



Press Release
Friday, 28 January 2011

Global call for MEPs to protect transparency of the European Union

Over 180 organisations, journalists and campaigners call for MEPs to reject measures to limit public access to information

28 January, Brussels/London/Madrid: 131 non-governmental organisations along with 56 investigative journalists, academics, and access to information campaigners from 48 countries in Europe and beyond are calling on Members of the European Parliament to act urgently to protect EU transparency rules.¹ The call comes as the European Union engages in a review of its access to documents regulation that could result in freedom of information being severely curtailed across Europe.

Proposals put forward by the European Commission would substantially reduce the number of public documents by denying access to e-mails and other documents sent within the EU that are not “formally” transmitted, and by allowing individual Member States greater powers to keep their communications with the EU secret.² The proposals, which have been criticised by the EU Ombudsman,³ ignore the principle of openness enshrined in the founding treaties of European Union and would roll back rulings by the European Court of Justice which support a wider right of access to documents.

The campaign, coordinated by environmental lawyers ClientEarth, human rights organisation Access Info Europe, and Greenpeace, is urging MEPs in the LIBE Committee on Civil Liberties, Justice and Home Affairs to vote against the Commission’s proposals. A debate on the issue will take place in Parliament on Tuesday 1 February 2011. Leading human rights and journalists’ organisations including Transparency International, Global Witness, Article 19, Statewatch and the World Press Freedom Committee have already signed the letter to MEPs. It will remain open to signatories until the vote.

James Thornton, CEO of ClientEarth, comments;

“Access to information is fundamental to democracy. If these proposals are allowed to become law opaque decision-making will be legitimatised. Governments and private companies will be able to exert increasing influence, confident that the European Union will keep their lobbying secret.”

Helen Darbshire, Executive Director of Access Info Europe, comments;

“Everyone in Europe has the right to know what their elected representatives are doing with the power entrusted to them and how the public’s money is being spent. Our representatives should be fighting to extend the rights of citizens, not reduce them. They should be calling for a stronger protection of a right of access to EU information, and should reject out of hand this attempt to limit the existing access to documents rules.”

Daniel Simons, Legal Counsel Campaigns and Actions at Greenpeace International, comments;



“The European Union is already not a role model on transparency, with many requests for documents processed late or rejected on questionable grounds, and these proposals will make matters worse. EU citizens and the rest of the world expect the EU to set a high standard, as the wide support for this letter from inside and beyond the EU shows.”

Access Info Europe and ClientEarth have also both been forced to file separate lawsuits against the Council of the European Union for access to documents concerning the proposed reforms. Access Info Europe’s case concerns access to a document which would show the positions taken by member states during negotiations.⁴ ClientEarth’s lawsuit concerns access to a legal document that gives information about the decision making process behind this review.⁵

Notes to Editor

1. Open Letter: MEPs called upon to protect EU transparency:

http://www.access-info.org/documents/Access_Docs/Advancing/EU/Letter_MEPs_28_Jan_2011.pdf

2. ClientEarth Briefing: Recast of Regulation 1049/2001 regarding public access to European institutions' documents. <http://www.clientearth.org/briefing-recast-of-regulation-10492001-regarding-public-access-to-european-parliament-council-and-commissions-documents>

3. Ombudsman Press Release: “Ombudsman warns that citizens' right of access to documents is at risk”, 02 June 2008. <http://www.ombudsman.europa.eu/en/press/release.faces/en/241/html.bookmark>

4. Access Info v Council (case T-233/09, see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2009:205:0040:0041:EN:PDF> and <http://www.access-info.org/en/european-union>). A hearing before the General Court was held in October 2010 and a judgement is expected in the Spring of 2011.

5. ClientEarth vs Council transparency lawsuit: <http://www.clientearth.org/clientearth-vs-council-transparency-lawsuit>

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Access Info Europe

Access Info Europe is a human rights organisation dedicated to promoting and protecting the right of access to information in Europe and globally as a tool for defending civil liberties and human rights, for facilitating public participation in decision-making, and for holding governments accountable. www.access-info.org

ClientEarth

ClientEarth is an environmental law organisation working in the public interest. Based in Europe and operating globally, we address issues including deforestation, energy efficiency, biodiversity protection, and the transparency and enforcement of environmental law. www.clientearth.org