COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

TC-CP(2026)06

04/09/2026

Council of Europe Convention on Access to Official Documents (CETS No.205)

Consultation of the Parties

Conclusions on the implementation of the Council of Europe Convention on Access to Official Documents in respect of Iceland and on the implementation of recommendations adopted by the Consultation of Parties

The Consultation of the Parties to the Council of Europe Convention on Access to Official Documents (CETS No. 205) (hereinafter referred to as "the Convention"), acting under the terms of Article 12, paragraph 2, sub-paragraphs a and b, of the Convention;

Bearing in mind the provisions of Article 11, paragraph 1, of the Convention concerning the role of the Council of Europe Access Info Group (AIG) in monitoring the implementation of the Convention;

Bearing in mind the overarching obligation under Article 2, paragraph 2, of the Convention on each Party to take the necessary measures in its domestic law to give effect to the provisions for access to official documents set out in this Convention;

Having regard to the Rules of Procedure of the Consultation of the Parties;

Having regard to the baseline evaluation report concerning the implementation of the Convention by Iceland adopted by the AIG at its 6th meeting (29-31 May 2024) which focuses on the Information Act and to the comments of the Icelandic government received on 4 September 2024;

Having regard to the fact that at the time of the adoption of the baseline evaluation report the AIG had reserved its position on the interpretation of the notion of "drawn-up" in Article 1, paragraph 2, sub-paragraph b, of the Convention and that the AIG has published on 5 November 2025 its opinion on the definition of "official documents" according to the Convention, which includes the notion of "drawn-up" (AIG(2025)07REV2);

Having examined the updates that the AIG has made to the baseline evaluation report to reflect its opinion on the definition of "official documents" according to the Convention (AIG(2024)07REV2) which was published on 9 July 2026;

Recalling the Consultation of the Parties' conclusions and recommendations on the implementation of the Council of Europe Convention on Access to Official Documents by Iceland (TC-CP(2024)05) published on 3 October 2024, hereinafter referred to as "the 2024 recommendations";

Having examined the information provided by the government of Iceland on the recommendations of the Consultation of the Parties (TC-CP(2025)16) and the subsequent AIG's comments on that information (AIG(2026)04REV2) makes the following conclusions:

1. In respect of the updates that the AIG made to the baseline evaluation report, welcomes the compliance of Article 8 of the Information Act No. 140/2012 concerning working documents with Article 3, paragraph 1, sub-paragraph k, of the Convention (see paragraphs 22 and 63 of document AIG(2024)07REV2);

2. In respect of its 2024 recommendations to ensure the compliance of certain provisions of the Information Act with the provisions of the Convention and to take certain measures to implement such provisions[1]:

   2.1. takes note of the information provided by the government of Iceland regarding the ongoing review of the Information Act No. 140/2012 at the Prime Minister's Office

[1] See point 2 of TC-CP(2024)05 : Article 4§2 of the Information Act concerning the regulation of the legitimate public interests in preserving the confidentiality of information related to international relations; Articles 6, 7 and 10 of the Information Act concerning the overriding public interest principle; Article 15§4 of the Information Act concerning the right of access irrespective of the applicant's motives and intentions; the principle that the applicant has the right to choose to inspect the official document or to always receive a copy in a format of his/her choice, unless the preference expressed is unreasonable; Article 18 of the Information Act concerning charges; the practical implementation of Article 23 of the Information Act.

and welcomes the willingness of the government to give due regard to Iceland's obligations under the Convention;

2.2. encourages the government of Iceland to fully take into account the recommendations of the Consultation of the Parties in the process of review of the Information Act No. 140/2012 and invites it to provide the Consultation of the Parties with information on the measures taken in this regard within one year of transmission of the present conclusions.