[NL] Supreme Court affirms protection of journalistic sources

IRIS 1996-6:1/14

Marcel Dellebeke
Institute for Information Law (IViR), University of Amsterdam

In a ruling of 10 May 1996 the Dutch supreme court, the Hoge Raad, has adopted the European Court for Human Right's judgement in the case of Goodwin v UK (see IRIS 1996-4: 5). As in the case of Goodwin, the Hoge Raad ruled that Article 10 ECHM entails in principle a privilege of non-disclosure for a journalist to protect his sources of information. The European Court's judgement forced the Dutch judiciary to alter its position on the question of a 'journalistic privilege'. In its last judgement on this subject, of 11 November 1977, the Hoge Raad ruled that Dutch law generally forced the journalist to name his or her source, unless in the case at hand the importance of protection of the source outweighs the principle of disclosure.

Hoge Raad 10 mei 1996, Van den Biggelaar v Dohmen/Langenberg.

Dutch supreme court, ruling of 10 May 1996, Van den Biggelaar v. Dohmen/Langenberg.

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026