

Transparency, accountability and integrity in the EU institutions

2015/2041(INI) - 30/03/2017 - Committee report tabled for plenary, single reading

The Committee on Constitutional Affairs adopted an own-initiative report by Sven GIEGOLD (Greens /EFA, DE) on transparency, accountability and integrity in the EU institutions.

In view of the growing distance between the EU and its citizens, the EU institutions must strive for the **highest possible standards** of transparency, accountability and integrity.

Transparency Register and relations with interest representatives: Members proposed backing up the EU Transparency Register with a **legislative act** and to achieve a fully mandatory register for all interest representatives with an interinstitutional agreement.

They recalled the revision of the Rules of Procedure of 13 December 2016, according to which Members should adopt the systematic **practice of only meeting interest representatives that have registered in the Transparency Register**, and called for meetings between interest representatives and Secretary-Generals, Director-Generals and Secretary-Generals of political groups to be included.

Members welcomed the decision of its Bureau to request that its administration develop a template for all rapporteurs and draftspersons for opinions to produce a voluntary legislative footprint, setting out what interest representatives and organisations they have consulted.

The Commission shall make all information on interest representation towards the EU institutions, declarations of interest, confirmed conflicts of interest and expert groups easily **accessible to the public** through an online one-stop shop.

The Council is called on to join the Transparency Register as soon as possible.

Members insisted that registered entities, including law firms and consultancies, should **declare in the Transparency Register** all clients on whose behalf they perform interest representation activities that fall within the remit of the Transparency Register.

Conflicts of interest: Members called on the EU institutions and bodies which still do not have a **code of conduct** to develop such a document as soon as possible.

The Commission is invited to address the **‘revolving door’** issue given that its effect can be detrimental to relations between the institutions and interest representatives. Members proposed to **strengthen the restrictions on former Commissioners** by extending the ‘cooling-off period’ to three years and making it binding for at least all activities falling within the remit of the Transparency Register. They stated that decisions on senior officials’ and former Commissioners’ **new roles** must be taken by an authority appointed as independently as possible of those affected by its decisions.

Members stressed the need for a **balanced composition of expert groups**. They considered that a provision containing general criteria for the delimitation of economic and non-economic interests would help the Commission to pick experts representing interests with a better balance.

The Commission is called on to explore systemic safeguards with a view to avoiding conflicts of interest in the area of the **regulation of industry products** and policy enforcement.

Full access to documents in the legislative process: Members recalled their Commission and the Council in its [resolution of 28 April 2016](#) in which it:

- called for the **scope of Regulation (EC) No 1049/2001 to be broadened** to include all the European institutions it currently does not cover, such as the European Council, the European Central Bank, the Court of Justice and all the EU bodies and agencies;
- called for full compliance with the obligation by the institutions, agencies and other bodies to keep complete **registers of documents**;
- considered that **documents created in trilogues** such as agendas, summaries of outcomes, minutes and general approaches in the Council;
- called for a **common interinstitutional register**, including a dedicated joint database on the state of play of legislative files for which works are under way as agreed in the Interinstitutional Agreement on Better Law-Making;
- called on the Commission to set up a **register of all second-level legislation**, in particular for delegated acts.

External representation and negotiations of the EU: Members welcomed the recent case law by the European Court of Justice which reinforces **Parliament's right to information** on international agreements.

While welcoming the recent efforts by the Commission to increase the transparency of trade negotiations, Members believed, nevertheless, that the Council and the Commission should still improve their working methods to cooperate better with Parliament as regards access to documents, information and decision-making for all issues and negotiations related to common commercial policy.

The EU must take the lead in furthering the transparency of trade negotiations, not only for bilateral processes, but also for plurilateral and multilateral processes where possible.

Protection of whistleblowers and the fight against corruption: whistleblowers have too often found more prosecution than support even in the EU institutions. Members considered that effective whistleblower protection to be a key weapon in the fight against corruption. Therefore, they reiterated their call on the Commission to **propose, by June 2016, an EU legislative framework** for the effective protection of whistleblowers.

The report called for the EU to advance its application for membership of the Council of Europe Group of States against Corruption (GRECO) as soon as possible. It stated that persons convicted by a final judgment of corruption in the EU or companies led or owned by persons who committed acts of corruption or misappropriation of public funds for the benefit of their company and have been convicted by a final judgment on those grounds should, **for at least three years, be effectively banned from entering into procurement contracts** with the European Union and from benefiting from EU funds.

Members believed that the **data on budget and spending** within the EU should be transparent and accountable through publication, including at the level of Member States as regards shared management.