

Press freedom in international texts

UNIVERSAL DECLARATION OF HUMAN RIGHTS – adopted by the United Nations, 10 december 1948 :

Article 19

Everyone has the right to freedom of opinion and expression; ***this right includes freedom to hold opinions without interference*** and to seek, receive and impart information and ideas through any media and regardless of frontiers.

EUROPEAN CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS – adopted 4 November 1950

Article 10 – Freedom of Expression

4. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to ***receive and impart information and ideas without interference by public authority*** and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

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Article 10 – Freedom of Expression

5. The exercise of these freedoms, ***since it carries with it duties and responsibilities***, may be subject to such formalities, conditions, restrictions or ***penalties as are prescribed by law and are necessary in a democratic society***, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Rights and obligations of journalists : the Munich Charter

Known as the «Munich charter», this text was drawn up and approved in Munich in November 1971. It is accepted as the reference Charter within the profession internationally and has been adopted as the reference text by most journalists unions in Europe.

Preamble

The right to information, to freedom of expression and criticism is one of the fundamental rights of man. All rights and duties of a journalist originate from this right of the public to be informed on events and opinions. ***The journalists' responsibility towards the public excels any other responsibility, particularly towards employers and public authorities.*** The mission of information necessarily includes restrictions which journalists spontaneously impose on themselves. This is the object of the declaration of duties formulated below. A journalist, however, can respect these duties while exercising his profession ***only if conditions of independence and professional dignity effectively exist.*** This is the object of the following declaration of rights.

Rights and obligations of journalists : the Munich Charter

Declaration of duties

The essential obligations of a journalist engaged in gathering, editing and commenting news are :

1. **To respect truth** whatever be the consequences to himself, because of the right of the public to know the truth.
2. To defend freedom of information, comment and criticism.
3. **To report only on facts of which he knows the origin**; not to suppress essential information nor alter texts and documents.
4. Not to use unfair methods to obtain news, photographs or documents.
5. To restrict himself to the respect of privacy.
6. To rectify any published information which is found to be inaccurate.
7. To observe professional secrecy and **not to divulge the source of information** obtained in confidence.
8. To regard as grave professional offences the following : plagiarism, calumny, slander, libel and **unfounded accusations, the acceptance of bribes** in any form in consideration of either publication or suppression of news.

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9. ***Never to confuse the profession of journalist with that of advertisements salesman of propagandist*** and to refuse any direct or indirect orders from advertisers.

10. To resist every pressure and ***to accept editorial orders only from the responsible persons of the editorial staff.***

Every journalist worthy of that name deems it is his duty faithfully to observe the principles stated above. Within the general law of each country, the journalist recognises, ***in professional matters, the jurisdiction of his colleagues only; he excludes every kind of interference by governments or others.***

Declaration of rights

1. Journalists claim free access to all information sources, and the right ***to freely enquire on all events conditioning public life.*** Therefore, secrecy of public or private affairs may be opposed only to journalists in exceptional cases and for clearly expressed motives.

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2. The journalist has the right ***to refuse subordination to anything contrary to the general policy of the information organ to which he collaborates*** such as it has been laid down in writing and incorporated in his contract of employment, as well as any subordination not clearly implicated by this general policy.
3. A journalist cannot be compelled to perform a professional act or to express an opinion contrary to his convictions or his conscience.
4. The editorial staff has obligatorily to be informed on all important decisions which may influence the life of the enterprise. It should at least be consulted before a definitive decision on all matters related to the composition of the editorial staff, e.g. recruitments, dismissals, mutations, and promotion of journalists, is taken.
5. Taking into account his functions and responsibilities, the journalist is entitled not only to the advantages resulting from collective agreements but also to ***an individual contract of employment, ensuring the material and moral security of his work*** as well as a wage system corresponding to his social condition and guaranteeing his ***economic independence***.