

Challenges to Freedom of Information in the Digital Age

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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 similar versions of Art 501 of the
Declaration of Human Rights 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.⁸ 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