

Access to the institutions' texts

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The committee adopted the own-initiative report by Michael CASHMAN (PES, UK) on access to the institutions' texts. The report was drawn up under an infrequently used procedure (Rule 39 of Parliament's Rules of Procedure) enabling Parliament to request the Commission to submit proposals for legislation. It called on the Commission to submit updated legislation by the end of 2006 on 'the right of access to European Parliament, Council and Commission documents, and general principles and limits on grounds of public or private interest governing this right of access'. The report contained a package of detailed recommendations.

MEPs felt that the final formulation of the existing EU legislation on public access to the institutions' texts - which was the fruit of lengthy negotiations between Parliament and Council before its adoption in 2001 - had proved to be too vague and was only partially achieving its objective. They wanted it to be revised so as to re-define the concept of legislative documents and define the concept of non-legislative documents and regulatory documents. As far as legislative documents were concerned, the committee said that access should be granted to all preparatory documents linked to a legislative procedure, to Parliament or Council debates where these institutions are "acting in a legislative capacity" and to the identity of the author of each initiative.

The report also wanted the new legislation to define more clearly the basis on which specific documents may be classified as confidential. MEPs were concerned to ensure that documents should not be classified as confidential "as a matter of routine, simply because they refer to an issue which is or might be relevant from a security point of view". They also wanted the proposed regulation to contain rules "for ensuring adequate control by the European Parliament (democratic parliamentary scrutiny)".

Another recommendation called for the proposal to limit the right of Member States to restrict access to their contributions and amendments in legislative procedures. Lastly, the committee wanted the proposal to contain practical measures for ensuring citizens' access to documents, such as: a single point of access for all preparatory documents linked to a legislative procedure; a common interface for the institutions' registers; common rules for archiving documents; and a "clear and comprehensible" presentation of the institutions' workflow.