



**Doc. 12548**

22 March 2011

## National security and access to information

### Motion for a resolution

tabled by Mr Klaas de VRIES and other members of the Assembly

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This motion has not been discussed in the Assembly and commits only those who have signed it

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As stipulated by the Council of Europe Convention on Access to Official Documents, the right of access to official documents fosters the integrity, efficiency, effectiveness and accountability of public authorities. All official documents are in principle public.

According to the Convention, state parties may limit the right of access to official documents. All restrictions to this right must be set down precisely in law, be necessary in a democratic society and be proportionate to the aim they protect. National security restrictions constitute the exception to the rule of access to information and must, as a consequence, be construed narrowly.

The Parliamentary Assembly considers that it should examine the issue of national security and access to information, with a view to establishing a clear and detailed legal framework in this respect, encompassing other, related work on this subject, such as that on the abuse of state secrecy and national security: obstacles to parliamentary and judicial scrutiny of human rights violations ([doc. 11907](#)).

The Assembly resolves to study the question of national security and access to information. Such an examination must take into account, in particular, questions of judicial and/or parliamentary oversight of national security information in order to ensure democratic legitimacy.

*Signed (see overleaf)*



*Signed<sup>1</sup>:*

VRIES Klaas, de, Netherlands, SOC  
BENTON Joe, United Kingdom, SOC  
BILOZIR Oksana, Ukraine, EPP/CD  
BRASSEUR Anne, Luxembourg, ALDE  
CANEL Sylvia, Germany, ALDE  
DĄBKOWSKA-CICHOCKA Lena, Poland, EDG  
DENDIAS Nikolaos, Greece, EPP/CD  
DÍAZ TEJERA Arcadio, Spain, SOC  
FARINA Gianni, Italy, SOC  
FERNÁNDEZ-CAPEL BAÑOS Blanca, Spain, EPP/CD  
FRUNDA György, Romania, EPP/CD  
GROSS Andreas, Switzerland, SOC  
HURSKAINEN Sinikka, Finland, SOC  
HUSEYNOV Rafael, Azerbaijan, ALDE  
JOHANSSON Mats, Sweden, EPP/CD  
KUMCUOĞLU Ertuğrul, Turkey, EDG  
LAAKSO Jaakko, Finland, UEL  
MARCENARO Pietro, Italy, SOC  
MARTY Dick, Switzerland, ALDE  
MUÑOZ-ALONSO Alejandro, Spain, EPP/CD  
MUTTONEN Christine, Austria, SOC  
POURGOURIDES Christos, Cyprus, EPP/CD  
RIHTER Andreja, Slovenia, SOC  
SANNEN Ludo, Belgium, SOC  
STAVROSITU Maria, Romania, EPP/CD  
TORRES PUIG Joan, Andorra, ALDE  
TOSHEV Latchezar, Bulgaria, EPP/CD

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1. ALDE: Alliance of Liberals and Democrats for Europe  
EDG: European Democrat Group  
EPP/CD: Group of the European People's Party  
SOC: Socialist Group  
UEL: Group of the Unified European Left