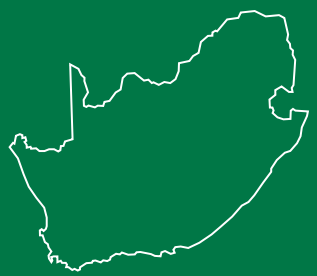
NATURAL JUSTICE

ENVIRONMENTAL LAWYERS COLLECTIVE FOR AFRICA



SLAPP *suits* in African Jurisdictions

A toolkit for Activists, Lawyers and Campaigners in



South Africa


STAY
ALIVE

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FOREWORD



Strategic Lawsuits Against Public Participation (SLAPP suits) and other forms of judicial harassment designed to limit popular participation in democratic processes are on the rise, both globally and on the African continent. This toolkit assesses the strength of relevant legislative provisions related to SLAPP suits and judicial harassment in South Africa, focussing on specific SLAPP cases that have informed South Africa's jurisprudence in this novel area.

The toolkit provides key recommendations on how to confront SLAPP suits and provides information on organisations that specialise in representing victims of SLAPP suits, as well as key information on workshops, webinars, training manuals and other similar resources where SLAPP suits are considered.

The findings call for the development and adoption of specific anti-SLAPP legislation in South Africa as well as the development of a uniform and binding anti-SLAPP directive/resolution from the African Union (AU).

ACKNOWLEDGEMENTS

The toolkit was developed as a response to the increase in the use of **SLAPPs against lawyers, activists, journalists, and academics in Africa**. The toolkit and related work on SLAPP suits constitute a partnership between **SurgeAfrica** and **Natural Justice** and is intended to **empower campaigners** with the knowledge and tools they need to defend their rights and confidently participate in matters of public interest. As such, the toolkit aims to **strengthen the broader movement for environmental justice across Africa**. We wish to thank the following organisations who were integral to the drafting of this document:

ENVIRONMENTAL LAWYERS COLLECTIVE FOR AFRICA

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DISCLAIMER

The toolkit (including any of its attachments) has been drafted for the sole use and benefit of promoting access to information on SLAPP suits and is intended for educational purposes only. The use of any information outlined in the toolkit is upon the reader's own risk. The reader assumes full responsibility and risk of any loss resulting from the use of the content contained therein.

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INTRODUCTION TO SLAPP SUITS
AND OTHER FORMS OF JUDICIAL HARASSMENT



1.1 Democracy's role in environmental governance

Democracy has been defined as 'a system which works towards the full inclusion and participation of citizens in critical decisions and policies of the state.'[1] Democracy should allow for both supportive and critical voices to be heard and should safeguard the rights of those who speak out against injustices, including environmental ones.

However, while laws and adjudicative processes are established to realise democracy and ensure justice, fairness and equality amongst all persons, there are instances where laws and judicial processes are used to subvert those very same principles which they are meant to realise and protect. This can be through unjust laws, haphazard enforcement of legal rules, or policies that favour the powerful. The harsh reality is that there are many instances where laws, lawmakers, and the judiciary, are 'weaponised' (often referred to as 'lawfare') to entrench the interests of political elites and large commercial entities at the cost of popular participation in democratic processes.

1.2 The Rise of the SLAPP suit

One way in which the law is being increasingly 'weaponised' in Africa is via Strategic Lawsuits Against Public Participation (SLAPP suits). SLAPP suits are expensive legal confrontations (usually in the form of defamation cases or interdicts) instigated by powerful parties, such as state actors or companies, against lawyers, campaigners, journalists, and academics who, either during their vocation or activism, threaten to expose potential injustices caused by powerful parties. They are pursued with the aim of intimidating and silencing critiques and represent an abuse of the intention of legal processes. In recent years, they have become one of the most significant risks facing activists and lawyers engaged in climate and human rights work in Africa.[2]

An authoritative legal definition of a SLAPP suit came from the Supreme Court of Canada in 2020 which described them as:

> ***"Lawsuits initiated against individuals or organisations that speak out or take a position on an issue of public interest … not as a direct tool to vindicate a bona fide claim, but as an indirect tool to limit the expression of others … and deter that party, or other potential interested parties, from participating in public affairs."[3]***

[1] Makaye, P. & Dube, B., 2014, 'Zimbabwe: the challenge of Democracy from below, 1980 to 2013', International Journal of Political Science and Development, 2(10), p. 229.

[2] Puentes Riano, A., Chowdhury, J., Masiye-Moyo, N. & Sansico, L., 2023, 'Evaluating impacts of strategic corporate accountability and human rights litigation', Consultoria en Justicia Climatica & Natural Justice, June, https://media.business-humanrights.org/media/documents/Evaluating_Impacts_of_Strategic_Corporate_Accountability_and_Human_Rights_Litigation.pdf Accessed 16 May 2026.

[3] Supreme Court of Canada, 2020, 1704604 Ontario Ltd v Pointes Protection Association 2020 SCC 22 449 DLR (4th) 1 (Pointes) para 2. https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/18458/index.do. Accessed 4 June 2026.

In general, SLAPP suits tend to have several common characteristics:

1. The lawsuit is filed against individuals or organisations speaking on matters of public interest and importance.
2. The lawsuit is filed disguised as a legitimate claim – often exaggerated or baseless - but with the intention to intimidate individuals and/or organisations.
3. The lawsuit is lengthy, drawn out and expensive and has the result of laying emotional, financial and labour burdens on the defendant.
4. The lawsuit is filed by parties that have significant financial and/or political power (e.g. a large corporation or the state) against opponents who have little to none (a community activist).
5. Litigants in SLAPP suits do not necessarily expect to win the case. The aim is rather to intimidate, discourage or exhaust critical speech or the actions of activists to ultimately shut down any form of opposition.
6. SLAPP suits do not only exist as civil lawsuits and can also be used as criminal claims.[4]

The mere possibility of a SLAPP suit can have a 'chilling effect' on the ongoing activities of individuals and organisations. When faced with potentially significant legal fees opposing a SLAPP, let alone the emotional, reputational and labour burdens of doing so, individuals and organisations can engage in self-censorship. This may include withdrawing or failing to implement legal cases, taking an overly cautious approach to campaigning, or deciding not to campaign at all. This has the effect of supressing vital public discourse, which is precisely the aim of SLAPP suits and those entities which pursue them.[5]

An Example of a Typical SLAPP Suit



In 2021, a large South African property developer claimed damages of R197 million from a small nature organisation and its chairperson for alleged costs associated with building delays caused by their legitimate opposition to its development. The nature organisation and its chairperson had legally appealed a decision to allow the development to take place near important wetlands outside Johannesburg. While the developer typically did not pursue the case, its legal actions were clearly designed to intimidate and silence anyone opposed to the development.[6]

Given the 'chilling effect' that SLAPP suits can have on public participation in decision-making, jurisprudence to counter them is developing in various parts of the world. However, such jurisprudence needs to be cognizant of the fact that most rights can be limited by law. Few constitutions provide for rights that cannot be suspended, limited or restricted, including the rights to freedom of expression and/or assembly/association.

This means that during SLAPP suits, the party bringing them may claim that rights such as expression, assembly and association can be limited, particularly when balanced with other rights - such as a party's reputation and rights over property.

[4] For an example of a journalist facing criminal charges via a SLAPP suit see, Hawker, D., 2023, 'Slapp suit: Media freedom vindicated in Zuma private prosecution verdict', Daily Maverick. 7 June. https://www.dailymaverick.co.za/article/2023-06-07-slapp-suit-media-freedom-vindicated-in-zuma-private-prosecution-verdict/. Accessed 19 May 2026.

[5] Preston, J., 2014, 'Participation from the deep freeze: "Chilling" by SLAPP suits', Environmental and Planning Law Journal, 31(1).

[6] Yeld, J., 2025, 'Massive SLAPP suit against environmentalists withdrawn - Gauteng property developers were suing environmentalists for alleged costs from delays to their projects caused by objections', GroundUp, 24 Jan., https://groundup.org.za/article/massive-slapp-suit-against-environmentalists-withdrawn/. Accessed 19 May 2026.

The principles of legality, legitimacy and proportionality are, therefore, permissible limitations that are often abused by SLAPP suits under the guise of upholding the law or maintaining order. Thus, SLAPP lawsuits, to the extent that they criminalise expression or public participation in protests, are disproportionate and represent a perversion of the limitations of these freedoms undermining laws and public policies that rely on public participation.

Much depends on a country's specific legal environment. Some legal environments can be fertile ground for SLAPP suits, depending on how high legal costs are, the elasticity of laws targeting speech (especially defamation), and rights over protest and association.[7]

1.3 Judicial Harassment Beyond SLAPP Suits

SLAPP suits are far from the only mechanism used to curtail or silence the public's right to freedom of expression, assembly and protest. In many African countries state sanctioned police surveillance and violence, and arbitrary arrest and detention are used to close civic spaces and curtail public discourse. In most instances the use of such instruments are further examples of the law being 'weaponised' ('lawfare') against public protest. Lastly, activists – especially environmental defenders - have been silenced by being murdered for their public advocacy.

Some legal scholars have argued, therefore, that the term SLAPP suit should be expanded 'to embrace within its ambit any legal proceedings which are brought to enervate critics, in order to accommodate the versatility of the threat faced by critics in different jurisdictions.'[8] This wider definition of SLAPP suits to include other forms of judicial harassment is adopted in this report.

In short, SLAPP suits and other forms of judicial harassment have three essential aims:

To Change the Focus of Dispute	SLAPP suits and other forms of judicial harassment deliberately shift focus away from the issue of wider public interest to a much narrower form of dispute.
To Change the Forum of Debate	SLAPP suits and judicial harassment oftentimes take debate outside of the public realm and into more elitist and inaccessible spaces, such as courtrooms.
To Change the Role of the Rights Defender	SLAPP suits and judicial harassment recast the role of rights defenders from being active participants in civil society to being defendants under threat.[9]

The following section explores key SLAPP cases that have informed South Africa's jurisprudence in this novel area.

[7] Bord-Barthet, J. Lobina, B. & Zabrocka, M. 2021. The Use of SLAPPs to Silence Journalists, NGOs and Civil Society. Policy Department for Citizens' Rights and Constitutional Affairs Directorate-General for Internal Policies. European Union.

[8] Emmamally, Z., 2022, 'Slapping Down SLAPP Suits in South Africa: The Need for Legislative Protection and Civil Society Action', South African Law Journal, 139(1), p. 3. The Coalition Against SLAPPS in Europe defines them as 'abusive lawsuits filed to shut down acts of public participation, including public interest journalism, peaceful protest or boycotts, advocacy, whistleblowing, academic comments, or simply speaking out against the abuse of power. SLAPPs target anyone who works to hold the powerful to account or engage in matters of public interest: so-called 'public watchdogs.' This broad category includes journalists, activists, rights defenders, whistleblowers, campaigning organisations, unions or trade associations, and academics.' See, 'SLAPPs: Increasingly Threatening Democracy in Europe', 2023, The Coalition Against SLAPPS in Europe, Aug., p. 7.

[9] Chamberlain, L., 2021, 'SLAPPing back: A new legal remedy for targets of corporate bullying', South African Journal of Human Rights, 37(3), pp. 411 - 412.

SOUTH AFRICA CASE STUDY



Introduction

South Africa gained its independence in 1994, and with it came the hope that its citizenry would benefit from the values of freedom, fairness and equality after the arduous years of discrimination and authoritarian rule during the apartheid era. While much progress has been made, rights defenders are coming under increasing attack from SLAPP suits and other forms of judicial harassment. However, jurisprudence in South Africa is developing to counter this growing threat.

2.1 South African Laws Supporting Activism

The categorisation of legal instruments in this toolkit as laws that "support" or "censure" activism is intended as an analytical starting point rather than an absolute classification. Legal instruments may have both enabling and restrictive dimensions, and their effects on activism may vary depending on their substantive provisions, interpretation, implementation and the context in which they are invoked. Accordingly, the categorisation reflects the predominant or most significant effect of each instrument identified in the case studies, while recognising that the same legal framework may create opportunities for activism in some respects while constraining it in others.

Due to South Africa's apartheid past, the country's 1996 Constitution (which is the supreme law of the land) prioritises and safeguards the rights to public participation, access to information, freedom of association and expression.

Section 18 of the Constitution holds that, 'everyone has the right to **freedom of association**' while **Section 17** affords everyone the right to **assembly, demonstration, picket and petition**.

Section 16 asserts that, 'everyone has the right to **freedom of expression**, which includes- (a) freedom of the press and other media;
(b) freedom to receive or impart information or ideas;
(c) freedom of artistic creativity; and
(d) academic freedom and freedom of scientific research.'

Section 16 is, however, subject to limitation, as expression must not circumvent other rights or the law e.g. result in incitement of imminent violence, or advocate hatred based on race or other similar grounds.

These rights are incorporated into several other statutes including, the Vexatious Proceedings Act1996, the National Environmental Management Act (NEMA) 1998, and the Promotion of Access to Information Act 2000, as detailed below.

Vexatious Proceedings Act, 1996

The Vexatious Proceedings Act provides for the imposition of restrictions on the institution of vexatious legal proceedings. It was drafted with an awareness that section 34 of the Constitutions affords everyone, 'the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum.' However, this right must not be abused to frustrate the ends of justice, by delaying proceedings or harassing a party. Where lawyers have on occasion been found guilty of gross negligence and intentional misconduct, the courts have awarded costs against the relevant legal practitioner. [10]

Examples of this conduct include frivolous litigation, legal strategies employed to delay matters, knowingly bringing false allegations before the court or pursuing a case that has no probable or reasonable prospects of success. Section 2 of the Vexatious Proceedings Act provides that an applicant can seek an interdict against any person who has persistently and without any reasonable ground instituted legal proceedings against another person.

National Environmental Management Act, 1998

This Act highlights the importance of community participation in environmental decision-making that is likely to impact them. NEMA's preamble states that, 'the law should establish procedures and institutions to facilitate and promote public participation in environmental governance . . . . the law should facilitate the enforcement of environmental laws by civil society.'[11]

Its definition of public participation processes allows for a broad range of persons to comment on and raise concerns of relevance to an environmental application or authorisation, including the pursuance of environmental information.[12] Consequently, the acceptance or rejection of environmental licenses, permits or authorisations is contingent, amongst other things, on an applicant's compliance with the Act's prescripts on public participation. Importantly, Section 31 of NEMA prohibits a court from awarding costs against unsuccessful litigants in public interest litigation, while also offering protection to whistleblowers.[13]

Promotion of Access to Information Act, 2000

The purpose of the Promotion of Access to Information Act (PAIA) is to create a conducive environment of openness and accountability in relation to entities which operate in the private and public industry. The Act does this by endorsing the realisation of the right of access to information, as well as expressly advancing a society in which the inhabitants can freely participate in decision-making and public life.

In the matter of My Vote Counts NPC v Minister of Justice and Correctional Services and Another, the Constitutional Court held that, 'the State is under an obligation that flows from a proper reading of sections 32, 19 and 7(2) of the Constitution to do everything reasonably possible to give practical and meaningful expression to the right of access to information . . . . without access to information, the ability of citizens to make responsible political decisions and participate meaningfully in public life is undermined.'[14]

[10] A.M v M.A.M (024353/2024) [2025] ZAGPPHC 1231 (14 November 2025) ; C B and Another v H B (Case no 1324/2019) *[2020] ZASCA 178* (18 December 2020)

[11] National Environment Management Act 107 of 1998. South African Government. Preamble. *https://www.gov.za/documents/national-environmental-management-act*. Accessed 4 June 2026.

[12] National Environment Management Act 107 of 1998. Section 2: Principles.

[13] National Environment Management Act 107 of 1998. Section 31: Access to environmental information and protection of whistle-blowers.

[14] Constitutional Court of South Africa. My Vote Counts NPC v Minister of Justice and Correctional Services and Another (CCT249/17) [2018] ZACC 17; 2018 (8) BCLR 893 (CC); 2018 (5) SA 380 (CC) (21 June 2018). Paragraphs 35 & 36. *https://www.saflii.org/za/cases/ZACC/2018/17.html*. Accessed 4 June 2026.

2.2 Laws that Censure Activism



Due to South Africa's comprehensive constitutional rights-based system, any legislation that is enacted must give credence to the rights espoused in the Bill of Rights and must align with constitutional provisions. It is therefore improbable that statutes in South Africa are drafted with the direct intention of censuring activism. That said, some existing legislation may arguably pose risks to environmental activism – in particular - the Protected Disclosures Act (Whistleblower's Act) of 2000 and the Mineral and Petroleum Resources Development Act 2002 (MPRDA). While these laws do not directly criminalise activism, they do generate systemic barriers against it, and their implementation potentially allows for corporate capture of environmental governance.

Protected Disclosures' Act, 2000

The meaning ascribed to the term whistleblowing differs from jurisdiction to jurisdiction, however the general global understanding of the term denotes that it refers to 'the disclosure of information related to corrupt, illegal, fraudulent or hazardous activities being committed in or by public or private sector organisations – which are of concern to or threaten the public interest – to individuals or entities believed to be able to effect action.'[15]

In South Africa, potential whistleblowers are protected through three main statutes: the Protected Disclosures Act of 2000, the Companies Act of 2008, and the Labour Relations Act of 1995. The Protected Disclosures Act provides employees with strong protections when they make protected disclosures, defending them from dismissal, suspension, harassment and intimidation. It also allows for an employee to receive monetary compensation, for loss of occupation and gives the whistleblower the right to request a transfer. The Act requires that the new position offered has the same or better terms and conditions in comparison to the occupation they held previously. However, the Act only provides employees protection in instances where disclosures fall under the definition of 'protected disclosures' under the Act. This means that disclosures must include details of misconduct or wrongdoing, and must be made to the appropriate person as outlined under the Act (legal advice, employer, public protector, auditor-general etc.) **This dynamic raises two concerns:**

1 **The criteria for protected disclosures, creates procedural obstacles that may discourage employees, environmental defenders and civil society from acting. It may be difficult for a lay person to understand who the 'appropriate person' is, particularly in complex situations. Where an individual makes a disclosure in good faith to the wrong person, (e.g. a trusted colleague, journalist or NGO), the whistleblower may lose legal protection, even if the information is credible and in the public interest.**

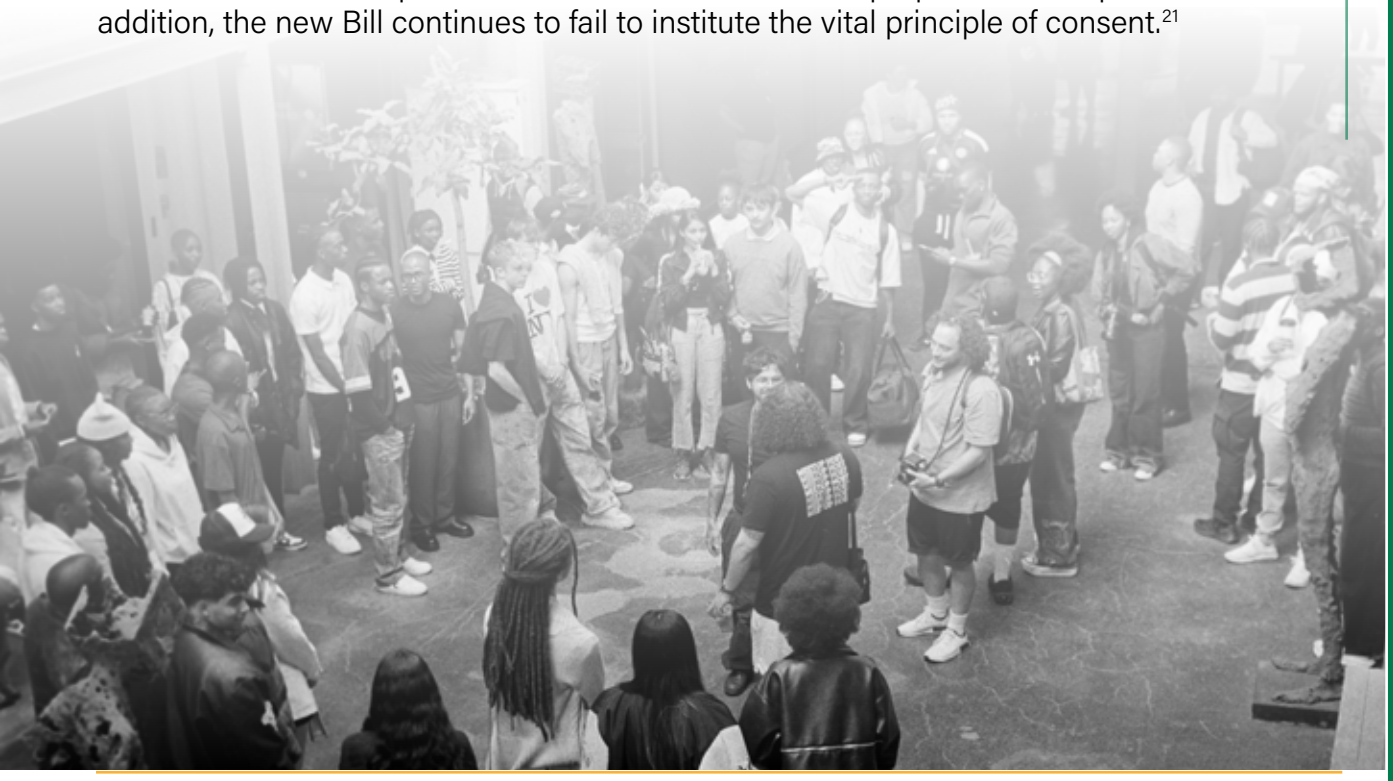
2 **The current protection only extends to employees and is framed to support disclosures made in the course of occupation under the dynamics of labour relations. However, in the context of environmental justice and protection of human rights, disclosures are often made by community members, volunteers, former employees or contractors witnessing wrongdoing (in the spheres of mining, service delivery and public procurement). The narrow definition consequently discourages broader accountability and reduces levels of protection for those who fall outside the definition of employees.**

[15] Transparency International. 2013. International Principles for Whistleblower Legislation: Best Practices for Laws to Protect Whistleblowers and Support Whistleblowers in the Public Interest, p. 4.

It is an unfortunate reality that in South Africa 'whistleblowers often face significant personal hardships despite the vindication of their actions and the public issues they expose' - including being murdered - which is largely the result of negative institutional responses to whistleblowers from within their respective institutions and wider state agencies.[16] These factors explain why the Act is so underutilised in South Africa. So serious have these problems become that a new Protected Disclosures Bill has been drafted.[17] However, critics have already stated that the new Bill fails to provide adequate protection measures for whistleblowers.[18]

The Mineral and Petroleum Resources Development Act, 2002

Whilst the MRDPA acknowledges the importance of the preservation of the environment and sustainable development that prioritises the participation of communities in environmental decision-making processes, in terms of community participation its regulations have been critiqued for being too vague and restrictive.[19] The primary concern is that while the Act states that 'interested and affected parties' must be consulted, their consent as land rights holders is not necessary for mining developments to go ahead.[20] The MPRDA is currently being replaced by two new Acts, one of which, the Upstream Petroleum Resources Development Act, became law in 2024. Specific laws relating to mining are being amended by the Mineral Resources Development Bill, 2025. Serious concerns have been expressed about the proposed Bill because it seeks to narrow who must be consulted to 'persons with a direct interest' in a proposed development. In addition, the new Bill continues to fail to institute the vital principle of consent.[21]



[16] Uys, T. & Radulovic, U., 2025, 'Truth to Power: A Historical Overview of Whistleblowing in South Africa', South African Review of Sociology. 55(1), p. 109 & Radulovic, U. & Uys. T., 2025, 'South Africans who blow the whistle face retaliation and murder: their stories over five decades', The Conversation. 7 Oct. https://theconversation.com/south-africans-who-blow-the-whistle-face-retaliation-and-murder-their-stories-over-five-decades-266499. Accessed 5 June 2026.

[17] For weaknesses in the current Act see, Radulovic, U., 2023, 'The predicament of the unprotected: Why lack-lustre legislation fails South African whistleblowers', African Journal of Business Ethics, 17(1).

[18] 'OUTA warns proposed whistleblower law still fails whistleblowers', 2026, OUTA, 13 May. https://www.outa.co.za/blog/newsroom-1/outa-warns-proposed-whistleblower-law-still-fails-whistleblowers-1492. Accessed 4 June 2026.

[19] 'MACUA Picket at DMR to Demand that Minister Mantashe keep his hands off Xolobeni Land', 2019, Polity. 17 Jan. https://www.polity.org.za/article/macua-wamua-macua-picket-at-dmr-to-demand-that-minister-mantashe-keep-his-hands-off-xolobeni-land-2019-01-17. Accessed 4 June 2026.

[20] Corruption Watch. 2024. Best Practice Guideline on Community Consultation in the South African Extractives Industry. pp. 27 - 28.

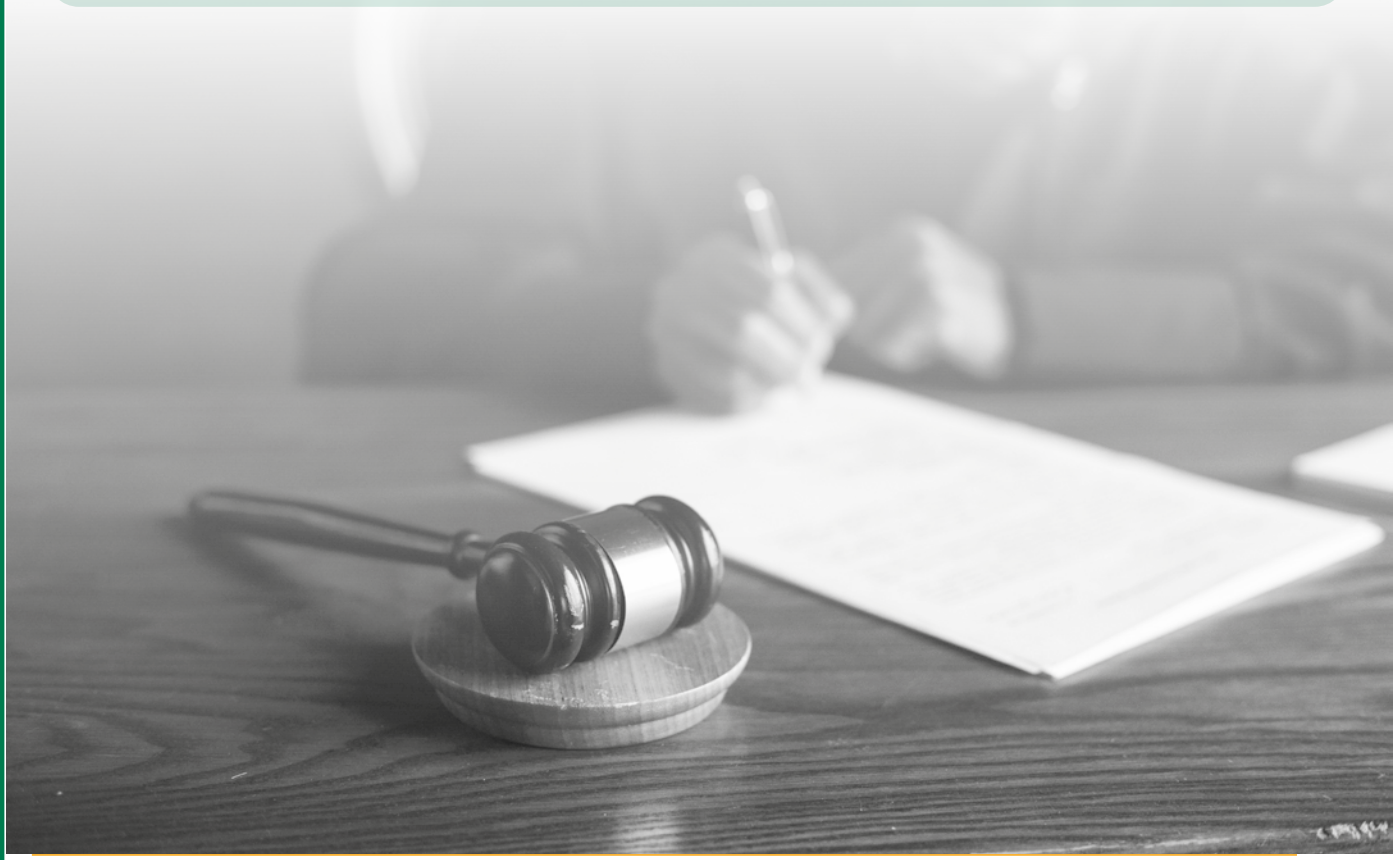
[21] MACUA. 2025. Written Supplementary Submission to the DMPR on the Mineral Resources Development Bill.

2.3 Examples of SLAPP suits and Judicial Harassment in South Africa

The Biowatch Principle, 2009

As activists increasingly seek legal channels to redress environmental and climate injustices, debate over the morality of awarding legal costs against plaintiffs or claimants in public interest litigation (PIL) has surfaced. In the Biowatch case, the Constitutional Court developed a principle that recognised the danger of awarding costs against claimants in PIL.[22]
In recognising the importance of PIL the court held the following:

> ***[That one cannot] deny that vulnerable sectors of society are particularly dependent on the support they can get from public interest groups... Interventions by public interest groups have led to important decisions concerning the rights of the homeless, refugees, prisoners on death row, prisoners generally, and the landless. There has also been pioneering litigation brought by groups concerned with gender equality, the rights of the child, cases concerned with upholding the constitutional rights of gay men and lesbian women, and in relation to freedom of expression ... Similarly, the protection of environmental rights will not only depend on the diligence of public officials, but on the existence of a lively civil society willing to litigate in the public interest.[23]***



[22] The Constitutional Court of South Africa. 2009. Biowatch Trust v Registrar Genetic Resources and Others (CCT 80/08) [2009] ZACC 14; 2009 (6) SA 232 (CC); 2009 (10) BCLR 1014 (CC) (3 June 2009). https://www.saflii.org/za/cases/ZACC/2009/14.html. Accessed 4 June 2026.

[23] The Constitutional Court of South Africa. 2009. Biowatch Trust v Registrar Genetic Resources and Others (CCT 80/08) [2009] ZACC 14; 2009 (6) SA 232 (CC); 2009 (10) BCLR 1014 (CC) (3 June 2009), paragraph 16.

Mineral Sands Resources (Pty) Ltd and Others v Reddell and Others, 2021

In 2021, an Australian company, Mineral Sands Resources (MSR), and several of its executives, initiated three defamation lawsuits claiming R14 million in compensation for what they argued to be inflammatory, false and damaging statements on their reputation made by environmental activists and lawyers at a talk given at a university by three defendants and during a radio interview given by three other defendants. In response, the defendants raised a SLAPP defence.

The case was heard in the High Court which had consolidated the cases. The Court found that the awarding of general damages in defamation cases should consider whether the defamatory statements are part of public discourse on matters of legitimate public interest. If defamation occurs within such discourse, general damages may not be warranted to avoid suppressing important public debate. However, if the defamation is unrelated to public interest, compensation may be justified based on case-specific facts. In this instance, the High Court found in the defendants favour, dismissing the defamation lawsuits.
The judge noted that:

> ***It appears that the defamation suit is not genuine and bona fide, but merely a pretext with the only purpose to silence its opponents and critics. Litigation that is not aimed at vindicating legitimate rights, but is part of a broad and purposeful strategy to intimidate, distract and silence public criticism, constitutes an improper use of the judicial process and is vexatious..... SLAPP suits constitute an abuse of process, and is inconsistent with our constitutional values and scheme.***[24]

This High Court's decision was appealed by the plaintiffs and was heard by the Constitutional Court. The Constitutional Court held that the doctrine of abuse of process could accommodate the SLAPP defence raised by the activists and lawyers. The judgment therefore established a SLAPP suit defence in South African law as a species of the common law doctrine of abuse of process, and sets out the components required for such a defence.[25] **As such, this case is a landmark ruling in South African law, recognizing SLAPP suits as a form of abuse of process and reinforcing protections for activists, journalists, and public interest advocates.** The decision empowers courts to dismiss lawsuits aimed at intimidation rather than genuine legal redress, strengthening democratic participation and corporate accountability. It also aligns South Africa with international legal trends and may inspire future legislative reforms to combat SLAPP litigation.

24 Western Cape High Court of South Africa. 2021. Mineral Sands Resources (Pty) Ltd and Another v Reddell and Others; Mineral Commodities Limited and Another v Dlamini and Another; Mineral Commodities Limited and Another v Clarke (7595/2017; 14658/2016; 12543/2016) [2021] ZAWCHC 22; [2021] 2 All SA 183 (WCC); 2021 (4) SA 268 (WCC). 9 February. https://www.saflii.org/za/cases/ZAWCHC/2021/22.html. Accessed 4 June 2026.

25 Centre for Environmental Rights. 2022. Mineral Sands Resources (Pty) Ltd & Mineral Commodities Ltd v Reddell, Davies, Cloete & Others (SLAPP defence matter in the Constitutional Court). 14 Nov. https://www.cer.org.za/virtual-library/judgments/constitutional-court/mineral-sands-resources-pty-ltd-mineral-commodities-ltd-v-reddell-davies-cloete-others-constitutional-court. Accessed 4 June 2026.

First Quantum Minerals v. Southern Africa Resources Watch (SARW), 2021.

In 2021, a Canadian mining company, First Quantum Minerals, sued a South African based research organisation (Southern African Resources Watch) for defamation relating to two research reports it had produced criticising First Quantum Minerals' Operations in Zambia. First Quantum Minerals sued for R1 million in damages, demanded the withdrawal of the research and the issuing of an unconditional apology.

> ***In a defendants special plea, Southern African Resources Watch accused First Quantum Minerals of instituting a SLAPP suit with the purpose of 'intimidating and silencing members of civil society, the public and the media in relation to public criticism of the plaintiffs', which, the plea argued, was an 'abuse of process of court'.[26] While the case did not proceed, it nonetheless reveals how SLAPP suits are emerging in South Africa.***

Zuma vs Maughan, 2022

In 2022, the ex-President of South Africa, Jacob Zuma, pursued a private prosecution of a journalist who had reported on alleged crimes being investigated against Zuma. The case was heard in the High Court in 2023 where the Court found no basis for the private prosecution noting that the summons was issued:

> ***with the intent to intimidate and harass her and prevent her from performing her duties as a journalist. It is done for an improper motive not with the intent of addressing any wrongdoing on her part. When viewed holistically we agree with Maughan that the private prosecution constitutes a violation of the rights recognised in s16(1) of the Constitution. The right to freedom of the media has been acknowledged by our courts.[27]***

Zuma appealed the case to the Supreme Court where it was dismissed with costs. The Supreme Court noted:

> ***Ms Maughan characterises her private prosecution as one that has been brought by a powerful former President against a journalist (who has been reporting on his legal troubles in a manner that displeases him), which will have a chilling effect on her journalistic freedom and press freedom more widely....there is nothing to gainsay any of this.[28]***

[26] First Quantum Minerals and others vs Southern Africa Resource Watch and others, High Court of South Africa (Gauteng Local Division), Case No: 11477/2021. Defendants Special Plea.

[27] Judgement quoted in Hawker, D. 2023. SLAPP down — Jacob Zuma fails in attempted private prosecution of Billy Downer and Karyn Maughan. Daily Maverick. 7 June. https://www.dailymaverick.co.za/article/2023-06-07-slapp-down-jacob-zuma-fails-in-attempted-private-prosecution-of-billy-downer-and-karyn-maughan/. Accessed 5 June 2026. During the trial various friends of the court stated that the private prosecution was an attempted SLAPP suit.

[28] Supreme Court of South Africa. 2023. Zuma v Downer and Another (788/2023) [2023] ZASCA 132; [2023] 4 All SA 644 (SCA); 2024 (2) SA 356 (SCA); 2024 (1) SACR 589 (SCA) (13 October 2023). Paragraph 1. https://www.saflii.org/za/cases/ZASCA/2023/132.html. Accessed 4 June 2026.

Developer SLAPPs Environmental Activist, 2025

In early 2025, a property developer in the Western Cape, sued a local environmental activist for R5 million for costs allegedly incurred due to delays in the development of the project caused by the activist legally opposing the project. The activist in question is defending herself on the basis that the claim is a SLAPP suit. She has made a Special Plea accusing the developer of 'an abuse of process of court, because:

> ***it was not brought to vindicate a right; it seeks to use court proceedings to achieve an improper end (to use litigation to cause the defendant financial and other prejudice in order to silence and deter her and others); and it materially violates the defendant's statutory and constitutional rights.'[29]***
> ***The case remains pending.***

Retailer Applies for Interdict Against Protestors, 2026

In June 2026 a South African retailer, Cape Union Mart, and its executive chairperson, approached the High Court to limit protests being held outside Cape Union Mart stores by members of the Palestinian Solidarity Campaign. The interdict seeks to limit numbers, limit what protestors can say and prevent them from covering their faces.

> ***The Palestinian Solidarity Campaign claims that the court action is a 'a textbook SLAPP suit designed to suppress critical peaceful voices through legal intimidation.'[30]***



[29] Yeld, J. 2025, 'Developer sues Sedgefield environmentalist for R5-million', GroundUp, 19 March. https://groundup.org.za/article/developer-sues-sedgefield-environmentalist-for-r5-million/. Accessed 4 June 2026.

[30] Mabasa, N. 2025, 'UPDATED-Cape Union Mart seeks court interdict against pro-Palestinian group', Mail and Guardian, 23 June. https://mg.co.za/news/south-africa/2025-06-23-updated-cape-union-mart-seeks-court-interdict-against-pro-palestinian-group/. 28 June 2026.

Murders of Environmental Defenders

2016

Sikhosiphi "Bazooka" Radebe

In 2016, Sikhosiphi "Bazooka" Radebe, an environmental activist who was opposing a mining development in the Eastern Cape, was murdered by two men posing as police officers.

> ***More than ten years later, no one has been arrested for the murder with evidence indicating that police investigations have been deliberately sabotaged.***[31]

2020

Fikile Ntshangase

In 2020, environmental activist, Fikile Ntshangase, was murdered fighting against a new coal mine in KwaZulu-Natal.

> ***No arrests have been made prompting the United Nations special rapporteur on human rights defenders, Mary Lawlor, to comment in 2025 that it was 'deeply upsetting' that the South African government had not acted with more determination to solve the murder.***[32]

2.4 Conclusion

While a specific piece of anti-SLAPP legislation remains outstanding, the High Court and Constitutional Court rulings in terms of the Mineral Sands Resources (Pty) Ltd and Others v Reddell and Others, in recognizing SLAPP suits as a form of abuse of process, have reinforced protections for activists, journalists, and public interest advocates against SLAPP suits and wider judicial harassment in South Africa. Clearly, however, the state needs to do far more to properly investigate acts of intimidation and violence against rights defenders so that the democratic right to protest is fully realised in South Africa.

[31] Sole, S., 2023, 'Murder of 'Bazooka' Radebe in Xolobeni: Hawks general accused of shutting down investigation', Daily Maverick, 9 May, https://www.dailymaverick.co.za/article/2023-05-09-murder-of-bazooka-radebe-in-xolobeni-hawks-general-accused-of-shutting-down-investigation/. Accessed 27 June 2026.

32 Carnie, T., 2025, 'Police claim Fikile Ntshangase's killers are dead, but who paid the hitmen?', Daily Maverick, 26 Oct., https://www.dailymaverick.co.za/article/2025-10-26-police-claim-fikile-ntshangases-killers-are-dead-but-who-paid-the-hitmen/. Accessed 29 June 2026.

OPPOSING SLAPP SUITS IN AFRICA – WHAT CAN BE DONE?



3.1 International Anti-SLAPP Laws

To counter legal frameworks which facilitate SLAPP suits, legal safeguards such as anti-SLAPP statutes need to be in place. Anti-SLAPP jurisprudence is most advanced in the United States, where the first anti-SLAPP law was passed in 1992. To date, 38 American states have passed anti-SLAPP laws.[33]
The European Union passed an anti-SLAPP law in 2024.

> ***In March 2024, the European Union adopted a Directive to end 'abusive court proceedings against public participation….which are not brought to genuinely assert or exercise a right, but have as their main purpose the prevention, restriction or penalisation of public participation, frequently exploiting an imbalance of power between the parties.'[34] Importantly, the Directive allows for the early dismissal of cases and for costs and penalties to be imposed on 'a claimant who has brought abusive court proceedings against public participation.'[35] This directive is the first multinational and transnational anti-SLAPP law.***

3.2 African Anti-SLAPP Laws

While there are no specific anti-SLAPP laws in Africa, African states are signatories to various international legal instruments that may be applicable in the defence of an activist, lawyer, journalist or academic facing a SLAPP suit or another form of judicial harassment.



[33] Keating, D., Knowles-Gardner, H. & Greenberg, D. 2025. Anti-SLAPP Statutes: 2025 Report Card. Institute for Free Speech. 25 Aug. https://www.ifs.org/anti-slapp-report/. Accessed 3 June 2026.

[34] European Union. 2024. Directive (EU) 2024/1069. Article 4.3. Also see, van Houtert, B., 2025, 'The Anti-SLAPP Directive as a Roadmap for SLAPP Targets and the Obstacles Along the Way', Maastricht University, 25 Feb., https://www.maastrichtuniversity.nl/blog/2025/02/anti-slapp-directive-roadmap-slapp-targets-and-obstacles-along-way. Accessed 24 June 2026.

[35] European Union. 2024. Directive (EU) 2024/1069. Articles 11, 14 & 15.

3.3 The Universal Declaration of Human Rights

The Universal Declaration of Human Rights provides, in Articles 19, 20 and 21, that everyone has the right to freedom of expression, freedom of peaceful assembly and association.[36] These rights are important participatory tools which are entrenched in international and regional legal frameworks, including the International Covenant on Civil and Political Rights (ICCPR), and the African Charter on Human and Peoples' Rights (Banjul Charter).[37]

Three specific rights are important for those facing SLAPP suits:

01

Right to freedom of association

Article 22 of the ICCPR and Article 10 of the African Charter entrench the right to freedom of association at international and regional scales. This right ensures that every individual is free to organise and to form and participate in groups, which enables effective participation in civil and political society.





02

Right to peaceful assembly

Article 21 of the ICCPR and Article 11 of the African Charter recognise and entrench the right to peaceful assembly with other like-minded persons, highlighting the importance of protest activities. This right particularly affords individuals the opportunity to express their opinions on matters of collective and public interest in a united manner. It is the conduit from which the pillars of advocacy are built, thereby ensuring that citizens can mould their respective societies in alignment with their morals, values and ideals.

03

Freedom of expression

Freedom of expression is an integral part of public participation provided for in Article 19 of the ICCPR and Article 9 of the African Charter. Freedom of expression includes the right to, seek, receive and express ideas and opinions within the law. Article 19 of the ICCPR goes further to emphasise that this freedom should be enjoyed by all without frontiers.



The 2019 Declaration of Principles of Freedom of Expression and Access to Information in Africa also affirms the rights to freedom of expression and access to information.

[36] Universal Declaration of Human Rights. 1948. United Nations. https://www.un.org/en/about-us/universal-declaration-of-human-rights. Accessed 3 June 2026.

[37] International Covenant on Civil and Political Rights. 1966. United Nations. https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights & African Charter on Human and Peoples' Rights. 1981. African Union. https://au.int/en/treaties/african-charter-human-and-peoples-rights Accessed 3 June 2026.

3.4 African Legal Instruments

While African regional legal instruments specifically addressing SLAPP suits remain underdeveloped, protections can be inferred from broader human rights frameworks and judicial precedents. The African Commission on Human and Peoples' Rights (also known as the Banjul Charter) has passed a number of relevant resolutions:

> ***Resolution 119 (2007)*** *urges member states 'to take all the necessary measures to ensure to all human rights defenders an environment conducive to carrying out their activities without fear of any acts of violence, threats, reprisals, discrimination, pressure and any arbitrary acts by State or non-State actors as a result of their human rights activities.'*[38]

> ***Resolution 196 (2011)*** *notes that the Commission is 'deeply concerned about the difficult environment in which those who cooperate with African human rights system including human rights defenders in Africa are working in Africa which is characterized in several countries by the persistence of arbitrary arrests and detentions, acts of harassment including judicial harassment, threats and other forms of intimidation, of summary and extra-judicial executions and even acts of torture as a result of their activities.' It calls on states to 'to recognize the role of human rights defenders in the promotion and protection of rights and freedoms as recognised by the African Charter and other regional and international instruments.....to release the human rights defenders who are arbitrarily detained and to put an end to the judicial harassment and other acts of intimidation against human rights defenders.'*[39]

> ***Resolution 376 (2017)*** *essentially repeats the text of Resolution 196 noting once again that the Commission is 'deeply concerned about the situation of human rights defenders in Africa.'*

In September 2025, the Commission noted its concern with the 'growing use of strategic lawsuits against public participation.....which often have been used to curtail the work of civil society, human rights defenders and independent journalists, to drain their resources, stigmatize and criminalize them.' The Commission called on member states to 'enact anti-SLAPP legislation, authorizing early dismissal of such lawsuits and protecting civil society actors against legal harassment.'[40] Article 66 of the AU's African Charter on Human and Peoples' Rights allows for supplementary protocols, thus creating a pathway for future instruments to be added which explicitly address SLAPP suits.

[38] African Commission on Human and Peoples' Rights, 2007, Resolution on the Situation of Human Rights Defenders in Africa - ACHPR/Res.119(XXXXII)07, https://achpr.au.int/en/adopted-resolutions/119-resolution-situation-human-rights-defenders-africa-achprres119.

[39] African Commission on Human and Peoples' Rights, 2011, Resolution on Human Rights Defenders in Africa - ACHPR/Res.196(L)2011, https://achpr.au.int/en/adopted-resolutions/196-resolution-human-rights-defenders-africa-achprres196l2011

[40] African Union. 2025. African Commission on Human and Peoples' Rights. Joint Declaration on Protecting the rights to freedom of peaceful assembly and of association from criminalization amid intensified existential threats. 17 Sept. https://achpr.au.int/en/news/press-releases/2025-10-29/joint-declaration-protecting-rights-freedom-peaceful-assembly. Accessed 19 May 2026.

Particularly relevant to environmental defenders and SLAPP suits was resolution 657 from March 2026, which reaffirmed 'the inseparable link between access to information, environmental rights, and the broader framework of human rights protections enshrined in the African Charter on Human and Peoples' Rights.' It directly addresses SLAPP suits calling on member states to:

> ***Take appropriate, legislative, administrative and judicial measures to deter and address vexatious, harassing or abusive resort to litigation that unduly restrict and chill public participation in environmental matters, including, inter alia providing targeted procedural protections such as expedited handling of cases, facilitating timely access to legal aid and other appropriate assistance to victims.***[41]

In June 2026, the Commission passed resolution 663 which speaks directly to ongoing challenges, particularly as they relate to judicial processes. It notes that the Commission is:

> ***Concerned by the shrinking of civic space, notably through the use of surveillance, both in the digital domain and in other spheres, as well as the trend towards democratic repression, including transnational repression, factors which undermine the enabling environment for the work of human and peoples' rights defenders in Africa, particularly in the run-up to presidential elections;***
>
> ***Also concerned by the resurgence of cases of abuse of judicial process imposed on human and peoples' rights defenders, characterised by the proliferation of proceedings brought against them or the organisations which employ them, including by non-State actors, as well as by the imposition of excessively high bail amounts, which are likely to unduly restrict the exercise of their activities;***
>
> ***Concerned further by the persistence of violations targeting human and peoples' rights defenders, in particular arbitrary arrests and detentions, acts of torture, enforced disappearance and murder, as well as the excessive and prolonged use of pre-trial detention, including in conditions characterised by restrictions on their rights of access to legal representation, appropriate healthcare and family visits;***
>
> ***Concerned, furthermore, by the violations of the freedoms of association and peaceful assembly of human and peoples' rights defenders, in particular through the banning of peaceful demonstrations, arrests during such gatherings, and the suspension or dissolution of civil society organisations outside any due legal process.'***

[41] African Commission on Human and People's Rights, 2026, Resolution on Access to Information and the Right to a Healthy Environment - ACHPR/Res.657(LXXXVI).

Among several demands, it called on states to 'refrain from any form of abuse of judicial process imposed on human and peoples' rights defenders, including by non-State actors'.[42]

In combatting SLAPP lawsuits, lawyers must, therefore, be innovative in their use of international rights protections, especially where there is a significant lacuna in the law with regards to anti-SLAPP legislation within a country. Some legal progress is being made towards combatting SLAPPs in Africa. For example, as has been noted, in 2022 the Constitutional Court in South Africa recognised SLAPPs 'as an abuse of process' noting that SLAPPs may be raised as a provisional defence.[43] Despite this, there is clearly a pressing need for the development of national anti-SLAPP legislation in African legal jurisdictions because as legal scholars note, 'anti-SLAPP laws act as a filter for legal proceedings by restraining abusive cases'.[44]



[42] African Commission on Human and Peoples' Rights, 2026, Resolution on the Situation of Human and Peoples' Rights Defenders in Africa ACHPR/Res.663(LXXXVII) 2026, https://achpr.au.int/en/adopted-resolutions/663-achprres663lxxxvii-2026.

[43] Centre for Environmental Rights. 2022. South African Constitutional Court provides new protection for activists against SLAPP suits. 15 Nov. https://cer.org.za/news/south-african-constitutional-court-provides-new-protection-for-activists-against-slapp-suits. Accessed 21 May 2026.

[44] Emmamally, Z., 2022, 'Slapping Down SLAPP Suits in South Africa: The Need for Legislative Protection and Civil Society Action', South African Law Journal, 139(1), p. 18.

3.5 Model Anti-SLAPP Law for Africa

As an essential starting point the African Union needs to develop and fully implement a dedicated and binding anti-SLAPP protocol for all members states. This should be accompanied by country-specific anti-SLAPP laws. While being fully cognizant that bespoke and innovative anti-SLAPP legislation is required in all African jurisdictions because there is no one-size-fits-all solution, a draft model anti-SLAPP statute for South Africa has recently been drawn up that includes four essential features which are universally applicable:[45]

1. Definition of SLAPP suits

The ability for judges to recognise and act against SLAPP suits is essential, thus the Model law describes them as unfounded legal proceedings which are threatened or brought against persons with the chief goal of discouraging, silencing, harassing, detracting, under resourcing, and disciplining individuals or a collective of individuals from participating openly in matters of public interest. These matters could include activities such as protest actions, campaigns building, networking publicly, criticism, academic research, journalism, or whistleblowing.

2. Test for Strategic Litigation Against Public Participation

The Anti-SLAPP Model Law also provides a structured test to determine whether a lawsuit qualifies as a Strategic Lawsuit Against Public Participation. This test ensures that courts can quickly identify and dismiss SLAPP cases before they impose undue burdens on defendants.

3. Early Dismissal Mechanism

It provides a legal process for defendants to request the swift dismissal of SLAPP suits, aimed to reduce the financial and emotional strain on those targeted.

4. Protective Measures

The law includes provisions to safeguard defendants from retaliatory actions, such as awarding costs and damages to those wrongfully sued (Courts could automatically award the full costs of participating in a suit to a defendant upon dismissal), thereby deterring potential SLAPP filers.

Scholars argue strongly in support of model laws because of the wider regional impact they can have on shaping 'judicial imagination to influence future decisions.'[46]

[45] Bruce, L., 2024, 'Model law for protection against SLAPP suits', Centre for Applied Legal Studies- University of the Witwatersrand, 10 June, https://www.wits.ac.za/news/sources/cals-news/2024/model-law-for-protection-against-slapp-suits.html.

[46] Mafusire, B., 2026, 'Civil Society as a Jurisprudential Actor: Contesting SLAPPS in Business and Human Rights Litigation in Southern Africa', American Journal of International Law Unbound, 125, p. 157.

3.6 Recommendations

SLAPPs are increasingly being employed by powerful entities to limit free speech and discourage public participation. These legal actions target organisations, activists, journalists and legal professionals indiscriminately, saddling them with legal costs and threatening them into silence. For the effective development, adoption and implementation of anti-SLAPP legislation in African jurisdictions the following recommendations are made:

1. PUBLICISE SLAPP SUITS

To prevent issues which are of public interest being turned into private court cases, civil society organisations, the media and activists must work tirelessly to transform SLAPP suits into public issues via social mobilisation, media campaigns and public education (including judicial awareness).





2. PUBLICISE HIDDEN SLAPP SUITS

Civil society organisations and the media must recognise that many attempts to intimidate and silence do not reach the courts (legal threats communicated through confidential letters and correspondence from lawyers etc). Such threats against activists and civil society organisations must also be systematically publicised. In addition, online smear and disinformation campaigns designed to encourage self-censorship must be vigorously publicised.

3. MOBILISE SHAME

When facing SLAPP suits, stakeholders should work to 'mobilise shame'. Exposing unjust behaviour to public scrutiny can be a powerful mechanism to counter the vast resources (power asymmetry) that corporations or governments can commit to SLAPP suits. While reputational damage matters to differing degrees among corporations and governments, it is nonetheless a weakness that can be exposed.[47] This particular issue speaks to both government legitimacy and the social license of corporations to operate.

A critical part of this process is to collect and present compelling evidence to show truth in statements and to demonstrate that an issue of serious public concern is present. This helps to ensure that the government and/or private companies/individuals who are initiating SLAPP suits are subject to scrutiny and held accountable for their actions or activities.



[47] Emmamally, Z., 2022, 'Slapping Down SLAPP Suits in South Africa: The Need for Legislative Protection and Civil Society Action', South African Law Journal, 139(1), p. 29.



4. FILE MOTIONS OF DISMISSAL

In the absence of specific anti-SLAPP laws, filing a motion to dismiss based on a lack of merit to a case, or filing counterclaims for harassment or restriction of civic participatory rights can be a useful means by which to fight back against SLAPP suits. Doing so, shifts the focus back to the SLAPP plaintiff's motives and might expose the intimidatory tactics being employed by them.

5. FORM ANTI-SLAPP COALITIONS

National and regional anti-SLAPP coalitions should be formed to share information and best practice. Such forums and coalitions could facilitate specific anti-SLAPP campaigns. Alliance building between the media and human and environmental rights defenders is particularly critical.





6. UNDERTAKE LEGISLATIVE ADVOCACY

At national level, relevant civil society organisations and the media should undertake ongoing legislative advocacy to advance the promulgation of specific legal protections. This lobbying should not see the passing of anti-SLAPP legislation as the end goal but should continue so that anti-SLAPP legislation is effectively implemented. At the international level, the promotion of a binding anti-SLAPP directive from the AU should be a priority area of legislative advocacy. In addition, legislative advocacy to advance the promulgation of anti-SLAPP laws should include regional structures such as the SADC, EAC and ECOWAS.

7. LOCATE THE FIGHT AGAINST SLAPP WITHIN WIDER HUMAN RIGHTS STRUGGLES

The place of anti-SLAPP legislation should be seen within the wider struggle for democracy in Africa, including the critical question of judicial independence. Therefore, the challenge posed by SLAPP suits and other forms of judicial harassment cannot simply be reduced to a question of legal reform, because questions of political will are paramount because SLAPPs are 'part of the broader struggles for democratic accountability and economic justice.'[48] As analysts note, 'while we can outline the issues and shed light on the misuse of lawfare, fully resolving these deep-seated problems requires long term political commitment as well as accountability.'[49] What this means is that pushing back against SLAPP suits in Africa should be located within wider pro-democracy and rights movements.



[48] Mafusire, B., 2026, 'Civil Society as a Jurisprudential Actor: Contesting SLAPPS in Business and Human Rights Litigation in Southern Africa,' American Journal of International Law Unbound, 125, p. 154.

[49] Chawaremera, M. & Kugara, S., 2025, 'A Critical Lens into Lawfare as a Tool to Undermine Democracy and Civil Liberties,' African Journal of Law and Justice Systems, 4(3), p. 22.

Directory of organizations potentially offering legal, financial, and emotional support for SLAPP victims.

ORGANISATION	CONTACT INFORMATION	LOCATION
Kenya Human Rights Commission (KHRC)	admin@khrc.or.ke	Kenya
Mzalendo Trust	info@mzalendo.com	Kenya
Twaweza	info@twaweza.org	Kenya
Katiba Institute	info@katibainstitute.org	Kenya
Justice Defenders	https://www.justice-defenders.org/	Kenya & Uganda
African Environmental Defenders	https://envirodefenders.africa/	Africa wide
Zimbabwe Environmental Lawyers Association	Info@zela.org	Zimbabwe
Zimbabwe Lawyers for Human Rights	info@zlhr.org	Zimbabwe
TI Zimbabwe - Advocacy and Legal Advice Center	https://www.tizim.org/advocacy-and-legal-advice-center/	Zimbabwe
Asina Loyiko	info@asinaloyiko.org.za https://asinaloyiko.org.za/	South Africa
Legal Resources Centre	Info@lrc.org.za	South Africa
Women's Legal Centre	https://wlce.co.za/	South Africa
Lawyers for Human Rights	https://www.lhr.org.za/	South Africa
Centre for Environmental Rights	Info@cer.org.za	South Africa
Southern African Litigation Centre	Enquiries@salc.org.za	Namibia | South Africa Zambia | Zimbabwe
Centre for Applied Legal Studies	duduzile.mlambo@wits.ac.za busisiwe.kamolane@wits.ac.za	South Africa
Centre for Child Law	centreforchildlaw@up.ac.za	South Africa
Global Climate Legal Defenders	abrownell@climatelegaldefense.org	Uganda
Southern Africa Human Rights Defenders Network	info@southerndefenders.africa	South Africa | Zambia Zimbabwe
Coalition Against SLAPPS in Africa	https://www.sarwatch.co.za/project/coalition-against-slaaps-in-africa/	Africa wide
SLAPP Back	https://slappback.org.za	South Africa
Platform for the Protection of Whistleblowers in Africa	https://www.pplaaf.org/	Africa wide
Action – Access to Information Namibia	https://action-namibia.org/	Namibia
Media Institute of Southern Africa	https://misa.org/	Southern Africa
Media Monitoring Africa	https://www.mediamonitoringafrica.org/	Africa wide
Campaign for Free Expression	https://freeexpression.org.za/	South Africa
Institute for Human Rights and Development in Africa	https://ihrda.org/en/	Africa wide

Links to workshops, webinars, and manuals on SLAPP defences.

TITLE	TYPE OF RESOURCE	LINK
The Importance of Freedom of Expression *(the Southern Africa Litigation Centre)*	Report	https://www.southernafricalitigationcentre.org/wp-content/uploads/2017/08/Chapter-2.pdf
Campaign for Free Expression	Article	https://freeexpression.org.za/publications/
Legal Gaslighting – SLAPP-ing back at abusive process	Article	https://www.hsfkramer.com/notes/africa/2023-07/legal-gaslighting-slapp-ing-back-at-abusive-process
SARW/ CALS Anti- SLAPP Toolkit *(Wits University and Centre for Applied Legal Studies)*	Report	https://www.wits.ac.za/media/wits-university/faculties-and-schools/commerce-law-and-management/research-entities/cals/documents/programmes/environment/resources/Anti-Slapp-Toolkit-email-1-2.pdf
A Model Law for Protection from Strategic Litigation Against Public Participation *(Wits University)*	Legal Resource	https://www.wits.ac.za/media/wits-university/faculties-and-schools/commerce-law-and-management/research-entities/cals/documents/programmes/rule-of-law/resources/Draft%20for%20public%20comment-%2013Dec2023-%20Anti-SLAPP%20model%20law-%20Draft%202023.pdf https://www.wits.ac.za/media/wits-university/faculties-and-schools/commerce-law-and-management/research-entities/cals/documents/programmes/rule-of-law/resources/Anti-SLAPP%20Model%20Law%20for%20web%207%20June%202024.pdf
Toolkit on the right to Freedom of Association and Assembly *(Legal Resources Centre)*	Report	https://lrc.org.za/wp-content/uploads/Toolkit-booklet-210x148-Online-version.pdf
Asina Loyiko Website Launch	Webinar	https://www.youtube.com/watch?v=s1MGDFmdWvI
ICAR Annual Meeting - Protecting Protest: Fighting Back Against Corporate Bullies.	Webinar	https://www.youtube.com/watch?v=DkG8dcTsQ04
The effects of Strategic Lawsuits against Public participation (SLAPP) on freedom of expression and citizen participation in public dialogues in Kenya	Report	https://mzalendo.com/media/resources/Slapp.Report-2.pdf
SLAPPed: A Tool for Activists - Part 7: Resources	Report	https://www.acluohio.org/slapped-tool-activists/how-guard-against-slapp-suits/
Defending SLAPP Suits: Widening Circuit Split, Anti-SLAPP Motions, Cease and Desist Letters, Amended State Laws *(Strafford Webinars)*	Webinar	https://www.straffordpub.com/products/defending-slapp-suits-widening-circuit-split-anti-slapp-motions-cease-and-desist-letters-amended-state-laws-2021-03-31
SLAPPed but Not Silenced: Defending Human Rights in the Face of Legal Risks *(Vance Centre)*	Webinar	https://www.vancecenter.org/vance-centerhosts-bhr-webinar-on-role-of-lawyers-inslapps/
Anti-SLAPP Legal Guide	Blog	https://www.rcfp.org/anti-slapp-legal-guide/
Trainings on SLAPPs and Legal Defence	Webinar	https://cldc.org/resources/resource-library/?_sfm_resource-category=SLAPP
International Senior Lawyers Project	Anti-SLAPP Guide for Lawyers in Southern Africa	https://islp.org/7455-2/

Digital Security: Protecting communications and sensitive data.

Passwords: In today's digital world, safeguarding personal information online is more important than ever. This of course is amplified when activists are fighting to protect their or someone else's biodiversity, livelihood, cultural etc… One of the most effective ways to protect your data is by using strong, unique passwords for every account, and enabling two-factor authentication (2FA) wherever possible.

TIPS:

- Make sure that when creating a new password, that it is randomised, has capital letters, lower case letters and characters – and it is longer than ten digits.
- Choose reliable security methods, such as authentication apps, security keys, SMSes
- When saving passwords, make sure to save them in a key chain app or programme. Examples of these apps/programmes are NordPass, 1Password, Keeper, RoboForm

Phishing scams: It's crucial to be cautious of phishing scams — avoid clicking on any suspicious links or downloading attachments from unknown sources that do not look like it is from the company that it says it is from. i.e. john@party.xzy would not be a legitimate email from the company party.

VPNs: Using a virtual private network (VPN) when browsing on public Wi-Fi can prevent others from intercepting your data and when traveling to a country that may have unfavourable protection of information laws it may stop such governments from accessing your information.

TIPS:

- When travelling to a country that won't allow you to use a VPN, make sure it is already turned on before you arrive, as this might assist.
- Use a reputable VPN company like ExpressVPN, NordVPN, Cyberghost, Surfshark.

Emails: Emails can be intercepted when being sent via the web. To stop this, you can use an encryption scrambling systems that only the other person will be allowed to read the email once received. Or you can use free email system like protonmail or tuta. (If using Protonmail, don't forget your password as it won't allow you to reset this.)

Ad blocker, trackers and pop-ups: When engaging on the web multiple organizations / people / hackers want to try and obtain as much information from you as possible or they trying to have ads pop every five minutes to sell you something or click on a website that is harmful to your computer / laptop. Installing apps like Ghostery is a great way to stop Adverts, trackers or pop-ups.

Search Engine Tracking – Google, Bing, Yahoo etc. track your internet activity. There are several, search engines that do not. Good options which do not track activity are DuckDuckGo (*https://duckduckgo.com/*) or Brave Search (*https://search.brave.com/*).

Messaging Services – While no messaging services are completely secure, it is recommended not to use WhatsApp, rather use an alternative such as Signal which tracks far less user activity.

Cell/Mobile Phones – Turn off location settings for apps where possible.

Google Maps – Be cautious of using Google Maps.

There is a useful guide to activist security here - *https://activisthandbook.org/tools/security* while the following organisation can help activists and NGOs with digital security issues - *https://www.accessnow.org/help/*.

Remember, any information can still be accessible and you are never one hundred percent safe on the internet. Please make sure you take care when sharing sensitive information





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