

09.04.2015

Implementation of the transparency rules: state of play**1. STATISTICS ON MEETINGS RECORDING****1.1. Publication of information on meetings held between Commissioners and organisations or self-employed individuals**

2708 meetings in total have been encoded by Commissioners and Cabinets for the period between 1 December 2014 and 15 March 2015.

The highest numbers of meetings have been held by Commissioner Cañete and his cabinet (256); Vice-President Katainen and his cabinet (242); and Commissioner Malmström and her cabinet (201).

For the full set of statistics, please see the annex.

1.2. Publication of information on meetings held between Directors-General and organisations or self-employed individuals

319 meetings in total have been encoded by Directors-General for the period between 1 December 2014 and 15 March 2015.

The highest numbers of meetings have been held by the Directors-General for Energy (45); Communications Networks, Content and Technology (40) and Mobility and Transport (31).

For the full set of statistics, please see the annex.

2. PLANNED IMPROVEMENTS TO THE MEETINGS IT TOOL

Responding to user requests and to experience gained since the launch of the internal IT tool for the recording of meetings in December 2014, the Secretariat-General is working on several technical improvements. The main forthcoming upgrades include the following:

- Modernised design and user-friendly "look and feel";
- Introduction of an *Edit* button allowing for the retroactive correction of encoded information;
- Possibility to search and select from the Transparency Register names of entities met directly, and to see the status of "suspended" registrants.

The new version will be developed and tested during the month of April and is expected to be rolled out in May.

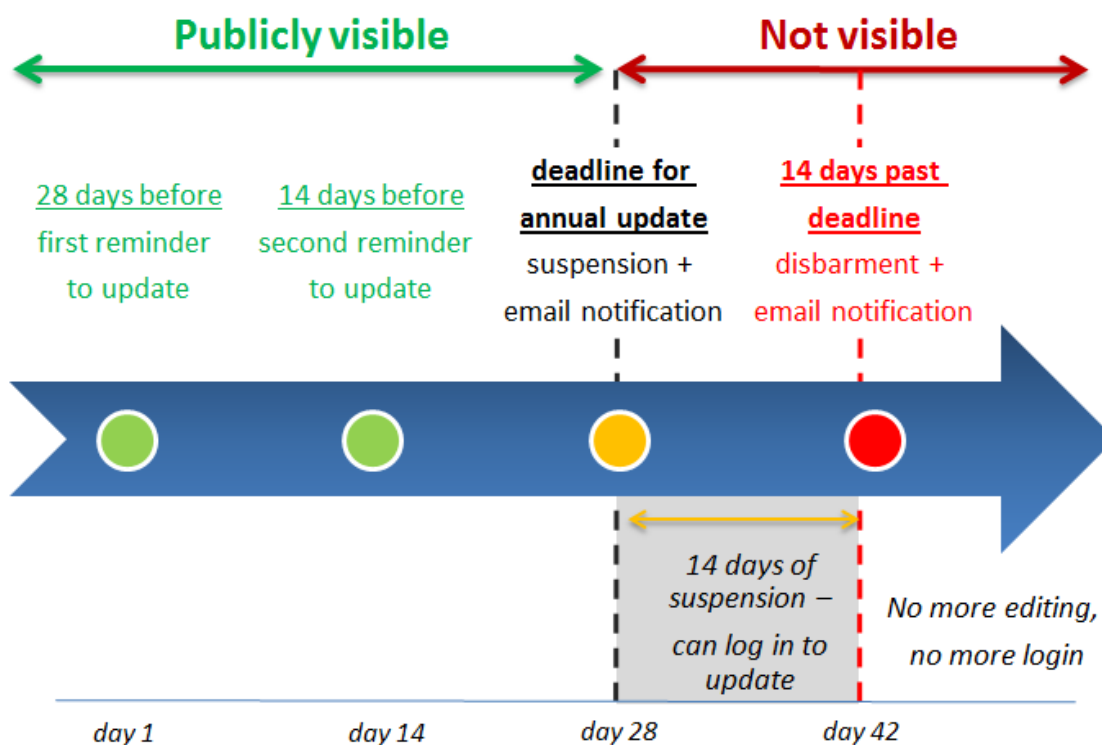
3. DEADLINE FOR UPDATING TRANSPARENCY REGISTER ENTRIES AND IMPACT ON REGISTRANTS

The Transparency Register currently contains over 8,300 registrants. At the time of the launch of the new version on 27 January 2015, all registrants were given 3 months (i. e. until 28 April 2015) to update the entirety of their data by switching over to the new registration form and filling in/validating all required fields. As of mid-March, the total number of registrants that have updated their data is around 5230, i.e. approx. 65%. Registrants that have not updated their data have received two email reminders (the latest one was sent on 27 March 2015).

Registrants that do not perform the update by the deadline will automatically move to "suspended status" as from 29 April 2015, i.e. they will become publicly invisible but will still be able to access and edit their data. If within 14 calendar days they still do not update their data, they will be automatically "disbarred", i.e. permanently erased from the database. At this point they will have to submit a brand new registration in order to re-join the system. Registrants receive an automatic notification when they are suspended/disbarred.

Outside this three-month migration period, all registrants are in any case required to carry out an annual update; failure to do so implies the application of the exact same measures concerning suspension and disbarment.

Diagram of the annual update procedure:



Suspension/disbarment can also occur due to a self-withdrawal or a quality check carried out by the Joint Transparency Register Secretariat (JTRS) revealing an irrelevant or otherwise problematic entry, or in the context of the alerts and complaints procedure.

Most probably as of the end of April/beginning of May, the overall number of registrants is expected to drop substantially, as a number of them will not have performed the required update. This can be expected due to a variety of reasons: obsolescence, lack of attention/interest, wrong contact details, etc.

Note that a meeting with a suspended or disbarred entity cannot be encoded via the meetings IT tool as the registration is from that moment deemed "inactive." This means that Commissioners/Cabinet members/Directors-General will have to cancel their meetings if entities that are currently registered do not meet the deadline for updating. In the next version of the tool planned for May it will be possible for users of the tool to see registrants in "suspended status."

4. AREAS FOR ADDITIONAL GUIDANCE

On the basis of experience gained and questions received, it seems that additional guidance needs to be provided about the following issues:

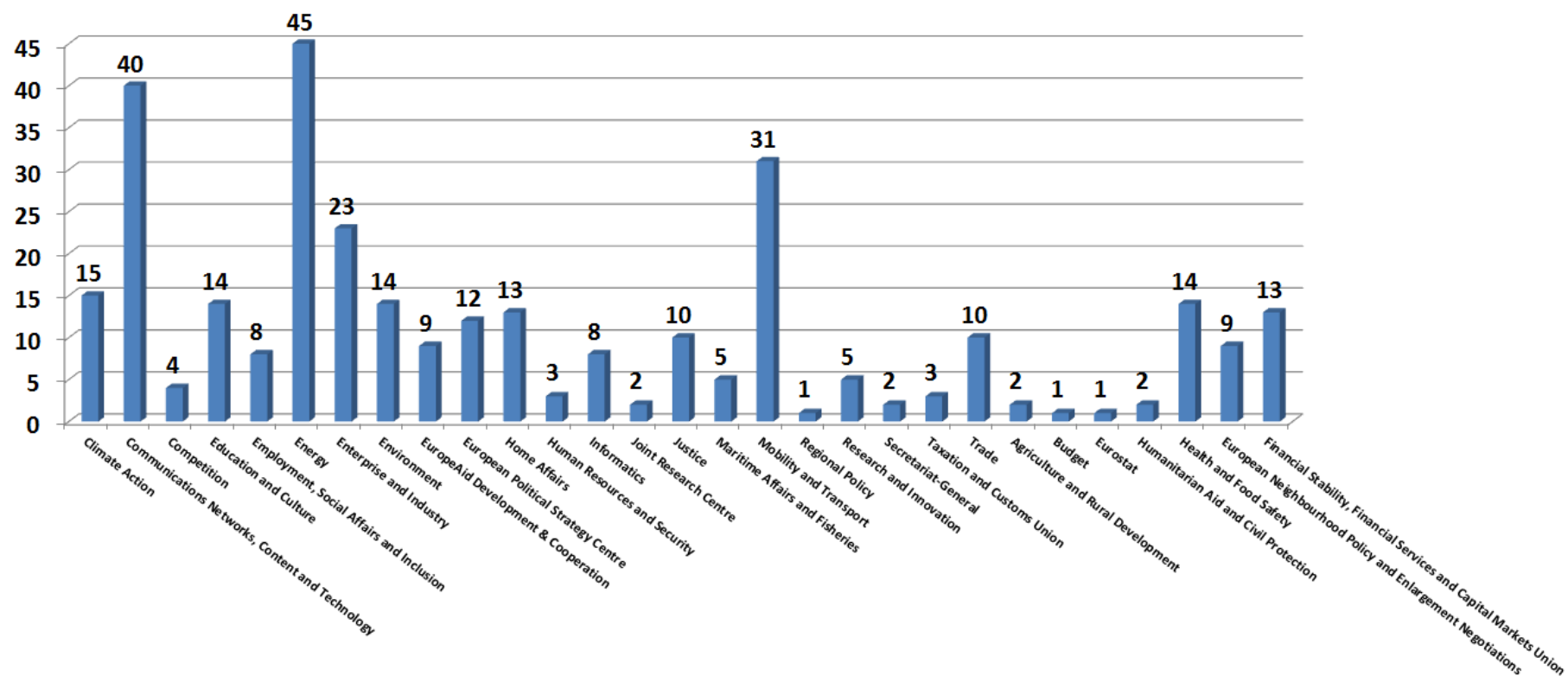
- **Dealing with suspended registrants:** the recommended good practice when scheduling a meeting with an interest representative is to (1) check whether it the latter is registered, and subsequently, especially for meetings scheduled a long time in advance, (2) to confirm again a couple of days before a meeting that the entity is still active in the Transparency Register. The reason is that if an entity is in "suspended status" (see possible reasons above) it will no longer be publicly visible in the Transparency Register and the meeting cannot be recorded via the dedicated tool.
- **Coverage of the Decisions:** certain Commission services (e.g. HR, OIB, OIL, PMO) appear to have been unaware, until recently, that the new transparency policies concern their Head of Service as well. Consequently, they have only lately set up the respective Europa webpages enabling the Heads of Service to publish information on meetings.
- **Definition of "international organisation"¹:** there have been uncertainties as to what is meant by "international organisations" to be excluded from the scope of the two Decisions. It should be clarified that by "international organisation" it is meant, an "international *intergovernmental* organisation," i.e. one composed of countries as members, such as the UN and its Agencies, WHO, Council of Europe, etc. For this reason, the recital refers to "protecting the international relations of the Union."
- **Extension of obligation to meet only registered entities:** it appears that certain Directorates-General (e.g. AGRI and FISMA) have decided to extend the rule "not in the Register, no meeting" to all staff. It should be noted that whilst such unilateral measures may be taken by Directors-General, the formal rule concerns only Commissioners, their staff and heads of departments.
- **Public scrutiny:** transparency activists are scrutinising closely information on meetings published by the Commission. Unwarranted criticisms about omissions and inconsistencies should be avoided. It remains the individual responsibility of each Cabinet and service to ensure that the required information is provided in a timely and accurate manner.

¹ Recital (8) of Decisions C(2014) 9048 and C(2014) 9051 of 25.11.2014

ANNEX

1. Meetings held by Directors-General

Total number of meetings by Director General (01/12/2014 - 31/03/2015)



Note: Directors-General with 0 meetings not included

2. Meetings held by Commissioners and their Cabinet members

Total number of meetings by Commissioner and Cabinet (01/12/2014 - 31/03/2015)

