

The Rt. Hon. David Cameron MP
Prime Minister
10 Downing
London SW1A 2AA
United Kingdom

9 September 2011

cc:

Deputy Prime Minister Rt. Hon. Nick Clegg MP
Minister of Justice Rt. Hon Kenneth Clarke QC MP

Dear Prime Minister,

I am writing from Access Info Europe, a human rights NGO dedicated to promoting and defending the public's right to transparent and accountable government, to express our concern about the United Kingdom government's participation in the appeal against a pro-transparency ruling of the General Court of the European Court of Justice in the case *Access Info Europe vs. Council* (Case T-233/09).

Access Info Europe recognises that it was the previous Labour government which decided to join the case before the General Court of the European Union. However, the UK is still party to the case, now before the Court of Justice (Case C-280/11 P). This contradicts the transparency pledges made by your government when it came into office last year.

The background to the current case is a 22 March 2011 ruling, in which the General Court upheld Access Info Europe's request for full access to documents about legislative discussions in the EU law-making processes, stating that "*If citizens are to be able to exercise their democratic rights, they must be in a position to follow in detail the decision-making process.... and to have access to all the relevant information.*"

The significance of this case is that as much as 50% of national legislation is now influenced by rules set in Brussels and for these to have any legitimacy, it is essential that citizens have the information necessary to discuss the adoption of laws by which they will eventually have to abide.

Your government has pledged to promote transparency in the UK and is recognised internationally for its commitment to open government, for the strength of the Freedom of Information Act, and as a leading participant in the Open Government Partnership to be launched on 20 September in New York.

Access Info Europe therefore respectfully requests that the UK withdraw from this appeal and publicly condemn the Council's decision to fight against the General Court's pro-transparency ruling.

By doing so the UK will be acting consistently with its domestic policies and will be taking a stand that will have a positive impact on the future of transparency and open government in the EU and its Member States.

I greatly look forward to hearing what your decision will be.

Yours sincerely



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Executive Director, Access Info Europe



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