

# **Charter of the European Network for Transparency and Right to Information (ENTRI)**

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## **PREAMBLE**

We, the representatives of the European institutions and bodies responsible for protecting, promoting, and ensuring the respect of access to public information, on behalf of our institutions, agree on the establishment of a European Network for Transparency and Right to Information (ENTRI).

ENTRI is a voluntary and inclusive international forum. It provides a platform to exchange views, knowledge, experience, and expertise in areas of common concern as a logical continuation of and in addition to other informal fora.

Through ENTRI, we aim to promote best practices, share knowledge, and collaborate on initiatives that enhance transparency in governance and right to information across our countries within Europe.

We agree on the principles, objectives and goals adopted in this Charter.

## **CHAPTER I**

### **Principles, objectives and goals of the Network**

#### **Article 1. Purpose of the Network**

The European Network for Transparency and Right to Information, hereinafter the “Network”, is a voluntary and inclusive international forum open to all European institutions and bodies responsible for protecting, promoting, and ensuring the respect of access to public information legislation within their respective jurisdictions.

The Network aims to foster a culture of transparency and to facilitate dialogue among its members. Its purpose is to create a forum for cooperation and exchange of knowledge, experience, and expertise in areas of common concern.

#### **Article 2. Objectives of the Network**

The Network seeks to pursue common positions on issues of freedom of access to public information and transparency and to incorporate the knowledge of experts in particular in the following ways:

1. Adoption of resolutions regarding common viewpoints and positions and other papers on freedom of access to public information and transparency, that are published;
2. Exchange of best practices to promote transparency and to share knowledge among the different members;
3. Exchange of case law and legal frameworks of members for a comparative perspective;
4. Establishment of working groups to address specific topics and prepare papers, strategies, training courses, etc. and cooperation with existing formats such as the Case Handling Workshop on Freedom of Information;
5. Presentation of reports on its activities and best practices during the ICIC Annual Conference;
6. Organise internal or public fora for discussion to analyse specific topics related to transparency and the right of access to public information;
7. Provide the opportunity to organise study visits and exchange of staff between members;

8. Creating relations with experts on transparency and the right of access to public information, as well as with university and research and development institutions and bodies to obtain their assistance with the tasks of the Network.
9. Engage with European institutions, governments and bodies on matters of transparency and right to information.

## **CHAPTER II**

### **Membership**

#### **Article 3. Membership**

Membership to the Network is open to all interested European public institutions or public bodies which are responsible for protecting, promoting, and ensuring the right of access to public information within their respective jurisdictions.

Members may:

1. Attend the meetings of the Assembly and take part in discussions and, subject to the provisions of Article 11 on voting;
2. Be members of the governing bodies and working groups of the Network on the terms set forth in this Charter;
3. Submit proposals for specific projects and draft resolutions/papers to the Assembly via the Executive Committee.

#### **Article 4. Membership application and admission**

Members of the ICIC with a geographical jurisdiction in Europe who declare so are automatically members of the Network. Other institutions and bodies wishing to become members must submit an application to the Executive Committee, detailing their interest and commitment to the Network's objectives.

The Executive Committee shall within 12 weeks review the applications, determine whether the requirements for membership are met and decide on its admission to the Network. In case the applicant is denied admission, reasons must be provided by the Executive Committee.

The decision on the admission of new members and the denial of applications shall be reported to the Assembly at its subsequent meeting.

#### **Article 5. Exclusion of members**

The Assembly can exclude members that do not adhere to the principles stipulated in Articles 1 and 2 with a quorum and a majority as provided in Article 11.

## **CHAPTER III**

### **Structure and organization of the Network**

#### **Article 6. Structure of the Network**

The following are the decision-making and executive bodies of the Network:

1. The Assembly;

2. The Executive Committee;
3. The Chair.

### **Article 7. The Assembly**

The Assembly is the highest governing body of the Network and consists of all members. The Assembly has the following powers:

1. To establish the general policy of the Network and promote the attainment of the Network's objectives;
2. To adopt resolutions for the Network in accordance with the provisions of this Charter;
3. To elect the members of the Executive Committee, including a Chair.

### **Article 8. The Executive Committee**

The Executive Committee consists of five members of the Network, as follows:

1. A Chair.
2. Four additional members.

The members of the Executive Committee are elected for a term of three years. Re-election is possible without restriction.

The Executive Committee has the following roles:

1. To help coordinate and prepare the drafting of Assembly resolutions and assist in their publication;
2. To prepare the meetings of the Assembly and coordinate the communication between members prior to the meetings;
3. To decide on the applications to join the Network and report on its decisions to the Assembly;
4. To exercise any other reasonably required governance or administration of the Network that are not reserved to the Assembly.

The Executive Committee decides with simple majority.

The Executive Committee shall meet at least twice a year. The meetings take place before the Assembly's meeting to determine the topics to be discussed and the reports to be submitted for approval. The meetings may be held either in person or online.

The Chair shall call the meeting at least 30 days in advance, except in cases of urgency which justify a shorter notice period. The Chair shall also call a meeting of the Executive Committee on request of three or more of its members.

### **Article 9. The Chair**

The Chair has the following roles:

1. To preside over the Assembly and the Executive Committee;
2. To settle discussions in the Executive Committee in the event of a tie, in which case the Chair shall have the tie-breaking vote;
3. To help ensure that the functions of the Network develop normally and efficiently;
4. To be the official representative of the Network, and report to the ICIC;
5. To call ordinary or extraordinary meetings of the Assembly and the Executive Committee;
6. To perform the tasks entrusted to him or her by the Assembly and the Executive Committee, as well as the other roles arising from this Charter.

7. To perform the necessary technical and administrative tasks.

## **CHAPTER IV**

### **Meetings of the Assembly, voting procedure and quorum**

#### **Article 10. Meetings of the Assembly**

The Assembly holds ordinary and extraordinary meetings.

Ordinary meetings of the Assembly shall be held at least once a year, preferred in person. The Executive Committee determines the location and date of the following meeting. Members may submit to the Executive Committee their interest in hosting an in-person meeting of the Assembly at least until 21 days before the previous Assembly to be held. The Assembly shall hold extraordinary meetings by decision of the Executive Committee or at the request of at least one-third of the members of the Network.

The Chair invites the members of the Network at least 90 days in advance in the case of ordinary meetings, and at least 30 days in advance in the case of extraordinary meetings.

The Chair shall also prepare an agenda for the Assembly and forward it to the members up to 15 days before the meeting.

#### **Article 11. Voting procedure and quorum**

For elections and votes in the Assembly every country has two votes. If several members represent various jurisdictions within one country, members within these countries are restricted to two votes per country as follows:

- a. The two votes will be allocated as one vote for the Information Commissioner representing the federal or national jurisdiction and one vote for the collective of the subnational jurisdictions from the same country.
- b. The one vote for the collective sub-national jurisdictions will be decided by a simple majority of the collective votes of sub-national members present at the meeting.
- c. In the event that there is no information Commissioner representing the federal or national jurisdiction, the two votes for the collective sub-national jurisdiction will be decided by a simple majority.
- d. In the event that the collective votes of the sub-national members representing one country result in a tie, the collective vote of these members will result in an abstention for the sub-national vote.

Members not otherwise defined have two votes

Only members present at a meeting in person or online are entitled to vote.

The quorum of an Assembly duly called and held in the manner provided for in this Charter consists of the presence of the majority of the members in existence as of that date.

Decisions are regularly made by a majority of the votes.

To elect or remove members of the Executive Committee, to exclude members (Article 5), to amend this Charter, or to dissolve the Network, a decision must be adopted by two-thirds of the votes of the members present.

Abstentions are allowed.

If voting members do not agree with a resolution that was approved, they may draft a dissenting opinion to be published with the resolution, or have their abstention or dissenting vote noted.

## **CHAPTER VIII**

### **Final provisions**

#### **Article 12. Non legal or financial implications**

Nothing in this Charter shall be construed as creating any legal obligations, duties or liabilities whatsoever or financial obligations for the Network's members.

#### **Article 13. Evaluation**

The Executive Committee shall evaluate the provisions of this Charter within two years and report to the Assembly.

#### **Article 14. Commencement of the Charter**

The Charter shall have full force and effect from the day following its approval.