Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1792 (2007)[1]

Fair trial issues in criminal cases concerning espionage or divulging state secrets

Parliamentary Assembly

1. Referring to its Resolution 1551 (2006), the Parliamentary Assembly invites the Committee of Ministers to:

1.1. urge all member states to:

1.1.1. examine existing legislation on official secrecy and amend it in such a way as to replace vague and overly broad provisions with specific and clear provisions, thus eliminating any risks of abuse or unwarranted prosecutions;

1.1.2. apply legislation on official secrecy in a manner that is compatible with freedom of speech and information, with accepted practices for international scientific co-operation and the work of lawyers and other defenders of human rights;

1.2. look into ways and means of enhancing the protection of whistle-blowers and journalists, who expose corruption, human rights violations, environmental destruction or other abuses of public authority, in all Council of Europe member states;

1.3. urge the Russian Federation to rehabilitate, in a spirit of openness and tolerance, those journalists, scientists, lawyers and defenders of human rights condemned in recent years for breaches of official secrecy, who appear to have become victims of the over-zealous application of this legislation.

1. Assembly debate on 19 April 2007 (17th Sitting) (see Doc. 11031, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Pourgourides). Text adopted by the Assembly on 19 April 2007 (17th Sitting).