

**CONV 830/03**

**CONTRIB 386**

**COVER NOTE**

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from	Secretariat
to	The Convention
Subject :	Contribution from Mr Jens-Peter Bonde to the Convention Proposal on Transparency, signed by 200 members and alternate members

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The Secretary-General of the Convention has received the contribution in Annex from Mr Jens-Peter Bonde, member of the Convention;

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## **Proposal submitted to the Convention on transparency**

Dear Mr. President,

Dear Praesidium Members,

Dear Convention secretariat,

Dear Convention members,

The attached proposal outlines the procedure for derogation to the general rule that all documents shall be open to the public.

This proposal has been signed by 200 members and alternates of the Convention including representatives for 23 different governments. Even more members of the Convention support the proposal and more signatures will be collected. A proposal with such a large majority behind it cannot be over looked.

Please do not hesitate to contact me if you have any questions of how to include the principle of the transparency procedure expressed in this proposal.

Yours sincerely,

Jens-Peter Bonde,

Member of the Convention

## **Proposal to the Convention on the Transparency in the EU-institutions**

**Acknowledging** the importance of transparency in the EU-institutions for democratic life in the European Union and the need for narrowing the gap between the citizens and the EU.

**Proposing** the inclusion, somewhere in the Constitution, the below procedure for derogations from openness and transparency, already adopted by the European parliament in the Martin-Bourlanges report:

### **Transparency as stated in the Martin-Bourlanges report**

#### **Please find all official languages below**

##### **English:**

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

All meetings on proposed legal acts are to be held in public unless a specific and duly justified exception is decided by a two-thirds majority. Such exceptions shall be notified together with the reasons for them to the European Parliament.

All documents should be accessible to the public unless exceptions are decided by a two-thirds majority in the responsible body.

##### **French:**

Les projets et propositions sont accessibles au public dès leur adoption ou transmission à d'autres organes, à des organisations ou personnes intéressées ou dès leur publication en entier ou en partie par d'autres.

Toutes les réunions concernant des projets d'actes juridiques doivent être publiques sauf exception spécifique et dûment motivée décidée à la majorité des deux tiers. Cette exception, accompagnée des raisons la justifiant, doit être communiquée au Parlement européen.

Tous les documents sont accessibles au public sauf exception décidée à la majorité des deux tiers des membres de l'organe compétent.

##### **Danish:**

Offentligheden skal have adgang til udkast og forslag, så snart de er blevet vedtaget eller udleveret til andre organer, interesseorganisationer eller enkeltpersoner, eller helt eller delvis offentliggjort af tredjemand.

Alle møder vedrørende forslag til retsakter skal være offentlige, medmindre et to tredjedels flertal vedtager at gøre en særlig, begrundet undtagelse. Sådanne undtagelser skal, ledsaget af begrundelsen herfor, meddeles Europa-Parlamentet.

Offentligheden skal have adgang til alle dokumenter, medmindre et to tredjedels flertal i det kompetente organ vedtager at gøre en undtagelse.

**Spanish:**

Los proyectos y las propuestas deberían ser accesibles al público tan pronto como sean aprobados o transmitidos a otros organismos, grupos de interés o particulares, o publicados total o parcialmente por terceros.

Todas las reuniones sobre los actos normativos propuestos deberían ser públicas a no ser que se decida por mayoría de dos tercios una excepción concreta y debidamente justificada. Esta excepción deberá ser comunicada al Parlamento Europeo junto con las razones que la justifican.

Todos los documentos serán accesibles al público a menos que se decidan excepciones por mayoría de dos tercios en el organismo responsable.

**German:**

Entwürfe und Vorschläge sollten der Öffentlichkeit zugänglich sein, sobald sie angenommen und an andere Organe, Interessenverbände oder Einzelpersonen übergeben wurden oder ganz oder teilweise von Dritten veröffentlicht wurden.

Alle Sitzungen zu Gesetzesvorlagen müssen öffentlich abgehalten werden, es sei denn, eine besondere und begründete Ausnahme wird von einer Zweidrittelmehrheit beschlossen. Das Europäische Parlament ist von dieser Ausnahme und den Gründen dafür in Kenntnis zu setzen.

Alle Dokumente sollten der Öffentlichkeit zugänglich sein, es sei denn, daß Ausnahmen von einer Zweidrittelmehrheit im zuständigen Organ beschlossen werden.

**Greek:**

τα σχέδια και οι προτάσεις πρέπει να είναι προσπελάσιμα για το κοινό μόλις εγκριθούν ή διαβιβασθούν σε άλλα όργανα, ενδιαφερόμενους οργανισμούς ή άτομα, ή δημοσιευθούν εξ ολοκλήρου ή εν μέρει από τρίτους;

όλες οι συνεδριάσεις για προτεινόμενες νομοθετικές πράξεις πρέπει να διεξάγονται δημοσίως, εκτός και αν υπάρξει ειδική και αιτιολογημένη εξαίρεση που αποφασίζεται με πλειοψηφία των δύο τρίτων. Η εξαίρεση αυτή, θα πρέπει να κοινοποιηθεί στο Ευρωπαϊκό Κοινοβούλιο αιτιολογημένη;

το κοινό πρέπει να έχει πρόσβαση σε όλα τα έγγραφα εκτός και αν το αρμόδιο όργανο αποφασίσει με πλειοψηφία 2/3 να υπάρξει εξαίρεση;

**Italian:**

I progetti e le proposte dovrebbero essere resi accessibili al pubblico immediatamente dopo la loro adozione o trasmissione ad altri organismi, gruppi di interesse o individui, o ancora pubblicati interamente o in parte da terzi.

Tutte le riunioni concernenti gli atti giuridici proposti devono essere pubbliche a meno che una maggioranza di due terzi decida specificamente in senso contrario e motivi tale decisione. La decisione, accompagnata dalle motivazioni, deve essere comunicata al Parlamento europeo.

Tutti i documenti dovrebbero essere accessibili al pubblico, salvo decisione contraria da parte di una maggioranza dei due terzi dell'organismo responsabile.

**Dutch:**

Ontwerpen en voorstellen moeten toegankelijk zijn voor het publiek zodra zij zijn goedgekeurd of ingediend bij andere organen, belangengroepen of personen, dan wel geheel of gedeeltelijk door derden zijn gepubliceerd.

Alle vergaderingen over wetgevingsvoorstellen zijn openbaar, tenzij een twee derde meerderheid besluit tot een specifieke en gemotiveerde uitzondering. Deze uitzondering dient met redenen omkleed te worden meegedeeld aan het Europees Parlement.

Alle documenten zijn toegankelijk voor het publiek, tenzij het bevoegde orgaan met tweederde meerderheid besluit tot een uitzondering.

**Portuguese:**

Os projectos e propostas devem ser acessíveis ao público logo que adoptados ou transmitidos a outros organismos, organizações de defesa de interesses ou indivíduos, ou logo que publicados total ou parcialmente por terceiros.

Todas as reuniões em que sejam apreciadas propostas de actos jurídicos devem ser públicas, a não ser que uma maioria de dois terços decida estabelecer uma excepção específica fundamentada. Esta excepção, devidamente justificada, deverá ser comunicada ao Parlamento Europeu.

Todos os documentos devem ser acessíveis ao público, a não ser que uma maioria de dois terços do organismo responsável decida estabelecer uma excepção.

**Finnish:**

Luonnosten ja esitysten on oltava yleisön nähtävinä heti, kun ne on hyväksytyt tai toimitettu toisille elimille, etujärjestöille tai henkilöille, tai kun muut ovat julkaisseet ne kokonaan tai osittain.

Kaikki esitettyjä säädöksiä käsittelevät kokoukset on pidettävä julkisesti, ellei päätetä erityisestä ja asianmukaisesti perustellusta poikkeuksesta kahden kolmasosan enemmistöllä. Tällaisista poikkeuksista on tehtävä perusteltu ilmoitus Euroopan parlamentille.

Kaikkien asiakirjojen on oltava yleisön nähtävinä, ellei poikkeuksesta päätetä toimivaltaisessa elimessä kahden kolmasosan enemmistöllä.

**Svensk:**

Utkast och förslag bör vara tillgängliga för allmänheten så fort de är antagna eller överlämnade till andra organ, intresseorganisationer eller enskilda, eller helt eller delvis publicerade av andra.

Alla sammanträden angående föreslagna rättsakter bör vara offentliga om man inte med två tredjedelars majoritet beslutar om speciella och välmotiverade undantag. Dessa undantag skall, tillsammans med en motivering, meddelas Europaparlamentet.

Alla dokument bör vara tillgängliga för allmänheten om inte beslut om undantag fattas med två tredjedelars majoritet av, det ansvariga organet.

## Signatures for the Proposal on the Transparency procedure

*last updated 09-07-2003*

### **A**

Abitbol Willian  
Akcam Zekeriya  
Almeida Garrett Teresa  
Altmaier Peter  
Amato Giuliano  
Andriukaitis Vytenis  
Antunes Manuel L  
Arabadjiev Alexandar  
Athanasiu Alexanru  
Attalides Michalis  
Avgerinos Paraskevas  
Azevedo Maria Eduardo

### **B**

Badinter Robert  
Balazs Péter  
Basile Filadelfio  
Belohorská Irena  
Berés Pervenche  
Berger Maria  
Bonde Jens-Peter  
Borrell Fontelles Josep  
Bösch Reinhard  
Brejc Mihale  
Briesch Roger  
Brok Elmer  
Bruton John  
Budak Necdet

### **C**

Carey Pat  
Carlslund Erik  
Carnero González Carlos  
Charbert Jos  
Chevalier Pierre  
Cisneros Laborda Gabriel  
Costa Alberto  
Cousquer Yver  
Cravinho Joao  
Cristina Dolores  
Cushnahan John

**D**

Dalgaard, Per  
Dam Kristensen Henrik  
Dammeyer Manfred  
Dastis Alfonso (With reservation to some parts of the text)  
De Buck Philippe  
De Gucht Karel  
De Rossa Proinsias  
Demetriou Panayiotis  
Demiralp Oguz  
Dervis Kemal  
Di Rupo Elio  
Dijk Jan Jacob van  
Dini Lamberto  
DÓliveira Martins Guilherme  
Duff Andrew  
Dybkjær Lone

**E**

Eckstein-Kovacs  
Eekelen Wim van  
Einem Caspar  
Ene Constantin

**F**

Farnleitner Hannes  
Fayot Ben  
Figel Jan  
Fini Gianfrance  
Floch Jacques  
Fogler Marta  
Follini Marco  
Frendo Michael  
Frerichs Gôke

**G**

Gabaglio Emilio  
Giannakou Marietta  
Gibéryen Gaston  
Gormley John  
Grabowska Genowefa  
Granrut Claude du  
Gricius Algirdas  
Güll Abdullah

**H**

Haenel Hubert  
Hasotti Puiu  
Heathcoat-Amory David  
Helle, Esko

Helminger Paul  
Hjelm-Wallén Lena  
Hololei Henrik  
Horvat Franc  
Hübner Danuta

## **I**

Inguanez John

## **J**

Jacobs, Georges  
Jusys, Oskaras

## **K**

Kacin Jelko  
Kalniete Sandra  
Katiforis Giorgos  
Kaufmann Sylvia-Yvonne  
Kauppi Pia-Noora  
Kelam Tunne  
Kelemen Andras  
Kiljunen Kimmo  
Kirjhope Timothy  
Kohout Jan  
Konstantopoulos Nikos A.  
Korcok Ivan  
Krasts Guntars  
Krisjanis Karins Arturs  
Kroupa Frantisek  
Kuneva Meglena  
Kutzkova neli  
Kvist Kenneth

## **L**

Lamassoure Alain  
Lang, Pain  
Lekberg Sören  
Lenarcic Janez  
Lenmarker Göran  
Lequiller Pierre  
Lichtenberger  
Liepina Liene  
Linden Réne van den  
Lopes Ernani  
Lopez Garrido Diego

## **M**

MacCormick Neil  
MacLennan of Roger Lord  
Maij-Weggen Hanja  
Mainoni Eduard



Maldeikis Eugenijus  
Marinho Luis  
Martikonis Rytis  
Martinakova Zuzana  
Martini Claudio  
Matsakis Marios  
Mavrou Eleni  
McAven Linda  
McDonagh Bobby  
Méndez de Vigo Inigo  
Meri Lennart  
Meyer Jürgen  
Michel louis  
Migas Juraj  
Mladenov Nickolay  
Munez Alonso Alejandro  
Muscardini Cristina

## **N**

Nagy Marie  
Nazaré Pereira  
Nečas Petr

## **O**

Oleksy Józef  
Olsson Jan  
Ozal Ibrahim

## **P**

Paciotti Elena  
Palacio Vallelersund Ana (With reservation to some parts of the text)  
Papandreou Giorgos  
Peltomâki Antti  
Peterle Alojz  
Pieters Danny  
Piks Rihards  
Puwak Hildegard

## **Q**

Queiró Luis

## **R**

Rack Reinhard  
Regaldo Giacomo  
Reinsalu Urmas  
Roche Dick  
Rovna Lenka  
Rupel Dimitrij

## **S**

Sant Alfred  
Santer Jacques  
Schmit Nicolas  
Sepi Mario  
Seppänen Esko  
Serrancini-Inglott Peter  
Severin Adrian  
Sigmund Anne-Marie  
Sivickas Gintautas  
Skaarup Peter  
Speroni Francesco  
Spini Valdo  
Stilanidis Evripidis  
Stockton The Earl of  
Svensson, Ingvar  
Szájer Jozsef  
Szent-Iványi István

## **T**

Tajani Antonio  
Takkula Hannu  
Teufel Erwin  
Theophilou, Theophilos  
Thorning-Schmidt Helle  
Tiilikainen Teija  
Timmermans Frans  
Tonisson Lina  
Trzcinski Janusz  
Tusek Gerhard

## **U**

Uzun Nesrin

## **V**

Valcarcel Siso, Ramon Luis  
Valtchev Daniel  
Van Lancker  
Vassiliou Androula  
Vastagh Pál  
Vella George  
Voggenhuber Johannes  
Vilén Jari

## **W**

Wagener Renee  
Wittbrodt Edmund  
Wurmeling Joachim

**X**

**Y**

**Z**

Zahradil Jan  
Zala Boris  
Zieleniec Josef  
Zile Roberts

10.07.2003

Who did not sign the Transparency-proposal for the Convention by Jens-Peter Bonde, MEP and President of the EDD group

**For more information and a copy of the proposal please see it at [www.bonde.com](http://www.bonde.com) or call Jens-Peter Bondes office 02 2845176 or mail [jbonde@europarl.eu.int](mailto:jbonde@europarl.eu.int)**

### Representatives of the European Parliament

Duhamel, Olivier

Hänsch, Klaus (**Praesidium**) - supports, but will not write to himself.

### Representatives of the National Parliaments

Helveg Petersen, Niels (**Alternate for Henrik Dam Kristensen**)

Gerhards, Wolfgang (**Alternate for Erwin Teufel**)

Stuart, Gisela (**Praesidium**), - supports, but will not write to herself.

Tomlinson, Lord (**Alternate for Gisela Stuart**)

### Representatives of the Governments

Andreani, Pascale (**Alternate for Dominique de Villepin**)

de Bruijn, Thom (**Alternate for Gijs de Vries**)

Bury, Hans-Martin (**Alternate for Joschka Fischer**)

Christophersen, Henning (**Praesidium**)

Fischer, Joschka (**Germany**)

Gottfried, Peter (**Alternate for Péter Balázs**)

Hain, Peter (**UK**)

Petersson, Sven-Olof (**Alternate for Lena Hjelm-Wallén**)

Scotland of Asthal, Baroness Patricia (**Alternate for Peter Hain**)

Schlüter, Poul (**Alternate for Henning Christophersen**)

de Villepin, Dominique (**France**)

de Vries, Gijs (**The Netherlands**)

### The Praesidium

Barnier, Michel (**Commissioner**)

Christophersen, Henning (**Representative of the Danish government**) - has supported in the plenary.

Dehaene, Jean-Luc (**Vice president**)

Giscard d'Estaing, Valéry (**President**)

Hänsch, Klaus (**MEP**) - supports, but will not write to himself.

O'Sullivan, David (**Alternate for Michel Barnier**)

Ponzano, Paolo (**Alternate for Antonio Vitorino**)

Stuart, Gisela (**Representative of the UK Parliament**) - supports, but will not write to herself.

Vitorino, Antonio (**Commissioner**)

The Commissioners have said they will support the proposal.

All the observers from Committee of Regions and the Economic and Social Committee have supported the proposal.