

## Spanish Ministry of Culture refuses to provide information on the grounds that the documents “are not part of a file”

*Madrid, 17 September 2008* — Access Info Europe today launched its campaign to litigate in defence of the right of access to information in Spain with a legal challenge against the Ministry of Culture for refusing to release information on how copyright royalties are spent.

The request made by a citizen to the Ministry of Culture was for copies of the annual reports by Spain’s General Association of Authors (the SGAE) as well as the VEGAP (the society that manage the intellectual property of visual artists) which have responsibility for administering copyright royalties and using a percentage of them for the benefit of the entire artistic community.

In the appeal lodged with the Madrid Administrative Court, Access Info is challenging the reply from the Ministry of Culture which asserted that the requested documents “do not form part of an administrative file” but failed to clarify whether or not they have received and hold the reports.

*“Given that the SGAE and the VGAP are obliged to use part of copyright royalties to support activities for the entire artistic community, and not simply their members, the public has a right to know how these funds are being used,”* said Helen Darbshire, Executive Director of human rights NGO Access Info.

“The Ministry is shielding itself with the poorly drafted provisions of Spanish administrative law to refuse to release information of clear public interest,” added Helen Darbshire.

Access Info is a founder member of a coalition of 22 leading Spanish civil society organizations, the [\*\*\*Coalición Pro Acceso\*\*\*](#), which is calling on the Spanish government to adopt a full access to information.

***For more information, please contact:***

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**Note:** In July 2008 the European Commission ruled against the monopolistic practices of 23 European copyright “collecting societies”, including the SGAE, which prevent authors from choosing or moving to another collecting society should they be unhappy with the way in which the royalty fees collected are being used, including the percentage that goes to the administrative costs of the collecting societies.