



Council of the
European Union

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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
No. prev. doc.:	15521/22
Subject:	Transparency register - Assessment of the implementation of conditionality and complementary transparency measures in the Council

1. The Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on a mandatory Transparency Register¹ (IIA) requires that the Council and other signatory institutions provide an assessment of the implementation of the conditionality measures they have adopted (Art. 14(1) of the IIA).

¹ OJ L 207, 11.06.2021, p. 1

2. According to Article 13 of the IIA, conditionality and complementary transparency measures put in place by the signatory institutions are part of the annual report on the functioning of the register during the preceding year². For the Council, these measures consist in the prior registration of interest representatives in the transparency register for meeting the Secretary-General and Directors General, and participating in thematic briefings or as speakers in public events organised by the GSC³. The modalities for implementing these measures in the GSC are set out in a Staff Note of 1 July 2021.⁴
3. In addition, in light of the international situation, the Secretary-General instructed the staff of the General Secretariat to refrain from meeting interest representatives and representatives of legal persons, entities and bodies established in Russia, as well as from inviting them to thematic briefings or public events organised by the General Secretariat of the Council, with immediate effect⁵. Pending the ongoing investigation as to whether the said legal persons, entities and bodies fulfil the conditions for registration, and in particular whether they observe the code of conduct set out in Annex I to the IIA, their registration was suspended by the Secretariat of the register as a precaution under point 1.3 of Annex III to the IIA.
4. On 21 January and 28 April 2022, the Working Party on Information was briefed about the implementation of the IIA since its entry into force on 1 July 2021 by the dedicated GSC Service representing the Council as part of the Secretariat of the transparency register. According to information gathered and shared with delegations during the above-mentioned meetings, the GSC considered that there were no grounds or facts justifying that recommendations are made on the improvement or reinforcement of the measures adopted by the Council for implementing the conditionality principle set in the IIA.

² Annual report on the functioning of the Transparency Register 2021, available on the website of the Transparency register (<https://ec.europa.eu/transparencyregister/public/>)

³ See Council Decision (EU) 2021/929 of 6 May 2021 on the regulation of contacts between the General Secretariat of the Council and interest representatives, OJ L 207, 11.06.2021, p. 19

⁴ CP 35/21

⁵ CP 42/22

5. Further, in order to fulfil the obligation to assess the implementation of the conditionality measures (Article 14(1) of the IIA), the Working Party on General Affairs (GAG) was consulted on 9 December 2022⁶. The GAG did not raise any additional observations and the Presidency concluded that this point would be referred to COREPER.
6. In the light of above, COREPER is invited to endorse the result of the assessment of the GSC that there are no grounds to justify recommendations for the reinforcement of the implementation of the conditionality measures adopted by the Council.

⁶ ST 15521/22