



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR JUSTICE AND CONSUMERS

The Director-General

Brussels
JUST.C.4/CR/gg (2026)7041383s

Axel Barret
axelbarrett@gmail.com>

Subject: Report of Abusive Litigation (SLAPP) against Journalist - Axel Barrett / ENI Case

Dear Mr. Barrett,

Thank you for your emails of 21 April, 2 June, 15 June and 25 June 2026 concerning the litigation proceedings to which you refer and for the information you have shared with the European Commission.

We sincerely apologise for the delay in replying. The Commission takes all correspondence from citizens seriously and appreciates the concerns you have raised regarding the impact that these proceedings may have on your activities.

We would first like to clarify that the Commission's Expert Group against Strategic Lawsuits against Public Participation (SLAPPs) is an advisory body bringing together representatives of Member States, legal practitioners, journalists, academics, civil society organisations and professional associations. Its role is to support the Commission in the implementation of the EU anti-SLAPP framework, facilitate exchanges of good practices and contribute to the development of support mechanisms for persons confronted with allegedly abusive litigation. The Expert Group is not competent to intervene in, assess or provide legal advice concerning individual judicial proceedings.

The Anti-SLAPP Directive¹ establishes safeguards applicable in cross-border civil and commercial court proceedings. Questions relating to the applicability of these safeguards in a particular case fall within the competence of national courts. In addition, the Commission Recommendation (EU) 2022/758 of 27 April 2022 on protecting journalists and human rights defenders who engage in public participation from manifestly unfounded or abusive court proceedings encourages Member States to establish support mechanisms,

¹ [Directive - EU - 2024/1069 - EN - EUR-Lex](#)

including legal, practical and financial assistance, and to designate focal points responsible for gathering and sharing information concerning organisations that provide guidance and support to persons who consider themselves to be affected by abusive litigation.

You may be willing to contact the focal points designated by Italy and Belgium in line with point 25 of the Recommendation, whose contact details are publicly available ([List of Member State's nominated Focal Points according to Point 25 of the Commission's 2022 Anti-SLAPP Recommendation | European Commission](#)). You may also wish to get in touch with organisations active in supporting individuals confronted with SLAPPs, which may be able to provide practical information or direct you to available sources of assistance.

As regards your question concerning the application of the existing EU anti-SLAPP safeguards to your situation, the Commission is not in a position to assess individual cases or to determine whether particular judicial proceedings fall within the scope of the Directive or the Recommendation. Such assessments depend on the specific facts of each case and, where relevant, are ultimately a matter for the competent national courts.

Finally, on your question concerning the Rule of Law Report, information received from stakeholders may contribute to the Commission's broader monitoring activities. However, the Commission cannot prejudge the content of future reports.

Yours sincerely,

Ana GALLEGO

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