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Jean-Claude JUNCKER
President of the European Commission

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Brussels, 12 JUN 2019
Ares (2019) 3302303

Dear President Tajani,

Thank you for your letter of 17 May 2019 concerning the interinstitutional negotiations on the Commission's proposal for a mandatory Transparency Register.

The Commission's objective is to make a genuine step forward towards greater transparency of lobbying activities vis-à-vis the EU institutions by turning the current, voluntary scheme into a Register of de facto mandatory nature. This was one of the commitments for a Union of democratic change under my Political Guidelines.

Since the beginning of the current mandate, the Commission has unilaterally applied the principle 'no registration, no meeting' to interactions of lobbyists with Commissioners, their Cabinets and Directors-General. The results speak for themselves: the Register now has 11,900 entries, 5,000 more than when we took office. Our proposal to extend this principle to meetings with decision-makers in the two other institutions – Members of the European Parliament and the Presidency in the Council – would make registration a de facto precondition for exercising influencing activities at EU level.

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An inter-institutional agreement extending this approach to the three institutions remains the most promising and pragmatic option to deliver a de facto mandatory regime. The proposal fully takes into account the specific nature of each of the institutions. The Commission is very aware of the importance of the freedom of mandate of democratically elected representatives. A commitment for Members of the European Parliament to meet only registered lobbyists would in no way affect the freedom of mandate. The principle would only apply to meetings with organisations or individuals falling within the scope of the Transparency Register. It would not affect meetings with constituents and citizens.

With regard to your comments on the timeline of the negotiations, I would like to make the following comments. Inter-institutional negotiations on the Commission's proposal of September 2016 could only begin in April 2018, since both the Parliament and the Council needed some time to establish their negotiating mandates. In July 2018, after two rounds of negotiations at political level, the Commission regretted that neither the Parliament nor the Council were ready to consider anything more than the voluntary, non-binding application of the "no registration, no meeting" principle to decision-makers. In other words, decision-makers in the Parliament and the Council would still have been able to meet unregistered lobbyists. Given that the consistent application of this principle was central to the proposal and its objectives, the Commission asked the Parliament and Council to reflect further with a view to improving their proposals.

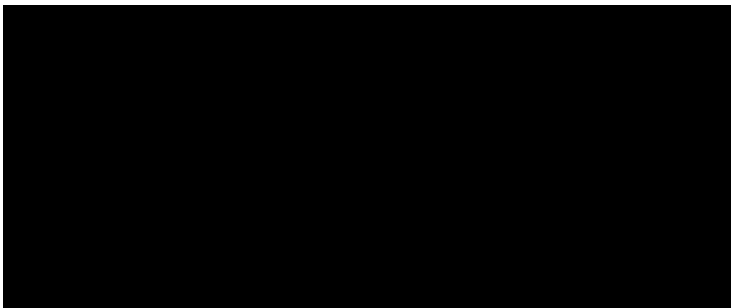
In particular, the Commission welcomed the fact that amendments which were directly relevant to the core substance of the negotiation were being discussed within the European Parliament in the context of the review of its Rules of Procedure. Indeed, some of these amendments, if adopted, would have led to a binding application of the "no registration, no meeting" principle. Out of respect for Parliament's own ongoing debate on this issue, the Commission therefore suggested that the next political meeting should take place only after the completion of this process. The Commission was always very clear about its readiness to schedule the next political meeting as soon as possible after Parliament's plenary vote on the Rules of Procedure, which was indeed what happened.

I very much regret that this proposal, which ranked among my political priorities, could not be adopted within the term of the outgoing Parliament. We need a strong mandatory Transparency Register to ensure the consistently high transparency standards which citizens expect from our institutions. The differences in the level of ambition between the three institutions is something we therefore need to overcome, and I hope the Parliament, Council and Commission will pursue their efforts in the next term.

In the meantime, the Commission would of course welcome it if, as you suggest, both the Parliament and Council decided to implement in a unilateral way the measures they have proposed in the negotiation. In this context, it is important that the provisions in the Parliament's Rules of Procedure concerning publication of meetings are implemented in a way that facilitates scrutiny of interactions with interest representatives and helps strengthen the current Transparency Register, for example by indicating whether these interest representatives are registered. The Commission would equally welcome it if Parliament would already implement, at the beginning of the coming term, the voluntary declaration by Members to only meet registered lobbyists. Whether this would allow, to a certain extent, to achieve by political means the objective sought by the Commission of consistent application of the "no registration, no meeting" principle can only be assessed in light of experience.

I remain convinced that delivering real change here is essential to ensuring citizens' continued trust in EU law-making and that delivering technical adjustments to the current voluntary regime would clearly fall short of their expectations. This Commission has made a step change in opening up our work to public scrutiny beyond only meeting registered lobbyists – through more public consultations, through systematically publishing our meetings and our travel expenses, through the publication of mandates for trade negotiations and the Brexit negotiations - to name but a few. I do hope that the three institutions will take the work forward in this spirit.

Yours sincerely,



From: SG COURRIER DU PRESIDENT (EC)
Sent: 12 June 2019 11:00
To: TAJANI Antonio, President
Subject: Reply to your letter to President Juncker Ares(2019)3302303
Attachments: renditionDownload.pdf

Please find enclosed the reply to your letter of 17 May 2019 addressed to the President of the European Commission, Mr Jean-Claude Juncker.

Kind regards,



European Commission
Secretariat-General
President's Mail Team