

Brazilian Coalition in Defense of Journalism rejects criminal conviction against journalist

The organizations that make up the Brazilian Coalition in Defense of Journalism condemn the sentence handed down on August 12, 2024 by Judge Andrea Calado da Cruz of the 12th Criminal Court of Pernambuco (TJ-PE) against journalist Ricardo Antunes. He was sentenced to seven years in prison for allegedly committing slander, defamation and libel by publishing a series of articles about the businessman Felipe Augusto Lyra Carreras.

The conviction comes as a result of five posts on Ricardo Antunes' blog, which dealt with an investigation into an alleged corruption scheme involving the businessman and his partners in the company Festa Cheia Produções e Propaganda with the Caruaru City Hall for events.

The same incident was dismissed in a civil case filed by the businessmen against the journalist, seeking an injunction to take down the content. The 10th Civil Court of the capital of Pernambuco ruled that the articles, despite their scathing tone, were intended to inform and were based on the ongoing investigation into allegations of corruption. The decision is not final and is subject to appeal.

Similarly, another legal case filed by judge Cruz ordering Antunes' pre-trial detention and the removal of the blog and all of his social media accounts was rejected by the Pernambuco Court after pressure from journalists' organizations such as the Brazilian Association of Investigative Journalism (Abraji) and the National Union of Journalists (Fenaj).

Cruz has also sought retaliation for the journalist's exercise of free speech by filing a police complaint against Antunes for allegedly threatening, insulting and slandering her after he posted comments about the decision on social media and called it "a joke". This raises serious concerns about the independence of the judge and her willingness to uphold principles of free speech.

The mobilization of the criminal justice apparatus against the exercise of freedom of the press causes disproportionate damage to the guarantee of this right, which enjoys special constitutional protection. Also noteworthy is the severity of the sentence imposed: currently there's no imprisoned journalists in Brazil. The repeated sentences against Antunes make him vulnerable and harm free speech.

The organizations represented by the Coalition in Defense of Journalism reiterate their position that criminal justice is not the appropriate response to dealing with slander, defamation and libel. These should be addressed solely through civil lawsuits, to enable the balancing of rights and preserving freedom of expression and of the press.