COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

TC-CP(2026)05

04/09/2026

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

Consultation of the Parties

Conclusions on the implementation of recommendations in respect of Hungary 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 Hungary adopted by the AIG at its 6th meeting (29-31 May 2024) which focuses on the Public Information Act and to the comments of the Government received on 12 July 2024;

Recalling the Consultation of the Parties’ conclusions and recommendations on the implementation of the Council of Europe Convention on Access to Official Documents by Hungary (TC-CP(2024)04) published on 3 October 2024, hereinafter referred to as “the 2024 recommendations”;

Having examined the information provided by the government of Hungary on the implementation of the 2024 recommendations (TC-CP(2025)17) and the subsequent AIG’s comments on that information (AIG(2026)04REV2) makes the following conclusions;

1. Welcomes the amendments to the Act on the Protection of Classified Data and Other Related Acts and the Act CXXV of 1995 on National Security Services in Connection with Amendments Related to National Security Screening which have introduced mandatory reviews of classification of information following access requests and considers that these measures contribute to ensuring compliance with point 2.3 of the recommendations of the Consultation of the Parties.

2. Invites Hungary to provide to the AIG without delay information on the measures taken to implement point 2.1 of the recommendations of the Consultation of the Parties, in particular as regards the interpretation in the jurisprudence of domestic authorities of the qualification of data of public interest in §3(5) of the Freedom of Information Act as information pertaining to the activities of and processed by the public authorities to which the Act applies or generated in the course of performing their public duties.

3. Encourages Hungary to provide the Consultation of the Parties with information on the measures taken to implement the remaining points of the 2024 recommendations, notably point 2.2 (concerning the scope of application of the Freedom of Information Act to personal data), 2.4 (concerning the right of access to information compiled or recorded by a public authority in the context of decision-making), 2.5 (concerning the duty of the receiving authority to refer a request for information to the competent authority) and 2.6 (concerning dismissal of repeated requests) within one year of transmission of the present conclusions.