

European court rules on protection of sources

In an appeal decision issued last week, the Grand Chamber of the European Court of Human Rights unanimously upheld the rights of journalists across Europe to protect their sources of information. The European Newspaper Publishers' Association (ENPA), the World Association of Newspapers and News Publishers (WAN-IFRA) and the World Editors Forum, have welcomed the ruling.



"The decision reaffirms a continent-wide commitment to press freedom and guarantees the media's fundamental right to confidentiality, and has halted the erosion of source protection," the organisations said in a statement.

Strengthening freedom of the press

"The court has significantly strengthened journalists' ability to gather and report information of public interest. This whole saga only reinforces the crucial need to keep a watchful eye on the press freedom situation even in countries where the press can operate freely," the statement said.

The Grand Chamber overturned a 2009 decision by the Third Section of the European Court that had condoned interference with journalistic sources without prior judicial scrutiny.

Appealing initial ruling

The initial ruling came in March 2009 in the case of *Sanoma v. the Netherlands*, in which the Finnish-owned Dutch magazine publisher was forced to hand a CD containing photographs to police. No warrant was issued, and police applied serious pressure to the magazine publishers including, briefly, arresting the editor-in-chief. The lower court had ruled that there had been "no violation", prompting Sanoma to appeal the case to the Grand Chamber.

The Chamber ruled that it was not up to the police or public prosecutors to compel journalists to reveal the sources.

Several organisations - the Media Legal Defence Initiative, Article 19, the Committee to Protect Journalists, Guardian News and Media Limited, and the Open Society Justice Initiative - intervened jointly in the lawsuit with support from ENPA, WAN-IFRA, the Associated Press, Bloomberg News, Index on Censorship, Condé Nast Publications, Hearst Corporation, the National Geographic Society, the New York Times Company, La Repubblica, Reuters, Time Inc., and the Washington Post Company.