



GOUVERNEMENT DU QUÉBEC
DÉLÉGATION GÉNÉRALE
BRUXELLES

Transparency, Institutions and Journalism: Information access in Québec and in the European Institutions

A North-American pioneer regarding access to information and privacy protection, Québec has established in the last 30 years an original legislative model that has paved the way for the implementation of similar measures throughout Canada. Since 1982, the Commission d'accès à l'information du Québec (made up of members of the Québec National Assembly) has ensured the operational transparency of public institutions by overseeing access to the information contained in administrative documents. The Commission has also protected citizens against the ever increasing encroachment of public authorities in their private life.

There are two components to the *Act respecting access to documents held by public bodies and the Protection of personal information*. The first guarantees every person the right to access documents held by public organizations. The second is aimed at affording maximum protection of the personal information held by public authorities. This symposium will address the first part of the mandate.

In June 2006, the Québec National Assembly adopted a series of changes to modernize procedures for accessing information and protecting personal information in the public and private sectors. The review is the first in-depth reform in this area since 1990. As a result, the law now extends to a broader range of public organizations, including governmental, municipal and school agencies. Furthermore, Québec professional corporations are now subject to the law because of their public protection mandate.

The *Act respecting access to documents held by public bodies and the Protection of personal information* provides, from now until 2007, for the adoption of regulation to define the standards for disseminating government information on department and agency websites. The regulation will allow for the systematic distribution of several documents without having to file an access request.

European institutions have also set up an access to information procedure. Following the two failed national referenda on the signing of the European Constitution, European leaders pondered the causes of the results and identified the lack of institutional information and transparency as reasons for the failures. Subsequently, the European Commission launched a wide-ranging debate over the introduction of the European Transparency Initiative. And so, the question of access to government information has been the focus of many debates in European communication milieus ever since.

In the course of this symposium, it will be enlightening to compare Québec legislation with European legislation and see how our respective approaches may further transparency and, ultimately, democracy in our own jurisdictions.

Preliminary program

9:00 - Symposium opening

Word of welcome, presentation of guests and the day's schedule

9:05 - Workshop 1

Access to government information: Formal framework

- Why have laws governing access to information become necessary in Québec and in European institutions?
- Can access to information measures help restore citizens' trust in the institutions?
- Has the fact that these laws exist changed the work of law makers and elected representatives?
- How have new information technologies changed the exercise of this right, or how will they do so in the future?
- Are there limits to this right?
- How have these laws contributed to the advancement of democracy in Europe?
- What are the limits and drifts of these laws, how to limit the litigiousness of decisions?

Participants:

Jacques Saint-Laurent, Commission d'accès à l'information du Québec

Jakob Thomsen, General Secretariat of the Council of the European Union

10:15 Coffee break

10:30 Workshop 2

Access to information: The practitioners' point of view

- Are these laws necessary to allow journalists to carry out their work effectively?
- How have the adoption and application of laws governing access to information changed the journalistic profession?
- What hurdles do journalists face in using laws governing access to information?
- What changes would be required to make these laws and regulations more effective?
- Suggest one or more case studies.

Participants:

Kathleen Lévesque, Journalist for the daily *Le Devoir* (Montréal)

Marc Gruger, European Federation of Journalists

Jean Quatremer, European correspondent for *Libération*, France

11:30 Closing address

The point of view of citizens and future outlook

Tony Bunyan, StateWatch

11:45 Closing word and thanks

Closing remarks by **Christos Sirros**, Québec Delegate General in Brussels

11:50 Symposium close

The participants

Day's host

Paul-André Comeau, Professor, École nationale d'administration publique (ENAP)
Paul-André Comeau was Radio Canada's Brussels correspondent in the early 1980s. From 1985 to 1990, he was the editor of the daily *Le Devoir*. In the same year, the Québec National Assembly appointed him president of the Commission d'accès à l'information du Québec. In 2000, he was appointed guest professor at Québec's École nationale d'administration publique. He is also guest professor at the political science department and the information and communication department of Université Laval.

<http://www.enap.ca>

Panellists and speakers

Jacques Saint-Laurent, Commission d'accès à l'information du Québec
Jacques Saint-Laurent has been president of the Commission d'accès à l'information du Québec since October 25, 2004. In the three years prior to his appointment by the National Assembly, Mr. Saint-Laurent was assistant deputy minister and registrar of civil status at the Ministère des Relations avec les citoyens et de l'Immigration. From July 2004, he was also in charge of the Direction du soutien en accès à l'information et en protection des renseignements personnels for that department.

<http://www.cai.gouv.qc.ca>

Jakob Thomsen, General Secretariat of the Council of the European Union
A historian and holder of a Master of Laws, Jakob Thomson was political advisor for the Danish government from 1985 to 1989 and the European Parliament from 1989 to 1997. He has been member of General Secretariat of the Council of the European Union since 1997. He has also been in charge of the Transparency, Access to documents, Information to the Public service since April 2004.

http://ec.europa.eu/dgs/secretariat_general/index_en.htm

Kathleen Lévesque, Journalist for the daily *Le Devoir* (Montréal)
Journalist for 16 years, Mrs. Lévesque mainly wrote on provincial and federal politics in Québec and Canada. At *Le Devoir* since 1993, she made her marks notably reporting on questions of ethics and democracy, such as the financing of political parties. After sitting in the Professional Federation of Journalists of Quebec, she has been investing her energies in the Press Council of Quebec since 1999. In 1990, she was the recipient of the Lizette-Gervais Journalism Prize, in the television category.

<http://www.ledevoir.com>

Jean Quatremer, blogger and Brussels correspondent for *Libération*
After studies in law and education, Jean Quatremer started working for *Libération* in 1984 where he has covered European events since 1990. He has published two works on Europe. The first, *Ces hommes qui ont fait l'euro, querelles et ambitions européennes*, co-written with Thomas Klau of the Financial Times Deutschland and published by Plon in March 1999, is a behind-the-scenes account of how European monetary integration was achieved, seen from both sides of the Rhine. The second, *Les maîtres de l'Europe*, co-written with Yves Clarisse of Reuters and published by Grasset in May 2005, describes the grandeur and misery of the European Union between 1995 and 2005. Jean Quatremer's blog, launched in 2005, earned him the Louise Weiss European journalism award on May 9, 2006.

<http://bruxelles.blogs.liberation.fr/coulisses/>

Marc Gruber, European Federation of Journalists (IFJ)

Marc Gruber is a graduate of the Political Studies Institute of Strasbourg where he pursued studies in community law and the communication sciences. Since 2001, he has been working for the International Federation of Journalists (IFJ), the largest journalist labour organization in the world. In the European branch of the IFJ, Marc Gruber is in charge of European issues (labour rights, policies and media), among other things. The IFJ is also part of the coalition for transparency in European activities. (www.alter-eu.org)
<http://www.ifj-europe.org>

Tony Bunyan, StateWatch

Tony Bunyan is an investigative journalist and writer specialising in justice and home affairs, civil liberties and freedom of information in the EU. He has been the Director of Statewatch since 1990 and edits Statewatch bulletin and Statewatch News online. He is the author of "The Political Police in Britain" (1977) and "Secrecy and openness in the EU" (1999). He has taken eight successful complaints against the Council of the European Union to the European Ombudsman. In 2001 (for access to EU documents) and 2004 (for work on the war on terrorism and civil liberties) the "European Voice" newspaper selected him as one of the "EV50" - one of the fifty most influential people in the European Union. He is a Visiting Fellow at London Metropolitan University.
<http://www.statewatch.org>

Christos Sirros, Québec Delegate General in Brussels

Christos Sirros was appointed Québec Delegate General in Brussels on October 6, 2004. He was acquired extensive experience as a parliamentarian in his capacity of Vice President of the Québec National Assembly, Minister of Natural Resources, Minister for Aboriginal Affairs, Minister of Health and Social Services and member of the National Assembly for 23 years.
<http://www.quebec-europe.be>