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Europe/Ex-USSR - Russia

Unjust justice

Libel suits by judges against two independent publications

13 December 2013

Reporters Without Borders is concerned about the libel suits that two Moscow judges, Dmitri Gordeyuk and Yuri Bespalov, have brought against two of Russia's best-known independent publications, the tri-weekly [Novaya Gazeta](#) and the magazine [Novoye Vremya](#), and the two journalists who wrote the articles that prompted the lawsuits, **Nikita Girin** and **Zoya Svetova**.

On 6 December, a Moscow court ordered *Novaya Gazeta* to pay 280,000 roubles (6,200 euros) in damages, a considerable sum for a newspaper that is already in financial straits. The case against *Novoye Vremya*, which is being sued for an even larger amount, is due to be heard today.

"Both the conduct and substance of these proceedings are compromised," Reporters Without Borders said. "*Novaya Gazeta* and *Novoye Vremya* were just doing their job by reporting information about public figures that had been released by an NGO and had already appeared elsewhere.

"The damages sought are disproportionate and the impartiality of the proceedings is questionable because they are being conducted by judges who belong to the same association as the plaintiffs. We urge the courts to dismiss these patent violations of the right to due process and the right to freedom of information."

The two publications learned at the end of November that they were the targets of similar lawsuits over reports published on 9 and 11 November on the same subject ([here](#) and [here](#)), the findings of an investigation by Dissernet, a group that tracks down cases of plagiarism in the university theses of leading public figures.

[Comparing](#) Gordeyuk's thesis with the earlier thesis of his research supervisor, Bespalov, Dissernet said it was clear that Gordeyuk had copied large chunks of his supervisor's thesis, going so far as to use his statistical data while applying different dates to them.

Gordeyuk's name is linked with the Bolotnaya Square case, in which opposition activists were accused of violence during a protest on 6 May 2012 against Vladimir Putin's return to the Kremlin. As a Moscow appeal court judge, Gordeyuk was one of the judges who repeatedly rejected requests for the defendants' conditional release.

As a result, Dissernet's revelations have given rise to a public debate in which opposition leader Alexei Navalny has taken part.

The articles that Girin wrote for *Novaya Gazeta* and Svetova wrote for *Novoye Vremya* were based on Dissernet's findings and referred directly to them. Svetova's article also gave details of Gordeyuk's career and his links with Bespalov and Olga Egorova, the president of the Moscow municipal court (Mosgorsud).

As well as damages, the plaintiffs are also seeking the removal of the offending articles from the two newspapers' websites and the publication of retractions.

The lawsuit against *Novaya Gazeta* took no time to hear. Neither Gordeyuk nor Bespalov, nor their lawyers, bothered to attend the single hearing held on 6 December.

After refusing to hear testimony from Dissernet's representatives in the newspaper's defence, the judges quickly granted all of the plaintiffs' requests, ordering *Novaya Gazeta* to pay 280,000 roubles (6,200 euros) in damages and publish a retraction, and ordering Girin to pay 130,000 roubles (2,900 euros) in damages.

The defendants have announced their intention to appeal. If the appeal court upholds the lower court's ruling, *Novaya Gazeta* will just to have to count on journalistic solidarity. Meanwhile, the amount of damages sought in today's case against *Novoye Vremya* is five times as high.

Russia is ranked 148th out of 179 countries in the 2013 Reporters Without Borders press freedom index.

(Photo : *Lenta.ru*)
