

Tekst 7

Where the winning is easy

London is the place for your libel case

Britain's judiciary has decided to unleash the wonders of English libel law on the world's press. The result of yesterday's House of Lords decision to allow Boris Berezovsky, the richest and most powerful man in Russia, to sue the US magazine *Forbes* in a libel trial in London will have disastrous consequences for free speech, both here and throughout the world. It is an absurd result and one which casts doubt both on the law lords' ability to understand human rights and on the way they decide matters of constitutional importance.

Berezovsky is an international public figure whose behaviour calls for the fullest investigation and the freest comment. The most serious allegations about his greed and route to power have been made by such figures as George Soros. He disdains to sue in Russia: he will not sue in the US, where *Forbes* sells a million copies. Instead, he has now been allowed to sue in London because the magazine sold a few hundred copies

here. His motives are transparent: he wants to sue here because our libel law is loaded towards plaintiffs.

The decision to allow Berezovsky the right to restore his reputation in England puts at risk every foreign magazine which sends copies here. Publishers from *The New York Review of Books*, through *India Today* to the *New Yorker* may decide to withdraw copies from circulation in this country rather than risk the crippling cost of English libel actions brought by any foreign crook, politician or businessman.

The dissenting judgments of Lords Hoffman and Hope make compelling reading. British courts have no right or qualification to act as an "international policeman" restoring foreigners to a reputation they cannot protect in their home country. Yesterday's judgment may enrich the English libel Bar. The chilling effect on international publishers means that the rest of us will be infinitely poorer.

'The Guardian'

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3p 25 □ Geef van elke uitspraak aan of deze wel of niet in overeenstemming is met de tekst *Where the winning is easy*.

- 1 Het tijdschrift *Forbes* heeft Berezovsky van smaad beschuldigd.
 - 2 De Engelse wetgeving op het gebied van smaad werkt in het voordeel van de klager.
 - 3 De zaak Berezovsky wordt in veel internationale publicaties doodgezwegen.
 - 4 De Russische wetgeving voorziet niet in zaken zoals die van Berezowski.
 - 5 De tijdschriftenmarkt in Engeland zou een verminderd aanbod kunnen krijgen.
- Noteer het nummer van elke uitspraak, gevolgd door "wel" of "niet".