

Protection of Journalists, their Sources and Defenders

Working Group on the Protection of Whistleblowers and Other Reporting Persons¹ of the
Global Civil Society Coalition for the UNCAC Submission to CoSP11

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Across the world, public-interest reporting actors² play an indispensable role in exposing corruption and safeguarding transparency and accountability. Yet they increasingly face legal harassment, violence, online attacks, misuse of state resources to shape media narratives, and disinformation campaigns that undermine their independence and safety.

Pursuant to Article 10, 13, and 33 of the UNCAC, Article 19 of the International Covenant on Civil and Political Rights (ICCPR)³ on freedom of expression, and the UN Plan of Action on the Safety of Journalists and the Issue of Impunity,⁴ we call on the UNCAC Conference of States Parties (CoSP) to adopt a resolution that meaningfully strengthens protections for all forms of public-interest reporting actors, regardless of medium, employment status, or organizational affiliation, and their sources, including whistleblowers, and defense lawyers. The resolution should also address the growing misuse of legal tools, including strategic lawsuits against

¹ The Global Civil Society Coalition for the UNCAC's Working Group on the Protection of Whistleblowers and Other Reporting Persons comprises around 150 members, from civil society organizations, activists, academia and other stakeholders. It seeks to facilitate discussions, information exchange, and joint advocacy among civil society experts working on this issue. UNCAC Coalition. "Protection of Whistleblowers and Other Reporting Persons," accessed 20 November 2025. <https://uncaccoalition.org/get-involved/working-groups/whistleblower-protection/>.

² For the purposes of this submission, "public-interest reporting actors" refers to *all individuals and entities engaged in gathering, producing, verifying, or disseminating information on matters of public concern* — including journalists, media organizations and media workers, independent reporters, publishers, editors, bloggers, vloggers, podcasters, academic writers, investigative authors, their sources (whether public, confidential, or anonymous), including whistleblowers, and the lawyers or unions who defend them. Please see: United Nations General Assembly. "Report of the Special Rapporteur on the Promotion and protection of the right to freedom of opinion and expression: Threats to freedom of expression online in turbulent times," A/80/341, 18 August 2025. <https://documents.un.org/doc/undoc/gen/n25/222/22/pdf/n2522222.pdf>. See also: United States 118th Congress Bill S.2074 - PRESS Act example of inclusive definitions "The term "covered journalist" means a person who regularly gathers, prepares, collects, photographs, records, writes, edits, reports, investigates, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public." and "The term "journalism" means gathering, preparing, collecting, photographing, recording, writing, editing, reporting, investigating, or publishing news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public." <https://www.congress.gov/bill/118th-congress/senate-bill/2074/text>.

³ "International Covenant on Civil and Political Rights" adopted by General Assembly resolution 2200A (XXI) on 16 December 1966. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

⁴ UNESCO. "UN Plan of Action on the Safety of Journalists and the Issue of Impunity," accessed on 20 November 2025. <https://www.unesco.org/en/safety-journalists/un-plan-action>.

public participation (SLAPPs), state resources, surveillance, and other forms of retaliation that suppress anti-corruption reporting.

Particular emphasis should be placed on regions where journalists investigating corruption face heightened and overlapping risks. In Africa, for example, public-interest reporting actors often confront dual threats from state and non-state actors, including organized criminal networks and online militias, that increase the dangers associated with exposing corruption. Existing regional instruments, such as the African Union Advisory Board Against Corruption (AUABC)⁵ and resolutions of the African Commission on Human and Peoples' Rights (ACHPR)⁶, including ACHPR/Res. 522 (2022) on the Protection of Women Against Digital Violence in Africa, provide important foundations for strengthened protections. Comparative regional developments, including the EU Anti-SLAPP Directive (2024) and model laws developed by the ECOWAS Court and the African Commission, demonstrate the growing global consensus on the need for robust safeguards against retaliation.

Key Policy Priorities & Recommendations

1. Protecting Public-Interest Reporting Actors, Their Sources, And Defenders from Retaliation

- Welcome and call for the enactment and enforcement of best practice laws to protect people who report corruption in line with CoSP Resolution 10/8.⁷
- Recognize the essential role of public-interest reporting actors, including those operating on digital and social media platforms, in uncovering corruption.
- Ensure public-interest reporting actors, their confidential sources, including whistleblowers, and their legal defenders, can operate free from harassment, intimidation, undue interference, or violence.
- Mandate safe, confidential, and accessible reporting channels for corruption disclosures, including reporting to independent media, in line with UNCAC Articles 13 and 33.⁸

⁵ "African Union Advisory Board Against Corruption," accessed on 21 November 2025.

<https://anticorruption.au.int/en>.

⁶ "African Commission on Human and People's Rights," accessed on 21 November 2025.

<https://achpr.au.int/en>.

⁷ UNODC. "Resolution 10/8 on the Protection of Reporting Persons," CAC/COSP/2023/Rev.1, (15 December 2023). https://www.unodc.org/documents/treaties/UNCAC/COSP/session10/resolutions/L-documents/2325382E_L.12_Rev.1.pdf.

⁸ "United Nations Convention Against Corruption," United Nations, New York, 2004, https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf.

- Encourage the integration of journalist and whistleblower protection indicators into national UNCAC review self-assessments.
- Incorporate a trauma-informed approach recognizing that retaliation is traumatizing and causes psychological harm.
- Ensure access to confidential psychosocial support services with safeguards preventing disclosure or misuse of confidential treatment and diagnosis records, such as to discredit reporting persons or defenders.
- Encourage States Parties to support journalists and other public-interest reporting actors operating in high-risk or conflict environments by facilitating access to training, safety equipment, and liability insurance coverage.
- Strengthen multilateral mechanisms to sanction state, non-state, and individual actors who target public-interest reporting actors, sources, or defenders, including those operating in conflict zones and those reporting on corruption, human rights violations or other crimes.
- Criminalize retaliation against public-interest reporting actors, sources, and defenders, establish independent investigative mechanisms for such attacks, and provide remedies to address unlawful violations of confidentiality/identifying information.

2. Combatting Strategic Lawsuits Against Public Participation (SLAPPs)

- Call for States Parties to enact legislation requiring early dismissal and penalties for retaliatory defamation, privacy, and other civil/criminal laws as SLAPPs against public-interest reporting actors, sources, and defenders.⁹
- Encourage States to establish independent funds or mechanisms providing legal and financial assistance to public-interest reporting actors, sources, and defenders facing SLAPPs.¹⁰

⁹ Council of Europe. "Recommendation CM/Rec(2024)2 of the Committee of Ministers to member States on countering the use of strategic lawsuits against public participation (SLAPPs)," adopted by the Committee of Ministers on 5 April 2024 at the 1494th meeting of the Ministers' Deputies.
<https://rm.coe.int/0900001680af2805>.

¹⁰ OHCHR. "The Guiding Principles on Business and Human Rights: guidance on ensuring respect for human rights defenders - Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises," A/HRC/47/39/Add.2, 23 June 2021.
<https://www.ohchr.org/en/documents/thematic-reports/ahrc4739add2-guiding-principles-business-and-human-rights-guidance>.

- Urge the UNCAC CoSP to request UNODC and OHCHR to prepare annual briefings on the misuse of laws or government resources to silence journalism and other forms of public reporting.¹¹
- Require data collection on defamation or other civil or criminal lawsuits targeting public-interest reporting actors, their sources, and defenders, disaggregated by gender and case outcome.¹²

3. Protecting the Confidentiality and Anonymity of Sources

- Affirm that protecting the confidentiality and anonymity of sources, including whistleblowers, in law and practice is essential to combatting corruption.¹³
- Clearly define and strictly limit circumstances in which source disclosure may be compelled.¹⁴ Such exceptions must be:
 - **Exceptional and narrowly defined** (e.g., serious criminal charges);
 - **Authorized only by judicial order**;
 - **Necessary and proportionate**, with due consideration for freedom of expression, privacy, and fair trial rights.
- Emphasize that compelled disclosure should never be used to punish or deter legitimate reporting regarding anti-corruption, human rights violations or other crimes.¹⁵

¹¹ The Office of the High Commissioner for Human Rights is already monitoring and issuing thematic guidance in this regard: OHCHR. “The impact of SLAPPs on human rights and how to respond,” OHCHR, 2024. <https://www.ohchr.org/en/documents/brochures-and-leaflets/impact-slapps-human-rights-and-how-respond>.

¹² The following calls for states to identify and monitor SLAPP patterns and lists indicators of abusive cases, supporting the call for systematic data collection: Council of Europe. “Recommendation CM/Rec(2024)2 of the Committee of Ministers to member States on countering the use of strategic lawsuits against public participation (SLAPPs),” adopted by the Committee of Ministers on 5 April 2024 at the 1494th meeting of the Ministers’ Deputies. <https://rm.coe.int/0900001680af2805>.

¹³ OHCHR. “Report on the protection of sources and whistleblowers,” A/70/361, 8 September 2015. <https://www.ohchr.org/en/calls-for-input/report-protection-sources-and-whistleblowers>.

¹⁴ *Goodwin v. United Kingdom*, European Court of Human Rights, App. No. 17488/90 (1996). <https://hudoc.echr.coe.int/eng?i=001-57974>, represents a landmark ruling establishing that source disclosure can only be compelled in “overriding public interest,” under judicial scrutiny, and with strict proportionality.

¹⁵ United Nations General Assembly. “The safety of journalists and the issue of impunity: resolution adopted by the General Assembly on 16 December 2021,” A/RES/76/173, 10 January 2022. <https://undocs.org/A/RES/76/173>; United Nations General Assembly. “The safety of journalists and the issue of impunity: resolution adopted by the General Assembly on 17 December 2015,” A/RES/70/162, 10 February 2016. <https://docs.un.org/en/A/RES/70/162> and African Commission on Human and People’s Rights. “Model Law on Access to Information for Africa, 2013,” 2013. <https://achpr.au.int/en/node/873>.

- Prohibit the use of covert surveillance, digital intrusion, spyware, or metadata exploitation to circumvent source protection, punish or harass public-interest reporting actors, and adopt digital-security safeguards against such.¹⁶
- Extend protection to cross-border investigative collaborations on corruption reporting such as the Organized Crime and Corruption Reporting Project, ensuring confidentiality across jurisdictions.¹⁷

4. Ensuring Access to Information

- Urge States to adopt and implement robust access-to-information laws and policies consistent with international standards, based on maximum disclosure principles.¹⁸
- Require clear, narrowly tailored exceptions subject to harm and public interest tests.¹⁹
- Promote proactive disclosure of information and data of public interest, including beneficial ownership, government spending, procurement, and decision-making.²⁰
- Encourage States to safeguard the institutional autonomy, adequate resourcing, and technical capacity of information commissions and related oversight bodies, ensuring that they can operate free from political interference or retaliation.²¹

¹⁶ Amnesty International. “Massive data leak reveals Israeli NSO Group’s spyware used to target activists, journalists, and political leaders globally,” Amnesty International, 2021. <https://www.amnesty.org/en/latest/research/2021/07/the-pegasus-project/>; United Nations General Assembly. “The safety of journalists and the issue of impunity: resolution adopted by the General Assembly on 16 December 2021,” A/RES/76/173, 10 January 2022. <https://undocs.org/A/RES/76/173>, and see Resolution 48/4 on the Right to privacy in the digital age in: United Nations General Assembly. “Report of the Human Rights Council: Third-first special session (24 August 2021) and Forty-eighth session (13 September-11 October 2021),” A/76/53/Add.1, 2021. <https://docs.un.org/en/A/76/53/Add.1>.

¹⁷ Council of Europe. “Recommendation CM/Rec(2016)4 of the Committee of Ministers to member States on the protection of journalism and safety of journalists and other media actors,” adopted by the Committee of Ministers on 13 April 2016 at the 1253rd meeting of the Ministers’ Deputies.

https://www.coe.int/en/web/freedom-expression/committee-of-ministers-adopted-texts/-/asset_publisher/aDXmrol0vvsU/content/recommendation-cm-rec-2016-4-of-the-committee-of-ministers-to-member-states-on-the-protection-of-journalism-and-safety-of-journalists-and-other-media-

¹⁸ Andrey Richter. *The need to accelerate worldwide progress: UNESCO 2023 report on public access to information (SDG 16.10.2)*. UNESCO, 2024. <https://unesdoc.unesco.org/ark:/48223/pf0000389214>.

¹⁹ UNESCO. *Access to information: a new promise for sustainable development*, UNESCO, 2019. <https://unesdoc.unesco.org/ark:/48223/pf0000371485>.

²⁰ See Article 10 of the United Nations Convention Against Corruption,” United Nations, New York, 2004, https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf; Open Contracting Partnership. “Global Report: Democracy Beyond the Ballot Box,” 2019. <https://www.opengovpartnership.org/campaigns/global-report/>, and Financial Action Task Force. “FATF Guidance: Transparency and Beneficial Ownership,” FATF/OECD, 2014. <https://www.fatf-gafi.org/content/dam/fatf-gafi/guidance/Guidance-transparency-beneficial-ownership.pdf.coredownload.inline.pdf>.

²¹ Open Society Justice Initiative. “The Tshwane Principles on National Security and the Right to Information: An Overview in 15 points,” 2013. <https://www.justiceinitiative.org/publications/tshwane-principles-national-security-and-right-information-overview-15-points>.

5. Addressing Gender-Based Threats and Online Harassment

- Recognize the particular risks faced by women, lesbians, gay, bisexual, transgender, queer, questioning, intersex, asexual, aromantic, and all other genders, sexual orientations, and identities not listed (LGBTQIA+) public-interest reporting actors and their sources, including gender-based harassment, sextortion, threats of sexual violence, and online abuse.²²
- Call for gender-responsive protection measures including rapid response tools, digital-safety training, and legal safeguards.
- Address “feminized corruption” narratives perpetuated by the media that weaponize gender stereotypes, highlight their appearance, personal lives, and habits, to discredit women in public office or public-interest reporting roles and disproportionately blame them for corruption.²³

6. International Cooperation and Capacity-Building

- Mandate UNODC to convene a global conference on the role of journalism and public-interest reporting actors and social/digital media in anti-corruption.
- Request UNODC to develop, in consultation with States Parties and relevant stakeholders, an updated version of the resource guide and good practices on the protection of reporting persons, reflecting recent legislative and institutional developments, comparative jurisprudence, practical implementation and lessons learned since the publication of the original resource guide, and addressing emerging topics like reporting artificial intelligence-related corruption and the risk and opportunities for using artificial intelligence in reporting mechanisms with a view to promoting safe, accessible, and trustworthy channels.²⁴
- Develop training programs for public-interest reporting actors on digital security, forensic accounting, and anti-corruption law.

²² Julie Posetti, Nabeelah Shabbir, Diana Maynard, Kalina Bontcheva and Nermine Aboulez, “The Chilling: Global trends in online violence against women journalists,” UNESCO, 2021.

<https://unesdoc.unesco.org/ark:/48223/pf0000377223>.

²³ UNODC. “Toolkit on Mainstreaming Gender and Human Rights in the Implementation of the United Nations Convention against Transnational Organized Crime,” United Nations, 2023.

https://www.unodc.org/documents/organized-crime/tools_and_publications/Toolkit-gender-and-human-rights-mainstreaming-ebook-EN.pdf.

²⁴ OECD. “Governing with Artificial Intelligence: The State of Play and Way Forward in Core Government Functions,” OECD, 2025. https://www.oecd.org/en/publications/governing-with-artificial-intelligence_795de142-en/full-report/ai-in-fighting-corruption-and-promoting-public-integrity_60f5c50a.html#indicator-d1e26913-6f09aca72d.

- Promote global knowledge-sharing and cross-border protection measures for enabling public-interest reporting actors to safely provide information that supports transnational anti-corruption, organized crime, environmental or security threat investigations and enforcement actions.
- Encourage States Parties to integrate strong protections for reporting persons into sectoral UNCAC areas including procurement integrity, political finance, and environmental corruption.
- Call upon States Parties to strengthen legislative and institutional protections for reporting persons, including through the adoption of standards on appropriate allocation of burdens of proof in retaliation cases, the introduction of safeguards against SLAPPs, and other measures to ensure that protections are effective, accessible, and enforceable in practice.

The credibility and effectiveness of the UNCAC depends on enabling public-interest reporting actors, sources, and their defenders, to expose evidence of corruption without fear. Protecting sources, combating SLAPPs, preventing surveillance misuse, and ensuring trauma-informed, gender-responsive, safe and enabling environments for anti-corruption journalism are also prerequisites for democratic governance and the rule of law.

The Working Group on the Protection of Whistleblowers and Other Reporting Persons of the Global Civil Society Coalition for the UNCAC urge States Parties to adopt a strong, forward-looking resolution affirming these principles, and committing concrete measures and resources to ensure implementation.