

José Manuel Barroso  
President  
European Commission

June 1st 2006

Dear Mr. President,

Last month the International Federation of Journalists wrote to Vice-President Franco Frattini concerning the actions by the government of Denmark over the violation of press rights involved in the decision to put on trial two journalists who exposed the Government's lack of credible evidence for its decision to back the invasion of Iraq. I welcome the assurance from Mr Frattini received on May 31<sup>st</sup> that the Commission is investigating this case.

Regrettably I am writing to you about two recent developments in Germany and the Netherlands which raise fresh concerns and which require, I believe, a robust response from the European Union in defence of its commitment to the defence of press freedom and fundamental rights of journalists.

The IFJ is very concerned by the circumstances which have led our Dutch affiliate the Dutch Association of Journalists (NVJ) and the national editors' association this week to call for protection for journalists from eavesdropping by the Dutch national intelligence service after it emerged that two journalists had their communications tapped by security services.

Interior Minister Johan Remkes has told the Dutch parliament that journalists are not shielded from investigation by the security agency, the AIVD, and the prosecution service. His comments are in response to the revelation that journalists working for the leading daily *De Telegraaf* had had their telephones tapped.

Meanwhile, in Germany, the government has informed us that they have begun to pull the spies out of German media after a scandal two weeks ago over reports that correspondents had been put under surveillance to try to stop leaks to the press.

The government says the Federal security agency, the Bundesnachrichtendienst (BND), has been ordered not to undertake operative measures against journalists after revelations that the BND had monitored reporters and even paid journalists to spy on their colleagues.

In both of these cases there is a lack of regard for the need to respect the independence of media and the right of journalists to report freely. By the very nature of their work, journalists need free access to sources and they need to be able to know

that are not subject to monitoring in their daily work. It becomes impossible to protect sources of information if the authorities are listening to their daily communications.

It is becoming increasingly clear that there are not sufficient measures in place across the European Union to protect legitimate journalism from intrusive and potentially chilling surveillance by police and security forces within the EU member states.

In these circumstances we would like the Commission to investigate

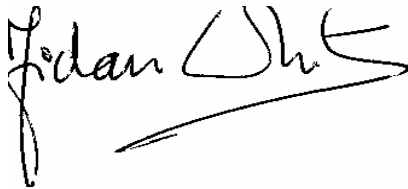
- a) whether there is any co-ordinated policy of surveillance of media in Europe,
- b) whether police forces are co-operating in actions directed at media or journalists.

At the same time, I believe that the leaders of the European Union should intervene to remind member states of their obligations to provide support for the right to media to report freely and the right of journalists to protect their sources.

On behalf of the Commission, Mr Frattini has stated several times that there is a need to balance the protection of fundamental rights against measures that will enhance security and public welfare. There is an increasing concern that this balance is not being struck.

Governments are trying to enforce new standards of secrecy and surveillance that are a violation of press freedom and the peoples' right to know. It is time for governments at national and international level to change direction in favour of protection of fundamental liberties.

With Kind Regards

A handwritten signature in black ink, appearing to read 'Aidan White', with a long horizontal flourish extending to the right.

AIDAN WHITE  
General Secretary, IFJ