Special Report from the European Ombudsman following the draft recommendation to the Council of the Union concerning the publicity of the Council's meetings in its legislative capacity, complaint 2395/2003/GG

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The committee adopted the own-initiative report drawn up by David HAMMERSTEIN MINTZ (Greens /EFA, ES) in response to the Special Report from the European Ombudsman on the openness of meetings of the Council when it is acting in its legislative capacity. MEPs endorsed the Ombudsman's recommendation that the Council should review its refusal to meet publicly, and said that it was "unacceptable that the EU's most important law-making body still meets behind closed doors when acting as legislator". The report pointed out that meetings of European Parliament committees were held in public and stated that there was "no logical justification" for the continued disparities between Parliament and Council regarding standards of transparency, particularly in codecision procedures. MEPs added that these transparency rules should also apply to COREPER (the body of ambassadors permanently representing the Member States at the EU, which prepares Council negotiations), given that the latter's meetings are an essential part of the legislative deliberations of the Council.

The report said that good governance in the European Union required "participation, transparency, accountability, efficiency and cohesion". It stressed that holding meetings of legislative bodies in public was also of direct relevance to the efforts of the European Parliament and national parliaments, as representatives of EU citizens, to fulfil their scrutiny role. It was "of the utmost importance" for national parliaments to be able to hold their governments and ministers to account. Holding meetings in public would enhance the legitimacy of the Council's decisions in the eyes of the people and also promote and intensify public debate on European issues.

The committee therefore asked the Council to amend its Rules of Procedure and change its working methods so that meetings in which it acts in its legislative capacity would be open and accessible to the public. The Council should also broadcast its public meetings (including on the internet), provide dates and agendas of those meetings in good time and issue official transcripts "in all official languages" of the EU. Moreover, the Council was urged to adopt a common approach regarding the implementation of the EU Code of Good Administrative Behaviour adopted by Parliament. Lastly, the report called on the Council Presidency to place this issue on the agenda of the European Council as a matter of priority and to make "a solemn commitment" on 9 May 2006 (Europe Day) to amend the Council's Rules of Procedure immediately and review the regulation on access to documents by the end of 2006 in agreement with Parliament.