

Reporters Without Borders

<http://www.rsf.org/guatemala-criminal-proceedings-against-09-04-2014,46119.html>

Americas - Guatemala

Judicial intimidation

Criminal proceedings against magazine for "ideological falsehood"

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Reporters Without Borders condemns the abusive complaint that six members of a political party called Libertad Democrática Renovada (LIDER) brought against the editor of the magazine *Contrapoder*, **Juan Luis Font**, accusing him of criminal libel and "ideological and material falsehood" in an article published on 21 March.

After the complaint was filed, Font immediately issued a public apology for the article's mistakes and corrected the online version.

The six plaintiffs nonetheless chose to step up their legal offensive, bringing additional charges, extending them to all of *Contrapoder's* staff and demanding 30 million quetzales (3.8 million dollars) in damages.

"Accusations such as these come under the Constitutional Law on Expression of Thought and should have been brought before a special print media court," said Camille Soulier, the head of the Reporters Without Borders Americas desk. "In Guatemala, publishing false information is punishable only under this law and should under no circumstances be tried before a criminal court."

"The charges and request for damages brought after *Contrapoder's* apologies and corrections are abusive and constitute a clear violation of the right to inform. Using the courts to hound and intimidate a publication in this way is typical of what is called a Strategic Lawsuit Against Public Participation or SLAPP [\[1\]](#)."

Reporters Without Borders urges the authorities to recognize this judicial aberration, as well as the good faith shown by *Contrapoder's* staff, by transferring the case to a competent court.

Criminal proceedings against news media are unfortunately become more frequent. **José Ruben Zamora**, the editor of the newspaper *El Periódico*, [was the target of a criminal libel suit in January](#) by the president, who finally withdrew his complaint.

Guatemala is ranked 125th out of 180 countries in the [2014 Reporters Without Borders press freedom index](#).

[\[1\]](#) SLAPP: A lawsuit or series of lawsuits brought against an isolated individual or small group with the aim of reducing them to silence by exhausting their financial ability to defend themselves. The plaintiff's goal is not so much winning the lawsuit as pre-empting any possibility of defence that could mobilize the support of other activists or journalists or lead to demonstrations.

Other images

The logo for CONTRAPODER, with the word in a bold, stylized font where the letters are interconnected.

JPEG - 35.7 kb
600 x 222 pixels
