Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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The protection of journalists' sources of information

Motion for a recommendation
tabled by Ms Tuulikki UKKOLA and other members of the Assembly

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This motion has not been discussed in the Assembly and commits only those who have signed it

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The Parliamentary Assembly of the Council of Europe recalls that freedom of expression and information under Article 10 of the European Convention on Human Rights includes the right of journalists not to disclose their sources of information. This right is a necessary condition for the work of journalists and thus for the right of the public to receive information through the media.

The Assembly also recalls the Recommendation (2000) 7 of the Committee of Ministers on the right of journalists not to disclose their sources of information and calls on member states to fully respect this right.

It notes with regret that the right of journalists' to protect the sources of their information has in many instances been jeopardized. Journalists have been detained by law enforcement authorities and law enforcement authorities have searched the material of journalists in order to reveal their sources of information. Journalists have been killed. According to some estimates nearly 300 journalists have been killed in Russia during the past ten years.

The International Federation of Journalists, which monitors press freedom violations and campaigns for greater safety, founded in 2003 the International News Safety Institute to promote practical action world-wide to increase the safety and protection of journalists and media staff. In its annual report of 2008, the Reporters Without Borders (RWB) noted that press freedom is deteriorating throughout the European region and that attacks on the right of journalists to keep their sources secret increased in the major democracies in 2007. According to this report physical violence against the media is less common in the EU than in the former USSR, but Bulgaria and Italy were exceptions. Death threats and harassment are still common in central Europe and the Balkans.

The circumstances surrounding the non-respect of the above mentioned rights are multifarious and vary. Freedom of expression and information is a cornerstone of a democratic society and more research needs to be done to prevent the non respect of this basic principle.

We, the undersigned propose that the Assembly should examine more closely the implementation and realisation of the journalists' right not to disclose their source of information in the Council of Europe member states with a view to proposing new clarifying guidelines or directives for member parliaments to initiate the necessary legislative process for implementing this right fully.

The Assembly recommends that the Committee of Ministers pursue regular reviews of the national law and practice in the member states in this field. Furthermore, the Council of Europe should resolve to monitor more effectively the respect of this right by member states.

Signed (see overleaf)

Signed[1]*:*

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1. ALDE: Alliance of Liberals and Democrats for Europe
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