



# Conference of the States Parties to the United Nations Convention against Corruption

Distr.: General  
8 October 2010

Original: English

## Open-ended Intergovernmental Working Group on the Prevention of Corruption

Vienna, 13-15 December 2010

### Best practices for promoting responsible and professional reporting on corruption for journalists

Background paper prepared by the Secretariat\*

#### Contents

	<i>Page</i>
I. Introduction . . . . .	2
II. Benefits and challenges of responsible and professional reporting on corruption . . . . .	3
III. Good practices in promoting reporting on corruption through legislation . . . . .	4
A. International guarantees of press freedom . . . . .	4
B. Domestic applicability of international law principles and legal restrictions on the right to seek, receive and impart information . . . . .	5
C. Conflicting rights: privacy, honour and public interest . . . . .	6
IV. Good practices in promoting professional reporting on corruption through ethics and self-regulation . . . . .	6
V. Good practices in promoting professional reporting on corruption through a culture of journalistic safety . . . . .	8
VI. Examples of journalists' responsible and professional reporting . . . . .	10
A. Promoting professional investigative reporting through public support: the ProPublica experience . . . . .	10
B. Promoting professional reporting on corruption by joint State and civil society initiatives: the Colombian experience . . . . .	10
VII. Conclusions and recommendations . . . . .	11
Annex	
Peer-to-Peer Media Forum: Covering Corruption with Integrity — Declaration . . . . .	13

\* This document has not been formally edited.

V.10-56937 (E) 121010 131010



Please recycle 

## I. Introduction

1. At its third session, held in Doha from 9 to 13 November 2009, the Conference of the States Parties to the United Nations Convention against Corruption adopted resolution 3/2 on measures to prevent corruption. In that resolution, the Conference decided to establish an interim open-ended intergovernmental working group to advise and assist it in the implementation of its mandate on the prevention of corruption. The working group was set up in accordance with article 63 of the United Nations Convention against Corruption.<sup>1</sup>

2. In the same resolution, the Conference decided that the working group should perform the following functions:

(a) Assist the Conference in developing and accumulating knowledge in the area of prevention of corruption;

(b) Facilitate the exchange of information and experience among States on preventive measures and practices;

(c) Facilitate the collection, dissemination and promotion of best practices in corruption prevention;

(d) Assist the Conference in encouraging cooperation among all stakeholders and sectors of society in order to prevent corruption.

3. In the same resolution, the Conference stressed the importance of implementing articles 5 to 14 of the Convention to prevent and fight corruption. Among such articles, article 13 requests States parties to, inter alia, establish measures to respect, promote and protect the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as provided for by the law and are necessary: (i) for respect of the rights or reputation of others; and (ii) for the protection of national security or *ordre public* or of public health and morals (article 13, paragraph 19 (d)).

4. In its resolution 3/2, the Conference also recalled the numerous initiatives undertaken by different sectors of society in the margins of the second session of the Conference, in particular the declaration of the peer-to-peer media forum (see annex), and requested the United Nations Office on Drugs and Crime (UNODC) to collect information on best practices for promoting responsible and professional reporting on corruption for journalists and report thereon to the working group

5. The present background paper reflects an attempt to collect and provide a preliminary analysis of such practices. This report does not purport to provide an exhaustive catalogue of practices promoting responsible and professional reporting on corruption, nor to present an in-depth assessment of their impact and effectiveness. It rather provides an overview of key legal guarantees protecting the right to seek, receive and impart information on corruption. The paper also highlights the need to ensure that journalists are aware of their rights, professional duties, the dangers that they may face and the self-regulatory mechanisms to

---

<sup>1</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

encourage safe, professional, fair and independent reporting. Finally, the paper provides a non-exhaustive account of mechanisms adopted both by journalists and Governments to promote professional reporting on corruption and the protection of journalists.

## II. Benefits and challenges of responsible and professional reporting on corruption

6. Studies carried out, among others, by the World Bank Institute and the United States Information Agency have highlighted the role that a free and independent media can play in investigating and exposing corruption.<sup>2</sup>

7. In certain contexts, however, reporting on corruption can be a hazardous form of journalism. According to the International Press Institute (IPI), a non-governmental organization which promotes press freedom, at least 12 journalists were killed in 2009, and 15 in 2008, most probably in connection with their reports on corruption.<sup>3</sup> Other forms of threat, intimidation or use of physical force against journalists who investigate corruption have also been reported.<sup>4</sup> The outcome of such behaviour is often self-censorship, in particular where journalists' right to seek, receive and impart information on issues of public interest, including corruption, is not adequately protected.

8. The major challenges to the promotion of professional, scrupulous, uncompromising and fair reporting on corruption can be broadly grouped in three categories:

(a) Domestic laws that are not in line with international standards on freedom of expression or the lack of fundamental legal guarantees protecting journalists' right to seek, receive and impart information on corruption;

(b) Limited professional skills and ethical standards both on the part of journalists and of public officials;

(c) Threats or use of physical force against journalists who investigate and report on corruption, and consequent impunity.

---

<sup>2</sup> Stapenhurst, R., "The Media's Role in Curbing Corruption", World Bank Institute Working Paper (2000), <http://www.worldbank.org/wbi/governance/pdf/media.pdf>; Pope, J.; Pezzullo, D., "Journalist training to curb corruption", Economic Perspectives, An Electronic Journal of the U.S. Information Agency. Vol. 3, No. 5 (1998), <http://usinfo.state.gov/journals/ites/1198/ijee/ijee1198.pdf>; Safa, O. K. "The Print Media and Corruption in Lebanon. Lebanon Case Study No. 6", The Lebanese Center for Policy Studies, <http://www.ids.ac.uk/ids/civsoc/final/lebanon/leb6.doc>.

<sup>3</sup> IPI Death Watch, <http://www.freemedia.at/our-activities/death-watch/>.

<sup>4</sup> IPI World Press Freedom Review 1997-2009, <http://www.freemedia.at/publications/world-press-freedom-review/>.

### III. Good practices in promoting reporting on corruption through legislation

#### A. International guarantees of press freedom

9. Many international treaties and declarations guarantee the right to seek, receive and impart information. However, the scope of such guarantees varies, and so does the degree to which the protection of this right is balanced with other rights. These notions are determined not only by the wording of relevant international standards, but also by the interpretation provided by the international courts established to ensure compliance with the treaties.

10. Article 19 of the Universal Declaration of Human Rights<sup>5</sup> serves as a basis for the establishment of freedom of expression as an inalienable right enjoyed by all human beings. It states: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

11. Article 29, paragraph 2, of the Universal Declaration of Human Rights foresees legitimate restrictions on the rights to freedom of opinion and expression, as well as other rights. It states that “In the exercise of their rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.”

12. These principles are further reflected in a number of international and regional treaties, including the International Convention of Civil and Political Rights,<sup>6</sup> the United Nations Convention against Corruption,<sup>7</sup> the African Charter of Human and Peoples’ Rights,<sup>8</sup> the American Convention on Human Rights,<sup>9</sup> the European Convention on Human Rights,<sup>10</sup> and the Charter of Fundamental Rights of the European Union.<sup>11</sup> All these treaties include both guarantees for the protection of the right to seek and impart information, as well as provisions regulating legitimate restrictions on the exercise of such a right.

13. Successive rulings by the international human rights courts, which have been established to oversee compliance with the international treaties, have served to define the scope of the legitimate restrictions on the right to freedom of expression within their geographic region and beyond. For example, national courts in Asia have cited rulings by the Inter-American or the European courts of human rights.<sup>12</sup>

---

<sup>5</sup> General Assembly resolution 217 A (III) of 10 December 1948.

<sup>6</sup> General Assembly resolution 2200 A (XXI), annex, 16 December 1966.

<sup>7</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

<sup>8</sup> United Nations, *Treaty Series*, vol. 1520, No. 26363.

<sup>9</sup> United Nations, *Treaty Series*, vol. 1144, No. 17955.

<sup>10</sup> Convention for the Protection of Human Rights and Fundamental Freedoms, [http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/ENG\\_CONV.pdf](http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/ENG_CONV.pdf).

<sup>11</sup> Official Journal of the European Communities, C 364, 18 December 2000.

<sup>12</sup> “The Article 19 Freedom of Expression Handbook”, August 1993, p. VII - <http://www.article19.org/pdfs/publications/1993-handbook.pdf>.

## **B. Domestic applicability of international law principles and legal restrictions on the right to seek, receive and impart information**

14. States parties to international treaties apply international law at the national level in different ways. In some States, while international human rights treaties are legally binding once they have been ratified, they are not domestically enforceable until enacting legislation is passed. In these States, however, international treaty, or the principles thereof, can be used as a persuasive legal argument in a domestic court of law. In other States, constitutional stipulations provide for the self-executive nature of international treaties upon their ratification, and for the direct application of their provisions in lieu of pre-existing conflicting legislation.<sup>13</sup>

15. While most States' constitutions include guarantees for the protection of freedom of expression, in some cases domestic laws pose restrictions on the exercise of this right.

16. Laws which may limit the exercise of the freedom of expression include criminal defamation and libel laws; national security laws; official secret acts; laws protecting the reputation of State institutions and their representatives; and laws granting public figures greater privacy protection. In some cases, such laws may prevent reports exposing corruption and other criminal activities.

17. Press freedom and media organizations have highlighted the importance of properly worded and thoroughly implemented access to information legislation for the promotion of investigative journalism. Article 19, a non-governmental organization that promotes freedom of expression and information, has compared the effectiveness of access to information legislation in different States.<sup>14</sup> The International Press Institute has analysed the implementation of such legislation by surveying the comparative difficulties that journalists around the world face when attempting to obtain information from official government sources.<sup>15</sup> Both studies show that the lack of right to information acts, or the inclusion of too many exceptions to the applicability of such acts, limit journalists' ability to access information of public interest. This, in turn, hinders people's right to be informed. Furthermore, even when properly worded right to information legislation is in place, administrative obstacles may hinder journalists' ability to access information of public interest.

18. Laws protecting journalists' right to keep their sources of information confidential also play an important role in the promotion of investigative reporting on corruption. Such laws originate from the idea that without a strong guarantee of anonymity, people would be discouraged from sharing sensitive information on issues of public interest, thus weakening the important function of investigative

<sup>13</sup> "Human Rights Treaties, Invalid Reservations, and State Consent" by Ryan Goodman — see, e.g., ARM. CONST. Art. 6, cl. 5; BULG. CONST. Art. 5, §4; CZECH REP. CONST. Art. 10; EST. CONST. Art. 123, §2; GEOR. CONST. Art. 6, §2; KAZ. CONST. Art. 4, §3; MOLD. CONST. Art. 4, §2; POL. CONST. Art. 91, §2; ROM. CONST. Art. 20, §2; RUSS. CONST. Art. 15, §4; SLOV. CONST. Art. 11; TAJ. CONST. Art. 10, cls. 3-4. For English translations of the above Constitutions, see CONSTITUTIONS OF THE COUNTRIES OF THE WORLD (Albert P. Blaustein & Gisbert H. Flantz eds., 1971-).

<sup>14</sup> <http://www.article19.org/pdfs/press/rfi-index.pdf>.

<sup>15</sup> [http://www.freemedia.at/fileadmin/media/Documents/IPI\\_Accessing\\_Governments\\_FINAL.pdf](http://www.freemedia.at/fileadmin/media/Documents/IPI_Accessing_Governments_FINAL.pdf).

journalism in exposing corruption. Journalists have both the right and the professional ethical duty to keep their sources confidential. Any attempt to force journalists to reveal their sources would not only be against the law, but would also represent a threat to investigative journalism.

### **C. Conflicting rights: privacy, honour and public interest**

19. One person's right to freedom of expression may collide with other people's ability to enjoy other human rights, such as a person's right not to "be subjected to arbitrary interference with his or her privacy, family, home or correspondence, nor to attacks upon his or her honour and reputation".<sup>16</sup>

20. Whenever there was a clear public interest<sup>17</sup> in revealing information, courts have generally upheld journalists' right to freedom of expression, even if the dissemination of that information represented a breach of privacy or an offence toward one or more individuals.

21. In the case of information perceived as slanderous and defamatory, truth generally represents a defence, although in some domestic legal systems truth alone is not a defence. In most jurisdictions, however, statements made in good faith and on reasonable grounds are generally regarded as true statements, whereas libel and defamation laws do not apply to statements of opinions that cannot be proven true or false.

## **IV. Good practices in promoting professional reporting on corruption through ethics and self-regulation**

22. Specific training to improve journalists' ability to investigate and report on corruption is crucial to ensure high professional standards. Courses and manuals on investigative journalism teach journalists how to carry out an investigation, take advantage of a right to information act, use different research tools, interview techniques, equipment and software to collect and disseminate information.

23. Article 13 of the United Nations Convention against Corruption mandates States parties to take appropriate measures, within their means and in accordance with fundamental principles of their domestic law, to promote the active participation of individuals and groups outside the public sector in the prevention of and the fight against corruption. Training programmes promoting journalists' professional skills in reporting on corruption could be included among such measures.

24. Training alone, however, would fall short of promoting professional reporting on corruption if it is not complemented by an appreciation of the importance of

---

<sup>16</sup> Universal Declaration of Human Rights, General Assembly resolution 217 A (III) of 10 December 1948.

<sup>17</sup> The notion of public interest is a vague one and, as such, subject to interpretation by the courts. However, there seems to be a large agreement that exposing a crime, including offences of corruption, is an issue of public interest.

adopting self-regulatory mechanisms to promote high standards of journalism and journalists' safety.

25. Self-regulatory mechanisms promoting media ethics and accountability include professional codes of conduct, press councils and internal ombudspersons. The non-statutory nature of all self-regulatory media accountability systems is crucial to their proper functioning. Similarly, press councils need to be independent and inclusive. For this purpose, different sectors of society should be represented on press councils, including journalists, editors, media owners, representatives of civil society and government institutions. None of such actors, however, should be given disproportionate decision-making power.

26. While self-regulatory professional codes of practice should apply to all journalists and media outlets, those dealing with highly sensitive subjects, such as the exposure of corruption, have an even greater responsibility to ensure that reports are as scrupulous, uncompromising, fair, independent and accurate as possible. This would ensure the respect of society and serve as a defence if journalists face legal consequences as a result of their exposure of corruption.

27. There is no single format for journalists' self-regulatory codes of practice. Conditions under which journalists work determine the elements and wording of individual codes of practice, which should be discussed and agreed upon by representatives of the media. However, the following elements are common to many journalists' codes of practice and key to professional reporting on corruption to:

(a) Strive toward honesty, fairness, impartiality and independence. Respect the rights of others and put a high value on individuals' honour. Do not allow personal beliefs or commitments to undermine accuracy, fairness and independence;

(b) Cultivate and defend the public right to receive information about issues of public interest. Be constantly mindful not to impair the public interest;

(c) Recognize conflicting loyalties, search for alternatives and consider consequences;

(d) Reject sensationalism or misleading emphasis;

(e) Gather information from first hand sources whenever possible. Substantiate news from private or public sources. Corroborate information from unnamed sources by checking and cross checking the facts;

(f) Protect confidential sources of information. When promising anonymity to a source, ensure that you are ready to honour it. Agree with the anonymous sources on how they will be described in media reports;

(g) When reporting on anonymous allegations, always consider whether there is a strong public interest in publishing such information. Specify whether the information has been corroborated by other sources and whether independent investigations have been carried out. Specify the credibility and relevancy of the anonymous source;

(h) Seek out subjects of news stories to give them the opportunity to respond to allegations of wrongdoing;

(i) Do not accept money, gifts or bribes from individuals or organizations you cover, as this compromises journalistic impartiality and the appearance thereof.

Avoid any conflict of interest that may appear through contracts, favours and public commitments. Disclose any indirect and direct payment made for interviews and articles;

(j) Do not threaten to publish or not publish a story for the purpose of unlawful benefits;

(k) Proceed with great caution in publishing names of, or information about, individuals, which may endanger their lives or those of their families;

(l) Do not, as a rule, obtain information through undercover means such as false identity, hidden microphones and cameras, spying, infiltrating, or misleading reasons about the news coverage. Journalists may do so if it is of definite public interest, where reprehensible actions must be exposed, or the information cannot be obtained through other means;

(m) Do not violate people's right to privacy. Do not intrude into private grief and distress, unless justified by public interest considerations;

(n) Do not identify victims and juvenile offenders;

(o) Expose unethical practices of journalists and news media.<sup>18</sup>

## **V. Good practices in promoting professional reporting on corruption through a culture of journalistic safety**

28. Journalists who report on corruption may become more vulnerable to threat, intimidations and other hindrances to the performance of their profession. Individuals or groups who do not want to see media reports on their corrupt activities may resort to illegitimate means to silence journalists, while impunity fuels further intimidation. Self-censorship is the most common reaction to such behaviours, with losses for societies that are deprived of information of public interest.<sup>19</sup>

29. While some conditions under which journalists report on corruption can never be totally safe, unnecessary risks can be minimized by adopting safety measures and other necessary professional precautions. These include adequate editorial policies and the assurance that journalists are properly trained, equipped and have a thorough knowledge of the socio-political situation of the area in which they are active.

30. Professional journalists' organizations have developed codes and strategies in support of journalists' safety. Similar to other codes of practice, safety guidelines work best if they are adopted and implemented by media professionals in a self-regulatory manner. While these strategies have to be adapted to the local circumstances, safety guidelines adopted by journalists working in different dangerous situations should include the following elements:

---

<sup>18</sup> "Professional Ethics, Media Legislation and Freedom of Expression in Lebanon", International Press Institute (IPI), March 2002, [www.freemedia.at](http://www.freemedia.at); [www.bbc.co.uk](http://www.bbc.co.uk); <http://www.rjionline.org/mas/codes-of-ethics.php>; et al.

<sup>19</sup> IPI World Press Freedom Review 1997-2009, <http://www.freemedia.at/publications/world-press-freedom-review/>.



- 
- (a) News organizations must ensure that their journalists reporting on corruption have the necessary preparation, equipment and personal insurance and are aware that unwarranted risks in pursuit of a story are unacceptable;
- (b) Always identify yourself as a journalist, either through a press card or another form of identification, unless you have strong reason to believe that this could put you in greater danger;
- (c) Do not include a byline in articles exposing corruption, unless you are fully confident that there is no danger in doing this. Do not identify investigative journalists within your organization;
- (d) Journalists are civilians. Do not, as a rule, carry a firearm;
- (e) Avoid face-to-face interviews with individuals who may have an interest in suppressing your investigation. If possible, carry them out over the telephone or by e-mail;
- (f) Take all forms of threats seriously. Report to the police and professional journalists' organizations any attack or threat against yourself or your colleagues as a consequence of your investigations or reports. Try to report as much detail about the threat as possible, including where and when it took place;
- (g) Make sure that your family and work colleagues are informed about the dangers that your investigative work entails. They should not let any unknown individual enter your house or work premises. Even the police need to produce a court order to enter your premises;
- (h) Always inform your family and colleagues of your whereabouts. If you are on a work mission, keep contact with your family or colleagues by calling them every hour;
- (i) If you work in an area with which you are not familiar, establish contact with local journalists prior to travelling to such area to ensure that you are aware of the local conditions;
- (j) If you feel that you may be under threat, do not follow every day the same route. If possible, alternate different means of transportation;
- (k) If you are in danger, inform the authorities. Be aware that the State has the responsibility to implement protective measures toward journalists who find themselves at risk because of their profession.<sup>20</sup>

---

<sup>20</sup> International News Safety Institute, [www.newssafety.org](http://www.newssafety.org); Fundación para la Libertad de Prensa (FLIP), [www.flip.org.co](http://www.flip.org.co); et al.

## **VI. Examples of journalists' responsible and professional reporting**

### **A. Promoting professional investigative reporting through public support: the ProPublica experience**

31. Quality investigative journalism may be expensive. Journalists need to be experienced, specifically trained and properly insured. Investigations may be time consuming and the outcome cannot always be used for publication. Furthermore, news organizations have to be prepared to carry heavy legal costs to defend themselves against possible legal charges put forward by those whose alleged crime was exposed. In some cases, investigations and reports on corruption may lead to physical harassment, destruction of expensive equipment and damage to media premises.

32. ProPublica,<sup>21</sup> a non-for-profit investigative newsroom based in the United States of America, was created in recognition of the fact that most media outlets cannot afford investigative journalism, which is a key force behind positive change. ProPublica started to operate in 2008, thanks to a multi-year funding commitment made by the Sandler Foundation. It has a newsroom of over 30 professional investigative reporters, who are solely dedicated to investigative reporting stories with potential for major impact. Some stories are distributed free of charge exclusively to major news organizations, which can grant them maximum impact. Other stories are distributed widely, with an aim to encourage publication and follow-up by individual news outlets. ProPublica needs to ensure highest quality standards of its stories to be picked up by respected and influential media outlets. The continued publication of stories produced by the ProPublica team — one of which has won a Pulitzer Prize — remains a guarantee of quality.<sup>22</sup> ProPublica is funded by charities and philanthropists. The Sandler Foundation has so far been the major contributor, but other charities have also supported the work of the organization in the belief that a charity-funded model can ensure greater independence than a private-funded model. The quality and success of ProPublica has inspired the creation of other non-for-profit enterprises dedicated to the promotion of professional journalism, and could become a model for the promotion of professional journalistic investigations on corruption.

### **B. Promoting professional reporting on corruption by joint State and civil society initiatives: the Colombian experience**

33. In the past, instability in Colombia had an impact on all sectors of society including the media that had become the target of the opposite parties in their efforts to control information. Against this background, the Government and civil society

---

<sup>21</sup> [www.propublica.org](http://www.propublica.org).

<sup>22</sup> "For most of its major investigations, it brings in distribution partners to make sure they get to the right audience and get the biggest bang for their buck.", Paul Steiger, "Setting the Truth Free", The Independent, 17 June 2010, <http://www.independent.co.uk/news/media/press/paul-steiger--setting-the-truth-free-2002548.html>.

groups have joined forces to protect individual journalists and the profession as a whole.

34. The exchange of ideas and opinions between the Government and civil society representatives led to an interesting debate on the best way to ensure the protection of journalists. As a result, Colombia's Journalist Protection Programme was launched in 2000. Recognizing the vulnerable position of journalists and the importance of implementing measures to ensure their ability to report, the Programme aims to provide assistance to journalists who are at risk or under threat as a consequence of their profession. The Programme, which is publicly funded, offers assistance in the relocation of journalists and provides them with bullet-proof vests and armed escorts, among other services.

35. A Risk Evaluation Committee (Comité de Reglamentación y Evaluación de Riesgos) reviews requests for protection of journalists in danger and determines the protective measures to be adopted. The Committee is headed by the Deputy Minister of Interior and includes other representatives of the Government, law enforcement agencies, the United Nations as well as civil society and journalists' organizations. As such, these organizations have an opportunity to play an important role in defining the necessary protective measures and monitoring their implementation. The analysis of the risks to which individual journalists are exposed is a key element in the decision on the protective measures to implement. The concerted effort of experts from different sectors of society has ensured a professional and meticulous decision-making process, while the involvement of the Government has allowed adequate funds to implement protective measures.

36. While the number of incidents involving journalists in Colombia has reportedly decreased,<sup>23</sup> it is not easy to prove that this was a direct consequence of the Journalist Protection Programme. Nevertheless, the majority of journalists who have participated in the Programme agree that the advantages offered by it overcome its shortcomings.<sup>24</sup> In addition to ensuring protection for hundreds of journalists at risk, the Programme has played an important role in establishing the importance of journalism as a profession, both within the Government and among the population. The driving force behind the State support for the Programme is the idea that every time a journalist is silenced, not only the rights of that journalist, but also the right of society to be informed are denied.

37. The application of similar principles to the protection of journalists who report on corruption would contribute not only to their safety, but also to promoting professional and responsible reporting on corruption.

## VII. Conclusions and recommendations

38. The present paper endeavours to identify, in a non-exhaustive manner, factors that may hinder professional reporting on corruption, and practices that have proven successful in promoting responsible and professional media coverage. Against this

---

<sup>23</sup> IPI World Press Freedom Review, 2004-2006.

<sup>24</sup> "Violence and Impunity: Protecting Journalists in Colombia and Mexico", Inter-American Dialogue, March 2010, <http://www.thedialogue.org/PublicationFiles/English%20PDF,%20final.pdf>; and Fundación para la Libertad de Prensa (FLIP), [www.flip.org.co](http://www.flip.org.co).

background, the working group may wish to consider ways to address impediments to professional and responsible reporting on corruption, while promoting the identification, analysis and dissemination of a more representative catalogue of effective practices.

39. To this end, the working group may wish to recommend that UNODC, in cooperation with interested States parties and relevant media organizations, collects and analyses such practices in a more systematic manner, with a view to facilitating their dissemination. In particular, this approach could be recommended to further develop and implement self-regulatory media accountability models, including safety measures, for professional and responsible reporting on corruption.

40. To address challenges emanating from inadequate normative standards, the working group may wish to recommend that UNODC, in cooperation with interested States parties and relevant media organizations, builds on existing analyses of access to information laws with a view to developing model legislation or guidelines to: (a) protect the right to seek, receive, publish and disseminate information on corruption; (b) ensure that restrictions on this right are prescribed by the law and consistent with international standards; (c) ensure journalists' safety; and (d) prevent impunity of crimes perpetrated against journalists who endeavour to expose corruption.

41. For right to information legislation to fulfil its legitimate purpose, journalists need to be trained to apply this legislation for journalistic purposes. Similarly, public officials administering such information have to be thoroughly informed of their duty to release it in a timely manner. To address such knowledge and capacity gaps, the working group may also wish to recommend that UNODC, in cooperation with interested States parties, journalists' organizations and civil society, develops guidelines and training programmes for both media representatives and public institutions to leverage skills and awareness of their rights and duties to seek and disclose information on corruption in a professional and responsible manner.

---

## Annex

### **Peer-to-Peer Media Forum: Covering Corruption with Integrity — Declaration**

WE, the participants and facilitators of the Peer-to-Peer Media Forum: Covering Corruption with Integrity, held at the second Conference of the States Parties to the United Nations Convention against Corruption;

DEEPLY AWARE of the devastating effects of corruption on economic well-being, basic social services and human rights;

FIRMLY BELIEVING that the media should be an effective force in reducing corruption by ensuring transparency, accountability and participation in decision-making processes, raising awareness, mobilizing public opinion and urging political leaders to take action;

RECALLING article 13 of the United Nations Convention against Corruption, whereby States parties shall promote the active participation of society in the prevention and fight of corruption, including by ensuring that the public has effective access to information, respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption;

SUPPORTING the calls by media organizations for the removal of “insult”, criminal defamation and other restrictive laws which serve to conceal corruption;

RESPONDING to the disclosures at this media forum of the abuse of media laws to cover up graft and intimidation and punishment of journalists reporting on corruption;

CALL UPON signatories to ratify the United Nations Convention against Corruption and on States parties to implement it effectively;

URGE all Governments to ensure the physical safety of journalists as they fulfil their role as watchdog of Governments’ compliance with the United Nations Convention against Corruption;

URGE Governments to ensure comprehensive legal guarantees for the right of access to information, including information held by public bodies;

URGE citizens, lawmakers, the business community and civil society to support the work of the media for more transparent and accountable governance;

CALL on the States parties to abolish insult and criminal defamation laws and amend laws that restrict the media from uncovering and publicizing corruption;

CALL upon Governments, donor groups, the Secretariat of the Conference and other entities to support specialized training to enable the media to better cover cases of corruption;

COMMIT ourselves to raise public awareness about corruption, and to investigate and report these cases in a fair, balanced and professional manner;

COMMIT to report to the third Conference of the States Parties to the United Nations Convention against Corruption on the progress of our countries in complying with the United Nations Convention against Corruption.