



# EUROPEAN COMMISSION

Secretariat-General

The Secretary-General

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## NOTE TO MR LUIS ROMERO REQUENA DIRECTOR-GENERAL OF THE LEGAL SERVICE

**Subject: Amendment of Decisions C(2014) 9048 and C(2014) 9051 of 25 November 2014**

Decisions C(2014) 9048 and C(2014)9051 on the publication of information on meetings held by Directors-General and Commissioners respectively, stipulates that:

*(...) "organisation or self-employed individual" means any organisation or individual, irrespective of their legal status, engaged in activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the institutions of the Union, irrespective of where these activities are undertaken and of the channel or medium of communication used.*

*This notion does not include representatives of other Union institutions or bodies, national, regional and local authorities of Member States and of third countries or international organisations. However, it covers any association or network created to represent regions or other sub-national public authorities collectively. (Article 2, c)*


As you might be aware, this particular provision has generated much criticism and demand for change from various representative structures of regional and local authorities, the Bundesrat, the Committee of the Regions and individual MEPs. These actors consider that the Decisions should not apply to them as democratically-elected structures representing public interests towards the EU institutions.

The President and the First Vice-President have invested considerable efforts in explaining and reassuring the various actors. In reality, the issue runs deeper and is related to the Interinstitutional Agreement on the Transparency Register which also covers local authorities in its scope. It is our intention to change the IIA at the next round of negotiations with the European Parliament and the Council but this is a longer-term prospect.


Meanwhile, it is clear that an amendment of the Commission Decisions will go a long way towards accommodating the concerns of sub-national authorities. Therefore, the President has asked me to do the necessary to modify the Decisions. The amendment should make it clear that regional and local authorities as well as any association or network created to represent them collectively is excluded from the scope of the Decisions. In practice, such exemption would mean that the rule "not in the Register, no

meeting" would not apply thereby removing any potential obstacles for sub-national authorities to interact with top decision- makers.

I would be grateful if your services could take forward the required amendments of the related Commission Decisions in association with SG's Transparency Unit.



Catherine Day

Copy: - Mr Martin Selmayr (President's Cabinet),  
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