



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from :	Presidency
to :	Delegations
Subject :	Proposal for a Regulation of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents - State of play

At the meeting of the Working Party on Information of 13 September 2013, the Presidency informed delegations that, following informal contacts with the European Parliament, it was reflecting on taking forward the Recast of Regulation 1049/2001 by limiting the modifications to the Regulation to those necessary to take into account the provisions of the Lisbon Treaty.

At that meeting, a large number of delegations indicated that they could support the Presidency in this approach provided that modifications were indeed limited to those stemming from the Lisbon Treaty.

At the meeting of the Working Party of 28 October the Presidency informed delegations that following further informal contacts with the rapporteur it appeared that the European Parliament would only agree to limit modifications to the Regulation to those necessary to take into account the provisions of the Lisbon Treaty if the Council were to also accept a number of conditions:

- insertion of a revision clause requesting the Commission to bring forward a revised proposal during its next mandate;
- adoption of a joint Council and European Parliament declaration covering a range of issues including developing new arrangements for granting access to documents, putting certain documents online and joint commitments as to how the amended Regulation would be implemented.

The Presidency noted that this went beyond introducing changes to adapt the Regulation to the Lisbon Treaty. The Commission agreed and indicated that it could, in any case, not agree to commit the next Commission.

In these circumstances, the Presidency concluded that there was no realistic chance for a successful outcome of negotiations.