

AMENDMENT FORM

**Suggestion for amendment of Article : 36**

**Suggestion for Part III**

**By Ms / Mr :**            **G.M. de Vries**  
                                 **T.J.A.M. de Bruijn**

**Status :**            **Members**                    **Alternate**

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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 documents held by the institutions and to those of the agencies and bodies created by those institutions in whatever form they are produced. 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.
1. Each institution, agency or body referred to in paragraph ~~2-3~~ shall within the framework of the rules envisaged in paragraph 4 determine in its own Rules of Procedure specific provisions regarding access to its documents.
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**Explanation (if any) :** The amendment of paragraph 3 broadens the possibility for citizens to access information. Furthermore, the Dutch Government would like to point out that paragraph 3 of this article and others (see below) are a repetition of what is already laid down

in the Charter of Fundamental Rights. If the Charter would become an integral part of the Constitution, such a repetition is obviously undesirable. Therefore, if the Charter would become an integral part of the Constitution this article and the articles 33, 35, 35a, 36a(1), 37 will have to be deleted and/or adjusted. See for further background information the relevant declaration of the Dutch Permanent Representative (CONV 659/03).

