



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 27 October 2005

**16275/1/04
REV 1 COR 5**

LIMITE

**PV/CONS 81
ENV 708**

CORRIGENDUM to the DRAFT MINUTES

Subject : **2632nd meeting of the Council of the European Union (ENVIRONMENT), held in Brussels on 20 December 2004**

On page 13, the following statement should be added to Annex I:

Re: Item 3 a) on the agenda

**Proposal for a Regulation of the European Parliament and of the Council on
the application of the provisions of the Aarhus Convention on Access to Information,
Public Participation in Decision-making and Access to Justice in
Environmental Matters to EC institutions and bodies**

Statement by Sweden

"In relation to Article 6(2) of the Regulation of the European Parliament and of the Council on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to EC institutions and bodies, Sweden makes the following remarks.

Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents is the legislative instrument regulating the right of public access to the documents of those three institutions. The purpose of Regulation (EC) No 1049/2001 is to give the fullest possible effect to the right of public access to documents and to lay down the general principles and limits on such access in accordance with Article 255 (2) of the EC Treaty.

Regulation (EC) No 1049/2001 does not prevent more generous access to documents in other legislative acts that implement instruments of international law. It does, however, prevent additional restrictions on the right of public access to documents in such, or any other, legislative acts. Consequently, Regulation (EC) No 1049/2001 provides a guaranteed, minimum right of public access to European Parliament, Council and Commission documents, a right which can be limited only in accordance with the exceptions defined in this Regulation. Any additional exceptions, provided for in other Community law instruments, are thus not compatible with Regulation (EC) No 1049/2001. Sweden's support for the Regulation on the application of the provisions of the Aarhus Convention does not in any way affect the Swedish understanding of Regulation (EC) No 1049/2001 in this regard.

In addition, and bearing in mind the above, Sweden is and will remain committed to discussing the introduction in Regulation 1049/2001 of a provision corresponding to that in Article 6(2) of the Regulation on the application of the provisions of the Aarhus Convention to EC institutions and bodies."
