Basic information

2001/2194(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Access to documents. European Ombudsman Special report following complaint 713/98/IJh **Subject** 1.20.05 Public access to information and documents, administrative practice	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	PETI Petitions	LAMBERT Jean (V/ALE)	10/07/2001
Council of the European Union			

Key events

Date	Event	Reference	Summary
23/11/2000	Non-legislative basic document published	N5-0463/2001	Summary
22/10/2001	Committee referral announced in Parliament		
27/11/2001	Vote in committee		
27/11/2001	Committee report tabled for plenary	A5-0423/2001	
11/12/2001	Decision by Parliament	T5-0662/2001	Summary
11/12/2001	End of procedure in Parliament		
25/07/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/2194(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	PETI/5/15255

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0423/2001	27/11/2001	
Text adopted by Parliament, single reading		T5-0662/2001 OJ C 177 25.07.2002, p. 0033-0061 E	11/12/2001	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
MED	Non-legislative basic document	N5-0463/2001	23/11/2000	Summary

Access to documents. European Ombudsman Special report following complaint 713/98/IJh

2001/2194(COS) - 11/12/2001 - Text adopted by Parliament, single reading

The European Parliament, using its procedure without debate, adopted the report by Jean LAMBERT (Greens/EFA, United Kingdom) on the Ombudsman special report. It endorsed the Ombudsman's conclusion and considered that the Commission had misinterpreted Directive 95/46/EC when applying the Directive to a request for information concerning the names of participants representing a trade organisation to a meeting organised by the Commission. The aim of data protection is primarily to protect the private life and sensitive information, and it should not be referred to when people are acting in a public capacity, while they are taking part in public decision making on their own initiative or while they try to influence such decision making. The Working Party on Data Protection is asked to inform Parliament on codes of conduct on data protection adopted by trade organisations and other bodies of control, in particular of codes submitted to it for assessment of compatibility with provisions adopted Member States.

Access to documents. European Ombudsman Special report following complaint 713/98/IJh

2001/2194(COS) - 23/11/2000 - Non-legislative basic document

PURPOSE : Draft Recommendation to the European Commission in a complaint concerning data protection and the right to privacy. CONTENT : This concerns complaint 713/98/IJH. The original complaint concerned the Commission's refusal to grant access to certain documents. During the course of the enquiry, it became clear that the complainant wanted certain information. He requested the Commission to inform him of the names of those persons who made submissions in relation to his complaint against the UK Guest Beer provision and of the representatives of a trade association (the Confederation des brasseurs du marché commun) who attended a meeting organised by the Commission. The Ombudsman proposed as a possible friendly solution, that the Commission should supply this information to the complainant. The Commission considers that the Data Protection Directive prevents it from supplying the names without the consent of the persons concerned. These persons were invited to give their consent, but only some responded positively. The Data Protection Directive is the only legal basis to which the Commission has referred to justify not supplying all the names to the complainant. The Ombudsman's view is that the right to privacy with respect to the processing of personal data under the Directive does not require the Commission to treat as secret views or information which have been submitted to it concerning the exercise of its functions, nor the names of the persons who submitted the views or information. The Ombudsman considers that the Commission has misunderstood its obligations under the directive and has infringed the principle of openness. The Ombudsman therefore makes a draft recommendation that the Commission should inform the complainant of the names of the persons who made the submissions and of the trade association representatives who attended the meeting in question.