Transparency

*key for*

**Citizens trust – Accountability of institutions – Legitimacy**

**European Commission and transparency**

- Commissioners declaration of interest;
- Register of comitology;
- Access to internal documents (reg 1049/2001);
- Register of expert groups;
- Publication of:
  - work programme
  - road maps
  - Impact assessments
- Beneficiaries of EU funds;
- Transparency Register (advocacy lobbying interest rep.);
*etc.*
The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.

2. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.

3. The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union’s actions are coherent and transparent.

4. … (citizens initiative)
A common perception!
Interaction between the institutions (public office holders) and the representation of citizens

LEGITIMATE

NECESSARY

BUT subject to conditions of:

Transparency (citizens have the right to know)

Non discrimination (level playing field)

Conformity with law and ethics
The EP/COM Transparency Register system

• An interinstitutional agreement.

  • Text in OJEU L191/29 of 22.7.2011

• A public Register with three pillars.

  - A Public data base:
    the « Transparency register »

  - A code of conduct

  - An alert system with possible sanctions

• A common EP/Com Secretariat.
<table>
<thead>
<tr>
<th>Professional consultancies – law firms self employed consultants</th>
<th>NGOs</th>
<th>Org. representing local regional &amp; municipal authorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>In house lobbyists (firms) Trade &amp; professional associations</td>
<td>Think tanks &amp; academic institutions</td>
<td>Other public or mix entities etc.</td>
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<tr>
<td></td>
<td>Org. representing churches and religious communities</td>
<td></td>
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</tbody>
</table>
All activities, other than excluded, 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.
1. - Provision of legal and professional advice.
2. - Activities explicitly allocated to entities by the treaties
3. - Activities in response to direct and individual request from EU institutions
Special cases

- Churches & religious communities;

- Political parties;

- Local, regional and municipal authorities;

- Network, platforms without legal status;

- Member states governments, third countries, international & intergovernmental organisations (including their diplomatic missions).
A few perks

From Commission:

- Alerts on public consultations

- Alert on road maps

From Parliament:

- Prerequisite for accreditation requests for a fast track access to Parliament’s buildings
What if not registered?

**Unchanged:**

Any right conferred by the treaties or public process.

Examples.

- Participation in public consultation.

- Handling of mails (code of good conduct).

- etc.

**BUT:**

- Contributions sent to public consultations are published separately.

- Officials have no obligation to accept a request for appointment.

- Parliament will not consider accreditation requests for fast track access to its buildings.

- Members & Officials might be reluctant to accept invitations to attend events by unregistered organisations, or sponsor events in the EP together with unregistered organisations.

- etc.
<table>
<thead>
<tr>
<th>General &amp; basic information:</th>
<th>Activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coordinates – persons in charge etc.</td>
<td>main legislative proposals covered</td>
</tr>
<tr>
<td>Number of persons involved</td>
<td></td>
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<td>Goals remit field of interest</td>
<td></td>
</tr>
<tr>
<td>Networks, affiliations</td>
<td></td>
</tr>
</tbody>
</table>

| Financial information:                   |                                              |
| budget + sources of revenue              |                                              |
| estimate of eligible expenditures        |                                              |

| EU funding received                      |                                              |
| Names of clients and level of contracts  |                                              |
CODE OF CONDUCT

– (a) always identify themselves by name and by the entity or entities they work for or represent; declare the interests, objectives or aims promoted and, where applicable, specify the clients or members whom they represent;
– (b) not obtain or try to obtain information, or any decision, dishonestly, or by use of undue pressure or inappropriate behaviour;
– (c) not claim any formal relationship with the EU or any of its institutions in their dealings with third parties, nor misrepresent the effect of registration in such a way as to mislead third parties or officials or other staff of the EU;
– (d) ensure that, to the best of their knowledge, information which they provide upon registration and subsequently in the framework of their activities within the scope of the register is complete, up-to-date and not misleading;
– (e) not sell to third parties copies of documents obtained from any EU institution;
– (f) not induce Members of the EU institutions, officials or other staff of the EU, or assistants or trainees of those Members, to contravene the rules and standards of behaviour applicable to them;
– (g) if employing former officials or other staff of the EU or assistants or trainees of Members of the EU institutions, respect the obligation of such employees to abide by the rules and confidentiality requirements which apply to them;
– (h) observe any rules laid down on the rights and responsibilities of former Members of the European Parliament and the European Commission;
– (i) inform whomever they represent of their obligations towards the EU institutions.
Complaint and sanction

• Procedure for the handling of complaints:
  – Submission
  – Admissibility *(material elements)*
  – Investigation *(right of defense)*
  – Decision *(proportionality)*

• Grid of sanctions available:
  – Types of non compliance *(intentionality)*
  – Available measures *(suspension – removal)*
  – Publicity
  – Cancellation of accreditation for fast track access to EP buildings
The interactive web interface

Transparency Register

For organisations and self-employed individuals engaged in EU policy-making and policy implementation

About the register
- Why a transparency register?
- Code of conduct
- Official documents
- Key events and evolution of the register
- Information material
- Press releases
- The joint Transparency Register Secretariat
- Parliamentary questions
- Data protection rules
- Legal notice
- Useful links

Register your organisation
- Who is expected to register?
- Why register your organisation?
- How to complete the registration form
- Frequently Asked Questions (FAQ)

You are not registered?
- Register

You are registered?
- Update information for your organisation

You wish to have access to the European Parliament?
- Request European Parliament accreditation

Consult the register
- Why consult the register?
- Alphabetic list of registered organisations
- Statistics
- What's new in the register?

Complaint mechanism
More information about submitting a complaint

Share
QUALITY CHECKS

1. REAL EXISTENCE
2. FUNDAMENTAL VALUES
3. CONSISTENT WITH OPEN SOURCE INFO
4. CORRECT SECTION
5. IIA + Guidelines COMPLIANCE
6. CREDIBILITY
   - Personnel nber/cost
   - Budget or expenditures
   - Zero € declaration explained
7. Consistent with EP Access control data
8. List of clients, by names
9. Miscellaneous
NEXT STEPS

• Internal & external information & communication activities

• specific arrangement with the Council.

• Public consultation, then first annual report to be presented (autumn 2012)