

THE OSLO RESOLUTION
adopted at ENPA General Assembly, 7TH November 2014.

**ENPA calls on the EU Justice Council to safeguard press freedom in the forthcoming
General Regulation on Data Protection**

ENPA, representing publishers of newspapers and news media in Europe, urges EU Member States to protect press freedom in Europe by preventing any weakening of the exemption for journalistic data processing in the new General Regulation on Data Protection.

- **New Regulation should not leave the door open to restrictions on press freedom**

Press publishers in Europe are greatly concerned that the existing level of protection of press freedom guaranteed by the current Data Protection Directive will not be maintained, if the new Regulation were to remove any obligation for Member States to exempt journalistic data processing. National governments would be left with the discretion to apply any of the new Regulation's provisions to journalistic works and editorial press content.

By leaving so much leeway to national governments, editorial teams and archives of newspapers, magazines and other media in some countries will be subject to data protection law and therefore to the control of national data protection authorities. Under these circumstances, any of the obligations of the Regulation, including the right to be forgotten, will be applied to the press. This could lead to a deletion of editorial archives in response to requests by individuals. Furthermore, publishers and journalists may also need prior consent from individuals before writing or publishing an article, or could be obliged to disclose their confidential sources to data protection authorities.

- **A directly applicable and legally binding exemption is indispensable**

A directly applicable and legally binding exemption from data protection rules in Article 80 of the new Regulation is therefore indispensable to ensure that publishers and journalists are able to fulfil their mission. This includes investigating, writing, reporting, publishing, storing and archiving information, as well as the protection of sources of this information, in the interest of all citizens and democratic society. Even with this exemption in place, journalistic activities would continue to be regulated by the national libel, defamation and media laws, including those relating to privacy and other fundamental rights which are guaranteed in each Member State.

- **European Commission's original proposal is the absolute minimum needed**

While ENPA acknowledges the goal of a harmonised data protection law ensuring better protection of citizens' data, it would be a dangerous retrograde step for European democracies to sacrifice press freedom in the process. For this essential reason, we urge EU Member States to reconsider Article 80 as it was originally presented by the European Commission in its proposal for a draft Regulation. This must be the absolute minimum to maintain at least the status quo of journalistic press and media freedom in Europe.