

Public access to documents 2011-2013

2013/2155(INI) - 27/02/2014 - Committee report tabled for plenary, single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted an own-initiative report by Sophia in 't VELD (ADLE, NL) on public access to documents (Rule 104 (7)) for the years 2011-2013.

Right of access to documents: recalling that the Treaty of Lisbon (Article 15 TFEU) lays down the fundamental right of access to documents, Members underlined that **transparency should be a general principle** and that the widest possible public access to documents was necessary to enhance public trust in the European institutions by allowing citizens to be informed and to participate in the Union's decision-making process and, in this way, contribute to making the EU more democratic. **Any decision denying access** to documents should be based on clearly and strictly defined legal exceptions, accompanied by reasoned and specific justification.

The parliamentary committee has invited the institutions, bodies and agencies to:

- **strictly apply Regulation (EC) No 1049/2001**, particularly with regard to deadlines to respond to requests for access to documents;
- **develop a more proactive approach** on transparency by making publicly accessible on their internet websites as many categories of documents as possible, including internal administrative documents, and by including these in their public registries;
- **put in place public document registers** with clear and accessible structures, good search functionality, regularly updated information on new documents produced and registered, inclusion of references to non-public documents as well as guidance on the types of documents held in a given registry.

Revision of Regulation (EC) No 1049/2001: Members expressed their disappointment with the fact that since December 2011, when it adopted its [first reading position on Regulation \(EC\) No 1049/2001](#), no progress has been made. They therefore asked the Council and Parliament to **agree on a new instrument** that provides significantly more transparency, including the effective implementation of Article 15 TFEU.

With regard to legislative documents, the report called on the Commission to **enhance the transparency of expert groups and comitology groups**, i) by holding their meetings in public and publishing the recruitment procedure for members, ii) by providing information regarding membership, proceedings, documents considered, votes, decisions and minutes of meetings, all of which should be published online in a standard format.

Members also called on the Commission, the Council and Parliament to ensure the **greater transparency of informal trilogues**, by holding the meetings in public, publishing their documents.

The Commission was called on to propose a regulation laying down **clear rules and criteria for the classification** of documents by the EU institutions, bodies and agencies.

Finally, the report invited the institutions to make publicly available and **accessible to citizens documents relating to the European Union budget**, its implementation and the beneficiaries of Union funds and grants.