Resolution CM/Res(2021)2 on rules on the election procedure of the members of the Group of Specialists on Access to Official Documents

(Adopted by the Committee of Ministers on 3 March 2021
at the 1397th meeting of the Ministers' Deputies)

The Committee of Ministers, in accordance with Article 11, paragraph 5 of the Council of Europe Convention on Access to Official Documents (CETS No. 205, hereinafter referred to as the "Convention"), after consulting with and obtaining the unanimous consent of the Parties to the Convention, adopted the following rules:

Rule 1 – General provision

The Consultation of the Parties shall elect the members of the Group of Specialists on Access to Official Documents (hereinafter referred to as the "Council of Europe Access Info Group"), in accordance with the following rules.

Rule 2 – Qualifications of the members

The members of the Council of Europe Access Info Group shall be chosen from among persons of the highest integrity recognised for their competence in the field of access to official documents, freedom of expression and access to information or having demonstrated professional experience in these areas.

Rule 3 – Independence and impartiality of the members

3.1.   The members of the Council of Europe Access Info Group shall sit in their individual capacity and be independent and impartial in the exercise of their functions.

3.2.   They shall take no instructions from any government, organisation or person on how to perform their duties as members of the Council of Europe Access Info Group.

3.3.   The independence and impartiality of the Council of Europe Access Info Group members shall not be put into question by the mere fact that they are civil servants or otherwise employed in the public sector. However, individuals holding decision-making positions as regards defining and/or implementing policies in the field of access to official documents in government or in any other organisation or entity, which may give rise to a conflict of interest with the responsibilities inherent to membership of the Council of Europe Access Info Group, shall not be eligible.

Rule 4 – Capacity of the members

The members of the Council of Europe Access Info Group shall be available to carry out their duties in an effective manner. They shall have sufficient time and capacity to participate in the meetings and other activities of the Council of Europe Access Info Group and to work on the preparation of the reports and other documents of the Council of Europe Access Info Group. They shall have good command of at least one of the official languages of the Council of Europe (English or French). Passive knowledge of the other language is desirable.

Rule 5 – Composition of the Council of Europe Access Info Group

5.1.   The Council of Europe Access Info Group shall be composed of a minimum of 10 and a maximum of 15 members, taking into account gender and geographical balance, as well as multidisciplinary expertise. The Consultation of the Parties will decide to fill the remaining seats after the first election in the light of the state of ratifications of the Convention and the needs of the Council of Europe Access Info Group.

5.2.   A maximum of one member may be elected as member of the Council of Europe Access Info Group from the list proposed by each Party.

5.3.   The membership of the Council of Europe Access Info Group should represent the main legal systems as well as relevant actors and agencies in the field of access to official documents.

Rule 6 – Nomination of candidates

6.1.   Each Party shall ensure that the national selection procedure leading to the nomination of candidates for the Council of Europe Access Info Group is transparent and open to competition, including through public calls for candidatures and involving relevant State and non-governmental bodies, in order to lead to the nomination of the most qualified candidates.

6.2.   Parties to the Convention have the right to nominate candidates for membership in the Council of Europe Access Info Group. The government of each Party may submit to the Secretary General of the Council of Europe a list with the names and the curricula vitae of two experts who meet the requirements set out in Rules 2 to 4 to serve on the Council of Europe Access Info Group. Each Party shall take all the necessary and appropriate steps with a view to nominating candidates with different professional qualifications relevant to the Council of Europe Access Info Group's work and achieving gender balance. If the nomination of candidates by a Party is not in conformity with the latter provision, the Consultation of the Parties, taking into consideration the explanation for providing a single sex list, may request the Party concerned to submit another nomination.

6.3.   The curricula vitae of the candidates should be submitted in one of the official languages of the Organisation using the model set out in the appendix to this resolution.

6.4.   The Secretary General shall transmit documents submitted by the Parties in accordance with the previous paragraphs to the Consultation of the Parties.

6.5.   If the Consultation of the Parties considers that one or more of the candidates nominated by a Party do not meet the requirements for membership of the Council of Europe Access Info Group as set out in Rules 2 to 4, the Consultation of the Parties may request the Party concerned to withdraw the candidate(s) in question.

6.6.   Where appropriate, the Consultation of the Parties will examine the implementation of the present Rule in light of the experience of the initial elections and propose any adjustments which may be necessary.

Rule 7 – Election of the members

7.1.   The members of the Council of Europe Access Info Group shall be elected by the Consultation of the Parties from among candidates whose names and curricula vitae have been received by the Secretary General at the latest two months before the election.

7.2.   In filling vacant seats in the Council of Europe Access Info Group, the Consultation of the Parties shall give priority to electing, in the following order, experts:

a.   who possess competences and/or professional experience not sufficiently represented amongst the members of the Council of Europe Access Info Group;
b.   from geographical areas not represented in the Council of Europe Access Info Group;
c.   representing a main legal system not represented in the Council of Europe Access Info Group; and
d.   of the sex under-represented in the Council of Europe Access Info Group.

7.3.   The Consultation of the Parties shall elect members of the Council of Europe Access Info Group by secret ballot.

7.4.   Each member of the Consultation of the Parties shall have as many votes per election round as there are seats to be filled in the Council of Europe Access Info Group. The members of the Consultation of the Parties can only vote for one candidate of each Party.

7.5.   In order to ensure a balanced composition of the Council of Europe Access Info Group in line with paragraph 7.2, up to a maximum of three seats can be filled in each round. The candidate(s) who has/have received the most votes, and at least a majority of the votes cast, shall be elected.

7.6.   Should two or more candidates receive the same number of votes, resulting in more than the maximum number of candidates to be elected in any given round, the Consultation of the Parties shall proceed with a vote to elect one or more of these candidates as (a) member(s) of the Council of Europe Access Info Group.

7.7.   Should the preceding paragraphs of this rule result in the election of two candidates or more of the same Party, only the candidate with the highest number of votes shall be elected as a member of the Council of Europe Access Info Group.

Rule 8 – Term of office of the members

8.1.   The term of office of a member of the Council of Europe Access Info Group shall be four years, renewable once from a list of experts, each Party proposing two experts. The Consultation of the Parties shall specify the exact date on which the term of office begins.

8.2.   The term of office will end at an earlier date if the Consultation of the Parties finds, by a two-thirds majority of the members entitled to sit on the Consultation of the Parties, that a member no longer meets the requirements for membership of the Council of Europe Access Info Group, as set out in Rules 2 to 4, or if a member requests the Secretary General to terminate his or her membership.

8.3.   A member elected to fill a seat which has become vacant before the end of the term of office of the previous member shall hold the seat for the remainder of the predecessor's term.

8.4.   Should more than five members of the Council of Europe Access Info Group be re-elected for a second term of office in the same elections, the Consultation of the Parties may decide to shorten the term of office of three members by two years. These members shall be identified by the drawing of lots by the Consultation of the Parties.

Appendix to Resolution CM/Res(2021)2

MODEL CURRICULUM VITAE

All the information which you provide on this CV, except for your telephone number(s), postal and e-mail addresses and date and place of birth, will be made publicly available on the portal of the Council of Europe.

If you do NOT wish this information to be made public, please tick the box: ▢

Personal information
• Family name(s)
• First name(s)
• Date of birth
• Place of birth
• Address(es)
• Telephone(s)
• E-mail
• Nationality(ies)
• Sex   Male   ▢   Female   ▢

Relevant qualifications summary[1]

Current professional activity
• Start date
• Name and address of employer
• Sector of activity
• Occupation or position held
• Main activities and responsibilities[2]

Relevant previous professional activity(ies)[3]
• Dates
• Name and address of employer
• Sector of activity
• Occupation or position held
• Main activities and responsibilities

Relevant additional responsibilities[4]
• Dates
• Name and address of organisation/body
• Sector of activity
• Position held
• Main activities and responsibilities

Education/training[5]
• Dates
• Title of qualification awarded
• Principal subjects/occupational skills covered
• Name and type of organisation

Publications[6]

Computer skills
• Software packages[7]
• Other IT skills and competences[8]

Language skills[9]

Mother tongue					
	Understanding		Speaking		Writing
Language	Listening	Reading	Spoken interaction	Spoken production	Writing skills
English					
French					

Common European Framework of Reference for Languages

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[1] Please provide a summary (100 words maximum) of your qualifications relevant for membership of the Council of Europe Access Info Group.
[2] In particular, specify whether you hold a decision-making position as regards defining and/or implementing policies in the field of access to official documents in government or in any other organisation or entity which may give rise to a conflict of interest with the responsibilities inherent to membership of the Council of Europe Access Info Group (see Rule 3.3).
[3] Add separate entries for the most relevant professional activities, starting from the most recent.
[4] Add separate entries for the most relevant responsibilities outside your principal professional activity, starting from the most recent.
[5] Add separate entries for the most relevant courses you have completed, starting from the most recent.
[6] Please list recent relevant publications, starting from the most recent, but not more than 10.
[7] Please indicate the software packages you are familiar with.
[8] Please specify any other IT skills and competences.
[9] Please provide a self-assessment of your level in languages other than your mother tongue using the following Common European Framework of Reference for Languages.

Listening skill:

A1 I can recognise familiar words and very basic phrases concerning myself, my family and immediate concrete surroundings when people speak slowly and clearly.

A2 I can understand phrases and the highest frequency vocabulary related to areas of most immediate personal relevance (e.g. very basic personal and family information, shopping, local area, employment). I can catch the main point in short, clear, simple messages and announcements.

B1 I can understand the main points of clear standard speech on familiar matters regularly encountered in work, school, leisure, etc. I can understand the main point of many radio or TV programmes on current affairs or topics of personal or professional interest when the delivery is relatively slow and clear.

B2 I can understand extended speech and lectures and follow even complex lines of argument provided the topic is reasonably familiar. I can understand most TV news and current affairs programmes. I can understand the majority of films in standard dialect.

C1 I can understand extended speech even when it is not clearly structured and when relationships are only implied and not signalled explicitly. I can understand television programmes and films without too much effort.

C2 I have no difficulty in understanding any kind of spoken language, whether live or broadcast, even when delivered at fast native speed, provided I have some time to get familiar with the accent.

Reading skill:

A1 I can understand familiar names, words and very simple sentences, for example on notices and posters or in catalogues.

A2 I can read very short, simple texts. I can find specific, predictable information in simple everyday material such as advertisements, prospectuses, menus and timetables and I can understand short simple personal letters.

B1 I can understand texts that consist mainly of high frequency every day or job-related language. I can understand the description of events, feelings and wishes in personal letters.

B2 I can read articles and reports concerned with contemporary problems in which the writers adopt particular attitudes or viewpoints. I can understand contemporary literary prose.

C1 I can understand long and complex factual and literary texts, appreciating distinctions of style. I can understand specialised articles and longer technical instructions, even when they do not relate to my field.

C2 I can read with ease virtually all forms of the written language, including abstract, structurally or linguistically complex texts such as manuals, specialised articles and literary works.

Spoken interaction skill:

A1 I can interact in a simple way provided the other person is prepared to repeat or rephrase things at a slower rate of speech and help me formulate what I'm trying to say. I can ask and answer simple questions in areas of immediate need or on very familiar topics.

A2 I can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities. I can handle very short social exchanges, even though I can't usually understand enough to keep the conversation going myself.

B1 I can deal with most situations likely to arise whilst travelling in an area where the language is spoken. I can enter unprepared into conversation on topics that are familiar, of personal interest or pertinent to everyday life (e.g. family, hobbies, work, travel and current events).

B2 I can interact with a degree of fluency and spontaneity that makes regular interaction with native speakers quite possible. I can take an active part in discussion in familiar contexts, accounting for and sustaining my views.

C1 I can express myself fluently and spontaneously without much obvious searching for expressions. I can use language flexibly and effectively for social and professional purposes. I can formulate ideas and opinions with precision and relate my contribution skilfully to those of other speakers.

C2 I can take part effortlessly in any conversation or discussion and have a good familiarity with idiomatic expressions and colloquialisms. I can express myself fluently and convey finer shades of meaning precisely. If I do have a problem, I can backtrack and restructure around the difficulty so smoothly that other people are hardly aware of it.

Spoken production skill:

A1 I can use simple phrases and sentences to describe where I live and people I know.

A2 I can use a series of phrases and sentences to describe in simple terms my family and other people, living conditions, my educational background and my present or most recent job.

B1 I can connect phrases in a simple way in order to describe experiences and events, my dreams, hopes and ambitions. I can briefly give reasons and explanations for opinions and plans. I can narrate a story or relate the plot of a book or film and describe my reactions.

B2 I can present clear, detailed descriptions on a wide range of subjects related to my field of interest. I can explain a viewpoint on a topical issue giving the advantages and disadvantages of various options.

C1 I can present clear, detailed descriptions of complex subjects integrating sub-themes, developing particular points and rounding off with an appropriate conclusion.

C2 I can present a clear, smoothly-flowing description or argument in a style appropriate to the context and with an effective logical structure which helps the recipient to notice and remember significant points.

Writing skill:

A1 I can write a short, simple postcard, for example sending holiday greetings. I can fill in forms with personal details, for example entering my name, nationality and address on a hotel registration form.

A2 I can write short, simple notes and messages relating to matters in areas of immediate needs. I can write a very simple personal letter, for example thanking someone for something.

B1 I can write simple connected text on topics which are familiar or of personal interest. I can write personal letters describing experiences and impressions.

B2 I can write clear, detailed texts on a wide range of subjects related to my interests. I can write an essay or report, passing on information or giving reasons in support of or against a particular point of view. I can write letters highlighting the personal significance of events and experiences.

C1 I can express myself in clear, well-structured text, expressing points of view at some length. I can write about complex subjects in a letter, an essay or a report, underlining what I consider to be the salient issues. I can select a style appropriate to the reader in mind.

C2 I can write clear, smoothly-flowing text in an appropriate style. I can write complex letters, reports or articles which present a case with an effective logical structure which helps the recipient to notice and remember significant points. I can write summaries and reviews of professional or literary works.