

# Resolution on the deadlock on the revision of Regulation (EC) No 1049/2001

2013/2637(RSP) - 12/06/2013 - Text adopted by Parliament, single reading

The European Parliament adopted by 333 votes to 128 with 50 abstentions a resolution [on the deadlock on the revision of Regulation \(EC\) No 1049/2001](#) regarding public access to European Parliament, Council and Commission documents.

The resolution was tabled by the S&D, ECR, ALDE, Greens/EFA and GUE/NGL groups.

Strongly reaffirming the importance of the fundamental right of access to information and documents, Parliament states its **commitment to revising Regulation (EC) No 1049/2001**, which, taken overall, should give EU citizens wider and improved access to EU documents. It regrets the deadlock that has been created between the EU institutions and considers that amending the Regulation should be a priority and that all the EU institutions must work together to find a way out as soon as possible.

Parliament insists that **an amended text, as an absolute minimum**, and in accordance with the Treaty requirements and [Parliament's first reading position](#), should:

- explicitly **extend the scope** to all EU institutions, offices and agencies;
- enhance legislative transparency, including access to legislative legal opinions, whereby any use of exceptions in the legislative procedure should constitute an exemption from the general rule of legislative transparency;
- clarify the relationship between transparency and data protection;
- include the Aarhus Convention;
- consider the current broad definition of a document as a minimum basis for further development;
- ensure appropriate access to documents and transparency in relation to **international negotiations and agreements**;
- provide for financial transparency of EU funds;
- not introduce any block exemptions.

The resolution recalls that the Commission proposed a recast of the Regulation in 2008 but it did not withdraw this proposal following the entry into force of the Treaty of Lisbon, which further enhanced EU transparency obligations and enshrined access to documents as a fundamental right.

However, Parliament informed the Commission about the inappropriateness of the use of the recast procedure. Members recall that Parliament has on several occasions called for enhanced transparency in respect of Council working groups, publication of legal opinions in legislative procedures, greater transparency in the 'trilogues', as well as in EU agencies, in international negotiations and in the Commission's dialogue with Member States, notably when fundamental rights or the interests of European citizens are at stake.

Parliament goes on to recall that in 2011 the Commission made an additional proposal that only implicitly extends the scope of Regulation (EC) No 1049/2001 to all EU institutions, offices, agencies and bodies. Whilst Parliament adopted its first-reading position on 15 December 2011, and trilogues were started with the Danish Presidency in 2012, the Commission did not agree with the proposed compromises, which Parliament cites as the **main reason for a standstill** which has lasted more than a year.

Accordingly, Parliament calls on the Commission to engage fully, at the political and the technical level, in the amending and 'Lisbonising' of Regulation (EC) No 1049/2001, or to take any appropriate measures to **break the deadlock**. The Council, for its part, is asked immediately to **restart debates** on Regulation (EC) No 1049/2001, to adopt its first-reading position and to continue negotiations.

Lastly, Members state that a **failure to agree** on a new version of Regulation (EC) No 1049/2001 would undermine the legitimacy of EU decision-making, especially in the light of the fast-approaching key European elections.