

Platform to promote the protection of journalism and safety of journalists: factsheets available in Albanian and Serbian

In order to support the beneficiaries and key actors in Kosovo* in better understanding and addressing the issues related to freedom of expression, the joint European Union/Council of Europe action “Freedom of expression and freedom of the media in Kosovo” (JUFREX) has prepared valuable materials in local languages. Factsheets originally prepared by the Council of Europe [Platform to promote the protection of journalism and safety of journalists](#) have been translated into local languages of Kosovo and are now available in Albanian and [Serbian](#).

These documents are tackling some of the important dimensions of freedom of expression - freedom of expression and elections, the protection of journalistic sources and the right to access information.

The factsheet on freedom of expression and elections is an important and useful tool providing valuable information to be applied during election campaigns. It also highlights the need for the regulatory frameworks to encourage and facilitate the pluralistic expression of opinions and provide for the obligation to cover election campaigns in a fair, balanced and impartial manner in the overall programme services of broadcasters. Such an obligation should apply to both public service media and private broadcasters in their relevant transmission areas.

The factsheet on protection of journalistic sources and the right to access information provides a useful insight of the case-law of the European Court of Human Rights (ECtHR) regarding the right of journalists not to disclose their sources. It also offers examples of protection of journalists' sources, including judicial orders to disclose journalistic sources as well as other important Council of Europe instruments, such as the recommendations of the Committee of Ministers and the Parliamentary Assembly.

According to the case-law of the ECtHR, the right of journalists not to disclose their sources is not a mere privilege to be granted or taken away depending on the lawfulness or unlawfulness of their sources, but is part and parcel of the right to information, to be treated with the utmost caution.

Without an effective protection, sources may be deterred from assisting the press in informing the public on matters of public interest. As a result, the vital “public watchdog” role of the press may be undermined. Any interference with the right to protection of journalistic sources that could lead to their identification must be backed up by effective legal procedural safeguards commensurate with the importance of the principle at stake.

The factsheet on the right of access to information, a key prerequisite for the freedom of expression, provides a non-exhaustive selection of the Council of Europe instruments and of the ECtHR relevant case law. Its aim is to improve the awareness of the acts or omissions of the national authorities likely to amount to a hindrance of Article 10 of the European Convention on Human Rights.

Access to information is essential for the exercise of one's freedom to receive and impart information and is a key prerequisite for the freedom of expression. The information, data or documents to which access is sought must meet a public-interest test in order to prompt a need for disclosure.

This action “[Freedom of expression and freedom of the media in Kosovo](#)” is part of the joint European Union/Council of Europe programme “Horizontal Facility for the Western Balkans and

Turkey 2019-2022”, which aims at assisting Beneficiaries in the Western Balkans region and Turkey to comply with the Council of Europe standards and European Union *acquis* in the framework of the enlargement process, where relevant.

Factsheet: Media and elections

[English version](#)

[Albanian version](#)

[Serbian version](#)

Factsheet: Protection of journalistic sources

[English version](#)

[Albanian version](#)

[Serbian version](#)

Factsheet: Right to access to information

[English version](#)

[Albanian version](#)

[Serbian version](#)

The information contained in the thematic factsheets is not a legal assessment of the alerts and should not be treated or used as such.

**This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.*