



## Recommendation 2204 (2021)<sup>1</sup>

Provisional version

# Media freedom, public trust and the people's right to know

Parliamentary Assembly

1. The Parliamentary Assembly, referring to its [Resolution 2382 \(2021\)](#) “Media freedom, public trust and the people's right to know”, welcomes the entering into force of the Convention on Access to Official Documents (CETS No. 205, the “Tromsø Convention”). However, it believes that the right of access to information should be broadened further, and that a strong and comprehensive set of transparency measures giving full effect to the right of access to information should be delivered, to advance toward a wide-ranging *right to know*.

2. Therefore, the Assembly recommends that the Committee of Ministers instructs the Steering Committee on Human Rights (CDDH), in collaboration with the Steering Committee on Media and Internet Society (CDMSI) as required to:

2.1. evaluate compliance by member States with [Recommendation CM/Rec\(2017\)2](#), [Recommendation CM/Rec\(2018\)1](#) and [Recommendation CM/Rec\(2020\)1](#), and to identify further action required for their effective implementation;

2.2. prepare a comprehensive report on the models for independent monitoring and oversight of the right of access to information in the member States, also bearing in mind the dimension of democratic culture developed by DGII in the Reference Framework of Competences for Democratic Culture;

2.3. launch a study to identifying good practice in the ecology of policy instruments that provide accountability throughout the policy-making and administrative process, considering in particular the conditions under which consultation, impact assessment of proposed legislation, freedom of information, the Ombudsman, *ex-post* legislative review, and administrative judicial review generate accountability;

2.4. draft, also based on this study, one or more soft law instruments, containing guidelines on:

2.4.1. proactive publication of information of public interest with a transparency by design approach; this should also regard private bodies that have a public mandate or operate in domains of high public interest, such as defence of human rights, environmental protection and combating corruption;

2.4.2. monitoring the implementation and identifying good practice in developing policy instruments that provide accountability throughout the policy-making and administrative process;

2.4.3. public access to information relating to the legislative and judiciary branches, including parliamentary question mechanism and debate rules, as well as free access to all judicial decisions, provided proper balance between the right of access and the protection of privacy is respected;

2.4.4. transparency of lobbying by private actors;

2.4.5. public access to company registers, specifying the types of data and documents that should be published.

1. *Assembly debate* on 22 June 2021 (17th sitting) (see [Doc. 15308](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Mr Roberto Rampi). *Text adopted by the Assembly* on 22 June 2021 (17th sitting).



*Recommendation 2204 (2021)*

3. The Assembly also recommends that the Committee of Ministers develop co-operation with relevant regional and international bodies such as UNESCO, the World Bank and the Organization for Security and Cooperation in Europe on monitoring the right of access to information under the United Nations Sustainable Development Goals Indicator 16.10.2, aiming for a strong connection between transparency, open access, sustainable development, and defence of democratic and just societies.