

## AMENDMENT FORM

Suggestion for amendment of: Part One of the Constitution, Title VI: The democratic life of the Union

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

By: BROK; SANTER; STYLIANIDIS; SZAJER; TAJANI; PALACIO; VAN DER LINDEN; ALMEIDA GARRETT; ALONSO; ALTMAIER; AZEVEDO; BASILE; BREJC; CISNEROS; CUSHNAHAN; DEMETRIOU; DOLORES; FIGEL; FOGLER; FOLLINI; FRENDON; GIANNAKOU; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; LA-MASSOURE; LENNMARKER; LEQUILLER; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; ZIELENIEC ; ZILE

on behalf of the EPP Convention Group

Status: Members and Alternates

---

*Text of the Praesidium*

*Proposed Amendments*

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

1. In order to promote good governance and ensure the 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.
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 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.

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

1. In order to promote good governance and ensure the 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 *and adopting* a legislative proposal. *The minutes shall be made public.*
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 *of the Union institutions*, ~~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 documents shall be determined by the European Parliament and the Council in accordance with the legislative procedure *within two years of entry into force of this Constitution. The same conditions and limits are applicable to the Member States linked with the definition, negotiation and im-*

*plementation of the European Union legislation.*

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 *in line with legislation on the access to documents.*

*6. (new) Drafts and proposals should be accessible to the public as soon as they are adopted or handed over to other bodies, interest organisations or individuals, or published wholly or partly by others.*

---

***Explanation:***

It should be clarified that the Council always meets in public in its function as legislator.

Not only the meetings themselves, but also the minutes should be public and accessible by every citizen. Internal committee work should be possible.

In order to achieve greater openness and increased confidence in the Union, the rules on public access to documents must be extended to cover all EU institutions and bodies.

The executive measures need to be in line with the European legislation concerned.