



RESOLUTION ON COMBATING STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION (SLAPP)

Passed by the LAWASIA Council, 14 September 2026, Seoul, Korea

Whereas:

- a. *Article 1(a) of LAWASIA's Constitution provides that its objects are to promote " .. the administration of justice, protecting human rights and maintaining the rule of law within the Region for the benefit of the public."*
- b. *There is a deeply concerning global escalation of Strategic Lawsuits Against Public Participation (SLAPP), which are meritless and vexatious legal actions strategically deployed to silence, intimidate, harass and financially burden public interest groups, civil society organizations, lawyers and journalists for investigating, speaking out or acting on matters of public interest.*
- c. *The issue of SLAPP and its chilling effect on public interest defenders was the subject of considerable discussion at the recent LAWASIA Environmental Law Conference held in Port Moresby, Papua New Guinea (17 – 19 August 2026).*
- d. *SLAPP represents a gross abuse of judicial processes as it weaponizes the law contrary to accepted principles of the rule of law and misuses the administration of justice as an instrument of oppression, thereby suppressing freedom of expression, restricting the essential civic space required for public participation and inhibits access to justice on matters of public interest.*
- e. *Many international agreements have acknowledged the need to ensure unimpeded access to justice in public interest matters, including the Aarhus Convention 1998, the Escazu Agreement from Latin America and the Caribbean 2018, and the ASEAN Declaration on the right to a clean, safe, healthy and sustainable environment 2025.*
- f. *The Basic Principles of the Role of Lawyers 1990 and the Luxembourg Convention on the Protection of the Profession of Lawyers 2025, both recognize that lawyers should not suffer adverse consequences as a result of being identified with their clients or their clients' cause and be able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference.*

The LAWASIA Council resolves to:

1. *strongly condemn the use of SLAPP as an abuse of the administration of justice, designed to silence legitimate public expression, suppress dissent, and inhibit rule of law, human rights and environmental advocacy;*

2. *declares that upholding the integrity of the judicial system is a shared duty, and that policymakers, legislators, lawyers and judges must actively ensure that courts are not utilized as instruments of intimidation, harassment and oppression;*
3. *urge all governments in the Asia Pacific to urgently enact and implement comprehensive anti-SLAPP legislation that incorporates crucial procedural safeguards, including:*
 - i. *Judicial mechanisms to rapidly identify and dismiss SLAPP at the earliest opportunity;*
 - ii. *Requiring SLAPP claimants to bear legal costs to ensure public interest defenders are protected from in terrorem legal costs; and*
 - iii. *Incorporating public interest defenders explicitly within national protective legislation;*
4. *commend the principles of the Aarhus Convention and the standards of the European Union's Anti-SLAPP Directive 2024;*
5. *urge member Bar Associations and Law Societies of LAWASIA to consider advocating for their adaptation and integration into domestic laws or to spearhead initiatives aimed at enacting binding regional instruments of a similar standard; and*
6. *call upon the legal profession in the Asia Pacific to actively support and defend victims of SLAPP through pro bono representation, and joint advocacy, thereby counteracting the chilling effect of SLAPP.*



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LAWASIA, The Law Association for Asia and the Pacific