



COMMISSIONER FOR HUMAN RIGHTS
COMMISSAIRE AUX DROITS DE L'HOMME



Ref: CommHR/NM/sf 040-2016

Mr Iro BELLUZZI

Minister for Labour, Cooperation and Information
of the Republic of San Marino

Strasbourg, 25 August 2016

Dear Minister,

I would like to thank you for your letter of 13 July 2016, by which you transmitted the final version of the Code of Conduct for Media Operators (*Codice Deontologico degli operatori dell'informazione*) of San Marino.

Codes of ethics are important tools in establishing clear professional standards and can help promote ethical journalism, which in turn results in a higher quality of information provided to the public. I therefore welcome the efforts made in San Marino to adopt a code of ethics which sets clear duties and responsibilities for journalists and media operators, in particular as concerns the protection of minors and disadvantaged groups and the protection of privacy and fundamental rights.

However, the current text does not allay the concerns I expressed in my report on San Marino published in October 2015 and in the meeting I had with you shortly after my visit to San Marino in June 2015. These concerns stem from the fact that the body (*Autorità Garante per l'Informazione*) which is entrusted with the enforcement of the code of conduct, and ultimately retains the power to interpret and apply the said code in individual cases, is an externally appointed body in which journalists are not necessarily represented. As explained in my report, the risk of undue interference and the potential chilling effect that this system might entail is of serious concern. Therefore, I cannot but reiterate the recommendation I made in my report to replace this mechanism with a system which is more respectful of the freedom of the media and the principle of self-regulation.

I look forward to continuing our constructive dialogue and co-operation.

Yours sincerely,

Nils Muižnieks