

Conclusions of the General Affairs Council on the review of Council Decision 93/731/EC (6 December 1996)

Caption: Conclusions of the 1977th General Affairs Council meeting, held on 6 December 1996, concerning the review of the Decision of the Council of the European Union of 20 December 1993 on public access to its documents.

Source: Press Releases. [ON-LINE]. [Brussels]: Council of the European Union, [04.12.2006]. 12440/96 (Presse 366). Available on http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/gena/028a0051.htm.

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**1977th Council meeting
- General Affairs -
Brussels, 6 December 1996**

[...]

Review of Council Decision 93/731/EC on public access to Council documents

In the context of the review of Council Decision 93/731/EC on public access to Council documents provided for in Article 9 of that Decision, the Council has approved the following conclusions:

"The Council reaffirms the general principle that the public will have the widest possible access to documents held by the Council, as an additional measure to improve transparency of the decision-making process and the citizen's confidence in the institution.

The Council notes the number of cases that are satisfactorily resolved and the steady increase in positive replies, which is largely due to the Council's growing experience in an area that was new to it prior to the adoption of the Decision.

The Council sees no need to alter the basic features of the Decision, which has proved its worth in making the Council's work more transparent.

Nonetheless, in the light of experience and in view of the ever-increasing number of applications for access to documents, it considers that some specific amendments should be made to the text of the Decision.

In addition, certain practices should be introduced in the day-to-day conduct of the policy, but these do not involve any changes to the text of the Decision.

The adjustments to the Decision agreed by the Council are as follows:

- include a provision enabling the time limit for replies to be extended by one month as an exceptional measure and after informing the applicant, so that in future it will be possible to avoid irregularities arising from the difficulty of replying to certain applications in periods of reduced working capacity, particularly in the case of confirmatory applications;
- ask the Secretary-General of the Council to submit reports on the implementation of the Decision every two years.

Regarding measures involving no changes to the Decision, the Council:

- asks the Secretary-General to take steps, possibly in conjunction with delegations and the other Institutions, to alert the public to the possibilities regarding transparency at the Council, particularly in connection with access to documents;
- takes note that the Secretary-General, in the context of the fees fixed under the Decision, will examine the question of applications covering a high number of documents and hence involving particularly high administrative costs;
- takes note of the intention of the Secretary-General to look into the possibility of establishing a register of documents."

Furthermore and in the same context, the Council adopted the relevant amendment to Council Decision 93/731/EC of 20 December 1993 on public access to Council documents.