



OPEN SOCIETY
JUSTICE INITIATIVE 14 November 2008

Mr Terry Davies, Secretary General
Council of Europe
Avenue de l'Europe
67075 Strasbourg Cedex, France

CC. Ms Mireille Paulus, Secretary to the Committee of Ministers
Legal Affairs and Human Rights Committee, PACE

Re: Request for Information re Convention on Access to Official Documents

Dear Mr. Davies

We are writing to make a request for information from the Council of Europe.

On 12 November 2008 the Rapporteur Group on Human Rights of the Committee of Ministers met to consider the Opinion of the Parliamentary Assembly of the Council of Europe on the draft Convention on Access to Official Documents (PACE Opinion of 3 October 2008).

We understand that the Rapporteur Group made a recommendation on whether or not the Convention on Access to Official Documents should be redrafted in the light of the concerns raised by PACE. We have been informed that the outcome of that meeting is not public. The next stage in the decision-making process is a final decision by the Committee of Ministers (Ministers' Deputies) on 27 November.

We wish to know:

- what the Rapporteur Group on Human Rights recommended to the Committee of Ministers with respect to the draft Convention on Access to Official Documents;
- the list of all the participants in the meeting;
- the positions taken by each of the governments present on whether or not to open the Convention for redrafting.

We note that the Council of Europe Recommendation 2002(2) on Access to Official Documents states that wide public access to documents is necessary for "encouraging informed participation by the public in matters of common interest". It is clear that development of the world's first binding convention on Access to Official Documents is a matter of significant public interest and hence it is imperative that there be public participation in and scrutiny of the process by which this Convention is concluded. Access to information is essential for democratic debate and defence of human rights, values which the Council of Europe is mandated to uphold and promote.

Yours sincerely

Helen Darbishire, **Access Info Europe**

Sandra Coliver, Senior Legal Officer, **Open Society Justice Initiative**
Sejal Parmar, Senior Legal Officer, **ARTICLE 19**