



International Right to Know Day

The international right to know day was established in 2003, 28th September by access to information advocates from around the world. It celebrates transparency and promotes greater transparency in the governments across the world. In this regard, the Ombudsman invited interest parties to a meeting which would be a sharing of best practices. Participants therefore represented representatives from the US, Scandinavia and EU level (the Ombudsman himself). After the different presentations there was a question round in which ENNA secretary general raised a question to the US representative regarding the open government initiative.

More pro-active transparency in the EU

The European Ombudsman P. Nikiforos Diamandouris called on the EU administration to be more pro-active as regards access to documents and information. Speaking at the event, he said that he was *“concerned about the consistently high number of transparency- related complaints I receive every year. Some EU institutions still seem to be defensive in their thinking”*.

He further said that the right to know at EU level should entail the right to good public administration and the right to have complaints handled within a fair amount of time. The right to know should also include the right to access documents held by the commission, the European Parliament and the Council of Europe. Elaborating on the request for a more pro-active approach, the Ombudsman said that the people drafting documents should always keep in mind that people might want to have access to the documents they are working on. Access is not something that should be established first when the document is finished drafted.

The right to know is important for all EU citizens, and only when they feel that the institutions are accountable, will they be able to fully be participatory citizens, the Ombudsman concluded.

A strong civil society = a strong democracy

The Finnish Minister for International Development and former MEP, Heidi Hautala was invited to speak about why transparency is a core element of the development policy of Finland. She, as the Ombudsman, highlighted the importance of information, that being access to documents, in order to sustain a participatory democracy.

She mentioned the importance of the contribution of civil society (CS) and that without an active CS there cannot be a democracy, because a strong CS makes those people in power accountable.

Transparency in the US

Thomas J. White, the Chargé d'Affaires of the US mission to the EU was invited to present the American perspective on transparency. He started by saying that the EU and the US has a lot to learn from each other.

Transparency has deep roots in the American society and the importance of access to all stages of legislation and to all documents is something that is valued as a civil right. This was also a part of Obamas agenda for his first day in office. He mentioned a website that could be of interest in regards to the measurements that the US has implemented in order to promote transparency. [You can find the mentioned website here.](#)

He ended by referring to a current newspaper article to be found in the New York Times, which could provide valuable lessons learned from the US approach to Civil Rights. You can read the [article here.](#)

Legislation on accessibility of documents

The final speaker of the day was Helen Darbishire from Access info Europe. She spoke about the keys to making the EU transparent, accountable and participatory. She presented four areas which could be further developed.

The first key was the right to access information. In this regard she presented a survey which showed the top and bottom three countries which has the best legislation on access to information. The top three is: Serbia, Slovenia and India. The bottom three is Lichtenstein, Austria and Greece.

The second key for better practice on transparency was according to Darbishire a pro-active data release by the governments. Many countries are now releasing entire data bases, which are proven to be a good resource for citizens. These databases are often sorted in a manner that is logic for the citizens and not for the government, that meaning for instance organized according to a typical life involvement (education, marriage, kids and so on).

Darbishire stressed as part of the third measure of improvement the need for transparency at the working group level, and not only in the final drafted documents.

As a fourth item of improvement she talked about the culture of secrecy that is prevalent in the EU bureaucracy. Up to 70 % of the requests by citizens or organisation to access documents are declined on false grounds.

In light of this, she presented the new website which will make it easier for the citizens to ask for access to EU documents, namely the website www.asktheeu.org .

During the question round, the reach of the Ombudsman's mandate was questioned by Green Peace, wanting to know if he in the future saw his powers reaching EURATOM. To this the Ombudsman answered that he welcomed such a widening of his mandate, but that this decision is a decision for the EU legislatures, which he then of course is not.

A European citizen paraphrased Henry Kissinger, asking who she should call or write when she wanted assistance on European matters. The Ombudsman replied that he has suggested the creation of information officers for the different policy areas, to which EU citizens may direct their questions. These information officers will naturally not be able to answer every question, but they will be able to direct the citizens to the appropriate office or person.

A commissioner present at the meeting raised the problem of requests for general information to Darbshire and how the website asktheeu.org would function in such cases, stressing that it is awfully tiresome for the commission having to answer very general questions and thereby access to a large number of documents. To this there were several reaction. White answered that in the US they have dealt with this by charging people for requesting this if it is not in the general public interest. Darbshire answered that the requests posted on the new website will be monitored, and that abusive requests will not be forwarded. Another attendee at the meeting stated that the commission could blame itself for this burden seeing that its lobbying register is so poor. This kind of information should not have to be requested, it should simply be published. The Finnish representative Hautala emphasised that the Aarhus convention should be implemented in all Member States (MS).

Elisabeth V. Lasky from European Citizen Action Service (ECAS) also asked the panel a question regarding the asktheeu.org site. She wanted to know the future plans on integrating this in other civil society tools for EU participation. Darbshire answered confirmative to this, saying that it was important for NGOs to cooperate.

Kim Smouter, ENNA secretary General, also took the opportunity to ask White about the open government initiative started by Obama. He wanted to know how CSOs can participate to influence of support this? To this, White was not able to give a precise answer, but he referred to www.whitehouse.gov and www.state.gov to find more information, stressing that there absolutely is a role for CSOs in this initiative.



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