

APPENDIX 2

(item 1.3)

**PROCEDURE FOR GRANTING PUBLIC ACCESS TO DOCUMENTS
ISSUED WITH A SECURITY CLASSIFICATION**

1. The public shall have access to official documents of the Committee of Ministers and its subordinate bodies under the following conditions:¹
2. Applications for access to documents should be made in writing to the Head of the Documentary Information Section of the Council of Europe, F-67075 Strasbourg Cedex.
3. Applications must contain sufficient information for the document(s) in question to be identified. Where necessary the applicant shall be asked to provide further details.
4. Applicants may have access to documents by consulting them on the spot or by having photocopies sent at a fee determined by the Secretariat.
5. All applicants will receive a reply to their request in writing as soon as possible and in any case within two months. If the reply is wholly or partially negative, the applicant will be informed of the reasons for this².
6. Within one year of the date of the written notification of the refusal, applicants may request a review of that decision³.

¹ This procedure applies to documents that have not been declassified under the existing rules (adopted in 1981 and 1994 at the 337th and 519bis meetings of the Ministers' Deputies). It does not apply to :

- secret documents until ten years after their date of issue;
- minutes of the Ministerial sessions;
- records of meetings of the Ministers' Deputies.
- Parliamentary Assembly
- Partial Agreements
- human rights cases
- treaty bodies such as the CPT, the Social Charter and the Advisory Committee to the Framework Convention for the Protection of National Minorities.

² The Secretariat will ensure that national interests are protected by checking each document and carefully considering any national positions that are represented. Access to a document may be refused in whole or in part where this is necessary to protect legitimate public or private interests, such as:

- the document was produced outside of the General Secretariat (e.g. by a consultant or a government) and the author has not given permission for it to be made available to the public;
- the document relates to an unfinished work and disclosure might prejudice the outcome of the work;
- protection of privacy and of personal data;
- protection of international relations.

³ This should be made in writing and sent to the Secretary General of the Council of Europe, F-67075 Strasbourg Cedex.