

## European Union conceals government positions on reform of transparency rules

### Access Info files legal challenge

*Madrid, 20 January 2009:* An attempt by the European Union to conceal the positions taken by individual member governments on reform EU transparency rules has met with a legal challenge by Access Info Europe. The human rights organization argues that the public has a right to know whether their elected representatives are acting in discussions on the future transparency Europe's super-state.

On 17 December 2008, the Council of the European Union refused a request by Access Info Lawyer Eva Moraga for full access to a document from 26 November 2008 which would show the positions taken by member states during negotiations on the new transparency rules. The Council stated:

*You may have access to the content of this document, including delegations' positions, but excluding those parts which enable the delegations concerned to be identified.*

"We are challenging the assertion by the EU that European citizens do not have a right to hold their governments accountable for the positions taken or traded and compromises made. On the contrary, transparency is particularly necessary for issues of significant public importance such as the right of access to European Union documents," stated Eva Moraga of Access Info.

In its appeal ("confirmatory application") filed on 17 January 2009, Access Info notes that while it is possible that the positions taken by national governments would be available at the national level, it is unreasonable to expect European citizens to ask the 27 Member States individually what their position is on every subject being debated at the EU level. The burden that this would place on the citizen is a significant barrier to citizen participation.

"All messages conveyed by European institutions about a transparent, open and participatory Europe fail when these very institutions refuse to give information about the specific positions taken by each Member State during the decision-making process," concluded Moraga.

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