Annual Report
2023
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“I dread thinking about it. I did not have money to pay for legal fees and might not be a journalist today, if not for Media Defence. Honestly, I would have left journalism.”

Journalist supported by Media Defence in 2023.
For 15 years, Media Defence has provided crucial legal support to journalists and independent media worldwide. As the sole organisation entirely dedicated to this cause, we’ve made a significant impact: spanning 117 countries, we’ve supported over 1,500 press freedom cases, and provided support and training to 270 lawyers to defend press freedom globally.

While we’ve achieved significant milestones, the urgency for our support is increasing. Since our inception in 2008, we’ve witnessed a global decline in press freedoms.

Maria Teresa Ronderos
Chair

The Committee to Protect Journalists documented 320 journalists behind bars in December 2023. The number was the second-highest recorded since the census began in 1992 – a disturbing indicator of rising authoritarianism and attempts to silence critical voices. From Vietnam to Turkey, Azerbaijan to Brazil, we have seen states and powerful actors increasingly bring spurious charges and misuse laws to detain journalists. Media Defence is helping these journalists get proper legal support, and despite the difficulties, we are helping them win cases and protect their freedom to report.

Some governments go a step further, using transnational repression to threaten and harass journalists beyond their own borders. We have witnessed tactics ranging from unlawful rendition to the use of spyware such as Pegasus, INTERPOL Red Notices, and even transnational killings. Media Defence represents journalists seeking redress in each of these situations.

Additionally, while the Internet has in many ways revolutionised freedom of expression and access to information, Internet shutdowns, content take down notices, gendered smear campaigns and cyberattacks continue to be wielded to suppress dissent.

In 2023, Media Defence’s work adapted and grew to meet these challenges to freedom of expression. The team supported more live cases in total than in any previous year and has hired new members of staff in critical teams. We continue to collaborate with other organisations in the sector and in September we marked one year of the Legal Network for Journalists at Risk, where we share the steering committee with the Committee to Protect Journalists and Thomson Reuters Foundation. This network aims to coordinate legal help, providing independent journalists and media outlets at risk with a single-entry point into an ecosystem of support.

The types of cases the Media Defence team is supporting also reflect global trends, with a worrying number of journalists targeted with spyware, silenced through Strategic Lawsuits Against Public Participation (SLAPPs), and criminal defamation laws. We also continue to combat impunity for crimes and violence against journalists, pushing for accountability and adequate redress.

In the face of these threats to civic space and press freedom, I am nonetheless encouraged by the bravery and resilience demonstrated by the journalists and media outlets we support. They work tirelessly to expose corruption and human rights abuses, despite great personal risk. We rely on their determination and continued public interest reporting to have access to vital and independent information. We are committed to defending them, standing against these escalating threats, and endeavouring to improve the environment in which they work. As the landscape changes, our approach will continue to change - meeting new tests to journalists’ resilience head on. Our mission remains firm: safeguarding the cornerstone of a free and informed society.
I am proud of the team for their hard work and commitment. This annual report reflects on some of our accomplishments, the challenges we have faced, and the evolving threats to media freedom globally in 2023.

In 2020 we wrote that “the context in which we operate was forecast to worsen as insecurity and populism spread, while governments copy restrictive and abusive practices from others”. At that point we planned to grow so that we could reach more journalists and “prevent them from facing threats alone, without the protection of resourced media houses or effective legal representation”. As this report points out, as digital platforms continue to grow, so too do the means through which expression can be curtailed. Governments and powerful actors use ever more sophisticated tools to monitor, intimidate, surveil and silence critical reporting. In response, Media Defence has intensified its efforts, providing legal support so that independent journalists continue reporting and their voices are not stifled.

Our work in 2023 has spanned over 70 countries, reflecting the global scale of the threats to free expression. Our capacity building activities were implemented for the first time in Southeast Asia and Brazil, we onboarded two new partners in Mexico and Nepal, and extended our partnership with two of our partners in sub-Saharan Africa. Additionally, we are grateful to our new funders in 2023, the David and Lucile Packard Foundation, Fred Foundation, Digital Freedom Fund and the Spyware Accountability Initiative for their inaugural financial support of our work.

From our CEO: Carlos Gaio

"We have come a long way, but a chilling effect still hovers over independent journalists, bloggers, and media outlets. Inasmuch as we celebrate being able to help a greater number of journalists and media outlets, we cannot ignore the fact that journalism is facing more legal threats and violence than ever before."

Carlos Gaio
CEO

It is not a surprise that 2023 continued the trend of increasing challenges to public interest journalism everywhere. It is worrying how the environment for journalists has become more dangerous and fragile over the past decade. The events in Ukraine and the Middle East are stark reminders of the viciousness of war and the enormous risks faced by the brave journalists and media workers reporting the reality of conflict to the world. We are conscious of the difficulties in supporting litigation given the global current context and remain open to providing support where we can. Our team is actively researching potential cases where we could offer a legal defence or provide financial assistance for legal proceedings. As a steering committee member of the Legal Network for Journalists at Risk and an active participant in the Journalists in Distress Network, we are dedicated to ensuring comprehensive protection for journalists in Gaza and the Occupied Palestinian Territories.

In the face of these mounting threats, Media Defence remains a crucial ally to independent journalists and outlets. Despite unprecedented challenges, we were able to engage in a record number of strategic cases, carried out more capacity building activities than ever, and grew our income and staff.

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Carlos Gaio
CEO
Despite increasingly complex and elaborate threats to journalism, our resolve to protect and promote free speech remains.

Carlos Gaio
CEO
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 legal 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 grantmaking, training and information sharing.

We are unique in what we do. To date, we are the only organisation in the world solely focused on providing this crucial help to journalists.

We provide 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.
Our 2020 – 2024 Strategy

Press freedom has seen a sharp decline over the past few years and the context in which we operate is only forecast to worsen as authoritarianism, populism and disinformation spread.

Increasingly, journalists face legal threats alone, exacerbated by escalating closures of independent media houses, ongoing conflicts and the weaponisation of technology by authorities to silence critical voices. Without access to effective and affordable legal support, journalists are prevented from carrying out their critical work of informing the public. That is why we are scaling up our support and ensuring that our work has a wider impact.

Our overall goal is to enable independent media to hold power to account by reporting on matters of public interest, free from abusive legal action. Five key strategic and enabling goals drive our work.

Strategic goals
• Journalists in need have access to free emergency legal assistance.
• The legal climate for press freedom worldwide is improved.
• Specialist, free legal defence for media is available globally from well informed legal practitioners and partners, able to defend individual journalists and take strategic cases to protect and extend freedom of expression.

Enabling goals
• Strengthened internal capacity to meet the global legal challenge to journalists’ ability to work on issues of public interest.
• Through the strategic communication of our work and that of our partners, Media Defence is recognised globally as a centre of expertise in legal defence of press freedom.

We have made strong progress towards achieving our goals in 2023. The total number of cases we are supporting continues to grow and we are on track to support at least 100 new emergency defence cases per year by 2024. We are already exceeding our 2024 target of undertaking 58 strategic cases per year, having supported 84 new ones in 2023. We have deepened our support to our partners and have facilitated cross-partner learning - sharing best practices and strengthening legal advocacy across the world.

This has been underpinned by organisational growth and leveraging relationships with new and existing funders to increase our income. We have broadened our communications, reaching more journalists, media and human rights lawyers and potential partners through our growing social media channels, as well as through a monthly newsletter in English and a quarterly newsletter in Spanish along with regular webinars. Finally, we improved and expanded our Resource Hub in 2023 by launching training modules for Spanish speaking lawyers in Latin America, making our online legal resources more accessible to media lawyers defending digital rights in key regions.

As we approach the conclusion of our current strategy period in 2024, we conducted a comprehensive review of our progress so far and have initiated planning for our 2025-2029 strategy. This involved a thorough examination of key challenges, lessons learned, and necessary adaptations to ensure a holistic assessment of our impact and the achievement of our objectives for the upcoming period.

We observed that the operational landscape has become considerably more challenging, marked by the closure of independent media outlets, a continuing surge in SLAPPs, global conflicts, and persistent regulatory hurdles complicating international fund transfers to certain high-need countries. These factors have influenced the way we provide support.

Despite these obstacles, we achieved notable successes in 2023, surpassing our targets for both emergency defence and strategic cases. Moreover, the cases we won hold significant potential to influence the freedom of expression landscape and enhance the experiences of marginalised journalists.

Internally, we engaged in discussions to refine our understanding of success in our work and to enhance the support we provide to our partners. In 2023, we expanded our team to 20 members and maintained a stable income.

Looking ahead, we are committed to defending journalists worldwide, standing against the escalating threats to freedom of expression. As the landscape changes, our approach will change to meet challenges head on. We are strengthening our relationships, enhancing our communication efforts by offering support in multiple languages, and continually learning from the feedback of journalists and lawyers we support. These initiatives will ensure that we remain agile and effective in navigating challenges and upholding our commitment to defending freedom of expression worldwide.
In 2023, we supported 595 active cases in 70+ countries.

Throughout the year we also worked with 21 partner organisations operating in Europe, Latin America, Africa, Asia and the Middle East and North Africa. Our support enabled them to litigate 466 cases.

Our capacity building programme trained 62 lawyers from 22 countries, hosting our first ever Southeast Asia litigation surgery in Kuala Lumpur, and our first national litigation surgery in São Paulo for Brazilian lawyers.
We supported journalists and media outlets in 176 new cases in 2023. 84 of these cases were strategic, which means they can generate impact beyond the individual case, with the potential to improve the environment in which the media operates. As litigation can be enduring, these new cases only form a small part of our overall caseload. Our team worked on or monitored a total of 595 cases during the year across more than 70 countries. This represents an increase from 2022 when we worked on 543 cases during the year in 82 countries.

We identified a number of trends and new developments that hamper journalists’ ability to gather information or report, and we sought to counter these at national, regional, and international courts.

Over the past few years, the environment in which we are working has continued to worsen and this is reflected in our work. Cases that came to an end in 2023 had an overall success rate of 58%, which is lower than we have seen in previous years. As before, a large proportion of the cases supported in 2023 were not expected to receive a successful outcome at the national level, due to a lack of judicial independence or other challenges in the operating environment. In the majority of instances, however, we must exhaust domestic remedies before we can bring these cases to regional or international courts. It is through international mechanisms that we hope to achieve successful outcomes, and where our success rate is higher.

We worked with 21 funded partners throughout the year, enabling them to provide high quality legal support to journalists and independent media outlets in countries where the need is the highest. A record number of 62 lawyers were trained to provide better legal support to the media. We improved our Resource Hub, where lawyers can access all our training materials and resources on one easy-to-use site. We did this by tailoring the content to our audiences, ensuring that all content is up to date, and launching Spanish modules for lawyers in Latin America.

We improved our ability to meet the growing need for our support in 2023, by welcoming eight new members of staff. We onboarded our first HR & Operations Manager. Our commitment to invest in our staff remains strong as we celebrated the promotion of four staff members who progressed into new roles. We strengthened our relationship with existing funders, recognising that their partnership and support is critical to the achievement of our mission. We were also honoured to welcome 4 new funders during the year. As a result, our income increased significantly, enabling us to undertake more activities for our beneficiaries.

We look forward to continuing to work closely with our funding partners to grow our impact and amplify our work.

Journalists faced increasingly challenging and dangerous circumstances around the world, and the need for legal support to the media continued to grow in 2023.
In September 2023, we celebrated the one-year anniversary of the Legal Network for Journalists at Risk (LNJAR). Launched by Media Defence, the Committee to Protect Journalists and Thomson Reuters Foundation, LNJAR is a network of expert member organisations who have come together to create a single access-point to an ecosystem of legal support. Media Defence manages the day-to-day operations of LNJAR.

Legal cases can be complex and prolonged and LNJAR members work together to coordinate the different support available. This ensures that member organisations make the best possible use of limited resources and avoid duplication when providing legal support. It also takes the onus off journalists facing legal threats to navigate different organisational mandates and case criteria. To strengthen the legal environment for media freedom, member organisations also collaborate and share information on activities aimed at building legal capacity to defend journalists.

In its first year, 18 leading freedom of expression & human rights organisations joined the network. Since its launch LNJAR has enabled 18 journalists and media outlets facing legal attacks in 15 different countries spanning Africa, Asia, Europe & Central Asia, and North America, to access coordinated support. The leading type of legal attack against journalists LNJAR has received requests from are defamation related, including SLAPPs, followed by anti-state charges. The Network has also released four ad-hoc “Know-Your-Rights” guides.

In September Media Defence formed a consortium, with established women-led organisations: ACOS Alliance, IFEX, and the International Women’s Media Foundation (IWWM) to spearhead the Safety in Numbers programme. This programme brings a rights-based, feminist approach, ensuring that women and the most vulnerable media workers will be integral and a focus of the planning and delivery of our activities. Together, we’re pioneering a collaborative effort to comprehensively address journalists’ safety, covering physical, digital, legal, and psychosocial safety measures. This holistic approach works towards greater protection both online and offline, for 1000’s of journalists across 115 countries. The programme reflects our shared commitment to safeguarding journalists and media workers worldwide.

We are also a member of the ACOS Alliance, a coalition of 130 news organisations, freelance journalist associations and press freedom NGOs with whom we work to champion safe and responsible journalistic practices. Coalition Against SLAPPs in Europe (CASE) is a coalition of non-governmental organisations from across Europe united in recognition of the threat posed to public watchdogs by SLAPPs. We work with CASE to counter legal harassment and push for protective legal measures and reform. Coalition Against Online Violence (CAOV) is a collection of organisations working to find better solutions for women journalists facing online abuse, harassment and other forms of digital attack. It offers collective support to bolster digital security and provides resources on combating online violence against women journalists.

We continue to collaborate with partner organisations who are part of Digital Rights Litigators Network (DRLN), litigating cases relating to digital rights and identifying opportunities to provide support for cases in domestic courts. Journalists in Distress (JiD) is a network of media freedom organisations which provide direct assistance to journalists and media workers who are at risk because of their work. The network is an informal forum for sharing information on journalists in distress and developing joint initiatives for emergency response.
Emergency Defence

We provide emergency defence to journalists and media outlets facing complex and costly lawsuits and other forms of legal intimidation as a result of their reporting. Through grants and pro bono legal support, we ensure that journalists are able to fight back against efforts to silence them.

Journalists are facing legal threats alone

Out of all of the cases we supported in 2023, the majority involved individual journalists, including freelance journalists, citizen journalists and bloggers, who work without the support of resourced media outlets. Many of these were digital rights cases, meaning that the journalists were publishing their work online, either on blogs, online newspapers, social media, or other online platforms. Additionally, data from our Journalist Impact Survey indicated an uptick in the closure of independent media outlets across the countries we work in.

A large majority of the individual journalists that we supported in 2023 were under legal threat for their reporting on topics such as corruption and politics. A smaller group amongst these independent journalists were reporting on crime, justice, protests, religion, gender and sexuality, armed conflict, and environmental issues.

These trends show that there is great need to support cases where journalists face costly and complex litigation. In an attempt to silence them, authorities and powerful individuals use multiple lawsuits to threaten critical reporting and harass journalists without the resources to protect themselves.
After posting a Twitter (now X) response that was taken out of context and widely circulated by far-right groups as anti-Hindu, S, a journalist in India, was suddenly inundated with thousands of violent threats online, targeting her and her family. At the same time, different news sites published articles with her pictures, fueling a wave of opposition and hatred against her.

S was the target of a coordinated online smear campaign. Her tweet had been flagged by extreme right-wing groups, who circulated a screenshot, claiming it was blasphemous and Hindu-phobic. According to RSF, far-right groups like these, who espouse Hindutva, the ideology that gave rise to Hindu nationalism, are trying to purge all forms of “anti-national” thought from the national debate. It is common for these coordinated hate campaigns against journalists to include alarming calls for the journalists concerned to be murdered or assaulted. These campaigns are often particularly virulent when the targets are women, becoming highly sexualised and misogynistic.

“The intensity of the trolling was definitely gender related”, S stated, “In India women’s ‘honour’ is often still seen as the most valuable thing to be kept, it can be distressingly simple to tarnish a woman’s reputation. So, when they attacked my character, honour, or made violent sexual threats, it was a deliberate targeting of my gender, exploiting societal norms to undermine and intimidate me.”

These Hindu nationalist campaigns have also exacerbated self-censorship in India, and some media observers have suggested that reporting has become less ambitious in recent years. “When the might of the far right started trolling me it was too much for me to bear - I collapsed. It took a great deal of time to come back on social media and even when I did, I self-censored a lot”, S told us.

The consequences of the online harassment were severe. S was forced to deactivate her social media for over 6 months, was dismissed from her job at a renowned media house and her wellbeing suffered severely. Over 25 complaints were registered against her with the police. One of these complaints was filed under an offence related to “insulting religious feeling”, which is a non-bailable offence, meaning she could have been arrested upon showing up at the police station. S went into hiding for three months to avoid arrest.

Since 2021 Media Defence has been financially supporting S’s legal cases, securing anticipatory bail, enabling her to come out of hiding. “We had not expected to get this.” S tells us, “The situation in India is so severe that many other journalists have not received this and have been jailed. So, this was a big relief.”

The case against S was dropped, not because the police acknowledged it as unfounded, but because the complainants withdrew their complaint after S was forced into an apology. S was called into the police station under false pretenses. When she arrived, she realised that two of the men from the far-right groups who had filed complaints against her were there too. “These men were incredibly dangerous, with a history of violence” S told us.

S was told by the police that if she apologised to the complainants, the case against her would disappear. S told us that throughout the meeting the men made highly sexualised comments and threats towards her. “I was very uncomfortable” she recalls, “I was crying and shaking when these conversations were happening. I was a woman, in a room full of men who could do anything to me. So, for safety, I apologised.”

Though the case was dropped, the ordeal was traumatic. While S wishes she had fought the case further, she noted that its closure was also somewhat of a relief, allowing her to continue her journalism career and travel more freely.

S has become an award-winning independent journalist, writing for world renowned publications. Additionally, she is in the process of writing a book, after launching an investigation into the troll farms that targeted her, shedding light on how they recruit and engage in abusive behaviour towards potential targets.

“My crime was nothing other than the expression of critical thoughts” S noted. Despite the traumatic circumstances of the case closure, S emphasised the importance of Media Defence’s support throughout. “I dread thinking about it… I did not have money to pay for legal fees and might not be a journalist today, if not for Media Defence. Honestly, I would have left journalism.”
Defamation

In every region where Media Defence is active, public officials and powerful private actors have weaponised defamation laws to target their critics among independent media and citizen journalists. In keeping with this trend, defamation cases accounted for a considerable number of new emergency defence cases we undertook last year. In all of those instances, journalists were targeted for their investigative journalism or criticism of powerful individuals on issues of public interest.

A significant portion of defamation cases we took on last year bore the hallmarks of so-called “strategic lawsuits against public participation” (SLAPPs). It does not matter to well-resourced SLAPP claimants whether their claims have genuine basis and are likely to succeed in courts. They seek to intimidate and exhaust the defendants by simply drawing them into expensive and protracted legal proceedings. In response to the threat SLAPPs present to freedom of expression, national and regional jurisdictions continue to develop legal safeguards against baseless defamation claims, so that they can dismissed early and at little cost to the defendant. Last year, the Council of Europe adopted a comprehensive set of directives on anti-SLAPP measures that member states should adopt. As SLAPPs are a systemic problem that requires changes to national laws and judicial practices, last year we continued to take SLAPP cases as part of our strategic programming, in addition to providing emergency defence grants.

National security

While public safety concerns can be a legitimate ground for narrowly defined and proportionately applied restrictions on free speech, states continue to misuse their national security laws to punish journalists for dissent and legitimate criticism of the authorities. In doing so, states often rely on vague and overreaching legal definitions of terrorism and extremism and on secretive special procedures that do not respect the basic fair trial guarantees. When accused of crimes against national security, journalists often face lengthy prison sentences. Even if a journalist is eventually found innocent, the nearly automatic use of pretrial detention in such cases still means that they will have been arbitrarily deprived of their liberty for a considerable time. In Turkey alone, journalists were charged with terrorist related offences and arbitrarily detained in more than half of the 19 cases we supported last year. It comes as no surprise that the Turkish authorities have long been criticised by international human rights watchdogs for weaponising counterterrorism against journalists and political opponents.

Emergency Defence: Trends

Journalists increasingly find themselves without the protection of resourced media houses, and are unable to cover the costs of complex and enduring cases themselves.

Without organisations such as Media Defence, journalists under threat for their reporting would end up self-censoring, thus depriving citizens around the world of crucial public interest reporting.

As the first line of defence for journalists and small media outlets, we are in a strong position to identify the kinds of threats they face.
Strategic Litigation
Case Studies

We litigate strategic cases in courts around the world to challenge unjust laws and defend freedom of expression and press freedom.

We undertake strategic litigation to improve the legal environment in which the media operates. We focus on cases that have the potential to have a meaningful impact, covering a range of issues including online speech, privacy and surveillance, the misuse of criminal laws, arbitrary detention, and violence and impunity.

84
Number of new strategic cases

266
Total active strategic cases

70%
Success rate for strategic cases at international mechanisms

We took the most strategic cases in:

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<th>Country</th>
<th>Cases</th>
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<tr>
<td>Azerbaijan</td>
<td>25</td>
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<tr>
<td>Turkey</td>
<td>12</td>
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<tr>
<td>Brazil</td>
<td>5</td>
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<tr>
<td>Colombia</td>
<td>4</td>
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<tr>
<td>Vietnam</td>
<td>4</td>
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Most cases related to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Cases</th>
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<tbody>
<tr>
<td>Arbitrary Detention</td>
<td>16</td>
</tr>
<tr>
<td>Electronic Crimes</td>
<td>17</td>
</tr>
<tr>
<td>Other Criminal</td>
<td>8</td>
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Our case

Our application argued that, by shutting down the internet, Guinea breached the right to freedom of expression and that a complete shutdown across an entire country has a profound chilling effect and is clearly disproportionate.

Our application also contended that the interference extended beyond the individual applicants in this case: both shutdowns interfered with the free expression rights of all people in Guinea, as well as those outside of it, including international journalists.

The decision

In 2023, the ECOWAS Court handed down a landmark decision on the case, condemning the internet shutdowns in Guinea. The decision highlighted that the shutdowns constituted an unlawful interference with the right to freedom of expression and access to information contrary to the African Charter and the International Covenant of Civil and Political Rights. This crucial verdict provided further confirmation that internet shutdowns are unlawful, and governments have a positive obligation to ensure the internet remains on.

In 2021, Media Defence filed an application to the ECOWAS Court on behalf of four applicants after Guinea cut internet access across the country in March 2020, and again in October 2020. The shutdowns were imposed at critical moments in Guinea’s democracy. In March 2020 millions went to the polls to vote in a constitutional referendum to determine whether President Alpha Conde would be entitled to stand for a third term as president. In October 2020 the presidential election was held.

The constitutional referendum, and the presidential election that followed it, were highly contentious. Protests took place across the country in the lead up to each vote. In response, the government restricted access to the internet. During the March 2020 shutdown social media was inaccessible for four days. In October 2020, the internet was shut down for one week, while Facebook was inaccessible until December 2020. As a consequence, the applicants – all NGOs who do public interest work – were unable to report on what was happening as voting took place. Citizens who would ordinarily share information via their social media platforms using hashtags such as #Guineevote were unable to do so. Information about how to participate in the vote, about ongoing protests, could not be shared.

Fighting Impunity: The case of Arshad Sharif

October 2023 marked one year since the killing of prominent Pakistani journalist and news anchor for ARY News, Arshad Sharif. Yet, to this day no impartial and effective investigation into the circumstances of his death has been carried out.

A prominent critic of alleged corruption within Pakistan’s ruling elite, Sharif faced death threats and over 16 legal cases in Pakistan, forcing him to flee to the United Arab Emirates and later to Kenya, where he continued his reporting despite fearing for his life. On 23 October 2022, Sharif was shot at a roadblock near Nairobi allegedly set up by Kenyan police to look for a stolen car. According to police, they fired at the car because they mistook it for the stolen vehicle and because Sharif’s driver did not stop at the checkpoint.

However, autopsies conducted on the body and a leaked report by a Pakistani Fact-Finding Team (FFT), brought into question the “mistaken identity” narrative. The report raised suspicions that the killing was likely targeted and that the involvement of “transnational actors” could not be ruled out.

No investigation to date has been able to provide sufficient clarity into the circumstances of Sharif’s death. Journalist and wife of Sharif, Javeria Siddique, told us, that she is “deeply disturbed” by the killing of her husband – “his only crime,” she says, “was to speak and write the truth [about] the powerful.”

Siddique has instructed her legal counsel in Kenya, working with us, to act to expedite an effective investigation into the circumstances of Sharif’s death. The ongoing lack of adequate redress allows impunity to persist, perpetuating a culture of silence. Media Defence continues to support Siddique’s legal challenges to secure justice for her slain husband.
Spyware

The digital revolution has given professional journalists and ordinary citizens new powerful tools to document and expose human rights violations, corruption, and abuse of power. However, it has also dramatically increased the capacity for surveillance and indiscriminate collection of personal data. Sophisticated spyware that can be planted on digital devices to access encrypted confidential information has been illegally used by governments and private actors to spy on their opponents, including journalists. Even when it is used for legitimate law-enforcement purposes, the highly intrusive nature of such spyware raises serious human rights concerns. The impact is even more serious when spyware is used against journalists, as it puts their sources at the serious risk of exposure and by the fact that it is hard to detect and almost impossible to trace to its source. Journalists who have good reasons to suspect that they have been subjected to digital surveillance may be unable to confirm that fact, let alone obtain evidence necessary for an effective legal challenge. In all spyware cases we have supported and litigated so far, attempts to confirm the use of spyware against journalists and obtain redress in national courts have proved unsuccessful. This is why we continue taking such cases to the European Human Rights Court. In 2023, Media Defence, alongside national lawyers, filed thirteen ECtHR complaints against Azerbaijan. Nine of those cases were brought on behalf of Azerbaijani journalists who have long been the target of state harassment and intimidation. Their phone numbers appeared in a leaked list of mobile devices targeted by the Pegasus spyware.

Internet shutdowns

Internet shutdowns are intentional disruptions that make some or all internet communications unavailable in a certain location or for a specific population. Internet shutdowns have become a weapon of choice for authoritarian regimes that seek to throttle peaceful protests and evade accountability in times of crises or political unrest. Despite being criticised by the UN and human rights watchdogs as a serious human rights violation, internet shutdowns continue to be actively used. Last year, 124 incidents were reported across 18 countries. Media Defence was among the first organisations to litigate against internet shutdowns. In 2020, the ECOWAS Court of Justice recognised internet shutdowns as a human rights violation in a case we had submitted against Togo. Last year, the same court once again condemned internet shutdowns for being incompatible with freedom of expression, this time in a case Media Defence filed against Guinea. The case concerned the shutdowns and social media blockings that took place around the time of Guinea’s constitutional referendum (March 2020) and presentational elections (October 2020). At national level, after negative decisions by first instance and appeals courts, an important precedent came from the Colombian Constitutional Court in a case concerned with the loss of internet connectivity in parts of the country during massive anti-government protests in May 2021. While the Court was unable to establish if the authorities were directly responsible for the disruption, it ordered the government to investigate the matter thoroughly. In 2023, Media Defence continued to litigate and support strategic cases against internet shutdowns, including in Guinea, Senegal and Kazakhstan.

Defamation

As defamation laws continue to be widely abused by powerful actors across the world to silence their critics, Media Defence uses strategic litigation to help ensure that there are effective protections for public-interest journalism, at the national level and in international standards. In 2023, we intervened before the UK Supreme Court to argue for a sufficiently robust threshold for ‘malicious falsehood’ claims with a view to strengthening protection against SLAPPs. We also intervened before the Constitutional Court of Colombia in a case concerning the constitutionality of criminal defamation provisions. Media Defence opposes criminal defamation because it is incompatible with international freedom of expression standards. Various UN and regional human rights mandates have long called for the decriminalisation of defamation. Yet, according to UNESCO, it remains criminalised in 80% of the countries in the world. The scale of the problem is illustrated by the fact that one-third of the defamation cases we supported in 2023 involved criminal prosecution.
Local Legal Capacity Building

We build local legal capacity to defend journalists through training lawyers and by supporting local legal centres. With our funding and practical support, our partners can help journalists more quickly and with the benefit of local expertise in countries where the need for our support is very high.

<table>
<thead>
<tr>
<th>15</th>
<th>Partner grants approved</th>
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<tr>
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<td>New partners funded</td>
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<td>Cases litigated by partners</td>
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<td>3</td>
<td>Litigation surgeries</td>
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<td>Launched our first peer-to-peer mentorship programme:</td>
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<tr>
<td>62</td>
<td>Lawyers trained</td>
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<td>2</td>
<td>Fellowships</td>
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Working with Partners around the world

In 2023, we worked in partnership with 21 organisations operating in Europe, Latin America, Africa, Asia and the Middle East and North Africa. Our support enabled our partners to litigate 466 cases across a range of freedom of expression issues, nationally and internationally. In addition to financial support, we provided legal support in a number of cases led by partner organisations.

In Europe, we supported organisations working on pressing media freedom issues. Our partners the Helsinki Foundation for Human Rights in Poland (HFHR), Ossigeno per l’Informazione in Italy, and the Hungarian Civil Liberties Union (HCLU) in Hungary, worked on cases relating to SLAPPs and Pegasus spyware infection. We also supported the efforts of Human Rights Platform (HRP) in Ukraine to continue providing journalists with legal defence, which has proved to be crucial in the context of the war. Further, we hosted two fellows from HRP to strengthen our collaboration. The fellows worked with different teams across Media Defence and provided key insight on freedom of expression issues in Ukraine. The fellowships fostered a mutually beneficial exchange of knowledge and expertise. In Turkey, the Media and Law Studies Association (MLSA) and the Foundation for Society and Legal Studies (TOHAV) continued to defend journalists accused of incitement to terrorism, criminal defamation or anti-Sate rhetoric for their reporting critical of the government.

In Latin America, we worked with the Fundación para la Libertad de Prensa (FLIP) in Colombia to support journalists who have been physically abused as a result of their work, and to fight legal challenges to rectify or remove online content. We also worked with the Brazilian Association of Investigative Journalism (Abraji) in Brazil. Additionally, we are now working with Propuesta Cívica, an organisation in Mexico - a vital new partnership given the grave risks journalists face in the country.

As part of our Empowering Women in Digital Rights Advocacy Programme (EWDRA) project in sub-Saharan Africa, we extended our partnerships with Le Collectif des Associations Contre l’Impunité au Togo (CAGICI) in Togo, Campaign for Free Expression (CFE) in South Africa and Volunteers for Sustainable Development in Africa (VOSIEDA) in West Africa. These organisations protect freedom of expression by providing legal assistance in court to journalists and undertaking precedent-setting legal action.

In 2023, we strengthened our support in Asia, working with the Media Policy Institute. We also welcomed our new partner, Digital Rights Nepal, a leading organisation, known for its commitment to advancing digital rights.

We also support other partner organisations in the Middle East and North Africa, Eastern Europe and South Asia, but they are not named for security reasons.
In 2023, we hosted two in-person litigation surgeries in Southeast Asia and Brazil, welcoming 29 new lawyers to our network.

Additionally, we hosted events for our existing network. This included one online advanced litigation surgery for women lawyers from East and Southern Africa, a litigators’ convening for women lawyers in sub-Saharan Africa, quarterly know-how events and a newly launched peer-to-peer programme.

Our Empowering Women in Digital Rights Advocacy (EWDRA) initiative continued throughout 2023. EWDRA was established in 2021, with the aim of specifically developing legal communities of women lawyers, to defend, promote, and strengthen freedom of expression online.

Through EWDRA we successfully ran women only litigation surgeries in East and sub-Saharan Africa and launched our first one-year, peer-to-peer mentoring programme. This initiative brought together litigation surgery participants with different backgrounds and experiences to share knowledge, and establish cross-regional collaboration.

As part of this EWDRA, we held our first ever women-only litigators convening in South Africa, which brought together 23 participants from 12 countries in sub-Saharan Africa. With a mixture of speakers, presentations, and round table discussions, the convening celebrated open dialogue and learning, deepening understandings of current challenges in digital rights and freedom of expression.

“This litigators convening was a very enriching experience on the situation of journalists in each country. Several sessions were animated... and from these interesting discussions, new challenges and new ways of protecting journalists were shared.”

– South Africa Litigators Convening, Participant

In 2023, we expanded our litigation surgery programme into Southeast Asia and had our first national litigation surgery in Brazil. For Southeast Asia, we had 17 participants from 8 countries and for Brazil, we had 12 participants from five regions. These litigation surgeries are vital to develop a network of knowledgeable lawyers who can provide high quality legal support to journalists, with Media Defence able to provide funding and added value where needed.

With the growth of our litigation surgeries, we have also updated and expanded our Resource Hub. The Resource Hub is not only the basis for our training programme, but it also provides useful information for a wider group of lawyers who require information around freedom of expression and digital rights. In this context, we focused on tailoring our resources to our audience and ensuring that all content is up to date. We also launched modules for Latin America in Spanish to increase accessibility.

In 2023, our Resource Hub was accessed 138,048 times, a 15% increase on the previous year. Throughout the year, we also worked on additional resources in multiple languages to reflect emerging trends on digital rights. These will be added to our Resource Hub in the coming year.
Working with Partners:

In an increasingly precarious media environment, the Media and Law Studies Association (MLSA) in Turkey, pushes back

In Turkey, 37 journalists are currently incarcerated, 315 are facing court proceedings within the past year, and numerous media outlets were shuttered or stifled under government pressure. MLSA plays a pivotal role in supporting journalists in Turkey, offering legal protection to those threatened, attacked or imprisoned for their work.

While some journalists remain incarcerated, others have fortunately been released due to MLSA’s advocacy and legal support. Their work also extends beyond legal defence to promoting the public’s right to information and advocating for the rights of minority groups. Combining legal and journalistic approaches, MLSA monitors freedom of expression, reports on Turkish judiciary decisions, and publishes articles on human rights in Turkey. Importantly, their geographical focus is not limited to Istanbul; they diligently monitor press freedom across the country, including in Kurdish areas, ensuring comprehensive coverage of threats to journalistic integrity nationwide.

Barış Altıntaş, journalist and co-founder/co-director of MLSA, shed light on the realities journalists face in Turkey today, and the importance of the partnership with Media Defence. Altıntaş underscored the alarming erosion of democratic institutions, exacerbated by emergency laws enacted post-2016 coup attempt and the consolidation of power under a presidential system that dismantled checks and balances.

Amid these challenges they have found “a steadfast ally in Media Defence”. Altıntaş, noted that “while over time Media Defence became grant givers to us, our partnership started by making joint applications to the European Court of Human Rights (ECtHR) in cases of journalists unjustly tried and imprisoned in Turkey’s post-coup trials. As such, our partnership has been instrumental in many of our journalists’ legal defence and has contributed to defending freedom of expression in Turkey.”
Further discussing the work of MLSA, Altıntaş highlighted that journalists, especially those from Kurdish outlets, are systematically targeted, facing intimidation and censorship at every critical juncture.

“In recent times, as the crackdown on Kurdish journalists and LGBTI communities in Turkey intensifies, our clients at MLSA – all dedicated journalists – have faced escalating challenges from being attacked by police while covering events related to these marginalised communities to facing state-prosecution. This development has inevitably steered the course of our legal defence efforts towards these areas. In these circumstances, the support and partnership of Media Defence have become more vital than ever.”

While Altıntaş remains optimistic, citing the resilience of journalists committed to uncovering governmental wrongdoings, tackling the root causes demands concerted efforts both domestically and internationally.

Through strategic legal interventions, MLSA has defended journalists in court, securing acquittals and challenging oppressive laws. In the previous years, MLSA’s legal unit has also fought administrative battles that led to the cancellation of a directive which would have banned journalists from taking pictures during protests and demonstrations. Additionally, MLSA was the only organisation that legally challenged an internet shutdown during the devastating earthquakes of February 2022. They are also the sole organisation to take to court a massive data leak that had more than 100 million people’s data – all of Turkey’s citizens and foreigners registered in the state.

“For us, Media Defence is an ally also when not fighting legal battles: it has been our go-to partner for our legal team when brainstorming novel challenges, such as which way to legally pursue when tackling the case of a journalist whose account was inexplicably shut down by one of the Big Tech or when addressing state-responsible data leakages.”

Moreover, MLSA’s efforts encompass advocacy at international forums to keep freedom of expression violations in Turkey on the political agenda. By leveraging implementation mechanisms, such as Rule 9.2 submissions to the European Department for the Execution of Judgments, MLSA ensures that Turkey’s justice system is held accountable for human rights abuses.

In the face of adversity, MLSA remains unwavering in its commitment to defending press freedom and upholding democratic values. As Altıntaş aptly notes, every initiative, no matter the outcome, contributes to the larger struggle for democracy and dignity.

“We really cherish our partnership with Media Defence as one of our earliest and most significant collaborations, and we look forward to continuing this journey together.”
New Partner Spotlight: Propuesta Cívica & Digital Rights Nepal

Media Defence partnered with these organisations through our funded partner programme.

Established in 2009 the programme funds local legal centres worldwide that focus on the defence of journalists. We believe building partnerships with local media defence centres is vital. These partnerships facilitate culturally sensitive and sustainable protection for journalists facing legal threats.

In 2023 we awarded more than £400,000 in grants to partner organisations to run media defence centres.

Propuesta Cívica:

Safeguarding Journalists in Mexico, one of the most perilous environments for press outside of conflict areas

We are proud to have partnered with the human rights and freedom of expression organisation, Propuesta Cívica, in Mexico.

Year after year, Mexico remains one of the world’s most dangerous and deadly countries for journalists. According to Propuesta Cívica’s records, 168 journalists have been killed in Mexico since 2006 and 30 have gone missing since 2003. Through this partnership we aim to support the organisation’s vital legal work defending journalists at risk.

“Too many journalists in Mexico have been sued, harassed, threatened or killed for their brave work over the years. Propuesta Cívica was set up to challenge impunity and defend the critical voices doing public interest work. They stand out for their commitment and high-quality legal work. We are proud to support Propuesta Cívica’s efforts!”

– Media Defence CEO, Carlos Gaio

The ground-breaking work of Propuesta Cívica

Founded in 2011, the organisation’s mission is to provide comprehensive support for human rights defenders and journalists facing threats due to their work. Additionally, they engage in advocacy for public policies and applied research on human rights issues.

In a decade of struggle, change, and hope, Propuesta Cívica has established itself as a leading organisation in the defence of human rights and press freedom. It is one of few organisations in Mexico that provides legal support and representation (at no cost) to journalists and human rights defenders.

“We envision a country where freedom of expression is complete, where reporting doesn’t cost journalists their lives, and where human rights defenders can carry out their work safely.”

- Executive Director, Sara Lidia Mendiola Landeros
Digital Rights Nepal:
Fostering secure online spaces and digital press freedom

Media Defence welcomes this exciting new partnership with Digital Rights Nepal. We are proud to support their critical work creating democratising initiatives that uphold digital rights in Nepal.

DRN was established in 2020 with a clear and vital mission: to safeguard digital rights and create a secure digital space for all individuals in Nepal. Founded by a dedicated team comprising rights advocates, academics, civic-tech enthusiasts, and campaigners, DRN has swiftly become a leading non-profit organisation in the country, known for its commitment to advancing digital rights.

The current state of digital press freedom in Nepal presents a complex landscape with both progress and persistent challenges. Nepal has undergone significant transitions in its press freedom journey over the past two decades, evolving from a challenging environment to becoming one of South Asia’s leading countries for press freedom in 2022. However, despite these positive developments, there are substantial challenges that continue to affect digital press freedom in Nepal.

In 2023 Nepal witnessed 45 incidents of press freedom violations, including arrests, obstructions, threats, and attacks affecting over 120 journalists. Reporters have been intimidated by various actors, including political cadres and security personnel. This has created an atmosphere of self-censorship that undermines the principles of a free press. Additionally, restrictive laws and regulation and misuse of overly vague wording in the laws and the constitution have been used to silence critical voices.

The crucial work of Digital Rights Nepal

Since its inception, DRN has achieved significant milestones in its pursuit of digital rights. The organisation actively engages in policy research, conducts research on digital rights issues, organises initiatives to enhance digital rights awareness among youth, collaborates with local governments and civil society organisations, and ardently advocates for digital rights on the international stage.

Santosh Sigdel, Co-Founder of Digital Rights Nepal, spoke about the new project with Media Defence.

“Currently, DRN is dedicated to safeguarding journalists’ rights within Nepal’s evolving media landscape through its Media Defence project. The initiative aims to contribute to a safer, more democratic digital landscape in Nepal.”

"Currently, DRN is dedicated to safeguarding journalists’ rights within Nepal’s evolving media landscape through its Media Defence project. The initiative aims to contribute to a safer, more democratic digital landscape in Nepal."
Women lawyers in our Network:

From Online Harassment to Digital Safety: Lilian Olivia Orero’s Mission to Safeguard Women’s Digital Rights in Kenya

Lilian Olivia Orero is an Advocate of the High Court of Kenya and champion of women’s digital rights. She has been part of Media Defence’s network for several years, taking part in our Empowering Women in Digital Rights Advocacy Programme (EWDRA) and our peer support programme for women lawyers in sub-Saharan Africa. Lilian Olivia also founded her own community-based organisation: SafeOnline Women-Kenya (SOW-Kenya) – born out of a commitment to addressing online gender-based violence.

Women’s Rights as a Driving Force

“Women’s rights have been a significant driving force behind my legal career” Lilian Olivia tells us. While her focus on gender has been steadfast, her interest in the intersection between gender and the digital sphere developed with the emergence of new technologies and “the knowledge that perpetrators are finding new ways to attack women online.” This realisation propelled her to focus on legal frameworks, policies, and advocacy strategies that address digital rights issues, particularly for women and girls.

Emerging Threats: Doxing, Cyber Bullying and Deepfakes

As more women in Kenya access digital spaces, harassment and threats are increasingly used to intimidate and silence them. “The prevalence of online violence in Kenya is dramatically increasing” Lilian Olivia notes, “one in three women have either witnessed or experienced online violence in the form of cyber-bullying, doxing, online stalking, threats and harassment.” Doxing is the publishing of private or identifying information about someone on the internet, typically with malicious intent.

Lilian Olivia reflects on her personal encounter with cyber bullying, stating, “In January, I was posting about these issues, when people started targeting me, and attacking my personal image. I was forced to deactivate my Twitter. It affected my mental health. Luckily, I had support from family and friends, and I decided to get back on Twitter. I wanted to show that even though online abuse can be relentless, we can still be resilient and report abusive behaviour.”

Lilian Olivia also highlights the rising threat of AI and deepfakes targeting women, stating, “I’ve seen AI-generated deepfakes viciously targeting women journalists and politicians, spreading disinformation about them.”

She emphasises the importance of prioritising these issues, recalling, “with my background in gender and technology, and my personal experience, I saw a good opportunity to champion women’s safety.”
Establishing SafeOnline Women-Kenya (SOW Kenya)

Motivated by the blatant gap in resources and support Lilian Olivia established the community-based organisation, SOW-Kenya. Online attacks can have devastating consequences, causing mental health challenges, and even physical harm. SOW-Kenya addresses this critical problem through education, partnerships, advocacy and innovative technology solutions. “By providing educational resources and digital literacy programmes, women and girls will feel more confident to participate in online conversations without fear of being attacked” Lilian Olivia explains.

Freedom of Expression in Kenya

Lilian Olivia highlights Kenya’s significant progress in establishing legal frameworks safeguarding freedom of expression. Additionally, she underscores the vibrant civil society in Kenya, “where human rights organisations play a crucial role in promoting freedom of expression and holding the government accountable.”

Yet some significant issues persist: “when it comes to online harassment and cyberbullying, we do not have laws that specifically protect victims. For instance, the Computer Misuse and Cyber Crimes Act 2018 exists but does not define what online harassment is. The vague wording makes it difficult for women to seek recourse. So, despite our constitutional protection of the freedom of expression, cybersecurity laws are overly ambiguous and often misused, restricting online speech.”

She also points out the enduring gender disparity in internet access, “when you look at the number of women versus men who have access, there’s still a huge divide – this is especially true in rural and marginalised communities.”

Resistance to Women’s Digital Rights Advocacy

During an encounter with village leaders in a remote area near Kisumu, Lilian Olivia told us of the challenges she faced: “one of the questions that was posed to me was – ‘Since women are inferior to men, why are you trying to push for the rights of women.’” She tells us that “unfortunately, some people continue to believe that women should not own mobile phones. Lilian Olivia expressed that these persistent underlying gender norms can hinder women’s access to important digital spaces and services and need to be addressed sensitively.

Misinformation campaigns have also caused serious issues. “People are creating false narratives to discredit our work.” Several of the SOW-Kenya team have been targeted by cyberbullying aimed at silencing them. In encountering this resistance, they have started to form alliances with existing civil society organisations and long-standing women’s groups. “This has amplified our voices” Lilian Olivia notes “we ran awareness campaigns to debunk the myths challenging the importance of women’s rights”.

Lilian Olivia recently wrote another piece for Media Defence sharing key tips for staying safe online, based on the presentation she gave during our Litigators’ convening in South Africa.

Being part of the Media Defence Network

Discussing her involvement in our EWDRA programme, Lilian Olivia highlighted its benefits, stating, “[it] provided me with practical skills and knowledge, such as legal strategies in combating online violence, understanding cybersecurity issues, and advocating for digital rights – especially for women’s rights.” She also emphasised the networking opportunities the programme offered, noting, “I have also been able to grow my professional network. The other participating women lawyers created an environment where we share opportunities for collaboration, mentorship, and support.”
In March 2024, we published our 7th Journalist Impact Survey. This survey provides an important opportunity to seek feedback from journalists we supported during the year. The report shares findings and observations on the effectiveness and long-term impact of our legal and financial help, as well as the threats and trends affecting the journalists we support around the world. We are also pleased with the strong feedback about our communications and the quality of our legal support.

We received 25 responses from journalists whose cases – ending in 2023 – we have supported. The journalists come from all of the regions in which we work.

### The quality of our support

The legal advice and support provided by Media Defence was rated excellent and replies reflected an efficient and communicative organisation. Nevertheless, financial support remains crucial for journalists; 25% told us that Media Defence was the only way they could cover the legal fees, with others noting the severe legal penalties they could have potentially faced if they had lost their case. 75% of respondents chose to approach the organisation for support based on recommendations from others. This indicates a high level of trust as journalists are actively seeking our assistance based on positive experiences shared by their peers. 100% of respondents in this year’s survey would recommend Media Defence to other journalists in similar situations.

### The success of cases supported

From the responses, 56% won their case at a national or domestic level, and 76% were satisfied or extremely satisfied with the outcome of their case. Significantly, 64% believed that their case had a broader positive impact, either in their country or wider region.

### Our contribution towards journalists being able to continue reporting

100% of respondents continued reporting after their legal case. In addition, we found that journalists are often reporting on multiple issues, highlighting that by continuing to support journalists, we can contribute to a broader media landscape.

### Key findings on threats facing journalists

The survey also reflected concerns that are more widely reflected in our work: that the space for critical reporting is narrowing, violence against journalists is escalating and lawfare tactics remain prevalent. Based on survey responses:

- 84% of respondents believed that they would face some form of legal action in the future as a result of their journalistic activity.
- Civil and criminal defamation remain the biggest legal threat, increasing in prevalence by 8% and 16% respectively.
- Physical security and online harassment were highlighted. These included threats of sexual assault; smear campaigns; trolling; and intimidation, including of family members.

The full report can be read here.
We received 14 responses from lawyers we supported in 2023 from different regions. 36% of respondents practiced in Europe; 29% in Sub Sahara Africa and 21% in Latin America. 71% of respondents identified as men, and 21% as women.

Interestingly, 57% of the respondents indicated that COVID-19 was still having an impact — although several noted the positive impact as many courts are now virtual, removing the need for travel and relative ease of attending proceedings. Yet others noted that proceedings were prolonged due to long shutdowns, and that restrictions on audiences in courtrooms limited their ability to raise awareness of cases.

How lawyers rate the quality, efficiency, and amount of Media Defence’s legal support

The impact of Media Defence’s support on case outcomes and improving lawyers’ case strategies

Based on responses, lawyers most commonly received additional support on case strategy, drafting of legal documents and legal research. 57% reported that the cases were won; 14% reported that the cases were won but were currently being appealed.
Without Media Defence’s support, one lawyer noted that “the issue would have gone unlitigated and six TV stations [would have] closed down”.

Feedback from the surveys indicated that Media Defence can have a positive impact on improving litigation skills and knowledge of freedom of expression issues. As a result of Media Defence’s legal support:

• 92% felt that they were more confident in their skills and ability in litigating freedom of expression cases.
• 92% said that they were more likely to take on cases relating to the defence of journalism and media.
• 83% believed that the quality of their case strategies and submission have improved
• 83% said they more frequently include international and comparative law standards on freedom of expression in litigation.

One respondent noted that following from working with Media Defence, “I collaborate more with other organisations and entities working in the field and we are able to share strategies on how to manage the emerging issues that we foresee arising”.

Several respondents highlighted the link between financial support and successful case outcomes. Notably, one reported that without the financial support provided, “it would be impossible for us to litigate and provide legal support for the client on a pro-bono basis”.

Media Defence’s support can also have other unexpected, less tangible, impacts which go beyond legal or financial support.

One lawyer noted that the financial support to cover transport costs provided better access to justice for rural applicants, saying “the cases we handle in remote areas…providing assistance with transportation costs for lawyers to attend really help the victims’ right to justice.”

Another respondent highlighted the psycho-social impact. By ensuring the cover of legal fees associated with the case, “it reduced my client’s burden and improved his sense of security.”

The wider impact of Media Defence’s support on the legal environment for journalists and freedom of expression in their cases.

Through our support, we hope to achieve wider impact through improved freedom of expression laws. Responses in this year’s survey demonstrated the different ways that freedom of expression cases can contribute towards a more pluralistic environment, and consequently, create space for enhanced protection for journalists and reporters.

The voices behind the statistics

“Thanks to the support of Media Defence, we have been able to set important precedents in favour of journalists. Recently we had reversed an international travel ban on the grounds that it violated freedom of expression.”

“Media Defence support has been key in the expansion of jurisprudence which protects the freedom of expression in Colombia.”

“Through this case, many other student press institutions were encouraged to be more critical of editorial conditions and defend themselves when attacks occurred due to coverage. Apart from that, through this case, the Indonesian Press Council finally opened communication with the Indonesian Ministry of Education to encourage the protection of the campus press at every university. This is because the campus press is not only seen as press freedom, but also part of academic freedom to support democratisation in the university environment.”
In 2023, we received total incoming resources of £2,866,885 of which £502,310 correspond to donated services. Our overall income from donations increased by 9%, and financial donations increased by 14%. 65% of incoming resources from donations were restricted to either a region or a theme. 35% of funding was unrestricted. Donated services constituted 27% of the restricted donations, compared to 39% in 2022.

We closed the year with a net deficit of £82.8k. This is mostly due to a revaluation loss of £70k on our foreign denominated bank accounts at financial year end. The liquidity ratio was 2.0 compared to 3.3 in 2022.

2023 saw a 29% increase in expenditure from £2.29 million in 2022, to £2.95 million in 2023. This year, 31% of the expenditure was on strategic litigation, 30% on emergency defence, 23% on support to NGOs, 12% was for capacity building and legal training and 4% on fundraising.

Our total support and governance costs in 2023 were £498,211, compared to £307,242 in 2022, representing 17% of our total expenditure (compared to 13% in 2022). 4% of our total expenditure was spent on raising funds, which reflects that 2023 was the third year in which we had a fully staffed development team in place and a subsequent increase in fundraising activity, including donor reporting.

The decrease in the liquidity ratio is due to deferred income carried forward in 2023 (£588k). At the end of 2023, we carried forward £1.21 million, of which £0.27 million were restricted funds (funding with a thematic and/or regional restriction) and £0.94 million were unrestricted funds (£0.37 million of designated reserves and £0.57 million of funds carried forward for ongoing activities).
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* At the time of publication of this report
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- Craig Newmark Philanthropies
- Packard Foundation
- Digital Freedom Fund
- Ford Foundation
- Luminate
- Matrix
- National Endowment for Democracy
- ICNL
- Limelight
- OPEN SOCIETY FOUNDATIONS
- Ribbink
- Thomson Reuters
We would like to thank our partners for their contribution to our work in 2023:

[Please note: some partners are not named for security reasons]
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