EUROPEAN COMMISSION



Office of First Vice-President Frans Timmermans Head of Cabinet

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Dear Members of the ALTER-EU Steering Committee,

Thank you for your letter of 4 November 2015 on the Commission's policy to publish information on meetings between registered interest representatives and Commissioners, their Cabinets and the Directors-General of the Commission's services ('November 2014 Decisions').

The Juncker Commission has made democratic change and transparency one of the ten priorities for its term of office. The Commission has taken several initiatives to this end in addition to the November 2014 Decisions. In the field of international relations, we have introduced a set of measures to make the negotiations on the Transatlantic Trade and Investment Partnership the most transparent international agreement negotiations to date. Furthermore, the new Commission's policy on better law-making contains a series of important new transparency features, and important provisions on transparency in legislative procesures form part of the new Interinstitutional Agreement on Better Lawmaking recently agreed between the three Institutions on the basis of a Commission proposal. To further reinforce policy in this area, the Commission intends shortly to make participation in expert groups for interest groups conditional on a registration in the Transparency Register. The Commission will furthermore present a draft Interinstitutional Agreement on a mandatory Transparency Register for all three institutions in 2016. All these initiatives illustrate the fact that the Juncker Commission is clearly in the vanguard for more transparency in the European institutions - a fact that has been widely recognized, including by the European Ombudsman.

As regards the meetings with interest representatives, I would like to underline that more than 6,000 bilateral meetings have already been published. This demonstrates that the Commissioners, their Cabinets and Directors General are applying the November 2014 Decisions promptly and correctly. In its contacts with interest representatives, the Commission is guided by the rule "not on the Register, no meeting". To support this policy, the IT system for encoding and publicising these meetings has been designed in such a way that creating an entry for publication is not possible before the entity is not registered in the Transparency Register.

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Nevertheless, it cannot be excluded that individual and isolated oversights might have occurred during the last twelve months, which, given their publication on the Commissioners' agendas, were clearly not intentional. In this context, it is important to keep in mind that the Commissioners' online agendas represent a calendar of upcoming meetings and events, most of which are not covered by the publication requirements as they concern encounters with entities and individuals falling outside the scope of the November 2014 Decisions (e.g. Heads of State or Government, other political figures, international intergovernmental organisations, public authorities, etc.).

In other cases, agenda entries concern participation in public events that cannot be qualified as 'bilateral encounters' (such as (press) conferences, workshops, round-table debates, diplomatic visits, official ceremonies, etc).

Regarding the required level of detail of the publication, the recommended good practice is to publish the names of all organisations registered in the Transparency Register that were present at the meeting. In practical terms, associations often represent the interests of very numerous individual member organisations vis-à-vis the EU institutions. In such cases, for practical reasons only the representative association is named.

In your e-mail, you put forward that some meeting topics were overly vague and advocated that each and every legislative dossier and/or issue touched upon in a meeting should be recorded as the subject(s) of a meeting. The Commission's current practice aims to ensure that the subject of the meetings should be reasonably meaningful whilst keeping the system proportionate and manageable.

You suggested further that the Commission should set-up a one-stop-shop with centralised meetings information. The decision for the decentralised publication of data was deliberately driven by the wish to give direct responsibility to the Commissioners, Cabinets, and the senior Commission officials concerned for their respective publication. The Commission continues to consider this the most effective means to ensure that those concerned take personal responsibility for complying with the November 2014 Decisions. As you mentioned, the Commission is aware that Transparency International has set up a website (http://www.integritywatch.eu/) which uses the Commission's data to provide a one-stop-shop presentation.

You also argued that the Commission should extend the November 2014 Decisions to all Commission staff. It was indeed a conscious decision to limit the scope of this rule to the top decision-makers at the political and at the senior management level. This is due to the special role, accountability and responsibilities allocated to the persons holding such positions. It may be useful to add that the Commission's Practical Guide to Staff Ethics and Conduct advises all staff to check the credentials of a given interest representative to make sure they feature in the Transparency Register.

I would like to again reassure you of this Commission's commitment to lead by example when it comes to transparency and hope that this reply provides a useful complement to my letter of 17 November.

Thank you for your continuing interest in this vital topic.

Yours sincerely,

Bensmulders