

AMENDMENT FORM

Suggestion for amendment of Article :36 (part 3)

Suggestion for protocol :

By Mr David Heathcoat-Amory, Mr Bonde

Status :X - Member - Alternate

N.B. '()' denote text deleted ' _____ 'denotes text added

Article 36: Transparency of the proceedings of the Union's institutions

1. In order to promote good governance and ensure *(the)* **democratic** participation *(of civil society)*, the Union institutions shall conduct their work as openly as possible.
2. The European Parliament shall meet in public, as shall the Council when it is discussing *(a legislative proposal)* **any matter of Union business**.
3. Any citizen of the Union, man or woman, and any natural or legal person residing in a Member State, shall have a right of access to European Parliament, Council and Commission documents in whatever form they are produced, and to those of the agencies and bodies created by those institutions.
4. General principles, conditions and limits which, on grounds of public or private interest, govern the right of access to **such** documents shall be determined by the European Parliament and the Council in accordance with the legislative procedure.
5. Each institution, agency or body referred to in paragraph 2 shall determine in its own Rules of Procedure specific provisions regarding access to its documents.

New 6. The rights of whistleblowers in the institutions and agencies of the Union shall be recognised and protected.

Explanation (if any) :

For paragraph one: we should foster participation by our citizens, and not lobbyists.

For paragraph two: the original text is limiting, and permits meetings to be held in camera where no legislative proposal is on the table.

For new paragraph six: the constitutional treaty must acknowledge in some form the rights of those who speak out, where the European institutions themselves have been restrictive and unresponsive. There have been a number of attempts to expose wrongdoing, maladministration, fraud and corruption in the Communities institutions by people who have been subjected to harassment and dismissal.