Parliament access to sensitive Council documents on security and defence. Interinstitutional agreement

2002/2130(ACI) - 23/10/2002 - Text adopted by Parliament, single reading

Parliament adopted the report, by Mr Elmar BROK (EPP/ED, D) which approves an agreement between Parliament and Council on access by Parliament to sensitive Council documents. Following several years of negotiations, this agreement - which above all covers security and defence documents - plugs a gap that emerged after the adoption of the regulation (1049/2001/EC) on public access to documents of the EU institutions. For documents classified as 'confidential', 'secret' or 'top secret', Parliament has until now been subject to the same restrictions as the public. Under the new agreement, the President of Parliament and a special committee, chaired by the chairman of the Foreign Affairs Committee and including four members designated by the Conference of Presidents, will be informed by the Council Presidency or the High Representative of the content of sensitive documents if these are needed for Parliament to perform its democratic functions. The President of Parliament and the special committee can ask to consult the documents in question on the Council's premises. Various procedures for informing, consulting and/or forwarding documents to Parliament are laid down according to the level of confidentiality of the documents. Information originating from non-EU states or international organisations will only be forwarded with their agreement. The EU Member States may decide to restrict the dissemination of classified documents. In the case of a refusal of the transmission of information originating from a third State, international organisation or a Member State, the Council shall give reasons. Moreover, the agreement may be reviewed after two years at the request of one of the two institutions after an assessment has been made of how it is working in practice. The agreement will also require a change to Parliament's Rules of Procedure. This change aims in particular to specify that the exceptions to this rule for the handling of documents to which public access may be refused pursuant to Regulation 1049/2001 /EC of the European Parliament and of the Council regarding public access to European Parliament, Counci land Commission documents shall be laid down in Annex VII to these Rules of Procedure. The adoption of the agreement includes a change to Parliament's Rules of Procedure following a decision of the Bureau. This decision establishes the mechanisms and security measures for the reception, confidential handling and the use of sensitive information within Parliament.