

AMENDMENT FORM

Suggestion for amendment of Article III-301: Openness and transparency

By Member Mr Göran Lennmarker

Article III-301 (new)

1. The Institutions, agencies and bodies of the Union shall recognise the principle importance of transparency in their work. They and shall, in application of [Article I-49 of the Constitution] and in accordance with the principle of openness, lay down in their rules of procedure the specific provisions for public access to documents. Exceptions to openness should be laid down in a European law ~~The European Court of Justice and the European Central Bank shall be subject to the provisions of Article I-49(3) when exercising their administrative tasks.~~
2. Regarding the legislative procedures, the European Parliament and the Council shall not only meet in public, but shall also ensure publication of the relevant documents and publish results, explanations of voting, minutes and any statements entered in them.

Explanation:

1. The European law should clearly state the grounds for secrecy. Any principles and limits governing the right of access to the documents of the Union's institutions, agencies and bodies should be laid down in a European law in accordance with Article I-49(4). If the European Court of Justice and the European Central Bank should require specific secrecy rules, other than those generally applicable, these should also be provided for in this European law.
2. It follows from article 207(3) TEC that the Council should allow greater access to documents when acting in its legislative capacity. Furthermore, the results of votes and explanations of vote as well as statements in the minutes shall always be made public. In order to clarify that Article III-301(2) does not restrict the current level of openness that follows from Article 207(3) TEC, Article III-301(2) should mirror the text in Article 207(3) TEC.