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State replied

Romania

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Lawsuits Filed against the Romanian Centre for Investigative Journalism

SOURCE OF THREAT ▶ Non-state

CATEGORY  ▶ Harassment and intimidation of journalists

PARTNER: Index, Article 19, ECPMF

The Romanian Centre for Investigative Journalism (CRJI), which set up the investigative online magazine The Black Sea (www.theblacksea.eu), faces accruing fines and two protracted lawsuits, relating to stories published by the online magazine between 2016 and 2018. Back then, the investigative magazine took part in the European Investigative Collaborations (EIC) network's "Football Leaks" project, producing a series of stories on the global football industry, which led to a number of criminal investigations and prosecutions worldwide, for crimes of money laundering, fraud and tax evasion.

Among these investigations there were reports of alleged political and criminal connections of one family – the Kazakh-Turkish Arif family, owners of a network of companies known collectively as Doyen, accused of being connected to a number of football deals. According to CRJI, Doyen and the Arif family were invited by the EIC network to respond to allegations before they were printed, but refused.

Two years after these reports were published, the Arifs and the Malta-based Doyen Sports Investment Limited filed two civil lawsuits against CRJI relating to the stories published by The Black Sea, claiming defamation on the basis of leaked or stolen company and personal documents. The first suit was filed in December 2018 and the second in November 2019. Both are pending.

The lawsuits were preceded by an 'emergency' gag order, filed in December 2018, which demanded the removal of all stories that mentioned the Arif family and the Doyen company. According to CRJI, neither they nor The Black Sea was informed of the gag order application at the time. It was granted by a Romanian judge in January 2019.

In July 2019, the judge imposed a fine on CRJI of RON 1000 (€200) for each day the stories

remain online, so far accruing fines of over RON 300,000 (more than €60.000). The stories have not been removed and can be read here: <https://theblacksea.eu/stories/?dossier=Football%20Leaks>

According to CRJI, The Black Sea stories are the only ones resulting in lawsuits from the Arif family and Doyen, despite many of EIC network's partners publishing similar, and sometimes identical versions of the stories.

UPDATES

02 Jul 2020: On 23 June 2020, a Bucharest court ordered the Romanian Centre to pay a “definitive and enforceable” fine of 329,000 RON (€67,000) for not having removed the stories. The first hearing for the lawsuits was due to take place on 24 June 2020 in Bucharest, but at the request of the Arif family, it has been postponed until the end of July. This is the eighth time that the would-be first hearing has been postponed. Two postponements have been due to the coronavirus pandemic and a judges strike, and six have been at the request of the Arif family or due to their procedural requests.

ADDITIONAL INFORMATION

- ➔ Information regarding the status of the second lawsuit filed against the CRJI available on the Ministry of Justice website
- ➔ Information regarding the status of the first lawsuit filed against the CRJI available on the Ministry of Justice website
- ➔ The Football leaks stories published on The Black Sea website
- ➔ Article published by Malta Today : “Football Leaks’ firm Doyen fined €23,000 by MFSA”
- ➔ The Football leaks investigation published on The Black Sea website

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- ➔ Information provided by the Romanian authorities

