German journalists Andre Meister and Markus Beckedahl, respectively founder and editor in chief of the online news website netzpolitik.org, could be charged with treason in relation to a judicial inquiry opened on 30 July 2015, following a complaint lodged by Hans-Georg Maassen, President of the Federal Office for the Protection of the Constitution (BfV), the German internal intelligence services. The two journalists face a one-year prison sentence. The inquiry arises following the publication of articles on netzpolitik.org, on 25 February and 15 April 2015, which mentioned the BfV's request for additional means to intensify electronic surveillance in Germany. For the European and International Federations of Journalists, as well as their affiliates in Germany, DJV and ver.di, consider this as an intimidation attempt directed at journalists well-known for their revelations about mass surveillance and links between German intelligence services and the NSA. Like DJV and ver.di, IFJ and EFJ demand that the charges be immediately dropped and that an enhanced legal protection be granted to whistle-blowers in Germany.

Alert created on: 31 Jul 2015

Germany

Two Journalists Targeted by a Judicial Inquiry for Treason

SOURCE OF THREAT ➔ State

CATEGORY ➔ Other acts having chilling effects on media freedom

PARTNER: EFJ/IFJ

On 31 July 2015, the German Prosecutor General Harald Range announced that he was suspending the investigation, accepting the Ministry of Justice's assessment that Netzpolitik had not leaked state secrets. On 15 December 2015, the partner organisations to the Platform declared this case to be “resolved”, concluding it was no longer an active threat to media freedom.

15 Dec 2015: On 31 July 2015, the German Prosecutor General Harald Range announced that he was suspending the investigation, accepting the Ministry of Justice's assessment that Netzpolitik had not leaked state secrets.
The German prosecutor General Harald Range on Friday 31 July 2015 announced that he was suspending the investigation against two online journalists, Andre Meister and Markus Beckedahl over 'Treason' allegations pending external expertise, “for the good of press and media freedom”. The announcement followed widespread criticism by journalists and their organisations, including the International Federation of (IFJ) and its European organisation, the European Federation of Journalists (EFJ). The two organisations last week joined their German affiliate, Deutsche Journalisten-Verband (DJV) and Deutsche Journalistinnen- und Journalisten-Union (dju in ver.di), in condemning the decision to investigate the two Netzpolitik.org journalists for treason over two articles published in February and April 2015 based on leaked confidential documents concerning the plans by the German intelligence services to increase their online surveillance in the country.

Press release by IFJ/EFJ : "IFJ and EFJ call for 'treason' charges against German journalists to be dropped"
Overview of the ECHR case law and other relevant Council of Europe resources related to the Freedom to Impart Confidential Information and its Limits

DISCLAIMER  This section presents a non-exhaustive selection of CoE instruments and ECHR case-law. This information is not a legal assessment of the alert and should not be treated or used as such.