A person walks past a newspaper showing the results of Brazilian elections in 2022. REUTERS/Pilar Olivares

UNDERSTANDING DEFAMATION LAWS IN BRAZIL

INTRODUCTION

When applied legitimately, defamation laws are intended to protect individuals against false statements that are harmful to their reputation. Yet both civil and criminal defamation laws also have the potential to be misused to prevent open public debate. Threats of lawsuits and subsequent fines and potential imprisonment can serve as a tool of politicans, public figures and prominent businesspeople to censor journalists and restrict reporting. Former President Jair Bolsonaro took a particularly aggressive stance against critics in the press. There are positive indications that the election of Luiz Inácio Lula da Silva as the new President of Brazil in October 2022 heralds an improvement in the relations between government and press freedom, with Brazil moving 18 places up the Reporters Without Borders Press Freedom Index,[1] however this will need to be closely monitored.

This Guide provides journalists with a practical understanding of defamation laws and the steps they can take to mitigate defamation liability in Brazil. We aim to empower journalists to understand their legal rights and obligations so that they can continue to report on issues of vital public interest in an informed way.

1 Reporters Without Borders, *Press freedom threatened by political instability*, April 2023, available at: https://rsf.org/en/classement/2023/americas

LNJAR STRENGTHENING INDEPENDENT JOURNALISM
CPJ Committee to Protect Journalists
MEDIA DEFENCE
THOMSON REUTERS FOUNDATION

Journalists of Folha de S. Paulo newspaper work inside the editorial office of the newspaper. REUTERS/Nacho Doce

1. WHAT IS DEFAMATION?

A. WHAT IS CRIMINAL DEFAMATION?

The Brazilian Penal Code contains the following restrictions on freedom of speech under the umbrella of "Crimes Against Honour":

Defamation:

Article 139 of the Brazilian Criminal Code defines defamation as conveying a fact that is offensive to the offended party's reputation to a third party. For example, journalist Paulo Cezar de Andrade Prado was sentenced to prison for allegations deemed offensive stemming from his reporting on political donations in municipal and national elections.

Slander:

Article 138 of the Brazilian Penal Code defines slander as knowingly and falsely suggesting that an innocent party committed a crime (whether the offended party is dead or alive) to a third party. For example, journalist Leandro Demori, was investigated for criminal slander for his reporting on what he called "murderous" police operations in Rio de Janeiro.

Injury:

Article 140 of the Brazilian Penal Code defines injury as offending another's "dignity or decorum," which can consist of insults or other derogatory statements. For example, journalist Carlos Santos was fined for calling a town's mayor unfit in multiple blog posts.

***Sobrino v. Talento* (2014)**
In 2010, journalist Aguirre Talento published an article alluding to an investigation into businessman Humberto Riella Sobrino for noncompliance with environmental regulations. Sobrino accused Talento of defaming him by implying that Sobrino be placed in preventive detention. Talento responded that there was no evidence of intentional malice and that he only suggested preventive detention as a possibility. The judge dismissed this defence, noting that Talento caused embarrassment to Sobrino through the publication of the possible prison sentence.

B. WHAT IS CIVIL DEFAMATION?

Article 17 of the Brazilian Civil Code states that "a person's name may not be used by others in publications or representations that expose them to public contempt, even when there is no defamatory intention." Article 18 of the Brazilian Civil Code prohibits the use of a third party's name on marketing without authorization. Article 20 of the Brazilian Civil Code prohibits the distribution of writings or use of the image of a person if they affect the person's honour or respectability. Furthermore, Article 21 of the Brazilian Civil Code states that an individual's private life is inviolable (in other words, must not be infringed upon), and a judge may take necessary measures to forbid or cease any act against this rule, upon requirement request of the interested party.

***Marena v. Auler* (2016)**
In 2016, journalist Marcelo Auler published a blog accusing a federal marshal of leaking information during a police investigation into government corruption and money laundering. The court found that Auler's allegations, without any proof, caused harm to the marshall's professional reputation. The civil court ordered Auler to take down the blog.

***Gutjahr v. Sharkey* (2011)**
In the aftermath of a plane crash in Brazil in 2006, journalist Joe Sharkey, who survived the crash, criticised the Brazilian authorities' response to the crash.[2] In 2009, a widow of a deceased passenger and citizen of Brazil, filed a civil lawsuit against Sharkey for offending the honour of Brazil based on comments made by third parties on Shakey's blog post, including one calling Brazil the "most idiot of all idiots".[3] Despite the comments not being made by Sharkey, the court imposed a fine on Sharkey and ordered Sharkey to publicly withdraw the statements.

2 Joe Sharkey. "A Short Selection from the Tuba Chorus." Posted 12.29.2006. https://joesharkeyat.blogspot.com/2006/12/.
3 Reporters Committee for Freedom of the Press. "SPEECH Act protects against libel tourism." 2010. Available at https://www.rcfp.org/journals/the-news-media-and-the-law-fall-2010/speech-act-protects-against-l/.

2. IN WHAT INSTANCES CAN I BE PROSECUTED AND/OR SUED FOR DEFAMATION?

There is a low bar for what constitutes defamation in Brazil. To be prosecuted under Article 139 of the **Brazilian Criminal Code,** the following requirements need to be met:

- a fact must be attributed to another person, and
- the fact must negatively affect their reputation.

Offensive statements, accusations, or allegations can constitute defamation. Acts such as publishing WhatsApp messages or merely insulting someone can be grounds for a criminal defamation lawsuit that carries a jail sentence. Slander against a deceased person may also be punishable. The Brazilian Criminal Code does not have a set standard for what constitutes "offensive", which will be analysed on a case-by-case basis.

To be sued under Article 17 of the **Brazilian Civil Code**, the following requirements need to be met:

- one must expose a person's name to the public through a publication, and
- this person must be exposed to public contempt (whether foreseeable or not).[4]

Statements that offend the personality rights, including the right to privacy, image, and honour, can constitute defamation that would entitle a victim to either damages or injunctive relief.[5] A civil defamation claim can stem from a statement or publication deemed offensive on moral grounds, or one that resulted in material or financial damages. The Brazilian Civil Code does not have a set standard for what constitutes "damage" to the honour of an individual. This will be analysed on a case-by-case basis.

4 Article 17: Privacy, Home, Correspondence; Honour and Reputation. https://www.cambridge.org/core/books/abs/commentary-on-the-international-covenant-on-civil-and-political-rights/article-17-privacy-home-correspondence-honour-and-reputation/5C2A432BF74C4289A49281A9279DAE35.

5 Injunctive relief is an order by the court to take a particular action or not act in a certain way.

3. WHAT ARE THE POTENTIAL CONSEQUENCES OF BEING CONVICTED FOR DEFAMATION?

The penalty for **criminal defamation** is imprisonment for three months to one year, with the possibility of a fine in addition to imprisonment. The penalty for slander ranges from six months to two years imprisonment, with the possibility of a fine in addition to imprisonment. The same penalty will apply to all parties that spread the slander, if the parties know the suggestion or accusation of a crime to be false and the offended party to be innocent.

The penalty for injury is one to six months imprisonment, with the possibility of a fine in addition to imprisonment. Injury holds a heightened penalty if the injury uses elements related to race, colour, ethnicity, religion, origin, or the condition of an aged or disabled person. These penalties increase by one-third when the act is committed against the President, a head of foreign government, public officials acting in their capacity as public officials, in the presence of several people in order to facilitate the dissemination of slander, defamation, or libel, or against a child, adolescent, a person over 60 years of age, or a disabled person. The penalties increase two-fold if the crime is committed upon payment or promise of reward and three-fold if the crime is committed or disclosed in any form of social networks on the internet.

Pre-trial detention is not permitted in the cases of first-time offenders accused of non-violent crimes. Additionally police officers can release arrested individuals on bail, or detainees will have a right to a bail hearing before a judge.

The possible consequences of a **civil action** include a fine, a court-ordered injunction, or both. Injunctions can order a broad spectrum of actions or omissions, such as issuing a retraction, removing an online story, removing a book from bookstores, or even prohibiting a journalist from mentioning a certain person or event.

Brazil's former President Jair Bolsonaro talks to the media. REUTERS/Adriano Machado

4. WHAT IS THE PROCEDURE FOR INSTITUTING DEFAMATION?

A. WHO CAN COMPLAIN TO LAW ENFORCEMENT ABOUT CRIMINAL DEFAMATION?

A criminal defamation charge filed against a private citizen is considered a private right of action, which means that only the offended party can bring the claim.[6] Criminal charges must be brought within six months of the date the offended party learns the identity of the person who made the allegedly offending statement.

If an allegedly defamatory statement is made against a public official in the exercise of their public duties (including the President of the Republic or the head of a foreign government), then defamation is a public right of action, such that the criminal defamation charge can be filed either by the offended party or by a Public Prosecutor on behalf of the offended party at the victim's discretion.[7] This procedure is applicable to all crimes against honour.

There are two different procedural options to file a criminal defamation charge:

1. **Police Report:** the offended party may file a police report at a police station in the jurisdiction where the defamation took place, or, if the crime was committed on the internet, at any police station. The police will draw up a report detailing the incident, and a mediation hearing will be scheduled. If no conciliation is reached, a report will be sent to the Special Criminal Courts where the criminal action will start.

6 Art. 145, Brazilian Penal Code.
7 Precedent 714 STF (Brazilian Federal Supreme Court)).

2. **Special Criminal Courts:** the offended party may initiate criminal action directly at the Special Criminal Courts of the jurisdiction where the incident occurred by filing a criminal complaint. To do so, the victim must have enough evidence to attach to the complaint.

The offended party is responsible for providing all evidence required to prove the defamatory, slanderous, or injurious statement whether the victim initiates the criminal action by filing a police report or bringing a claim in a Special Criminal Court.

B. WHO DECIDES WHETHER TO PROSECUTE A JOURNALIST WITH CRIMINAL DEFAMATION? HOW DO THEY DECIDE ON WHETHER THEY CAN CHARGE A JOURNALIST?

The offended party decides whether to bring the criminal charge (see above). Criminal charges must be brought within six months from the date the offended party learns the identity of the person who made the allegedly offending statement. The decision on whether a crime has been committed will depend on if the offended party can prove the alleged claim.

C. WHAT SHOULD I DO IF I AM ARRESTED AND/OR CHARGED WITH CRIMINAL DEFAMATION?

The first step is to engage a lawyer, who will be able to assist in exploring defences. Defendants have the right to be represented by lawyers in Brazil, and if they cannot afford one, subject to certain rules, the State will appoint a public defender who will provide free legal assistance. During a criminal defamation suit, the defendant will have the opportunity to defend themselves and, if they are convicted, to appeal the decisions until reaching a final and unappealable decision.

Journalists should also attempt to contact their employer, union and respective consulate or embassy for immediate support. However, they should also be aware of their legal rights upon arrest or charge, under the Brazilian Constitution.[8] The main rights are listed below.

- Changes in criminal law do not apply retroactively, except to the benefit of the defendant;
- Prisoners' physical and moral integrity are assured;
- Extradition of foreigners for political or opinion crimes is not allowed;
- No one will be prosecuted or sentenced except by the competent authority;
- Defendants have the right of due and fair process, including full right of defence (i.e. until all defences are exhausted);
- Evidence obtained through illegal means are not allowed;
- An arrest is only legal in case of flagrant conduct (i.e. conspicuously bad or offensive behaviour), or if determined by written order of a competent authority; and

8 Art. 5 of the Brazilian Constitution.

D. HOW DOES AN AGGRIEVED PARTY SUE A JOURNALIST/ MEDIA OUTLET FOR CIVIL DEFAMATION? WHERE DOES AN AGGRIEVED PARTY FILE A CASE FOR DEFAMATION?

The time limitation for bringing a civil defamation claim is three years from the date the offence took place.[9] A defamation offence is considered to take place when third parties (not including the victim) have knowledge of the offence.

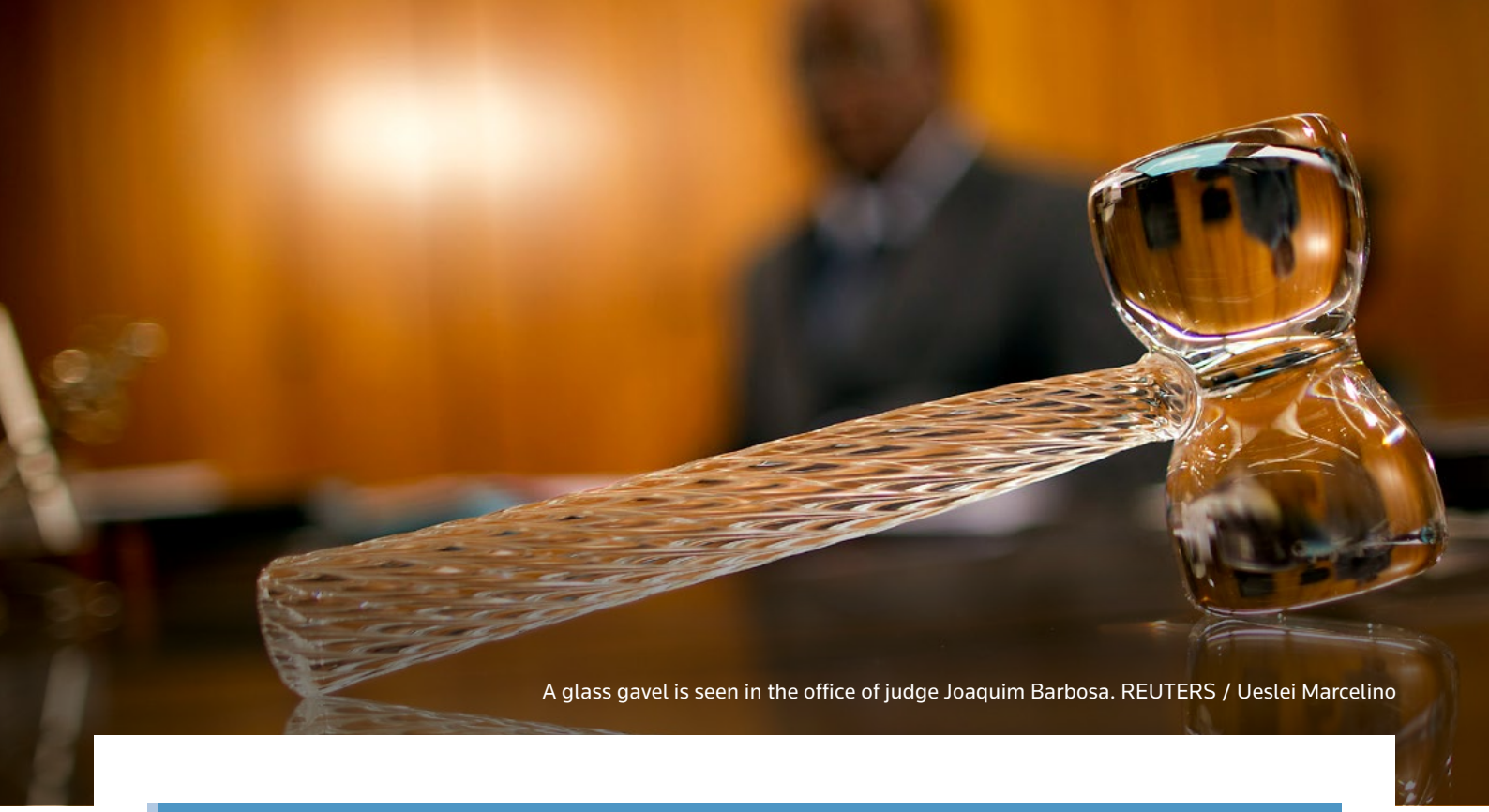
A civil defamation suit may be pursued concurrently to a criminal one. If successful, the civil claim will result in the defendant being required to pay financial compensation to the plaintiff. Civil suits are brought through civil courts only if actual damage can be proved. If the plaintiff "cannot prove material damage... it will be up to the judge to establish, equitably, the amount of compensation, in accordance with the specificities of the case".[10] The civil damages arising from a defamation charge can compensate for psychological and emotional damages or for the defamatory statement's impact on the public reputation or image of the plaintiff. The damages can also compensate for actual financial or property loss to the victim of defamation. If the plaintiff is not able to prove the exact damage or show the actual damages amount, the judge will consider the extent of the apparent.

The plaintiff of a civil defamation suit has a stronger claim when the plaintiff is able to provide convincing evidence of the damage suffered, such as screenshots of websites, text messages, emails, videos, audio, and witnesses. A mere dissatisfaction of the plaintiff about a criticism that does not exceed reasonable parameters will not be enough to rule against the defendant.

E. WHAT SHOULD I DO IF I AM SERVED WITH A CIVIL DEFAMATION SUIT? WHAT OPTIONS DO I HAVE IF I AM FOUND GUILTY? CAN I APPEAL?

The first step is to engage a lawyer, who will be able to assist with defence options. Defendants have the right to be represented by lawyers in Brazil, and if they cannot afford one, subject to certain rules, the State will appoint a public defender, who will provide free legal assistance. The defendant may also have the opportunity appeal the judge's decision.

9 Article 206 of the Brazilian Civil Code.
10 Art. 953, sole paragraph, Brazilian Civil Code.



A glass gavel is seen in the office of judge Joaquim Barbosa. REUTERS / Ueslei Marcelino

5. WHAT ARE THE DEFENCES AVAILABLE?

A. HOW CAN I DEFEND MYSELF IF I AM CHARGED WITH CRIMINAL DEFAMATION?

Article 220 of the Brazilian Federal Constitution provides the right to freedom of the press. However, journalists do not have immunity and may be prosecuted for defamation, slander, and injury.[11] According to the Brazilian Federal Supreme Court, "freedom of expression is not absolute,"[12] and a criminal judge presiding over a defamation claim will analyse whether the defendant had plausible reasoning behind the offending remarks or if the offensive words were only intended to offend the honour of the plaintiff. Such analysis will determine whether the right of free speech has been overridden by "fighting words," or "unjustified aggression[s]" that constitute a criminal offence.[13]

In addition to a constitutional claim to freedom of speech, there are several defences that journalists can turn to in the face of criminal accusations.

- **Slander**: truth is a defence to criminal slander. However, truth is not a defence to slander in which (1) if the offended party is still able to appeal a decision on their criminal case, as long as such criminal case is a private claim (in other words, started by a private citizen, as opposed to a public agency); (2) the offended party is the President of Brazil or the head of a foreign government (a prime minister or sovereign); or (3) there was a final acquittal of the offended party.[14]

11 Cabral Saraiva, Wellington. "Slander, defamation and libel: crimes against honor". Posted 06.12.2013. Available at https://wsaraiva.com/2013/06/12/calunia-difamacao-e-injuria-os-crimes-contra-a-honra/
12 Federal Supreme Court in HC 82.424/RS.
13 Ribas Jr., Douglas. "What is the limit between freedom of speech and crimes against honor?. Posted 06/30/2020.
14 Art. 138, Brazilian Penal Code.

- **Defamation**: truth is a defence to criminal defamation if the offended party is a public official and the statement pertains to the public official's duties in their official capacity.[15]

- **Injury**: a judge may decline to penalise injury on a fact-specific basis where the offended party directly provoked the statement in a face-to-face setting, or where the offended party made an injurious comment against the speaker and the speaker offered a quick reply.

There are also specific situations that are excluded, namely where the statement was (1) made in the context of discussing cause of injury in a court setting by the party or by the party's attorney (but not by the judge or other third parties); (2) intended to offer an opinion or criticism of artistic or scientific works (except where the speaker's intention is to defame, offend, or injure); (3) to comment on a public official's statement made in the context of the public official's duties when the statement is necessary in the public interest.[16] A defendant may attempt to show that they made a statement in the context of one of these scenarios and so would not be slanderous, defamatory, or injurious.

If a defendant fully withdraws the slanderous or defamatory statement prior to sentencing, the defendant will not be penalised. Such retraction must be made in the same places and using the same vehicles used to commit the alleged defamation.[17] That is, if the offence occurred in a certain newspaper, the retraction must be made in the same newspaper. However, a defendant will still be penalised even if they withdraw a statement regarding a public official in the exercise of their duties that is not exempt from criminality.[18] A defendant may also explain their statement where the person about whom the statement was made requests such explanations.[19]

> ***Danilo Gentili Júnior* (2019)**
> In 2019, the judge Maria Isabel do Prado of the 5th Federal Criminal Court of São Paulo/SP sentenced comedian Danilo Gentili Júnior to jail for six months and twenty-eight days for insulting federal deputy Maria do Rosário Nunes. Judge do Prado did not recognize Mr. Gentili's defence that the statement had been made as a joke and that he had no intent of harming the federal deputy's honour.

15 Art. 139, Brazilian Penal Code.
16 Art. 142, Brazilian Penal Code.
17 Art. 143, Brazilian Penal Code.
18 Crimes contra a honra: Calúnia, difamação, injúria, disposições comuns, exclusão do crime, retratação, https://www.direitonet.com.br/resumos/exibir/107/Crimes-contra-a-honra.
19 Article 144 of the Brazilian Penal Code.

B. HOW CAN I DEFEND MYSELF IF I AM CHARGED WITH CIVIL DEFAMATION?

If a respondent is sued for civil defamation, the respondent may work with their lawyer regarding the particular facts of the defamation allegation. Common defences to civil defamation suits are (1) that the respondent was merely stating their own opinions or reporting facts such that the responded had not defamed the claimant and (2) that the respondent did not cause damage to the claimant.[20]

***Da Costa v. Editora Abril* (2013)**

In 2013, Brazilian magazine Revista Veja published an article alleging Waldemar da Costa Neto's involvement in illegal money transfers abroad. Da Costa, a former congressman, sued the publishing company, Editora Abril. The court concluded that it was in the public's interest that the article be published, due to sufficient evidence from Editora Abril supporting the article and da Costa's status as a politician.

Whistleblower protections:

Journalists may also be protected under whistleblowing laws. According to the Brazilian legislation regarding whistleblowers, any person providing information concerning potentially illicit or irregular practices against federal public agencies is considered a whistleblower. A 2020 anti-crime reform package protects whistleblowers from employer retaliation, protects whistleblowers' identities, and provides whistleblower rewards in some instances.[21] Brazil is in the process of strengthening whistleblower protection processes within the federal government.[22]

20 Paula Mena Barreto, Vinicius Pereira, and Ricardo Caiado Lima, Brazil Media Law Guide: Defamation, Privacy and Data Protection, Carter-Ruck, https://www.carter-ruck.com/law-guides/defamation-and-privacy-law-in-brazil/.

21 Federal Law No. 13.608/2018; Law No. 13,964/2019.

22 No. 10,890/2021.

PRACTICAL STEPS JOURNALISTS CAN TAKE TO MITIGATE THE RISK OF DEFAMATION LIABILITY IN THEIR WORK

Summary

It is worth remembering that truth is a complete defence to a defamation action. There may be other limitations on publishing information, but to the extent that the information is and can be proved to be true, a defamation action will not be successful. A good rule of thumb is to only report what you are confident you can prove.

A rigorous focus on fair and accurate reporting at each stage, and verifying the truth of the matters reported will put you in the best possible position if faced with legal threats or claims. The suggestions below are intended to help you to think about practical means of achieving this. There are also other defences to a defamation claim which may be available to you depending on the jurisdiction, some of which are mentioned below.

Gathering Information

- Gather information early – as time passes and memories fade, information and sources can become less reliable.
- Use confidential sources with caution – if you are reliant solely on information from a confidential source in respect of certain allegations or statements in your reporting, be aware that proving the truth may be more difficult.
- Do not make promises to confidential sources that are not within your power to keep.
- Be careful with legal advice. In particular, do not claim a (false) legal fact in order to get information from a source.
- Nondisclosure agreements are permissible and effective to protect journalists from disclosing their source. If you do not conclude such an agreement – expressly or impliedly – you are not contractually (although you may be ethically) obligated to protect sources and maintain confidentiality.
- If you anticipate needing releases, obtain them early.
- Use public records to your advantage. You can use them to verify information you received from other sources.
- If you choose to utilise audio or visual recording, always pause to consider whether you can record without permission, or whether permission is required. When in doubt, ask for consent.
- When putting something in writing, know that should you be sued, you may be required to disclose sources and means of obtaining information.
- Keep a good record of your notes, meetings, etc.
- Research carefully. Verify sources and double-check your facts to ensure accuracy. Generally, you may only adopt communications from authorities and recognized agencies without further verification where you clearly attribute the source of the information.

Drafting and Vetting the Article

- Familiarise yourself with defamation law in the countries you're working in (see above). Be aware that there may be more restrictive laws in some countries – for example, in some countries it is easier for a company to bring a defamation challenge than in others.
- Familiarise yourself and comply with your news organisation's ethics guidelines and policies.
- Use credible sources to verify the accuracy of any potentially defamatory statements.
- Ask yourself whether there are any statements directed to identifiable individual(s) or companies that could be reputationally damaging. Confirm accuracy, and if doubt remains, weigh the benefits of keeping the statement in versus taking it out.
- Make your reliance on trustworthy and non-confidential sources transparent (for example, by hyperlinking to or otherwise disclosing the relevant reports or public records).
- A cornerstone of responsible journalism is seeking comment from the subject(s) of the reporting you intend to publish, particularly where you intend to make allegations about them or their conduct – you should clearly put the substance of allegations to the subject in advance and invite their response.
- Ensure, especially where you are engaging in investigative reporting, the subjects of your reporting have sufficient time to respond and have enough information to respond adequately. You should not show them a draft of your intended reporting but you should be prepared to share the substance of the intended publication.
- Reflect the comment /response in the article (you may use your editorial discretion in doing so). Even noting "no comment" or source "did not respond to requests for information" will go a long way in showcasing the steps the journalist took to report factual information.
- Be precise with your language and the meaning you intend to convey. Avoid any ambiguity, over-exaggerations or speculations. To the extent that you've made any assumptions, disclose them clearly as such.
- Always reproduce quotations correctly and attribute them clearly.
- Consider exculpatory circumstances and avoid one-sided reporting. Reporting should be balanced and not create a distorted picture of reality.
- Do not spread mere rumours, whether about public or private matters. Report only when a minimum body of evidence is available and feel comfortable in saying what you don't know, where applicable.
- Consider how litigious and risky the subjects of your reporting are, and plan accordingly. If it is someone with a history of litigious activity toward the press, engage your news organisation's legal/compliance team early.
- Consider whether you are making an assertion of fact or a potentially protected opinion. There must be sufficient evidence for a statement of fact. If there is any uncertainty or doubt, consider formulating it as an expression of opinion (based on true facts) or presenting it as an assumption.
- Beware of republication liability. If you take information from another medium for your reporting, you assume responsibility for its content.

- Consider whether any available defences to defamation – for example truth, public interest reporting, qualified or absolute privilege, fair and accurate reports of certain proceedings – apply.
- There are several defences to a defamation action other than truth / justification, some of which may be particularly applicable to journalists – for example, in some countries there is defence for reporting in the public interest. There may also be defences available where an article expresses an opinion and are written in public interest. However, these defences are not fool-proof and will usually involve satisfying a number of requirements. If you intend to rely on a defence, consult your legal team or research precedent to ensure that the defence is likely to be available.

After Publication

- Stay informed of any developments in the subject matter that might change, call into question, or shed new light on the published information. Originally permissible reporting may generally be kept in the online archive. You typically have no active duty to investigate or update the reporting. Only if an affected party raises a qualified complaint about the reporting, you may be required to add supplementary information or take reasonable precautions to prevent the reports from being found in search engines in name-related search queries ("right to be forgotten").
- Consider whether to keep your notes and relevant communications and, if so, for how long – knowing the limitation period for defamation claims in the relevant jurisdiction may assist.
- Be willing to correct or retract your mistakes and issue an apology to the extent necessary for the justification/truth defence. You may be required to correct factual allegations that have subsequently proven to be incorrect and have a lasting effect on the personal rights of the person concerned. This is usually done via a supplement/correction in the next issue or on the website.

Please note that journalists must also remain cognisant of emerging trends in other areas of the law that place their wellbeing at risk, or which could create legal risk – such as applicable privacy laws.

ABOUT US

The Legal Network for Journalists at Risk (LNJAR)

The Legal Network for Journalists at Risk (LNJAR) was founded by the Committee to Protect Journalists, Media Defence and the Thomson Reuters Foundation to meet the growing need for legal support among independent journalists and media outlets. The LNJAR is a network of expert member organisations who have come together to create a single access-point to an ecosystem of legal support. Journalists facing legal attacks can contact any one of the member organisations individually, or can email the Network directly. LNJAR members will work together to combine the different support available, tailoring its response to each case. This ensures that member organisations make the best possible use of limited resources and avoid duplication when providing legal support. To strengthen the legal environment for media freedom, member organisations will also collaborate on capacity building initiatives and advocacy.

Committee to Protect Journalists

The Committee to Protect Journalists (CPJ) is an independent, non-profit organisation that promotes press freedom worldwide. We defend the right of journalists to report the news safely and without fear of reprisal. Every year, hundreds of journalists are attacked, imprisoned, or killed. For more than 40 years, CPJ has been there to defend them and fight for press freedom. With a team of more than 50 experts based around the world, CPJ documents and denounces press freedom violations, meets with heads of state and high-ranking officials, spearheads or advises on diplomatic efforts, and works with other organisations to ensure that justice prevails when journalists are jailed or murdered. CPJ also provides comprehensive, life-saving support to journalists around the world through up-to-date safety information and rapid response assistance.

Media Defence

Media Defence provides legal help to journalists, citizen journalists and independent media across the world, in the belief that a free press is essential in realising the right to freedom of expression. We support journalists who hold power to account by working to ensure the legal protection and defence of journalists and independent media so they can report on issues of public interest. We do this by providing assistance to journalists, citizen journalists and independent media through an emergency defence fund, by taking strategic cases to challenge unjust laws and protect freedom of expression, and through developing a worldwide network of partners and specialists to provide legal defence, which we support through grant making, training and information sharing. Since our founding in 2008, we have supported over 1,300 cases, helping hundreds of journalists in 117 countries. Our work has helped prevent over 350 years of detention for media workers and avoided over $700m in damages. We have supported 40 partners and, thanks to our train-the-trainer program, have fostered specialist media defence expertise in over 300 lawyers.

Thomson Reuters Foundation

The Thomson Reuters Foundation is the corporate foundation of Thomson Reuters, the global news and information services company. The organization works to advance media freedom, raise awareness of human rights issues, and foster more inclusive economies. Through news, media development, free legal assistance, and convening initiatives, the Foundation combines its unique services to drive systemic change. Its mission is to inspire collective leadership, empowering people to shape free, fair, and informed societies. TrustLaw is the Thomson Reuters Foundation's global pro bono legal programme, connecting high-impact NGOs and social enterprises working to create social and environmental change with the best law firms and corporate legal teams to provide them with free legal assistance in order to produce ground-breaking legal research and offer innovative training courses worldwide.

REUTERS/Pilar Olivares

ACKNOWLEDGEMENTS & DISCLAIMER

The Committee to Protect Journalists, Media Defence and the Thomson Reuters Foundation Thomson would like to acknowledge and extend their gratitude to the legal teams who contributed their time and expertise on a pro bono basis to make this Guide possible.