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High Court Bans 'Ruinous' Libel Suits

By Alexandra Taranova

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Courts should not award "ruinous" compensation in libel suits against media and politicians because it impedes freedom of speech, the Supreme Court said in a ruling published Monday in Rossiiskaya Gazeta.

Excessive damage claims are often abused to hurt the media, the state newspaper said in the commentary for the ruling, which came into effect after the publication.

Courts are now obliged to consider whether the compensation they award would bankrupt a media outlet, said Andrei Rikhter, a media freedom and regulation expert with Moscow State University.

“It is a positive decision, a step forward for media freedom,” he said.

But Eduard Limonov, a novelist turned opposition activist who was ordered to pay a 500,000 ruble ($16,500) fine for slandering Mayor Yury Luzhkov in 2007, said the ruling was too vague.

“Our court, as always, tried to please everyone, but at the same time it has not adopted any concrete decision. Who will relieve me from my debt?” Limonov said.

He said the Supreme Court should have introduced fixed fines for defamation lawsuits. But a commentary on the decision in Rossiiskaya Gazeta said that only legislators are entitled to do that.

The largest libel fine in modern Russian history was awarded in 2004, when Kommersant was ordered to pay $11 million in damages to Alfa Bank for a report about "serious problems" at the lender during the brief banking crisis that summer. The fine was reduced to $1.1 million on appeal.

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