## Challenges to Freedom of Information in the Digital Age

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term international mission which has been authorized by the United Nations General Assembly or the UN Security Council. The mandate on freedom of opinion and expression was established in 1993, and I am the fourth rapporteur to enjoy this particular mandate.<sup>2</sup>

Special rapporteurs typically have three mandated functions:

1. Report annually to the Council and General Assembly. The annual reporting has given the Human Rights Council a way to generate normative

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## SOURCES, WHISTLEBLOWERS AND ACCESS TO INFORMATION

The following offers some substantive thoughts related to these topics. As is well known, the si.501 Tm /5019lar versions of Art /50L9x/50119væfsahe Declarat /5019on of Hu.501 Taranth R /50t99ght/51 (o) 13 (n)-3 (a) 12 (l) 1 () -90 (C) 16 (o) 13 (v) -3 (e) debate and accountability in democratic societies, they too often resist protections and call for penalties for disclosures, even those in the public interest.

I have pleaded with governments, and want to emphasize here as well, that we not demonize the whistleblower or the confidential source, who often takes great personal risks – to family, career, and livelihood – in the good faith hope of bringing to light that which should not be hidden from public view. Will some deserve some form of accountability, and face the music for unauthorized disclosures? Perhaps. But in the interest of democratic debate and rule of law, governments ought to weigh in the balance these foundational interests, even when considering specific cases.

Last year, in my report to the UN General Assembly, I drew upon a review of national and international norms and practices, benefiting from twenty-eight State submissions and nearly a dozen from civil society.<sup>8</sup> I drew

necessary and proportionate to achieve one or more of the above mentioned legitimate objectives.

Adopt, or revise, and implement national laws protecting the confidentiality of sources: Laws guaranteeing confidentiality must reach beyond professional journalists, and include

the contribution of sources and whistleblowers sharing information of public relevance and condemn attacks against them.

All of these principles apply to the United Nations and other international organizations: The UN and international organizations should