European Parliament/European Commission Agreement: transparency register for organisations and self-employed individuals engaged in EU policy-making and policy implementation

2010/2291(ACI) - 11/05/2011 - Text adopted by Parliament, single reading

The European Parliament approved the conclusion of the interinstitutional agreement between the European Parliament and the Commission on a common Transparency Register.

Members regards the agreement as an **important first step towards greater transparency** and intend to propose in due course that standards be raised so as to ensure the consistent integrity of the public administration of the Union and the strengthening of its institutional rules.

Parliament is of the opinion that the agreement will provide a strong incentive for registration since it will render it impossible for anyone to procure a badge giving access to Parliament without first registering. It repeats, however, the call for the **mandatory registration** of all lobbyists on the Transparency Register and calls for the necessary steps to be taken in the framework of the forthcoming review process in order to prepare for a transition to mandatory registration.

Parliament retains its unfettered right to decide who should be permitted to access its premises.

Members welcome, in particular, the following aspects contained in the agreement:

- the change of the name of the register to ‘the Transparency Register’;
- the scope of the register, which covers all the relevant actors except for, inter alia, the social partners as participants in the social dialogue, churches, political parties and local, regional and municipal authorities (including representations forming part of their administrations);
- the fact that the register introduces transparency for a wide range of actors in contact with the EU institutions, and in particular has separate sections covering representatives of special interests, civil society representatives and representatives of public authorities, thereby drawing a distinction between the differing roles played by lobbyists and those dealing with the EU institutions in an official capacity;
- the request for relevant financial information;
- binding measures in the event of failure to comply with the code of conduct annexed to the agreement.

The Bureau is requested to **devise a system** whereby all lobbyists who fall within the scope of the register and who have obtained a meeting with a relevant Member about a specific legislative dossier are recorded as having done so in the explanatory memorandum to the report or recommendation relating to the relevant draft legislative act.

Regretting that the Council has not yet become a party to the agreement, Members call on the Council to join the common register as soon as possible.

The register shall include the following:

a) a set of guidelines on: (i) the scope of the register, eligible activities and exemptions; (ii) sections open to registration (Annex 1); (iii) information required from registrants, including the financial disclosure requirements (Annex 2);

b) a code of conduct (Annex 3);

c) a complaint mechanism and measures to be applied in the event of non-compliance with the code of conduct, including the procedure for the investigation and treatment of complaints (Annex 4).

The scope of the register covers all activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions, irrespective of the channel or medium of communication used, for example outsourcing, media, contracts with professional intermediaries, think-tanks, platforms, forums, campaigns and grassroots initiatives. These activities include, inter alia, contacting Members, officials or other staff of the EU institutions, preparing, circulating and communicating letters, information material or discussion papers and position papers, and organising events, meetings or promotional activities and social events or conferences, invitations to which have been sent to Members, officials or other staff of the EU institutions.

Voluntary contributions and participation in formal consultations on envisaged EU legislative or other legal acts and other open consultations are also included.

The activities excluded from the scope of the register are as follows:

- activities concerning the provision of legal and other professional advice, in so far as they relate to the exercise of the fundamental right of a client to a fair trial, including the right of defence in administrative proceedings, such as carried out by lawyers or by any other professionals involved;
- activities of the social partners as participants in the social dialogue (trade unions, employers associations, etc.) when performing the role assigned to them in the Treaties. This applies mutatis mutandis to any entity specifically designated in the Treaties to play an institutional role;
- activities in response to direct and individual requests from EU institutions or Members of the European Parliament, such as ad hoc or regular requests for factual information, data or expertise and/or individualised invitations to attend public hearings or to participate in the workings of consultative committees or in any similar forums.