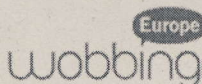


FONDS PASCAL DECROOS

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How to use European Freedom of Information Acts

Wobbing = (verb, Dutch journalist slang) getting documents through Freedom of Information legislation.
Etymology: Wet van Openbaarheid van Bestuur

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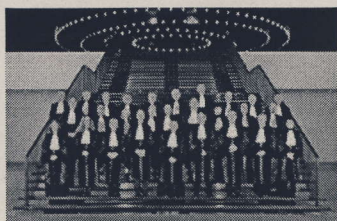
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European Union

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22/03

2011



The public has a right to know the arguments when the EU makes the laws and who is behind them, says the General Court of the EU in a pro-transparent ruling.

Access Info Europe a network and information centre based in Madrid has won a victory against the Council of the EU; the legislative body representing the EU member states. According to a ruling of 22 March the Council had no right to hold back documents showing the position of the member states in ongoing deliberations; or if it had, it failed to prove its case.

The example brought to the Court is actually the case of changing the present rules of access to EU-documents.

Not only did the Council in Brussels refuse to disclose the member states positions.

The states themselves were very reluctant to reveal their own arguments.

In a survey conducted by Access Info Europe, 16 out of 27 member states refused to provide any information on the transparency negotiations.

Only five members (Denmark, Finland, Sweden, Lithuania and the Netherlands) gave a partial release on first request – see Documents.

As for the summary of arguments by member states made by the Council in Brussels and requested by Access Info Europe, the Court says:

"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 within the institutions taking part in the legislative procedures and to have access to all relevant information.

Helen Darbishire, Executive Director of Access Info Europe, commented:

"The judgment and the case illustrate that political debate is essential before legislation is adopted. This ruling means that the European public will be better informed about and have a say in the decisions that affect our everyday lives."

During the proceedings in the Court the Council argued that the document asked for had already been published by Statewatch, a documentation centre and civil right watchdog based in London.

The Council claimed that publication by Statewatch had frightened member states to stick to their positions in fear of pressure from the public opinion.

That argument was rejected by the Court:

"By its nature, a proposal is designed to be discussed, whether it be anonymous or not, not to remain unchanged following that discussion if the identity of its author is known. Public opinion is perfectly capable of understanding that the author of a proposal is likely to amend its content subsequently."

Staffan Dahllöf

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rosenbaum6: RT @jamesrbuk: Don't forget – Hacks/Hackers London is TONIGHT. <http://is.gd/w2mNjm> <looks good, sorry can't be there
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23/03 - 12:37 | Denmark - Åbenhedstinget
kaasmulvad: Institutionernes farlige naboer: 49 institutioner ligger tæt på en af landets risikovirksomheder. Det fortæller ... <http://bit.ly/h18Kh1>
23/03 - 12:37 | Netherlands - Brenno de Winter
kaasmulvad: Institutionernes farlige naboer: 49 institutioner ligger tæt på en af landets