Documents of the European Parliament, Council and Commission: public access (implem. Regulation (EC) No 1049/2001)

2003/2022(INI) - 25/09/2003 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution drafted by Michael CASHMAN (PES, United Kingdom) on access to documents. (Please see the summary of 09/09/03.) Parliament also criticised the European Council, which does not give full access to the documents under discussion it if they have not previously been subject to discussions in the Council of Ministers. The Commission was also criticised for giving, as a reason for refusal in 38 % of the cases, "various exceptions and unspecified exception". Parliament stated that this was unacceptable. It also felt that the Commission's interpretation of the Regulation is questionable when it systematically denies citizens access to correspondence from the Member States in the context of infringement proceedings once the proceedings have been completed or suspended. An independent assessment should be carried out on the basis of presumption of accessibility. The Commission was reminded that applications for access to documents must be considered on a case-by-case basis. Parliament went on to state that the Council differentiates between documents forwarded by the Member States acting, firstly, in their capacity as members of Council and, secondly, as individual Member States. However, European citizens must have the same or comparable rights to openness with regard to both the Union and to their own Member State if it affects European competences. Parliament calls on the Commission to submit a proposal to that end.