

Access to Historic Documents

Tirana, Parliament of Albania

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Introductory speech by Boriss Cilevics

Ladies and gentlemen,

Free access to information is particularly important for post-communist states. History is constantly re-written, but authoritarian and totalitarian regimes are always particularly zealous with this regard.

I remember old joke since my youth years behind the iron curtain: USSR is a country with unpredictable past.

If we remain ignorant about tragic pages of our history, we are running risk that these tragedies will be repeated. Today we are witnessing the biggest war in Europe since the WW2. Russian aggression against Ukraine became possible, besides other factors, also because of massive distortion of history by the large-scale state-led propaganda.

Human lives – this is often a price of historical truth.

This is why the Council of Europe Convention on Access to Official Documents is of particular importance to post-communist states, as well as another document - “Global Principles on National Security and the Right to Information” adopted by a broad assembly of experts from international organisations, civil society, and academia in June 2013.

Can the right to access to documents be considered absolute? Apparently, some justified limitations might appear necessary. In particular, it is not a priori clear that no limitations related to national security can be reasonable, Global Principles mentioned above offer useful guidelines in this respect.

Moreover, restrictions determined by the obligations relevant to personal data protection also play a serious role. Documents in question, in particular, related to the repressions committed by totalitarian regimes, refer to rather recent past, and both many victims and perpetrators are still alive. Possible impact on their children and grandchildren should be also taken into account.

One aspect I would like to stress as the first signatory of the motion is that it emerged as a result of close cooperation with civil society. NGO activists first raised concerns about undue restrictions on access to archives and drew out attention to this problem, and the Committee reacted properly. This is one more evidence that close coordination and synergy with civil society is indispensable for both national parliamentarians and international organizations.

Virtually all post-communist and newly independent states, including my country Latvia, faced different aspects of the problem of access to historical records. This is why it is important to share experiences and best practices.

I would like to express my sincere gratitude to Albanian parliament for organizing this meeting.

I am also grateful to my friend Klotilda Bushka who volunteered to take up the rapporteurship. I wish you, Klotilda, all success with this subject which is important both legally and politically.

Ladies and gentlemen, I wish you productive and successful seminar.