claim; but also private criminal charges, mostly over alleged misuse of personal data; and finally cases brought in front of the Commercial Court for alleged financial losses suffered due to reputational harm. **Here is a summary** - from the said 16 ongoing cases, nine are trials that are still pending judgment (eight in Serbia and one in Switzerland); four cases reached first instance decision in favour of KRIK, (to which plaintiffs submitted appeals); one case reached a first instance decision that found KRIK liable (to which an appeal was submitted by KRIK); and two have reached a final decision and found KRIK liable, but these both are being challenged in the Supreme Court of Serbia through appeal process and the Constitutional Court of Serbia through a constitutional complaint.

KRIK has devoted significant time and effort in fighting SLAPPs, not only in the courtroom but also through cooperation with other media outlets and internationalisation of our struggles. **We are currently in the process of establishing highly important *Journalistic Anti-SLAPP Solidarity Network* that will be tasked with helping credible, independent media in Serbia to tackle SLAPPs with increased reporting on these cases, expressing solidarity in court proceedings and investigating the most prominent SLAPPers**, among other things. KRIK would very much appreciate financial support for these efforts. So far, we have reached out for support to many regional, European and global journalistic associations and organizations to inform them about the developments in Serbia and draw their attention to the situation in the country. We have also so far managed to secure modest fundings for our legal battles through various local and international donors (including IJAS, ECMPF, Internews, OCCRP, CFI, Media Defence, Free Press Unlimited, etc). As of July 1, 2024, **KRIK has officially joined the Reporters Shield**, which should help with securing the funding for legal defence for lawsuits that could be filed after this date (*since all of the 16 ongoing cases were filed before July 2024*).

It is worth mentioning that in June this year, the UN Special Rapporteur on freedom of expression and opinion [Irene Khan](#) has presented her report on Serbia and Kosovo at the UN Human Rights Council sessions in Geneva. Thanks to our outreach efforts and liaising with the international community, we managed to get KRIK to feature prominently in this report. The [report on Serbia](#) she presented contains a separate section (pp. 10-11) that is titled ***New threat: strategic lawsuits against public participation*** and it features KRIK as a case-study of a news outlet that is burdened with SLAPPs.

Out of the ongoing cases against KRIK, we would like to **highlight that highly positioned Serbian judge Dusanka Djordjevic has recently filed two SLAPP lawsuits against KRIK**, seeking €6,500 in damages, but also a two-year ban on journalism, and 10 months in prison for our editor Stevan Dojcinovic and journalist Bojana Pavlovic. The lawsuits stem from a KRIK profile on Djordjević in KRIK's "Judge Who

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Judges" online database. Judge Djordjević claims “her privacy was violated by publishing her name, position, and property details”. This case threatens media freedom in Serbia, setting a troubling precedent where journalists could face penalties for reporting on public officials. Since this will be a critical case, KRIK launched a range of activities that aim to help with the defence. These include a campaign amongst the media to follow and report on the case; mobilization efforts among the **international and diplomatic community to attend and observe the trial**; and also producing **amicus curiae**, which was prepared by Media Defence and submitted as evidence to the court as a part of our defence strategy.

#	Plaintiff/ Filing date	Claim	Summary of the case	Status
1	Three Police Officers from the Police Witness Protection Unit (Živković, Išić, Pavlović) April 2020	The police chiefs and officers claimed that KRIK’s article damaged their honor and reputation, as well as endangered their safety, and they were seeking 750,000 RSD in damages (app. 6,500 EUR)	Three police chiefs sued KRIK over an investigative article that reveals serious omissions and abuses within the Serbian police's witness protection unit. (<i>KRIK revealed that some protected witnesses were allowed to meet with criminals, while others were put in danger due to negligence. The article is based on information from official memos written by members of the unit, in which they complained about their superiors to the Internal Affairs Sector. However, no action has been taken after those complains, raising concerns about corruption within the unit.</i>) KRIK believes that this SLAPP was an attempt to make the reporters reveal their sources during the court proceedings, which they of course did not do. The judges on both instances recognized the professionalism and significance of KRIK’s work and they ruled in KRIK’s favor.	Concluded - Final decision was reached in favor of KRIK.
2	Three Police Officers from the Police Witness Protection Unit	The (same) three police officers as in the #1 case claimed the	Related to the previous case, the same plaintiffs sued KRIK over a 2021 daily article in which we listed individuals who sued our portal. The article just mentions that KRIK was sued by police commander Živković and two of his colleagues from the Witness Protection Unit, alongside other public officials and individuals who did the same. The police officers claimed their	Ongoing case - Final decision was reached in June 2024, KRIK was found liable and

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	(Živković, Išić, Pavlović) May 2022	second article damaged their honor and reputation by linking them with state officials, seeking 450.000 RSD (app. 3.500 EUR) in damages.	<p>honor was damaged because “KRIK labeled them as the people of the regime”, which is not true as it is not written anywhere in the article.</p> <p>However, <u>KRIK was convicted in definitive ruling basically for naming individuals who sued the outlet.</u> The judges’ explanation included statements not actually written by KRIK, such as claims that the police officers were „filing lawsuits under regime orders“. This ruling means any investigative media outlet can be convicted regardless of what they publish, as judges can interpret journalistic articles freely and add sentences to them.</p> <p>The ruling in this second case seems paradoxical also because the judges deciding on the second lawsuit did not even consider that KRIK had previously won in court, with the court acknowledging that KRIK reported professionally on this police unit. <u>KRIK is using all remaining legal means – we have requested a review by the Supreme Court and filed a constitutional complaint with the Constitutional Court.</u></p>	<p>had to pay 3500 EUR in damages.</p> <p>However, constitutional complaint and an appeal to the Supreme Court were filed by KRIK.</p>
3	Predrag Koluviija October 2021	Violation of the presumption of innocence, seeking 400.000 RSD (app. 3,300 EUR) in damages.	<p>Predrag Koluviija (on trial for allegedly leading an organized criminal group that produced over 1.5 tons of marijuana), filed a lawsuit against KRIK and its editor Stevan Dojčinović for referring to him as an "accused narco-boss" in a daily news report. Koluviija claimed this violates the presumption of innocence and he was seeking 400,000 dinars for “emotional distress”. (Koluviija is also known for his direct ties with highly ranked members of the ruling party and even the current President of Serbia was publicly defending him when he commented on the drug production allegations.)</p> <p>The Court of Appeals in Belgrade <u>found KRIK was liable for violating the presumption of innocence of Koluviija.</u> The Court did not accept the explanation from KRIK’s appeal that the article in question was a report from an ongoing trial and that it clearly stated Koluviija was accused, not</p>	<p>Ongoing case - Final decision was reached in June 2024, KRIK was found liable and ordered to pay 800 EUR in damages to Koluviija.</p> <p>However, Constitutional complaint and an</p>

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			<p>convicted – thus, an average reader could not be misled into believing Kolvija had been convicted. The court did not find it relevant that Kolvija’s defense was also published in the same article and that KRIK followed the example of leading world media like “The Guardian,” “The Washington Post,” and “Reuters”, which report in the same way and use the English term “accused narco-boss.”</p> <p>Journalist associations and media organizations previously stated that KRIK did not violate the presumption of innocence and described Kolvija’s lawsuit as pressure on the newsroom and an attempt to silence them. KRIK’s readers felt the same way and they have made donations through crowdfunding in order to help KRIK pay the damages. <u>KRIK is using all remaining legal means – we have requested a review by the Supreme Court and filed a constitutional complaint with the Constitutional Court.</u></p>	<p>appeal to the Supreme Court were filed by KRIK.</p>
4	<p>Predrag Kolvija 2 November 2021</p>	<p>Seeks 2.8 million RSD (24,000 EUR) for emotional distress caused by seven KRIK articles.</p>	<p>Predrag Kolvija, (on trial for allegedly organizing a criminal group that produced more than a ton and a half of marijuana), filed a second lawsuit against KRIK and its editor Stevan Dojčinović, claiming 2.8 million RSD (nearly 24,000 EUR) for emotional distress caused by seven KRIK’s articles.</p> <p>In his second lawsuit, Kolvija claims that KRIK's reporting has “damaged his reputation, causing his neighbors to avoid him”. The articles were mostly news pieces covering the ongoing public trial against Kolvija.</p>	<p>Ongoing case - still pending judgment</p>
5	<p>Dijana Hrkalović June 2022</p>	<p>Seeks 6,000 EUR for defamation.</p>	<p>Former Serbian state secretary Dijana Hrkalović (currently on trial for allegedly influencing police chiefs to obstruct investigations) filed a lawsuit against KRIK and editor Stevan Dojčinović for alleged defamation. The lawsuit claims that KRIK damaged her reputation by publishing six articles about her alleged links to criminal groups, in the period from January to February 2022. Hrkalović is seeking compensation for emotional distress. KRIK maintains that their reporting is accurate and in the public interest.</p>	<p>Ongoing case - still pending judgment</p>

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6	Nikola Petrović 1 August 2021	Private criminal charge, seeking two months prison sentence for Dragana Pećo and one month prison sentence for Vesna Radojević, both journalists at KRIK for alleged misuse of public data.	<p>KRIK journalists Dragana Pećo and Vesna Radojević were acquitted in a criminal lawsuit filed by Nikola Petrović, a close associate of Serbian President Vučić.</p> <p>Petrović claimed that they had published his personal data while reporting on his offshore company and secret business deals. However, the court ruled that no personal data was revealed, and the journalists were cleared of charges. Petrović has appeal the decision and the process is ongoing.</p>	<p>Ongoing case - First instance decision reached in January 2024 and KRIK journalists were acquitted.</p> <p>The plaintiff has appealed the decision and the process is starting from the beginning.</p>
7	Nikola Petrović 2 April 2023	Petrović is seeking the removal of the article from KRIK's website, a ban on further reporting on the topic, and 200,000 RSD (1,600 EUR) for emotional distress.	<p>Nikola Petrović, a close associate of Serbian President Aleksandar Vučić (his best man), sued KRIK over an article that revealed Petrović's business dealings with Dejan Stanimirović Markos, a criminal involved in international drug trafficking (who was killed in Colombia in 2020).</p> <p>Petrović claims Stanimirović was not a criminal at the time of their business partnership and accuses KRIK of publishing false information. Petrović claims that KRIK's journalists ignored their duty of journalistic diligence, presenting information selectively and with the intent to discredit him. KRIK holds that all standards of journalism were upheld and that the lawsuit is frivolous with the intent to stop our team from further investigating plaintiff's dealings.</p>	<p>Ongoing case.</p>

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8	<p>Mineco (international mining company)</p> <p>Started: 2021</p>	<p>Sought 55 million RSD (close to 500.000 USD) in damages as compensation for the loss of revenue (later reduced to 30.000 GBP)</p>	<p>In the story "A Look into the 'Mineco' Empire: A Giant Involved in Corruption Faces Issues with Banks," KRIK revealed that a British bank closed the account of Mineco company after its internal audit uncovered 99 suspicious transactions from the group. Some of these transactions were described in the report as "potentially representing proceeds from bribery and corruption." The story was published as part of the international journalistic investigation "FinCEN Files" and is based on official documentation leaked from the U.S. Treasury department, known as FinCEN. Claiming that this story allegedly caused them financial damage, "Mineco" first sought damages exceeding half a million dollars and later reduced the demanded amount to around 30,000 pounds.</p> <p><u>The court found KRIK not liable</u> for the reporting in its first instance ruling and stated that KRIK has done its job professionally. Mineco has filed a complaint.</p>	<p>Ongoing case - First instance <u>decision reached in favor of KRIK</u> in July 2024.</p> <p>The decision appealed by the plaintiff and the process is pending.</p>
9	<p>Bogoljub Karić</p> <p>November 2021</p>	<p>Demanded 600,000 RSD (app. 5,000 EUR) in compensation and requested the removal of the article from the website.</p>	<p>KRIK discovered that Karić, a known Serbian businessman-turned-politician close to the ruling regime, developed close ties with Belarusian President Alexander Lukashenko, securing millions in government contracts and projects in Belarus. Bogoljub Karić claimed that KRIK's article contained false information, causing him emotional distress. Karić has repeatedly failed to appear at court hearings, which caused delays in the legal process. KRIK holds that all information presented in the article is factual and in the public interest and <u>the first instance decision was ruled in favor of KRIK</u>.</p> <p>The fact that Karić was put on the US and EU list of sanctions, serves as a further proof of our investigation being relevant and trustworthy.</p>	<p>Ongoing case - First instance <u>decision</u> in favor of KRIK.</p> <p>Plaintiff has appealed the decision.</p>
10	<p>Bratislav Gašić</p> <p>Serbian Defense Minister</p>	<p>Claims 4,200 EUR from KRIK for allegedly</p>	<p>Bratislav Gašić, at the time head of Serbia's Security Intelligence Agency (BIA) and currently one the highest-ranking individuals within the ruling SNS party in Serbia, filed a lawsuit against KRIK and its reporters. Gašić</p>	<p>Ongoing case - <u>First instance</u></p>

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	April 2021	damaging his reputation and honor.	<p>claims that KRIK damaged his reputation by reporting from the public court hearing and by citing wiretapped conversations that were presented in the court. That was an intercepted communication which contained a claim that Gašić was „on the cauldron“ of the leader of one criminal group. KRIK has asked Gasic for a comment, but he refused to talk to us and we published an article about that court hearing, and then he decided to sue us.</p> <p>KRIK holds that it was in the public interest to report on that case, despite the fact the first instance court ruling found KRIK liable. It should be known that the verdict against KRIK does not question the veracity of the wiretapped conversation that the journalists published, it is also claimed that journalists have the right to explain things to their readers – but at the same time the KRIK’s journalists were convicted precisely because they explained to the readers the meaning of the expression “on the cauldron” (as being paid by someone). The more scandalous part of the verdict is that the fact that Bratislav Gašić is an official was taken as an aggravating circumstance against the journalists – instead of being the other way around. KRIK has appealed, the case was then sent for a retrial, and we are waiting for the final verdict.</p>	<p>decision found KRIK liable.</p> <p>The decision has been appealed by KRIK.</p>
11	Judge Dušanka Đorđević and her spouse, Aleksandar March 2024	Defamation lawsuit seeking damages of 760,000 RSD (app. 6,000 EUR) and removal of her profile from the database.	Judge Dušanka Đorđević and her husband, lawyer Aleksandar, have filed a lawsuit against KRIK editor Stevan Dojčinović and journalist Bojana Pavlović. The lawsuit was filed because of the judge’s profile published in the “ Judge Who Judges ” database, which KRIK has launched to increase transparency of the judiciary in Serbia. The database was created precisely to inform citizens about the work of the judiciary and nothing that could endanger the safety of judges was published in it. Despite this, Judge Đorđević claims in the lawsuits that the journalists violated her privacy by publishing her name and position in the Belgrade Court of Appeals, as well as information about the properties she owns with her husband. She even	Ongoing case.

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			claims that KRIK journalists have put her in danger and are helping criminals to find her, although no such information that would jeopardize her safety was ever published. KRIK holds that this lawsuit is a critical one and that it could set a dangerous precedent where journalists could face penalties for reporting on public officials.	
12	Judge Dušanka Đorđević and her spouse, Aleksandar March 2024	In the private criminal charge, the judge demands a two-year ban on practicing journalism and seeks a sentence of 10 months in prison for our editor Stevan Dojčinović and journalist Bojana Pavlović.	The same Serbian judge, together with her husband, also filed a private criminal charge against KRIK over the fact that our media outlet published her profile in our " Judge Who Judges " database. The judge claims that the journalists violated her privacy by publishing her name and position at the Belgrade Court of Appeals, as well as information about the properties she owns with her husband, in the profile that was published in the database in late January 2024. The lawsuit uses similar argumentation as the private criminal one, in addition to which the judge claims that this is a criminal offence in accordance with Article 146 of the Serbian Criminal Code, allegedly constituting the unlawful collection of personal data. She also claims that the protection measures against the journalists should be invoked, in line with article 85 of the Serbian Criminal Code, which would impose a 2 year occupational ban on practicing journalism.	Ongoing case.
13	Duško Mirković April 2024	The lawsuit demands a compensation of 600,000 RSD (app. 5,000 EUR) for non-	Police officer Mirković sued KRIK over an article which focuses on the findings presented in a police report related to the work of an organized criminal group lead by Darko Šarić. In the article, police officer Mirković is only mentioned in passing, in one sentence, as “one of the accused of aiding the criminal organization”.	Ongoing case.

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		material damages due to emotional distress caused by injury to honor and reputation.	The plaintiff claims to have suffered “irreparable harm due to being publicly portrayed in the media as a criminal”, even though KRIK was only quoting information about him from the official state documents.	
14	Kurir 1 July 2021	Damage to business reputation, 11 million RSD in damages (app. 95,000 EUR)	Kurir, a pro-government tabloid, sued KRIK and six other media outlets for “unfair competition and damaging its reputation”. The lawsuit was based on an analysis done by KRIK’s fact-checking portal RaskRIKavanje in 2021, revealing that Kurir had published 163 biased or manipulative news stories on its front pages in 2020. <u>The court eventually ruled in favor of KRIK, the first instance verdict is stating that such analysis is part of investigative journalism and not unfair competition.</u> However, this has become a standard practice for Kurir to sue Raskrikavanje on annual basis, owing to the fact that KRIK’s fact-checking portal continues to produce similar analyses on manipulative news content in the subsequent years.	Ongoing case - First instance decision in favor of KRIK, April 2024. The plaintiff has the right to appeal.
15	Kurir 2 October 2023	Damage to business reputation, 11 million RSD in damages (app. 95,000 EUR)	The second Kurir’s lawsuit is brought against KRIK because of another similar analysis by Raskrikavanje, which found that in 2022, Kurir published at least 122 unfounded or manipulative front-page stories. Kurir claims this analysis damaged its business reputation. Kurir sued KRIK and six other media outlets that republished the findings, again for alleged “unfair competition and defamation”.	Ongoing case.
16	Kurir 3 May 2024	Damage to business reputation, 11 million RSD in damages (app. 95,000 EUR)	Traditionally, for the third time, Kurir sued KRIK over the analysis produced by RaskRIKavanje about the manipulative content on front pages, which claims that Kurir published 56 manipulative front-page stories during 2023. Other news portals that have republished the findings have been sued as well.	Ongoing case.

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17	Stanko Subotić March 2021	Seeks 155,000 CHF in damages from (at the time) KRIK's reporter.	<p>Highly controversial Serbian businessman Stanko Subotić has sued KRIK's partner organization Organized Crime and Corruption Reporting Project (OCCRP), its publisher Drew Sullivan, and Dragana Pećo, a reporter who at the time worked for KRIK.. The lawsuit was filed in Switzerland and it was over a joint KRIK/OCCRP investigative story from 2018 which discovered that Subotić was set to make millions from the expansion of Belgrade's airport. Subotić has never responded to the questions posed by our journalists, nor has he requested any specific corrections in the stories published about him.</p> <p>Dragana Pećo, the defendant in the case, no longer works for KRIK and has since joined OCCRP on a full-time position , and there is no legal liability of KRIK in the case. However, since the story was published while she was a member of KRIK's team, we follow the proceeding, we help our OCCRP colleagues in preparing the defense when needed and stand by the findings presented in the investigative story.</p>	Ongoing case.
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