TRANSPARENCY – HISTORICAL OVERVIEW (1992 -2010)

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1992	7 February	Declaration No 17 annexed to the Final Act of the Treaty on European Union[1]		
	16 October	Birmingham Declaration[2]		
	12 December	Conclusions of the Edinburgh European Council on transparency[3]		
1993	8 June	Commission communication: public access to documents of the institutions – Communication to the Council, the European Parliament and the Economic and Social Committee[4]		
	8 June	Council Resolution on the quality of drafting of Community legislation[5]		
	21-22 June	Conclusions of the Copenhagen European Council on access to information[6]		

1 Selected instruments taken from the Treaties, Book I, volume 1, p. 639.
2 Bulletin of the European Communities, No 10-1992, p. 9.
3 Bulletin of the European Communities, No 12-1992, pp. 19-21.
4 OJ C 156, 8.6.1993, p. 5.
5 OJ C 166, 17.6.1993, p. 1.
6 SN 180/1/93.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1993	25 October	Interinstitutional Agreement between the European Parliament, the Council and the Commission on transparency, democracy and subsidiarity[7]		
	6 December		Council Decision 93/662/EC adopting the Council's Rules of Procedure[8]	
	6 December		93/731/EC: code of conduct concerning public access to Council and Commission documents[9]	
	20 December		**Council Decision 93/731/EC on public access to Council documents[10]**	
1994	8 February		**Decision 94/90/ECSC, EC, Euratom on public access to Commission documents[11]**	
1995	4 March	Publication in the Official Journal of the Commission communication on improved access to documents[12]		

[7] Bulletin of the European Communities, No 10-1993, pp. 128-129.
[8] OJ L 304, 10.12.1993, p. 1.
[9] OJ L 340, 31.12.1993, p. 42.
[10] OJ L 340, 31.12.1993, p. 43. Decision ***repealed*** by Council Decision 2001/840/EC of 29.11.2001 (see note 68 below).
[11] OJ L 46, 18.2.1994, p. 58, Decision ***replaced*** by Regulation (EC) No 1049/2001 of 30 May 2001 (see note 62 below).
[12] OJ C 67, 4. 3.1994, p. 5.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1995	29 May	Council conclusions on transparency[13]		
	2 October	Code of Conduct on public access to the minutes and statements in the minutes of the Council acting as legislator[14]		
	19 October			Judgment in case T-194/94: John Carvel & Guardian Newspaper v. Council[15]
1996	27 February		Decision of the Secretary-General of the Council relating to fees in the context of public access to Council documents[16]	
	30 April			Judgment of the Court of Justice in case C-58/94: Netherlands v. Council[17]
	July	Initial report on the implementation of Council Decision 93/731/EC on public access to Council documents[18]		

[13] 7481/95, pp. 4-5.
[14] 10204/95, pp. 15-18.
[15] ECR [1995] II-2765.
[16] OJ C 74, 14.3.1996, p. 3.
[17] ECR [1996] I-2169.
[18] 8330/96.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1996	19 September		96/567/EC,ECSC,Euratom: Commission Decision of 19 September 1996 amending Decision 94/90/ECSC, EEC, Euratom on public access to Commission documents[19]	
	6 December	Council conclusions on the review of Council Decision 93/731/EC on public access to Council documents[20]		
	6 December		96/705/Euratom/ECSC/EC: Council Decision amending Council Decision 93/731/CE on public access to Council documents[21]	
1997	5 March			Judgment in case T-105/95: WWF v. Commission[22]
	21 March		Decision on public access to documents of the European Environment Agency	
	26 March		Rules on public access to documents adopted by the Management Committee of the European Investment Bank[23]	
	7 April		Decision No 18/97 laying down internal rules for the treatment of applications for access to documents held by the Court[24]	

[19] OJ L 247, 28.9.1996, p. 45.
[20] 11974/96 COR 1 REV 1.
[21] OJ L 325, 14.12.1996, p. 19.
[22] ECR [1997] II-313.
[23] OJ C 243, 9.8.1997, p. 13; Decision was ***repealed*** and ***replaced*** by the rules adopted by the Governing Board of the Bank on 27 November 2002; see note 75 below.
[24] OJ C 295, 23.9.1998, p. 1; Decision was ***repealed*** by Decision No 12/2005 of the Court of Auditors of 10 March 2005 (see note 94 below).

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1997	25 May		Decision of the Economic and Social Committee on public access to ESC documents[25]	
	3 June		Decision No 9/97 concerning public access to administrative documents of the European Monetary Institute[26]	
	10 July		**97/632/EC,ECSC,Euratom: Decision of the European Parliament of 10 July on public access to documents of the European Parliament**[27]	
	17 September		Decision of the Committee of the Regions on public access to documents of the Committee of the Regions[28]	
	27 October		Decision of the Governing Board on public access to European Training Foundation documents[29]	
	15 December	Special report by the European Ombudsman to the European Parliament following his own-initiative inquiry into public access to documents[30]		

[25] OJ L 339, 10.12.1997, p. 18; this Decision was ***repealed*** by the Decision of the Economic and Social Committee of 1 July 2003; see note 82 below.
[26] OJ L 90, 25.3.1998, p. 43.
[27] OJ L 263, 25.9.1997, p. 27; Decision ***replaced*** by Regulation (EC) No 1049/2001 of 30 May 2001 (see note 62 below).
[28] OJ L 351, 23.12.1997, p. 70; this Decision was ***repealed*** by Decision No 64/2003 of 11 February 2003; see note 76 below.
[29] OJ C 369, 6.12.1997, p. 10.
[30] OJ C 44, 10.2.1998, p. 9.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1998	6 February			Judgment of the CFI in case T-124/96: Interporc v. Commission[31]
	3 March			Order by the CFI in Case T610/97 R: Norup Carlsen and others v. Council[32]
	19 March			Judgment in case T-83/96: Gerard van der Wal v. Commission[33]
	19 March		Council Decision on establishing a public register of Council documents[34]	
	19 March	Presidency's conclusions on the transparency of Council activities in the field covered by Title VI of the EU Treaty[35]		
	16 June	Conclusions of the Cardiff European Council on transparency[36]		
	17 June			Judgment in case T-174/95: Svenska Journalistförbundet v. Council[37]
	19 June	Second report on the implementation of Council Decision 93/731/EC on public access to Council documents[38]		

[31] ECR [1998] II-231.
[32] ECR [1998] II-485.
[33] ECR [1998] II-545.
[34] 6423/1/98 REV 1.
[35] 6067/98.
[36] SN 150/1/98 REV 1.
[37] ECR [1998] II-2289.
[38] 6715/2/98 REV 2 COR 1.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1998	29 June	Council conclusions on the second review of Council Decision 93/731/EC on public access to Council documents[39]		
	29 June	Council conclusions on transparency[40]		
	16 July	Resolution on the special report by the European Ombudsman to the European Parliament following his own-initiative inquiry into public access to documents[41]		
	3 November		ECB/1998/12: Decision of the European Central Bank of 3 November 1998 concerning public access to documentation and the archives of the European Central Bank[42]	
	21 November		1999/738/EC: The European Foundation for the Improvement of Living and Working Conditions Decision of 21 November 1997 on code of conduct concerning public access to documents of the European Foundation for the Improvement of Living and Working Conditions[43]	

39 9191/98, Annex I.

40 9191/98 - Annex II.

41 OJ C 292, 21.12.1998, p. 170.

42 OJ L 110, 28.4.1999, p. 30 (replaces Decision No 9/97 of the EMI mentioned in note 26); this Decision was ***repealed*** by Decision ECB/2004/3 of the European Central Bank (see note 90 below).

43 OJ L 296, 17.11.1999, p. 25.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1998	6 December	Council conclusions on Openness and Cooperation in the field of information activities about the European Union[44]		
	22 December	Interinstitutional Agreement on common guidelines for the quality of drafting of Community legislation[45]		
1999	1 January	Entry into service of the public register of Council documents		
	1 May	**Entry into force of the Treaty of Amsterdam**[46]		
	31 May		1999/385/EC,ECSC,Euratom: Council Decision adopting the Council's Rules of Procedure[47]	
	8 June	Council conclusions on transparency and EU information activities[48]		
	19 July			Judgment in case T-188/97: Rothmans International v. Commission[49]
	19 July			Judgment in case T-14/98: Heidi Hautala v. Council[50]
	19 July	Report on the operation of the public register of Council documents[51]		

44 13314/1/98 REV 1.

45 OJ C 73, 17.3.1999, p. 1.

46 Provisions applicable as regards the right of public access to documents: Article 255 of the EC Treaty, Articles 28(1) and 41(1) of the EU Treaty, Declarations 35 and 41 annexed to the Final Act of the Amsterdam Treaty and Articles 230 and 195 of the EC Treaty (possibility of court proceedings or complaints to the Ombudsman in the event of total or partial rejection of a confirmatory application for access) and Article 207(3) of the EC Treaty (establishment in the Council's Rules of Procedure of the conditions under which public access is granted to Council documents).

47 OJ L 147, 12.6.1999, p. 13.

48 9064/99.

49 ECR [1999] II-2463.

50 ECR [1999] II-2489.

51 9862/99.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
1999	14 October			Judgment in case T-309/97: Bavarian Lager Company v. Commission[52]
	6 December		2000/23/EC: Council Decision on the improvement of information on the Council's legislative activities and the public register of Council documents[53]	
	7 December			Judgment in case T-92/98: Interporc v. Commission[54]
2000	11 January			Judgment of the Court of Justice in cases C-174/98 P & C-189/98 P: Gerard van der Wal and Netherlands v. Commission[55]
	6 April			Judgment in case T-188/98: Aldo Kuijer v. Council[56]
	13 September			Judgment in case T-20/99: Denkavit Nederland BV v. Commission[57]

52 ECR [1999] II-3217.
53 OJ L 9, 13.1.2000, p. 22. Decision ***repealed*** by Decision 2001/840/EC of the Council of 29 November 2001 (see note 68 below).
54 ECR [1999] II-3521.
55 ECR [2000] I-1.
56 ECR [2000] II-1959.
57 ECR [2000] II-3011.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2000	20 October			Judgment of the CFI in case T-123/99, JT's Corporation[58]
	7 December	**Solemn declaration of the EU Charter of Fundamental Rights**[59]		
2001	14 February			Order of the CFI in case T-3/00 Pitsiorlas v. Council and ECB[60]
	9 April		2001/320/EC: Council Decision of 9 April 2001 on making certain categories of Council documents available to the public[61]	
	30 May		**Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents**[62]	
	30 May	Joint declaration relating to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents[63]		
	12 July			Judgment in case T-204/99: Olli Mattila v. Council[64]
	10 October			Judgment of the CFI in case T-111: BAT v. Commission[65]

58 ECR [2000] II-3269.

59 Article 42 of the Charter provides that: "Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, has a right of access to European Parliament, Council and Commission documents."

60 ECR [2001] II-717.

61 OJ L 111, 20.4.2001, p. 29. Decision repealed by Decision 2001/840/EC of the Council of 29 November 2001 (see note 68 below).

62 OJ L 145, 31.5.2001, p. 43. Regulation 1049/2001 applied from 3 December 2001, ***replacing*** with effect from that date the three institutions' existing rules on access, i.e. Council Decision 93/731, Commission Decision 94/90 and European Parliament Decision 97/632.

63 OJ L 173, 27.6.2001, p. 5.

64 ECR [2001] II-2265.

65 ECR [2001] II-2997.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2001	13 November		European Parliament decision adapting its Rules of Procedure to the provisions of European Parliament and Council Regulation (EC) No 1049/2001 on public access to Parliament, Council and Commission documents[66]	
	28 November		Bureau Decision on public access to European Parliament documents[67]	
	29 November		2001/840/EC: Council Decision of 29 November 2001 amending the Council's Rules of Procedure[68]	
	5 December		2001/937/EC,ECSC,Euratom: Commission Decision of 5 December 2001 amending its rules of procedure[69]	
	6 December			Judgment of the Court of Justice in case C-353/99 P: Heidi Hautala v. Council[70]
	11 December			Judgment in case T-191/99: David Petrie and others v. Commission[71]
2002	7 February			Judgment of the CFI in case T-211/00: Aldo Kuijer v. Council[72]

66 OJ C 140 E, 13.6.2002, p. 120.
67 OJ C 374, 29.11.2001, p. 1.
68 OJ L 313, 30.11.2001, p. 40, repealing Decisions 93/731/EC, 2000/23/EC and 2001/320/EC.
69 OJ L 345, 29.12.2001, p. 94.
70 ECR [2001] I-9565.
71 ECR [2001] II-3677.
72 ECR [2001] II-485.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2002	3 June	Entry into service of public registers of Commission and Parliament documents		
	25 June			Judgment of the CFI in case T-311/00: BAT v. Commission[73]
	22 July		2002/682/EC,Euratom: Council Decision adopting the Council's Rules of Procedure[74]	
	27 November		Rules on public access to documents adopted by the Management Committee of the European Investment Bank[75]	
2003	11 February		Committee of the Regions Decision No 64/2003 of 11 February 2003 on public access to Committee of the Regions documents[76]	
	6 March			Judgment of the Court of Justice in case C-41/00 P: Interporc v. Commission[77]
	8 April	Report of the Council on the implementation of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (2002)[78]		

[73] ECR [2002] II-2781.
[74] OJ L 230, 28.8.2002, p. 7.
[75] OJ C 292, 27.11.2002, p. 10. These rules ***repealed*** and ***replaced*** the Decision adopted by the Management Committee on 26 March 1997. See also note 23.
[76] OJ L 160, 28.6.2003, p. 96. This Decision ***repealed*** the Decision mentioned in note 28.
[77] Not yet published in the ECR.
[78] 7957/03.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2003	29 April	Report from the Commission on the application in 2002 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents[79]		
	15 May			Judgment of the Court of Justice in case C-193/01P, Pitsiorlas v. Council and ECB[80]
	18 June	Adoption of Council Regulations Nos 1645/2003 to 1655/2003 extending the scope of Regulation (EC) No 1049/2001 to 11 Community agencies and bodies[81]		
	1 July		2003/603/EC: Decision of the European Economic and Social Committee of 1 July 2003 on public access to European Economic and Social Committee documents[82]	
	22 July	Adoption of Regulations Nos 1641/2003 to 1644/2003 of the European Parliament and of the Council extending the scope of Regulation (EC) No 1049/2001 to four Community agencies and bodies[83]		
	17 September			Judgment of the CFI in case T-76/02: Mara Messina v. Commission[84]

[79] COM(2003) 216.
[80] ECR [2003] I-4837.
[81] OJ L 245, 29.9.2003, p. 13 to 43.
[82] OJ L 205, 14.8.2003, p. 19. This Decision ***repealed*** the Decision mentioned in note 25.
[83] OJ L 245, 29.9.2003, pp. 1-12.
[84] ECR [2003] II-3203.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2003	22 September		Council Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 amending Regulation (EEC, Euratom) No 354/83 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community[85]	
	25 September	European Parliament resolution on public access to Parliament, Council and Commission documents (implementation of Regulation 1049/2001/EC)[86]		
	16 October			Judgment of the CFI in case T-47/01: Co-Frutta v. Commission[87]
2004	22 January			Judgment of the Court of Justice in case C-353/01 P: Mattila v. Council and Commission[88]
	30 January	Report from the Commission on the implementation of the principles in Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents[89]		

[85] OJ L 243, 27.9.2003, p. 1.
[86] A5-0298/2003.
[87] ECR [2003] II-4441.
[88] ECR [2004] I-1073.
[89] COM (2004) 45 final.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2004	4 March		ECB/2004/3: Decision of the European Central Bank of 4 March 2004 on public access to European Central Bank documents[90]	
	22 March		2004/338/EC, Euratom: Council Decision of 22 March adopting the Council's Rules of Procedure[91]	
	23 November			Judgment of the CFI in case T-84/03: Turco v. Council[92]
	30 November			Judgment of the CFI in case T-168/02: IFAW Internationaler Tierschutz-Fonds v. Commission[93]
2005	10 March		Decision No 12/2005 of the Court of Auditors of the European Communities of 10 March 2005 regarding public access to Court documents[94]	
	17 March			Judgment of the CFI in case T-187/03: Scippacercola v. Commission[95]
	13 April			Judgment of the CFI in case T-2/03: Verein für Konsumenteninformation v. Commission[96]

90 OJ L 80, 18.3.2004, p. 42.
91 OJ L 106, 15.4.2004, p. 22.
92 ECR [2004] II-4061.
93 ECR [2004] II-4135.
94 OJ C 67, 20.3.2009, p. 1.
95 ECR [2005] II-1029.
96 ECR [2005] II-1121.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2005	26 April			Judgment of the CFI in joined cases T110/03, T-150/03 and T-405/03: J.M. Sisón v. Council[97]
	21 December	Adoption of Council conclusions on improving openness and transparency in the Council[98]		
2006	4 April	Adoption of European Parliament Resolution with recommendations to the Commission on access to the institutions' texts[99]		
	15 and 16 June	Adoption by the European Council of an overall policy on transparency[100]		
	26 June		Decision No 1/2006 of the Joint Supervisory Board of Europol of 26 June 2006 amending its rules of procedure[101]	
	6 July			Judgment of the CFI in joined cases T391/03 and T-70/04: Franchet & Byk v. Commission[102]

97 ECR [2005] II-1429.
98 15834/05 and 15834/05 ADD 1.
99 A6-0052/2006.
100 10633/1/06 REV 1, pp. 23 and 24.
101 OJ C 311, 19.12.2006, p. 13.
102 ECR [2006] II-2023.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2006	6 September		Regulation (CE) No 1367/2006 on the application of the provisions of the Århus Convention on Access to Information in Environmental Matters[103]	
	15 September		2006/683/EC, Euratom: Council Decision of 15 September adopting the Council's Rules of Procedure[104]	
	21 September		Frontex - Decision of the Management Board of 21 September 2006[105]	
	14 December			Judgment of the CFI in case T-237/02: Technische Glaswerke v. Commission[106]
2007	1 February			Judgment of the Court of Justice in case C-266/05 P: J.M. Sisón v. Council[107]
	18 April	Commission Green Paper: Public Access to Documents held by institutions of the European Community – A review[108]		
	25 April			Judgment of the CFI in case T-264/04: WWF European Policy Programme v. Council[109]

[103] OJ L 264, 25.9.2006, p. 13.
[104] OJ L 285, 16.10.2006, pp. 63 and 64.
[105] Not yet published in the OJ (see http://www.frontex.europa.eu/minutes_and_decisions/decisions/page6.html).
[106] ECR [2006] II-5131.
[107] ECR [2007] I-1233.
[108] COM(2007) 185 final.
[109] ECR [2007] II-911.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2007	12 September			Judgment of the CFI in case T-36/04: API v. Commission[110]
	8 November			Judgment of the CFI in case T-194/04: Bavarian Lager Company v. Commission[111]
	27 November			Judgment of the CFI in joined cases T-3/03 and T-337/04: Ptisiorlas v. Council and ECB[112]
	18 December			Judgment of the Court of Justice in case C-64/05 P: Sweden v. Commission[113]
2008	16 January	Commission Staff Working Document: Report on the Outcome of the Public Consultation on the Review of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents[114]		
	30 January			Judgment of the CFI in case T-380/04: Terezakis v. Commission[115]

110 ECR [2007] II-3201.
111 ECR [2007] II-4523.
112 ECR [2007] II-4779.
113 ECR [2007] I-11389.
114 SEC (2008) 29/2, 16.2.2008
115 ECR [2008] II-11.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2008	30 April	Adoption by the Commission of a proposal for a Regulation of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents[116]		
	5 June			Judgment of the CFI in case T-141/05: Internationaler Hilfsfond v. Commission[117]
	1 July			Judgment of the Court in joined cases C-39/05 P and C-52/05 P: Sweden v. Council and others and Maurizio Turco v. Council[118]
	9 September			Judgment of the CFI in case T-403/05: My Travel Group v. Commission[119]
	10 September			Judgment of the CFI in case T-42/05: Rhiannon Williams v. Commission[120]

[116] COM(2008) 229 final.
[117] ECR [2008] II-0084.
[118] ECR [2008] I-4723.
[119] ECR [2008] II-1967.
[120] ECR [2008] II-0156.

Year	Date	Key events	Legal instruments of the Community institutions and bodies	Judgments of the Court of Justice and of the Court of First Instance
2009	1 December	Entry into force of the Treaty of Lisbon[121]	European Council Decision 2009/882/EU of 1 December 2009 adopting its Rules of Procedure[122]	
	1 December		Council Decision 2009/937/EC of 1 December 2009 adopting the Council's Rules of Procedure[123]	
2010	26 January			Judgment of the Court of Justice in case C-362/08 P: Internationaler Hilfsfond v. Commission[124]
	29 June			Judgement of the Court of Justice in case C-28/08 P: Commission v. Bavarian Lager[125]
	29 June			Judgement of the Court of Justice in case C-139/07 P: Commission v. Technische Glaswerke Ilmenau[126]

[121] OJ C 83, 30.3.2010, p. 1.
[122] OJ L 315, 2.12.2009, p. 52.
[123] OJ L 325, 11.12.2009, p. 35.
[124] Not yet in the ECR.
[125] Not yet in the ECR.
[126] Not yet in the ECR.