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Americas - Brazil

Leak probe

Court threat to confidentiality of journalists' sources

24 December 2014

A federal court in São José do Rio Preto (in São Paulo state), has given the police permission to obtain details of calls made by reporter Allan de Abreu from his personal phones and from his newspaper, *Diário da Região*, in order to identify his source for a leak about a police operation in 2011.

Abreu is being prosecuted for violating the secrecy of a police investigation into alleged corruption involving employees of the labour ministry's regional office in São José do Rio Preto. He has always refused to name his source to the investigators who questioned him.

Both the National Newspapers Association (ANJ) and the Brazilian Association of Investigative Journalists (ABRAJI) have criticized the federal court's ruling, issued on 27 November, especially as article 5 of Brazil's constitution guarantees the confidentiality of journalists' sources.

Abreu's lawyer said he would appeal against the decision.

"We condemn this ruling, which violates the confidentiality of sources enshrined in the Brazilian constitution, and we urge the authorities to drop all charges against Abreu," said Claire San Filippo, the head of the Reporters Without Borders Americas desk. *"The confidentiality of journalists' sources is essential in order to guarantee freedom of information."*

In 2011, the prosecutor's office wanted to initiate similar proceedings against *TV Tem*, a local TV station, which reported the same information as Abreu. But a judge dismissed the case on the grounds that it would violate the constitution and that identifying the source of the leak would jeopardize freedom of information.

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