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European Court Of Justice Hands Down Big Win For Transparency in Europe

from the *nice,-but-lots-more-needed* dept

Legal Issues
by Glyn Moody
Tue, Oct 29th 2013
11:15pm

After a five-year battle by Access Info Europe, Europe's highest court has made an important ruling that will help boost transparency in the European Union:

> the European Court of Justice today rejected arguments by the Council of the European Union that it should be able to keep secret the identities of Member States making proposals in the context of negotiations on future EU legislation.

1

The Council of the European Union had fought to defend its policy of releasing legislative drafting documents with the names of Member States tabling amendments blacked out.

> Access Info Europe won access to the document it requested before the General Court in March 2011 but the Council appealed, joined by the Czech Republic, France, Greece, Spain and the UK.

The Council of the European Union is one of three bodies that jointly run the European Union, along with the European Parliament and European Commission. Some countries wanted their names blacked out from official Council of the European Union documents because it would have revealed which of them had blocked or tried to water down proposals they were hostile to. Now that it will be possible to name and shame Member States that act in this way, they will probably be less willing to be seen objecting to important and popular measures.

Filed Under:
eu, eu council, eu court of justice, europe, transparency

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As Access Info Europe explains:

> This ruling means that members of the public at the national level will find it easier to know what is going on in Brussels, and will make it easier for national parliaments to follow and scrutinise the EU legislative process, and in particular the positions taken by delegations of Member States.

Helen Darbishire, Executive Director of Access Info Europe, is quoted as saying:

> "We call on the Council to respect this ruling and to go a step further by henceforth proactively publishing documents containing legislative drafting positions of Member States on the Council's public register as soon as they are created, as this will allow the public to follow the decision making process."

Given the Council's dogged resistance to even minimal transparency, that's unlikely to happen, but at least things have started moving in the right direction.

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1. 👤 **Not an Electronic Rodent** (profile), *Oct 30th, 2013 @ 5:12am*

    insightful | funny | report

    A matter of colour

    > Given the Council's dogged resistance to even minimal transparency, that's unlikely to happen

    Brown is the correct colour… Transparency means you can see the wads of notes through the envelope…

    [reply to this | link to this | view in thread]

2. 👤 **Anonymous Howard** (profile), *Oct 30th, 2013 @ 6:06am*

    insightful | funny | report

    Let's outlaw secret trade negotiations, and I call that a step in the right direction.

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3.   Anonymous Coward, *Oct 30th, 2013 @ 8:07am*

Legislating in secret. What will they think of next? I suppose the next logical step is for the judiciary to interpret the secret legislation, in secret courts. ;)

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Application Developers Alliance Applauds Schumer Plan To Introduce Patent Legislation

Developers On Patents: Five Employees, Six Lawyers

Tell Congress It's Time To Fight Patent Trolls

Jon Potter: Software Patent Trolls Can Be Stopped By U.S. Patent Office And Congress

Policy Resources: Software Patents

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The Gridlock Economy: How Too Much ...
Michael Heller (Paperback - Feb 23, 2010)
$0.65
⭐⭐⭐⭐½

Math You Can't Use: Patents, Copyrig...
Ben Klemens (Hardcover - Dec 2005)
$28.45
⭐⭐⭐⭐½

Patent Failure: How Judges, Bureaucr...
James Bessen, Michael J. Meurer (Paperba...
$27.22
⭐⭐⭐½☆

Against Intellectual Monopoly
Michele Boldrin, David K. Levine (Paperba...
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1 2 3 4 5 >

Rikuo: I suppose...if I must...I can take out the hard drive, stick it in a dock, connect that to my PC, re-encode movie files, copy them over, reinsert hard drive...wait, that's adding a fuckton of completely unnecessary steps

and that's if the hard drive uses a FAT/NTFS /whatever file system that Windows can recognise

Christopher Best: What, did you think Sony suddenly became the good guys because they had a lot of fun at Microsoft's expense?

Sony is a Content Producer, of course they want to completely control the consumer's experience on their overpriced piece of crap hardware. That's how they've _always_ operated.

The OtherOS capability on the PS3 was an anomaly that they rapidly resolved.

Rikuo: Nani? Uther...O...S? What is this blasphemy

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