

ACCESS TO INFORMATION IN THE CONTEXT OF FREEDOM OF EXPRESSION

Division for Cooperation on Freedom of Expression

GROUP #2 Civil servants

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ACCESS TO INFORMATION IN THE CONTEXT OF FREEDOM OF EXPRESSION

GUIDE FOR PARTICIPANTS: TRAINING ON EUROPEAN STANDARDS ON ACCESS TO INFORMATION AND FREEDOM OF EXPRESSION

→ Purpose of the Training

This training is designed for civil servants and public officials responsible for managing and providing access to official information. It aims to strengthen their understanding of European and international legal frameworks, enhance their practical skills in handling information requests, and promote transparency, accountability, and public trust. Through an interactive and knowledge-based approach, this training will equip participants with the necessary tools to ensure compliance with national and international access to information laws, apply legal principles in practice, and foster cooperation with civil society, media, and oversight institutions. This guide provides an overview of the training structure, your responsibilities, and how to maximize your learning experience.

→ Key Learning Objectives

By the end of this course, you will be able to:

- ▶ understand European and international standards on access to information and freedom of expression,
- ▶ understand when and how access to information can be lawfully restricted,
- ▶ apply public interest tests in balancing information access with privacy, security, and other legitimate concerns,
- ▶ work with national legislation to ensure compliance with legal frameworks,
- ▶ improve management of information requests and official documents,
- ▶ strengthen collaboration with civil society and journalists,
- ▶ learn best practices for oversight and enforcement mechanisms.

→ Course Structure

The training spans two days, with sessions structured to balance theoretical knowledge and practical applications:

Day 1:

- ▶ Introduction to the role of access to information in governance and freedom of expression.
- ▶ Exploration of international standards and case law, including the ECHR and Tromsø Convention.
- ▶ Understanding limitations and public interest tests.

Day 2:

- ▶ Application of national legislation and practical exercises.

→ Training Methodology

The training employs a blended learning approach, including:

- ▶ briefings and presentations: structured knowledge of legal principles and frameworks,
- ▶ case studies: real-world examples illustrating access to information challenges and solutions,
- ▶ interactive exercises: brainstorming, problem-based facilitated discussion and collaborative learning, discussion in small groups and workshops.

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→ Participant Responsibilities

To ensure a successful and impactful training experience, participants are expected to take an active role in the sessions. This training is designed to be highly interactive, and your engagement is critical for maximizing learning outcomes. Below are the key responsibilities for participants:

Active participation:

- ▶ engage in group discussions and exercises,
- ▶ ask questions and share experiences related to your daily responsibilities,
- ▶ take notes and contribute to problem-solving activities.

Pre-training preparation:

- ▶ review national legislation on access to information.
- ▶ familiarize yourself with international conventions such as: the European Convention on Human Rights (Article 10), the Council of Europe Tromsø Convention, the Aarhus Convention.

During the training:

- ▶ be open to interactive learning,
- ▶ participate in case study discussions to apply theoretical knowledge to real-world scenarios.

Share your professional experiences:

- ▶ draw from your own professional background to enrich the sessions, share challenges, success stories, and lessons learned related to access to information and freedom of expression in your field of responsibility,
- ▶ provide examples from your experience, such as handling information requests, navigating refusals, or engaging with oversight bodies.

Apply critical thinking:

- ▶ approach the training materials with a critical mindset, questioning and reflecting on how legal principles and best practices can be applied,
- ▶ evaluate the practical tools and methodologies introduced during the sessions, considering how they align with your daily responsibilities.

Collaborate with other participants:

- ▶ work effectively in small groups during collaborative exercises and workshops,
- ▶ take part in all practical exercises, such as drafting responses to information requests and applying public interest tests, ensuring timely and thoughtful contributions to group tasks and presentations.

Engage with Trainers:

- ▶ ask questions and seek clarification during presentations and discussions,
- ▶ provide constructive feedback to trainers, helping them tailor the sessions to your specific needs and challenges.

→ Evaluation and Certification

The programme concludes with:

- ▶ A post-training test to assess your understanding and application of the material.
- ▶ Feedback collection to improve future training.
- ▶ Certificate awarding to recognise your participation and achievements.

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The post-training test will include multiple-choice questions and scenario-based assessments to measure your understanding of key concepts. Certificates will be awarded based on active participation and successful completion of the evaluation.

This training is an opportunity to enhance your professional expertise, improve governance transparency, and promote freedom of expression through access to information. Your active participation and commitment will contribute to a more open and accountable public sector.

STRUCTURE OF THE COURSE: TRAINING PROGRAMME ON EUROPEAN STANDARDS ON ACCESS TO INFORMATION IN THE CONTEXT OF FREEDOM OF EXPRESSION

Group #2 – Civil servants

This training programme is tailored for civil servants and other professionals responsible for providing access to information. It focuses on the practical application of European standards, including the European Convention on Human Rights (Article 10) and the Council of Europe Convention on Access to Official Documents (Tromsø Convention), as well as national legislation relevant to their daily responsibilities. The programme incorporates real-life case studies and exercises to clarify the public interest test, document management tools, and oversight practices. Additionally, it provides practical training for processing information requests and encourages collaboration with civil society and journalists to enhance transparency and build public trust.

Duration

- 2 days

Course type

- In-person training course

Logistic requirements

- training room, laptop, projector, internet connection, flipchart, paper, and markers.

→ Day 1: International Standards and Domestic Legal Framework

Pre-Training Test/Survey (15 minutes)

Comments:

The Pre-Training Test/Survey serves as a crucial step in understanding participants' baseline knowledge, skills, and familiarity with the subject matter. This activity allows trainers to estimate the existing level of expertise within the group, identify knowledge gaps, and tailor the training content accordingly. Additionally, comparing pre-training results with post-training assessments can provide valuable insights into the learning outcomes and overall impact of the course.

Format: Online tool (Google Forms)

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Session 1: Access to official information – key instrument for transparency of government and freedom of expression (30 min)

Methodology: Ice-breaking interactive exercise, brainstorming or group discussion on the importance of access to official information.

Comments:

The trainer begins the session by inviting participants to introduce themselves, including their names and professional roles, to foster a sense of familiarity and engagement. Participants are then asked to reflect on and answer the question: “Is the right to access official information important, and if so, why?”

As participants share their thoughts, the trainer records the most common ideas, conflicting viewpoints, and significant questions on a flip chart. These recorded points serve as a foundation for further discussion, helping to highlight key themes and areas of interest or contention. This exercise stimulates critical thinking and provides a platform for diverse perspectives to emerge, setting the tone for an interactive and thought-provoking session.

Session 2: Overview of international agreements on access to official information (1 hour)

Methodology: Briefing session, PowerPoint presentation, and Q&A session on international standards, International Covenant on Civil and Political Rights (ICCPR) Article 19, European Convention on Human Rights (ECHR) Article 10, overview of the Council of Europe Convention on Access to Official Documents (Tromsø Convention) and Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention).

Comments:

The trainer provides an in-depth overview of international standards related to access to official information, emphasising their pivotal role in fostering transparency within governments and public institutions. This sets the stage for understanding the broader framework within which access to information operates as a component of freedom of expression.

The session highlights the evolution of international standards, tracing key milestones and progress in recognising access to official information as a fundamental human right. The trainer underscores how this recognition has been enshrined in various legal instruments and international agreements.

The International Covenant on Civil and Political Rights (ICCPR), particularly Article 19, is presented as a foundational document. It recognises the right to freedom of expression, which includes the right to seek, receive, and impart information. This is contextualised as a critical aspect of transparency and accountability.

The trainer explains that while the European Convention on Human Rights (ECHR) does not explicitly guarantee access to official information, the European Court of Human Rights (ECtHR) has interpreted Article 10—protecting the right to freedom of expression—as encompassing the right to receive and impart information. This interpretation has significant implications for access to information in Europe.

The session also introduces key international agreements such as the Council of Europe Convention on Access to Official Documents (Tromsø Convention), which establishes legal standards for access to information. Additionally, the Aarhus Convention is discussed, focusing on access to information on environmental matters. This highlights the importance of individuals being able to obtain information necessary for exercising their rights and freedoms, particularly in the context of environmental protection.

Participants are encouraged to ask questions on the implications of these standards and share how they relate to their professional experiences.

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Session 3: Balancing access to official information and other legitimate interests – ECtHR criteria (1.5 hours)

Sub-session 3.1: Public interest tests for balancing access to official information and other legitimate interests

Methodology: Briefing session, PowerPoint presentation, and Q&A session.

Comments:

This sub-session provides an in-depth exploration of the legal framework governing the limitations on access to official documents. The trainer introduces the session with a briefing that integrates the provisions of Article 10 of the European Convention on Human Rights (ECHR) and Article 3 of the Council of Europe Convention on Access to Official Documents (Tromsø Convention).

The presentation focuses on the following key tests used to determine the validity of limitations.

The session on limitations of access to official documents focuses on three key legal tests to evaluate when restrictions are justified under international standards. These include the Three-Part Test, the Harm Test, and the Public Interest Test, derived from the European Convention on Human Rights (ECHR, Article 10) and the Tromsø Convention (Article 3).

The Three-Part Test from Article 10 of the ECHR requires that:

- ▶ **Legality:** Any restriction must be prescribed by law, with a clear and accessible legal basis.
- ▶ **Legitimate Aim:** The limitation must serve a recognised legitimate aim, such as protecting national security, public safety, or individual privacy.
- ▶ **Necessity and Proportionality:** The restriction must be necessary in a democratic society and proportional to the aim pursued. During the session, the trainer provides practical examples demonstrating how this balance is maintained in various contexts.

The Harm Test outlined in Article 3 of the Tromsø Convention emphasises that public authorities must assess whether disclosing the requested information would cause harm to a legitimate interest, such as national security, public safety, or personal privacy. The trainer clarifies that this test requires a clear and evidence-based demonstration of harm before restricting access.

The Public Interest Test, also in Article 3 of the Tromsø Convention, requires weighing the harm of disclosure against the public interest in making the information available. The trainer explains that if the public interest outweighs the potential harm, access to information should generally be granted. Real-world examples are used to illustrate cases where the public interest test has influenced decisions to disclose information.

By examining these tests, participants gain a comprehensive understanding of how limitations on access to information are justified, ensuring they align with democratic principles and international human rights standards.

A PowerPoint presentation supports the session, illustrating how these tests are applied through examples from European Court of Human Rights case law and practical administrative decisions under the Tromsø Convention. Key cases such as *Magyar Helsinki Bizottság v. Hungary* and *Youth Initiative for Human Rights v. Serbia* are discussed to provide participants with practical insights into the judicial reasoning behind limitations on access to information. The session transitions into a Q&A segment, where participants are encouraged to engage with the material by posing questions or discussing challenges from their professional contexts.

Optionally, this session may 1) emphasise privacy protection by examining in detail the relevant provisions of Article 8 of the European Convention on Human Rights or 2) focus on national security issues, drawing on the *Tshwane Principles on National Security and the Right to Information*.

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Sub-session 3.2: Case study and group activity.

Methodology: Interactive exercises: case study and written group activity with a spokesperson (case study analysis).

Comments:

The trainer presents in detail the case of *Magyar Helsinki Bizottság v. Hungary*, providing participants with a brief overview of the facts, legal issues, and the European Court of Human Rights decision. There should be an emphasis that this landmark case illustrates the criteria established by the European Court of Human Rights for recognising access to information as a component of the right to freedom of expression under Article 10 of the European Convention on Human Rights.

The trainer highlights specific criteria derived from the decision, including:

- ▶ The nature of the information requested and whether it serves the public interest.
- ▶ The purpose for which the information is sought and its relevance to democratic oversight.
- ▶ The role of the individual or organisation requesting the information (e.g., journalists, NGOs, or public watchdogs).
- ▶ Whether the information was ready and available

In the collaborative learning segment, civil servants engage in a written group activity with a spokesperson (case study analysis) to examine real or hypothetical cases related to access to official information. The cases for civil servants focus on practical applications of access to information laws within government institutions within making decisions on restricting access to information. The objective is to analyse the justification for limitations and propose practical solutions that align with transparency principles while respecting legitimate restrictions.

The trainer manages the written group activity in the following way:

- ▶ Divide participants into small groups, assigning each a case study related to access to information.
- ▶ Each group analyses the case, focusing on: legal justifications for granting or restricting access, public interest considerations and best practices in handling requests efficiently and fairly.

A spokesperson from each group presents their findings to the full audience, sharing key insights and proposed solutions. The trainer facilitates discussion, linking group responses to existing legal standards, domestic regulations, and case law applications, ensuring that discussions remain solution oriented. Each group's key findings and recommendations are recorded on a flip chart, allowing participants to collectively explore best practices and strategies for handling access to information requests in their professional roles.

Session 4: Main provisions of the Aarhus and Tromsø Conventions and their application in the duties of civil servants (1.5 hours)

Sub-session 4.1.: Key principles and standards of the Aarhus and Tromsø Convention.

Methodology: Briefing session, PowerPoint presentation, and Q&A session.

Comments:

The trainer begins with a briefing session to introduce the core principles of the Aarhus Convention and the Tromsø Convention, focusing on their shared objective of promoting transparency and accountability. The Aarhus Convention is presented as a pioneering international framework for environmental governance, emphasising the public's right to access environmental information. The presentation highlights the three pillars of the convention: the right to access environmental information, the right to participate in environmental decision-making processes, and the right to access justice in environmental matters. Specific articles of the convention are discussed, illustrating how states are obligated to provide timely, accurate, and accessible environmental information to the public.

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The trainer shifts to the Tromsø Convention, which establishes equal access to official documents. The trainer emphasises the convention's innovative aspects, such as recognising access to information as a fundamental right. Key provisions of the Tromsø Convention are presented, such as the obligation of public authorities to respond promptly to requests, provide reasons for refusals, and support applicants through clear procedures. Participants learn how the Tromsø Convention complements the Aarhus Convention by providing broader access to information, regardless of the subject matter.

A PowerPoint presentation provides visual support for the session, summarising the principles and standards of both conventions. The session concludes with a brief Q&A segment, allowing participants to clarify key concepts and share initial reflections.

Sub-session 4.2.: Implementation of Aarhus and Tromsø Conventions – equal access to information and support for applicants.

Methodology: Interactive exercises: problem-based facilitated discussion and collaborative learning.

Comments:

This sub-session focuses on the practical implementation of the Aarhus and Tromsø Conventions through interactive activities. The session begins with a facilitated discussion, where participants explore the key challenges and opportunities related to access to information in their respective jurisdictions. The trainer guides the discussion, encouraging participants to share experiences and analyse common issues such as:

- ▶ ensuring equal treatment of applicants regardless of background or purpose,
- ▶ processing requests,
- ▶ ensure that public authority helps the applicant identify the requested official document as much as reasonably possible.

The trainer uses targeted questions to deepen the discussion, such as:

- ▶ “What administrative practices could be improved to support applicants better?”
- ▶ “How can public authorities ensure compliance with the conventions’ principles while managing practical constraints?”

Key insights and proposed solutions from the discussion are recorded on a flip chart to provide a foundation for the next exercise.

Evaluation reports from the monitoring bodies of the Aarhus Convention and Tromsø Convention and NGOs’ reports on the conventions’ implementation are invaluable resources for assessing the implementation and effectiveness of access to information standards in a given jurisdiction. Trainers should incorporate the findings from these reports to provide participants with a clear understanding of the practical challenges, achievements, and areas for improvement in their national context. Trainers can use this data to frame discussions, enabling participants to critically examine their government’s approach and compare it with international standards. By addressing these findings, trainers ensure that the session is grounded in real-world challenges and provides participants with actionable insights to enhance the implementation of the conventions in their professional and policy-making contexts.

Building on the facilitated discussion, participants engage in collaborative learning to analyse specific scenarios reflecting real-world applications of the conventions. Group discussion addresses challenges such as handling requests for environmental information under the Aarhus Convention or navigating administrative obligations under the Tromsø Convention.

The session concludes with the trainer synthesising the outcomes of both the facilitated discussion and collaborative learning activities. The trainer links these outcomes back to the Aarhus and Tromsø Conventions principles, emphasising their role in promoting transparency, accountability, and equal access to information. Participants reflect on how these principles can be integrated into their work to enhance governance and support for applicants. This structured approach ensures a productive and meaningful exploration of the conventions’ implementation.

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Session 5: Application of international standards in national legislation (1.5 hours)

Sub-session 5.1.: Overview of national legislation on access to information.

Methodology: Briefing session, PowerPoint presentation, and Q&A session.

Comments:

This sub-session provides participants with an understanding of their national legislation on access to information, analysing its compliance with international standards in freedom of expression established under frameworks of the European Convention on Human Rights and the Tromsø Convention.

The trainer begins with a briefing session, offering an overview of key provisions in the national legal framework related to access to information. The presentation highlights the core principles, procedural requirements, and legal guarantees enshrined in the national laws. Special attention is given to how these laws address fundamental aspects such as:

- ▶ ensuring the right to access public information without discrimination,
- ▶ definitions for “document” and “information” in the domestic regulations,
- ▶ definition of “public authorities” in the domestic regulations,
- ▶ the timeframes for responding to requests,
- ▶ the legitimate grounds for refusing access and the corresponding appeals mechanisms.

A PowerPoint presentation is used to compare the national legislation with international standards, identifying areas of alignment and divergence. The trainer highlights best practices from other jurisdictions to illustrate how compliance with international standards can enhance transparency and accountability.

During the Q&A session, participants are encouraged to share their experiences with the national framework, including successes, challenges, and gaps in its implementation. This sub-session concludes with reflections on the importance of continuous legal and procedural reforms to meet evolving international standards. The trainer records key points and participant insights on a flip chart, which can later serve as a basis for further discussions on improving alignment between national laws and international standards.

Sub-session 5.2.: Facilitated discussion on instruments to access official information under national legislation (access via information request, proactive publication obligations, rules on re-use of official information).

Methodology: Case study in small groups and facilitated discussion.

Comments:

This sub-session aims to deepen participants’ understanding of the various mechanisms for accessing official information as defined by national legislation. It focuses on:

- ▶ access via information requests for understanding procedural requirements, timelines, and obligations for providing access.
- ▶ proactive publication obligations by exploring the legal mandate for government entities to publish certain types of information proactively.
- ▶ domestic rules on the re-use of official information to discuss the conditions under which public information can be reused and shared, including licensing and copyright considerations.

Participants will work in small groups to analyse a real-life or hypothetical case where an individual or organisation seeks access to official information. Groups will identify challenges, evaluate the use of various instruments under national law, and propose solutions.

After completing the case study, participants will engage in a guided discussion to share findings and insights. The facilitator will encourage dialogue on best practices, challenges, and the practical application of these instruments within their roles.

This session combines practical analysis with collaborative learning, ensuring participants leave with actionable insights relevant to their professional responsibilities.

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→ Day 2: Practical Implementation

Session 6: Managing official information and structuring responsibilities within state authorities (1.5 hours)

Sub-session 6.1.: Effective management of official information within the state authority.

Methodology: Briefing session and facilitated discussion.

Comments:

This sub-session is designed to equip participants with strategies for effectively managing official information within state authorities. It covers the following issues:

- ▶ database and public register management, focusing on the best practices for maintaining accurate, secure, and accessible databases and public records at the national level.
- ▶ processing complex requests and ensuring accuracy and completeness in replies, discussing the approaches to handling information requests that require data compilation from multiple documents.
- ▶ ensuring inclusivity in information request processing, accommodating diverse needs, such as accessibility for persons with disabilities, and providing documents in various formats.

Participants will work on a case study involving a scenario where a state authority receives a complex information request. Groups will identify steps to compile data from multiple sources, address potential challenges, and propose solutions for ensuring inclusivity and compliance. Following the case study, participants will engage in a guided discussion to share their approaches. Trainers will highlight best practices for ensuring transparent, inclusive, and efficient management of official information and processing of requests.

By the end of this session, participants will gain a comprehensive understanding of the key techniques for organising and managing official information effectively within state authorities. Participants will also develop a clear understanding of how to process complex information requests that require collecting data from multiple documents. The session will emphasise the importance of applying inclusive practices and ensuring equitable access to information for all requesters.

The trainer will use the recommendations from controlling authorities, such as Information Commissioners or Ombudsman institutions, to highlight the best practices in the management of official information and processing requests. The trainer will review domestic court practices that illustrate how the courts at the national level shape the interpretation and application of access to information laws. Trainers will highlight landmark cases and guidance provided by oversight bodies to ensure compliance with legal requirements and promote accountability.

Sub-session 6.2.: Obligations of the responsible officials under the national legislation.

Methodology: Interactive exercises: collaborative learning and brainstorming session.

Comments:

Officials responsible for managing and responding to requests for official information play a critical role in ensuring government transparency and accountability. Their job typically includes receiving, reviewing, and processing requests for information, ensuring compliance with established legal frameworks and timelines. They must communicate with requesters clearly, providing either the requested information or a lawful justification for refusal. Additionally, they are responsible for maintaining accurate records of requests and responses, coordinating with other departments to retrieve necessary data, and ensuring that any associated costs are calculated and communicated transparently.

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This sub-session is designed to help participants understand the obligations of officials responsible for managing and responding to requests for official information under national legislation. The focus is on equipping participants with practical skills to ensure compliance with legal standards while maintaining transparency and accountability in their roles:

- ▶ specific responsibilities of officials under national access to information laws,
- ▶ understanding the legal deadlines for processing requests.
- ▶ reviewing legal provisions for cost recovery, including the permissible charges for document reproduction and how to communicate this to requesters.

Participants will work together in small groups to analyse case scenarios involving complex or challenging requests for information. Trainers will guide participants through discussions to develop step-by-step procedures for ensuring compliance with legal standards in their daily responsibilities. Topics will include strategies for meeting deadlines, preparing clear and lawful justifications for refusals, and handling payment-related issues.

Session 7: Workshop on preparing the reply to the request (1.5 hours)

Methodology: Workshop on preparing the reply to the request for official information (small group exercise and peer review).

Comments:

This session provides participants with a comprehensive understanding on how to appropriately justify the denial of information requests in alignment with national legislation and international best practices and how the limitations on access to information are applied within their national regulatory framework.

The trainer begins with a briefing session, outlining the scope and justification of limitations under national laws, ensuring participants understand the legal and procedural framework.

The trainer also provides a brief overview of selected cases that illustrate common legal grounds for restricting access to information, such as protecting national security, safeguarding personal privacy, or ensuring the confidentiality of sensitive business information. Each case reflects typical challenges faced under the national legal framework and highlights how the public interest test, harm test, and other relevant principles are applied.

Participants are then divided into groups and tasked with analysing specific cases. Each group reviews the legal reasoning behind the decision, focusing on:

- ▶ the justification provided for restricting access.
- ▶ whether the decision aligns with national regulations and international standards, such as those under the ECHR or Tromsø Convention.
- ▶ the balance between transparency and legitimate limitations, including whether the public interest in disclosure outweighed the reasons for restriction.

During the exercise, the trainer circulates among the groups to provide guidance, clarify questions, and encourage deeper discussion. Participants are prompted to consider key aspects, such as:

Following the group exercise, a facilitated discussion brings all participants together to share their findings. Each group presents their case analysis, including their interpretation of the legal principles applied and any recommendations for improving the handling of similar situations. The trainer moderates the discussion, encouraging participants to engage with each other's perspectives and draw connections between the cases analysed.

Key points and insights are recorded on a flip chart to capture the collective learning outcomes of the session.

The session concludes with a summary by the trainer, synthesising the main takeaways and linking them back to the broader principles of transparency, accountability, and adherence to legal standards. Participants are encouraged to reflect on how the exercise informs their understanding of the legal framework for restricting access and how they can apply these insights to their professional practices.

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Session 8: Oversight and implementation at the national level (1.5 hours)

Sub-session 8.1.: National oversight mechanisms and the relevant court practice.

Methodology: Briefing session, PowerPoint presentation, and Q&A session.

Comments:

This sub-session starts with introducing the key international approaches for overseeing access to information, emphasising the roles and functions of Information Commissioners and Commissions, government agencies, Ombudsman institutions, and courts. The session explores how these mechanisms collectively ensure compliance with access to information laws, resolve disputes, and uphold the principles of transparency and accountability.

The trainer begins with a briefing session, supported by a PowerPoint presentation, to outline each oversight mechanism's structures, responsibilities, and processes, focusing on national oversight mechanisms and their role in enforcing access to information laws. The trainer explains how these mechanisms complement one another, with courts providing a higher level of scrutiny and setting legal precedents that strengthen the enforcement of access laws.

Examples are shared from jurisdictions where these bodies have effectively enforced compliance and resolved disputes.

Participants examine how national oversight bodies and courts respond to these cases, applying legal principles to determine whether the decisions align with the standards set by international conventions such as the ECHR and Tromsø Convention. The trainer encourages participants to consider the following:

- ▶ The accessibility and impartiality of oversight mechanisms.
- ▶ The role of courts in ensuring accountability and providing final resolution in contentious cases.
- ▶ Practical strategies for improving coordination between oversight authorities and the judiciary.

During the Q&A session, participants are encouraged to share insights from their own experiences with oversight mechanisms to consider how these approaches can be strengthened and applied in their professional and national contexts to ensure that access to information laws are effectively implemented and respected.

Sub-session 8.2.: Monitoring, cooperation with civil society and journalists, education and awareness-raising – best practices.

Methodology: Facilitated discussion.

Comments:

This sub-session emphasises the critical role of monitoring and reporting in ensuring compliance with international standards. Facilitated discussions should focus on best practices for establishing effective monitoring systems within state authorities. Participants should explore strategies for collecting and analysing data on compliance, identifying challenges, and producing regular reports that demonstrate adherence to transparency and access to information obligations under the Tromsø Convention. The trainer highlights the importance of engaging civil society organisations (CSOs) and journalists in monitoring efforts. Discussions should address how their input can strengthen reporting processes, improve oversight, and identify gaps in implementation.

Awareness-raising efforts are essential to ensure that citizens, civil society, and journalists understand their rights and the processes for accessing official information. The discussion should include strategies for designing effective public outreach campaigns. Participants could brainstorm ideas for educational workshops, digital campaigns, and the development of accessible materials (e.g., guides or toolkits) to inform citizens about their rights under the Tromsø Convention and national legislation.

Participants should consider the role of education in equipping public officials with the knowledge and skills to fulfil their responsibilities. The facilitated discussion should guide participants to draft actionable recommendations for their roles.

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Session 9: Evaluation and wrap-up

Multiple-choice test/evaluation.

Comments:

The **multiple-choice test** is designed to assess knowledge retention, comprehension of key concepts, and the ability to apply principles discussed during the course.

The trainer introduces the evaluation by explaining its purpose as a diagnostic tool to measure individual and group learning outcomes.

Feedback and certificate awarding.

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POST-TRAINING TEST

Group #2: Civil servants

1. What is the legitimate ground for refusing access to official information under the Tromsø Convention?

- a) To avoid public criticism of authorities.
- b) To protect sensitive personal interests.
- c) To simplify administrative tasks.

2. Which of the following tests is used under Article 10 of the ECHR to justify limitations on access to information?

- a) Proportionality Test
- b) Three-Part Test
- c) Transparency Test
- d) Fairness Test

3. Under the Aarhus Convention, the public has the right to access environmental information without stating a reason.

- a) True
- b) False

4. What must public authorities demonstrate under the harm test?

- that disclosing the information is in the public interest
- that withholding information would harm public safety
- that disclosure would cause significant harm to a legitimate interest

5. Does the Tromsø Convention require public authorities to assist applicants in identifying the documents they seek?

Yes/No

6. In the context of managing official information, what does inclusivity mean?

- a) allowing unrestricted access to classified documents
- b) providing equal access to all applicants, regardless of their background or purpose
- c) limiting access to individuals with professional credentials

The test should be expanded with additional questions specifically addressing the sessions on domestic regulations to assess participants' understanding of their national framework for access to information. For example, questions could focus on the timeframes within which public authorities are required to respond to requests for information under domestic law or the specific grounds allowed for refusing access, such as national security or privacy concerns. Another question could explore the role of national oversight bodies, asking participants to identify the responsibilities of entities such as the Information Commissioner or Ombudsman in their country.

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PRE-TRAINING TEST/SURVEY

Group #2: Civil servants

1. Which of the following is protected under Article 10 of the European Convention on Human Rights?

- a) The right to personal privacy.
- b) The right to freedom of expression.
- c) The right to participate in elections.
- d) The right to commercial confidentiality.

2. Does the European Convention on Human Rights explicitly guarantee the right to access official information?

Yes/No.

3. What is the purpose of the Tromsø Convention?

- a) To regulate data protection laws across Europe.
- b) To establish access to environmental information.
- c) To guarantee everyone's right to access official documents.
- d) To enforce media censorship policies.

4. The Aarhus Convention focuses solely on environmental issues.

- a) True.
- b) False.

5. Is it mandatory for public authorities under national law to respond to an information request within a specific time frame?

Yes/No.

6. Are public authorities required to assist applicants in identifying and accessing requested documents under international access to information standards?

Yes / No

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GROUP #2 BIBLIOGRAPHY

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OVERVIEW OF INTERNATIONAL AGREEMENTS ON ACCESS TO OFFICIAL INFORMATION

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INTERNATIONAL DOCUMENTS DEFINING THE RIGHT TO ACCESS OFFICIAL INFORMATION:

- ▶ European Convention on Human Rights
- ▶ International Covenant Civil and Political Rights
- ▶ Aarhus Convention
- ▶ Tromsø Convention

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Article 10 of the European Convention on Human Rights, **guarantees freedom of expression**. This right includes:

- ▶ Freedom to hold opinions,
- ▶ Freedom to receive and impart information and ideas without interference from public authorities and regardless of frontiers.

However, Article 10(2) allows for certain restrictions on freedom of expression when they are:

- ▶ **Prescribed by law** and
- ▶ **Necessary in a democratic society** to serve legitimate aims

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While Article 10 protects the right to receive and share information, it does not explicitly guarantee a general right to access official documents. However, the European Court of Human Rights has interpreted access to information as part of freedom of expression, especially when:

- ▶ The requested information is of **public interest**.
- ▶ The requester plays a **watchdog role** (e.g., journalists, NGOs).
- ▶ The information is necessary for **democratic oversight and transparency**.

This interpretation has been reinforced in cases such as **Magyar Helsinki Bizottság v. Hungary**

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AARHUS CONVENTION

- ▶ The Aarhus Convention is formally known as the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. It was adopted on June 25, 1998, in the Danish city of Aarhus.
- ▶ The Convention aims to promote environmental democracy by granting the public rights regarding access to information, public participation, and access to justice in environmental matters.
- ▶ **The Aarhus Convention aligns with European and international human rights frameworks.**

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TROMSØ CONVENTION

- ▶ Entered into force on 1 December 2020.
- ▶ It has 17 Parties: Albania, Armenia, Bosnia and Herzegovina, Estonia, Finland, Hungary, Iceland, Latvia, Lithuania, Montenegro, North Macedonia, Norway, the Republic of Moldova, Slovenia, Spain, Sweden, and Ukraine.

The Tromsø Convention was the first binding international legal instrument to recognize everyone's right to access official documents (information) held by public authorities without discrimination, regardless of the requester's status or motives in seeking access.

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INTERNATIONAL BODIES THAT PROTECT HUMAN RIGHTS ON THE BASIS OF THESE INTERNATIONAL ACTS:

- ▶ European Court of Human Rights
- ▶ UN Human Rights Committee
- ▶ Aarhus Convention Compliance Committee

Council of Europe Convention on Access to Official Documents (Tromsø Convention)
– two monitoring bodies:

- ▶ Group of Specialists on Access to Official Documents
- ▶ Consultation of the Parties

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TROMSØ CONVENTION – ACCESS INFO GROUP

- ▶ The Council of Europe Access Info Group is one of the two monitoring bodies established by the Tromsø Convention under its Article 11 which is responsible for monitoring the implementation of the Convention by the Parties.
- ▶ It is composed of experts of the highest integrity who are independent and impartial in the area of access to official documents. The Access Info Group will evaluate and report on the legislative and other measures adopted by the Parties to give effect to the provisions set out in the Tromsø Convention.

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TROMSØ CONVENTION – CONSULTATIONS OF THE PARTIES

- ▶ The Consultation of the Parties is the second monitoring body established by the Tromsø Convention under its Article 12.
- ▶ Consultation of the Parties is composed of one representative per Party. It meets at least once every four years to consider the reports, opinions and proposals submitted by the Group of Specialists. An activity report shall be submitted by the Consultation of the Parties to the Committee of Ministers after each meeting. The Consultation of the Parties elects the members of the Group of Specialists.
- ▶ The Consultation of the Parties can make proposals and recommendations to the Parties, make proposals or formulate opinions on any proposal for the amendment of the Tromsø Convention under Article 19.

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PUBLIC INTEREST TESTS FOR BALANCING ACCESS TO OFFICIAL INFORMATION AND OTHER LEGITIMATE INTERESTS

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LIMITATIONS ARE PRESCRIBED BY:

- ▶ Part 2 of Article 10 of the European Convention on Human Rights
- ▶ Part 3 of Article 19 of the International Covenant on Civil and Political Rights
- ▶ Article 3 of the Council of Europe Convention on Access to Official Documents
- ▶ Article 4 of the Aarhus Convention

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CRITERIA ACCORDING TO ARTICLE 10 OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

Procedural Requirements

1. Lawfulness of the Interference: Any restriction must have a clear legal basis. This means the limitation should be established through legislation that is accessible and foreseeable, ensuring that individuals understand the potential for certain information to be restricted and the reasons behind it.

2. Legitimacy of the Aim: The limitation must pursue a legitimate aim. The Convention outlines specific legitimate interests, as mentioned above, which justify the restriction of access to information.

3. Necessity and Proportionality: The restriction must be necessary in a democratic society and proportionate to the intended goal. This involves a careful assessment to ensure that the interference with the right to access information is balanced against the need to protect the public interest or the rights of others.

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LAWFULNESS

This principle ensures that **laws are fair, understandable, and provide guidance without being overly rigid or vague.**

- ▶ For a rule to be considered a **law**, it must be **clear and precise** so that people can **understand it** and **know how to follow it**.
- ▶ **People should be able to adjust their behavior** based on the law.
- ▶ **With legal advice if needed, a person should be able to predict** what might happen if they take a certain action.

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LEGITIMACY OF THE AIM PURSUED BY THE INTERFERENCE

When a government restricts a right, it must justify it by pointing to a legitimate reason (e.g., national security, public safety, protecting others' rights).

The European Court of Human Rights checks whether the government's reason is valid:

- ▶ If the reason doesn't actually justify the restriction, the Court may say the interference was not lawful.
- ▶ The Court can accept some reasons and reject others, for example, if a government gives multiple justifications but only one is valid.

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NECESSITY OF THE INTERFERENCE IN A DEMOCRATIC SOCIETY

- ▶ Existence of a “pressing social need”
- ▶ Assessment of the nature and severity of the sanctions (the least restrictive measure)
- ▶ Requirement of relevant and sufficient reasons

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TROMSØ CONVENTION (ARTICLE 3)

Each Party may limit the right of access to official documents.

Limitations shall be:

- ▶ set down precisely in law,
- ▶ be necessary in a democratic society and
- ▶ be proportionate to the aim of protecting

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HARM TEST UNDER THE TROMSØ CONVENTION

Access to information contained in an official document may be refused if its disclosure would or would be likely

- ▶ to harm any of the interests mentioned in paragraph 1 of Article 3,
- ▶ unless there is an overriding public interest in disclosure.

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THRESHOLD CRITERIA FOR THE RIGHT OF ACCESS TO STATE-HELD INFORMATION

- ▶ **The purpose of the requestor or why the information is needed.** This criterion includes an assessment of whether obtaining the information is really necessary for the person to fulfill his or her function of facilitating public debate on socially important issues, and whether failure to provide the information would create a significant obstacle to freedom of expression.
- ▶ **The nature of the information.** The information, data or documents to which access is requested must meet the requirements of the three-part test, i.e., be collected for the purpose of satisfying the public interest, and not simply out of curiosity.

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- ▶ **The role of the requestor.** Those who facilitate public discussion have special protection: journalists, civil society organizations/activists, researchers, authors of books on socially important topics, bloggers and popular social media users.
- ▶ “Ready and available information”. The provision of information should not impose an excessive burden on public authorities to collect and process data.

(Judgment of the Grand Chamber in the case of *Magyar Helsinki Bizottság v. Hungary*).

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THE PURPOSE OF THE INFORMATION REQUEST

To be protected under Article 10 (freedom of expression), a person requesting official information must be gathering it to share with the public. This means the information must be needed for journalistic work or other activities that contribute to public debate (for example, NGO research or investigative reporting).

The Court emphasized that journalists and public watchdogs have a duty to act responsibly when sharing information.

- ▶ To receive legal protection under Article 10, journalists must:
- ▶ Act in good faith (meaning they are not misleading or spreading false information).
- ▶ Provide accurate and reliable information that follows ethical journalism standards.

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THE NATURE OF THE INFORMATION SOUGHT

Judgment of the Grand Chamber in the case of Magyar Helsinki Bizottság v. Hungary confirms that access to information is a key part of freedom of expression, but not all information must be disclosed – only information that serves the public interest and helps people understand and engage in democratic decision-making. Public-interest information includes anything that:

- ▶ Shows how government decisions are made and how public institutions function.
- ▶ Affects society as a whole and helps people participate in democracy.

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Public interest depends on the situation – not all information is equally important. Information is considered in the public interest if:

- ▶ It affects many people or communities.
- ▶ It raises significant debate or controversy.
- ▶ It involves major social issues that the public should know about.

However, public interest is NOT the same as gossip or curiosity – people's private lives do not automatically qualify as public-interest information.

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THE ROLE OF THE APPLICANT

The Court considers two key factors when deciding if denying access to information violates freedom of expression (Article 10):

- ▶ Why the person is requesting the information (Is it for public debate or general curiosity?)
- ▶ What kind of information is being requested (Is it about government activities or private matters?).

The Court has ruled in past cases that journalists, social watchdogs, and NGOs should receive strong protections when seeking information about public affairs.

Judgment of the Grand Chamber in the case of Magyar Helsinki Bizottság v. Hungary confirms that access to information is especially important for journalists and NGOs because they serve the public interest. When governments deny them access, it can harm democracy and transparency.

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- ▶ Under the ECHR, access to information is protected when it contributes to public debate and democracy.
- ▶ Under the Tromsø Convention, access to documents is a general right—no justification needed.

Aspect	ECtHR (Article 10 – Freedom of Expression)	Tromsø Convention (Article 4 – Access to Documents)
Does the requester need a reason?	Yes, in some cases (especially if claiming a violation of Article 10).	No, never (requests should be granted without asking for a reason).
Who benefits most?	Journalists, researchers, and public watchdogs.	Any citizen, journalist, or organization.
When is access protected?	When the request serves public debate or journalism.	All official documents should be accessible unless legally restricted.

READY AND AVAILABLE INFORMATION

Governments must provide public information when they already have it readily available.

- ▶ The requested information was “ready and available”, meaning the government already had the documents and did not need to gather new data.
- ▶ This ensures that authorities remain transparent and accountable, preventing them from hiding information behind bureaucratic inefficiency.
- ▶ Since the government didn’t need extra effort to provide the documents, refusing access was not justified.

In some cases, governments argue that finding and gathering the information is too difficult. However, the Court said that if the difficulty is caused by poor organization or bad record-keeping by the government itself, that cannot be used as a valid reason to deny access.

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ECTHR CASE-LAW

- ▶ *Centre for Democracy and Rule of Law v. Ukraine* #10090/16
- ▶ *Affaire Cangi v. Turkey* #24973/15
- ▶ *Volodymyr Torbich v. Ukraine* # 14957/13
- ▶ *Torbich v Ukraine* #41713/13 and #29980/15

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KEY PRINCIPLES AND STANDARDS OF AARHUS AND TROMSØ CONVENTIONS

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THREE PILLARS OF AARHUS CONVENTION

The Convention is based on three main pillars:

- ▶ **Pillar One – Access to Information:** Guarantees the right of everyone to receive environmental information that is held by public authorities.
- ▶ **Pillar Two – Public Participation:** Involves the public in environmental decision-making, ensuring that public opinions and concerns are considered.
- ▶ **Pillar Three – Access to Justice:** Provides the public with the means to challenge public decisions that have been made in breach of the two previous pillars or environmental law.

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SCOPE OF AARHUS CONVENTION

- ▶ The **Aarhus Convention reinforces the principle of environmental democracy**, ensuring that **all individuals and organizations** – regardless of nationality – can **hold governments accountable** for environmental decisions.
- ▶ The public shall have access to information, have the possibility to participate in decision-making and have access to justice in environmental matters **without discrimination as to citizenship, nationality or domicile and, in the case of a legal person, without discrimination as to where it has its registered seat or an effective center of its activities.**

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AARHUS CONVENTION – GENERAL PROVISION

The Aarhus Convention **sets minimum legal standards** for access to environmental information, public participation, and access to justice.

Article 3(5) states that Parties to the Convention are free to introduce broader measures that:

- ▶ Provide greater public access to environmental information.
- ▶ Allow for more extensive public participation in environmental decision-making.
- ▶ Grant wider access to justice in environmental matters than what is strictly required by the Convention.

Parties to the Convention can go beyond the Convention's requirements, strengthening environmental democracy.

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DEFINITION OF INFORMATION OF AARHUS CONVENTION

The Aarhus Convention defines environmental information as any kind of information related to the environment, which can be in different formats – **written, visual, audio, electronic, or any other material form** (Article 2).

Everyone has the right to ask for environmental information from public authorities.

Governments must provide this information within the rules of their national laws (Article 4). If someone asks for information, authorities must:

- ▶ Provide copies of the actual documents when requested.
- ▶ Give the information in the requested format, unless it is more reasonable to provide it in a different format (they must explain why).
- ▶ Inform the requester if the information is already publicly available in another form.

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AARHUS CONVENTION STANDARD ON THE PERSONALITY OF A REQUESTOR

- ▶ Anyone can request environmental information from public authorities.
- ▶ Journalists don't need to explain why you want the information—governments must provide it without asking for a reason.
- ▶ This ensures that environmental information is open to everyone, including journalists, researchers, and the public, making it easier to investigate and report on environmental issues without unnecessary restrictions.

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AARHUS CONVENTION – PROVIDING GUIDANCE

Government officials must help people who want to access environmental information.

This ensures that public authorities are not just gatekeepers of information but also helpers, making it easier for people to stay informed, speak up, and take action on environmental matters.

Any guidance should be provided according to the non-discrimination principle.

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TROMSØ CONVENTION – GENERAL PROVISIONS

- ▶ The rules in this convention set the **minimum standard** for access to official documents.
- ▶ If a country already has stronger laws that give people more access to documents, those laws still apply.
- ▶ This **convention does not limit or replace existing rights** – parties of the Convention can continue to offer broader access if they choose.

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SCOPE OF TROMSØ CONVENTION

It ensures that official information is open to everyone, including citizens, journalists, researchers, and activists, helping to promote transparency and accountability in government.

- ▶ Everyone has the right to request and access official documents from public authorities.
- ▶ No discrimination is allowed, access must be granted to all people equally, regardless of nationality, background, or status.
- ▶ You don't have to give a reason for requesting the documents; the government cannot ask why you want them.

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DEFINITION OF INFORMATION IN THE TROMSØ CONVENTION

- ▶ *Article 1, “the Council of Europe Convention on Access to Official Documents prescribes that “official documents” means **all information recorded in any form, drawn up or received and held by public authorities.**”*

According to the Explanatory Report to the Convention, “it is a very wide definition: “official documents” are considered to be any information drafted or received and held by public authorities that are recorded on any sort of physical medium whatever be its form or format (written texts, information recorded on a sound or audiovisual tape, photographs, emails, **information stored in electronic format such as electronic databases, etc.)”**

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TROMSØ CONVENTION STANDARD ON THE PERSONALITY OF THE REQUESTOR

- ▶ Requestors don't need to give a reason for requesting official documents.
- ▶ The request process should be easy, governments cannot create complicated procedures or require excessive papers.
- ▶ Authorities should only ask for the necessary details to process the request, such as the specific document needed and where to send it.
- ▶ Delays, high fees, or excessive forms should not be used to make access more difficult.
- ▶ Requestors can stay anonymous unless their identity is absolutely needed to process the request (e.g., for security reasons).

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ARCHIVE INFORMATION

According to the Explanatory Report to the Tromsø Convention:

15. Official documents transferred to archives remain under the scope of this Convention.

61. In principle, on-site consultation should be free of charge. However, the public archival authorities and museums may charge the applicant for the cost of the services they supply.

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TROMSØ CONVENTION STANDARD – PROVIDING HELP

Article 5 ensures that everyone, no matter their situation, has a fair chance to access official documents, making the process more inclusive and accessible for all.

- ▶ Government offices must help people find the documents they are looking for.
- ▶ If someone is not sure exactly what document they need, officials should assist them as much as possible.

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OBLIGATION TO MANAGE OFFICIAL DOCUMENTS EFFICIENTLY UNDER THE TROMSØ CONVENTION

Article 9 of the Tromsø Convention provides that the Parties “shall take appropriate measures to: ... c) **manage their documents efficiently so that they are easily accessible** and d) apply clear and established rules for the preservation and destruction of their documents”.

- ▶ Governments should make sure that government documents are well-organized and easy to find.
- ▶ Governments must create clear systems to store and manage official documents properly.
- ▶ This helps public authorities quickly locate and provide information when people request it.

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OVERVIEW OF NATIONAL LEGISLATION ON ACCESS TO INFORMATION

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LEGAL GUARANTEES OF THE RIGHT TO ACCESS OFFICIAL INFORMATION/DOCUMENTS

Component 1 (for example – relevant provisions of the national Constitution)

Component 2 (for example – relevant provisions of the domestic law)

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DEFINITION OF OFFICIAL INFORMATION/DOCUMENTS:

Component 1 (for example – ready and available)

Component 2 (for example – information in different formats)

Component 3 (for example – created and collected by the public authority)

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DEFINITION OF PUBLIC AUTHORITIES

Component 1 (for example – government and administration at national, regional and local level)

Component 2 (for example – legislative bodies and judicial authorities insofar as they perform administrative functions according to national law)

Component 3 (for example – natural or legal persons insofar as they exercise administrative authority)

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REQUESTS FOR ACCESS TO OFFICIAL INFORMATION/DOCUMENTS

Component 1 (for example – obligation to give reasons for having access to the official information/document)

Component 2 (for example – formalities for requests)

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PROCESSING OF REQUESTS FOR ACCESS TO OFFICIAL INFORMATION/DOCUMENTS:

Component 1 (for example – the timeline for processing request)

Component 2 (for example – an obligation of the public authority to help the applicant)

Component 3 (for example – an obligation to deal with the requests on an equal basis)

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CHARGES FOR ACCESS TO OFFICIAL DOCUMENTS

Component 1 (for example – inspection of official documents on the premises of a public authority)

Component 2 (for example – tariffs of charges domestic regulation)

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REVIEW PROCEDURE

Component 1 (for example – the general review procedure)

Component 2 (for example – review procedure before a court)

Component 3 (for example – review procedure by an impartial body established by law)

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MANAGING OFFICIAL INFORMATION AND STRUCTURING RESPONSIBILITIES WITHIN STATE AUTHORITIES

(Trainer's name and affiliation)

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DOMESTIC REGULATION ON THE RESPONSIBILITIES OF STATE AUTHORITIES

Component 1 (for example – relevant provisions of the domestic law)

Component 2 (for example – relevant provisions of the relevant sub-laws)

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OBLIGATION TO MANAGE OFFICIAL INFORMATION/DOCUMENTS EFFICIENTLY:

Component 1 (for example – relevant open-access databases)

Component 2 (for example – regulations and best practices of data management systems within domestic public authorities)

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PROCESSING COMPLEX REQUESTS

Component 1 (for example – rules on data compilation from multiple documents)

Component 2 (for example – regulations and best practices on potential abuse of the right to access official information)

Component 3 (for example – request remains too vague to allow the official document to be identified)

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INCLUSIVITY IN INFORMATION REQUEST PROCESSING

Component 1 (for example – obligation to accommodate diverse needs)

Component 2 (for example – accessibility for persons with disabilities)

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COMPLEMENTARY MEASURES TO ENSURE ACCESS TO OFFICIAL INFORMATION/DOCUMENTS:

Component 1 (for example – proactive publication)

Component 2 (for example – an obligation of the public authority to educate responsible officials on their duties with respect to the implementation of the right to access information)

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NATIONAL OVERSIGHT MECHANISMS AND THE RELEVANT COURT PRACTICE

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AARHUS CONVENTION STANDARDS

If a person requests official information and:

- ▶ Receives no response
- ▶ Is denied access (partially or fully)
- ▶ Gets an incomplete or unclear answer
- ▶ Feels their request was not handled properly

They have the right to challenge the decision through a review process. This review process must be independent and fair, conducted by:

- ▶ A court of law, or
- ▶ Another impartial legal body.

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TROMSØ CONVENTION STANDARDS

If a government refuses to provide an official document (either by directly denying it or by ignoring the request), the person who requested the document has the right to challenge the decision.

This review process must be independent and fair and can be conducted by:

- ▶ A court of law, or
- ▶ Another impartial and legally recognized review body (e.g., an Information Commissioner or Ombudsman).

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CONTROLLING AUTHORITY IN ACCESS TO INFORMATION – REQUIREMENTS

- ▶ Independence
- ▶ Balance of PDP and RTI
- ▶ Effectiveness
- ▶ Involvement in education and promotion of the RTI
- ▶ Involvement in drafting legislation and policy-making

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DOMESTIC CONTROLLING AUTHORITY IN ACCESS TO INFORMATION

Component 1 (for example – regulation on domestic controlling authority in access to information)

Component 2 (for example – power of domestic controlling authority in access to information)

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CHALLENGES IN ENFORCING COMPLIANCE AND RESOLVING DISPUTES

Component 1 (for example – independency issues)

Component 2 (for example – effectiveness issues)

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OBLIGATIONS OF THE OFFICIALS AND RESPONSIBILITY

Component 1 (for example – domestic regulations on the obligations of state officials regarding the request processing and proactive publications)

Component 2 (for example – domestic regulations on administrative procedures)

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BEST ADMINISTRATIVE PRACTICES ON THE DOMESTIC LEVEL:

Component 1 (for example – training for the state servants)

Component 2 (for example – monitoring and raising awareness)

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ROLE OF COURTS AND RELEVANT COURT PRACTICE

Component 1 (for example – effectiveness of courts as controlling authority in access to information)

Component 2 (for example – relevant court practice)

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