Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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[1]*:*

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

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