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Legal Affairs and Human Rights

PACE committee calls for protection of 'whistleblowers' who reveal state wrongdoing

Strasbourg, 24.06.2013 – "Whistleblowers" who disclose state wrongdoing in the public interest should be protected from retaliation, provided they acted in good faith and followed procedures, a committee of the Parliamentary Assembly of the Council of Europe (PACE) said in a draft resolution made public today.

PACE's Committee on Legal Affairs and Human Rights, adopting a report on "National security and access to information" today in Strasbourg on the fringe of the PACE plenary session, urged governments in the Council of Europe's 47 member states to align their laws with a set of global principles on this topic agreed earlier this month by experts, civil society, academia and national security practitioners.

Access to information should be granted where public interest in the information in question outweighs the authorities' interest in keeping it secret, including when such information "would make an important contribution to an on-going public debate", the committee said.

The report's author Arcadio Diaz Tejera (Spain, SOC) said the Wikileaks revelations did not seem to have caused any serious diplomatic repercussions or lasting damage: "One lesson learnt from this massive leak is in fact that the publication even of relatively sensitive information is nowhere near as damaging as had previously been assumed. I therefore consider the extreme severity with which the US authorities are treating Mr Manning, the young soldier who seems to be the 'source' of these leaks, as most inappropriate."

In its draft resolution, the committee said that "legitimate, well-defined national security interests" are valid grounds for withholding information held by public authorities, but invoking "national security" as a ground for secrecy should be subject to reasonable limits. Crimes such as murder, enforced disappearances, torture or abduction committed by state agents do not deserve to be protected as "state secrets", the parliamentarians pointed out.

They also called on Council of Europe member states that have not yet done so to sign and ratify the Council of Europe Convention on Access to Official Documents.

- Full report (provisional version)
- Video: interview with rapporteur (Spanish only)