

## NEWS RELEASE

### **EU Justice Ministers need to re-think Data Protection proposals if press freedom is to be protected**

In advance of the EU Justice Ministers Council meeting on 6 December, a coalition of European organisations representing the interests of both journalists and press publishers<sup>1</sup> have issued a joint statement for the attention of ministers criticising data protection reform plans for failing to underpin press freedom and protect journalistic sources.

The coalition raise concerns regarding both the approach taken by the European Parliament's Civil Liberties ("LIBE") Committee and taken in the latest Council text on the draft General Data Protection Regulation.

According to the European Commission<sup>2</sup>, *a comprehensive reform of the EU's 1995 data protection rules aims to strengthen online privacy rights and boost Europe's digital economy. It is hoped that a single law will do away with the current fragmentation and costly administrative burdens, and will provide a much needed boost to growth, jobs and innovation in Europe.*

European Federation of Journalists (EFJ) General Secretary Ricardo Gutiérrez said: "The European Union prides itself on having high standards of protection for press and media freedom. Only last week, the Council published its conclusions on media freedom and pluralism in the digital environment<sup>3</sup> calling for "appropriate measures to be taken to safeguard the right of journalists to protect their sources and to protect journalists from undue influence." If the current text of the data protection regulation is adopted, it will be in direct conflict with this statement."

Ivar Rusdal, President of the European Newspaper Publishers' Association (ENPA) stated: "Data protection reform should not place any restrictions on the right of the independent press to carry out investigative reporting in Europe. The fundamental values of press freedom and citizens' access to information should be deep-rooted in any democratic society."

European Publishers Council (EPC) Executive Director Angela Mills Wade said: "Whilst we applaud the objectives of the draft regulation, the approach in the latest Council text seriously undermines press freedom and journalism. We need to ensure that there are

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<sup>1</sup> EPC, EMMA, ENPA, EFJ

<sup>2</sup> [http://ec.europa.eu/justice/newsroom/data-protection/news/120125\\_en.htm](http://ec.europa.eu/justice/newsroom/data-protection/news/120125_en.htm)

<sup>3</sup> [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/educ/139725.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/educ/139725.pdf)

adequate exemptions and derogations upholding the freedom of the press. We need to adopt a broad interpretation of data processing for “journalistic purposes”. It is essential that legitimate newsgathering and investigative activities are given the greatest respect when balancing the right to privacy and other fundamental rights such as the right to protection of property, the freedom of economic activity and the freedom of expression.”

David Hanger, President of the European Magazine Media Association (EMMA) said: “As specified in our joint statement, a directly binding exemption in the draft Regulation for journalistic data processing is essential to ensure that both journalists and publishers can continue fulfilling their democratic mission as regards investigating, reporting, writing and publishing editorial content without any obstacle, and to guarantee that sources are adequately protected.”

It is still very uncertain whether formal “trialogue” negotiations between the Council, the European Parliament and the Commission will be opened in order to try and achieve an agreement on the draft Regulation by April 2014, before the Parliament’s elections.

A copy of the statement is attached.

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For further information, please contact:

**Contacts:**

Catherine STARKIE  
Director Legal Affairs  
EMMA

[Catherine.starkie@magazinemedia.eu](mailto:Catherine.starkie@magazinemedia.eu)

+32 (0)2 536 06 02

Nikolas MOSCHAKIS  
European Policy Adviser  
EPC

[nikolas.moschakis@epceurope.eu](mailto:nikolas.moschakis@epceurope.eu)

+32 (0)2 231 12 99

Sophie SCRIVE  
Deputy Executive Director  
ENPA

[sophie.scrive@enpa.be](mailto:sophie.scrive@enpa.be)

+32 (0)2 551 01 90

Renate SCHROEDER  
Director  
EFJ

[renate.schroeder@ifj.org](mailto:renate.schroeder@ifj.org)

+32 (0) 2 235 2208