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From:	General Secretariat of the Council
date of receipt:	16 May 2019
To:	Delegations
Subject:	Letter to the attention of Minister-delegate for European Affairs Mr Ciamba signed by EP Vice-President Guillaume and Commission First-Vice President Timmermans including the "Annual Report on the operations of the Transparency Register in 2018".

Delegations will find attached a letter from EP Vice-President Ms Guillaume and Commission First Vice-President Mr Timmermans to the Romanian Presidency (Minister-delegate for European Affairs Mr Ciamba) and the annexed "Annual Report on the operations of the Transparency Register 2018".



Joint Transparency
Register Secretariat



George CIAMBA
President of the Council
Council of the European Union
Rue de la Loi, 175
1048 Brussels

Dear President,

We are pleased to enclose for your attention the Annual Report on the operations of the Transparency Register in 2018.

The Register was launched by the European Parliament and European Commission in June 2011. It represents a key instrument in our relations with interest representatives and is an important part of our wider transparency policy. The Annual Report presents statistics on the operations of the Register from January to December 2018 and describes the activities undertaken by the Joint Transparency Register Secretariat (JTRS) in particular with regard to ensuring an optimum quality of data and raising awareness of the tool.

We look forward to continued good cooperation between our institutions so that, together, we can reinforce further the transparency and integrity framework of the EU institutions, via an effective and credible Transparency Register.

Yours sincerely,


Vice-President Sylvie GUILLAUME


First Vice-President Frans TIMMERMANS

The Transparency Register is operated by the European Parliament and the European Commission.
The "Joint Secretariat" is staffed by officials from both institutions.

<http://europa.eu/transparency-register>



Joint Transparency
Register Secretariat



**Annual Report on the operations of the Transparency
Register 2018**

**Presented by the Secretaries-General
of the European Parliament and the European
Commission**

to

**Ms Sylvie Guillaume, Vice-President of the European
Parliament
and
Mr Frans Timmermans, First Vice-President of the
European Commission**

The Interinstitutional Agreement on the Transparency Register signed on 16 April 2014 lays down in paragraph 28 that an Annual Report on the operations of the Transparency Register shall be submitted to the relevant Vice-Presidents of the European Parliament and the European Commission.

This Report presents statistics on the Transparency Register from 1 January to 31 December 2018 and describes the activities undertaken by the Joint Transparency Register Secretariat, in particular with regard to ensuring an optimum quality of data, monitoring compliance with the Code of Conduct and raising awareness of the scheme.

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Transparency Register website: <http://ec.europa.eu/transparencyregister>

I. INTRODUCTION

The Transparency Register was set up as a joint scheme by the European Parliament and the European Commission in 2011 by means of an Interinstitutional Agreement. It represents one of the key tools for implementing the commitment of these two institutions to transparency, among a number of other initiatives. The Transparency Register applies to all organisations and self-employed individuals engaged in activities carried out with the objective of influencing the decision-making and policy implementation processes of the EU institutions. By revealing what interests are being pursued, by whom and with what level of resources, the Transparency Register allows for increased public scrutiny, giving citizens, the media and stakeholders the possibility to track the activities and potential influence of interest representatives. The Transparency Register has grown since its inception and today includes almost 12 000 entities¹; they all signed up to a common Code of Conduct. It is one of the largest tools of its kind worldwide.

II. STATE OF PLAY OF THE TRANSPARENCY REGISTER²

1. Statistics

While the total number of registrants continues to grow, the six sections for registration in the Transparency Register have remained relatively stable in terms of their proportionate size.

In 2018, ‘In-house lobbyists and trade/business/ professional associations’ (**Section II**) continued to be the largest section of registration, now representing just over half of all registrants, (see pie chart 1). Within this Section, the sub-section, ‘Trade and business associations’ remained the largest group with just over 40 % of the Section. The share of ‘Trade unions and professional associations’ grew slightly in 2018 to almost 15 %, and the subsection ‘Companies and groups’ reached almost 39 % within Section II, up from 37 % the previous year (see pie chart 2, Section II).

‘Non-governmental organisations’ (**Section III**) remained the second most common type of registrant in 2018, representing just over a quarter of all registered organisations, similar to the previous year.

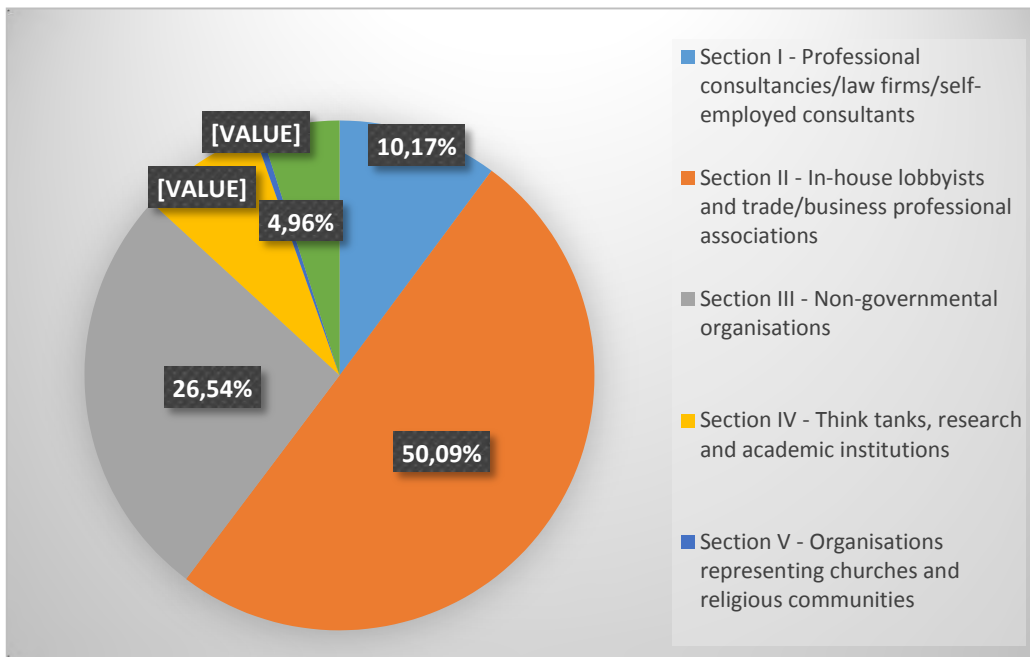
‘Professional consultancies, law firms or self-employed consultants’ (**Section I**) shrunk slightly in size, representing just over 10 % of all registrants, down from over 11 % the previous year.

Fewer entities are registered as ‘Think tanks, research and academic institutions’ (**Section IV**), ‘Organisations representing local, regional and municipal authorities, other public or mixed entities, etc.’ (**Section VI**) and ‘Organisations representing churches and religious communities’ (**Section V**).

¹ Counting only entities that were registered and active on 31 December 2018.

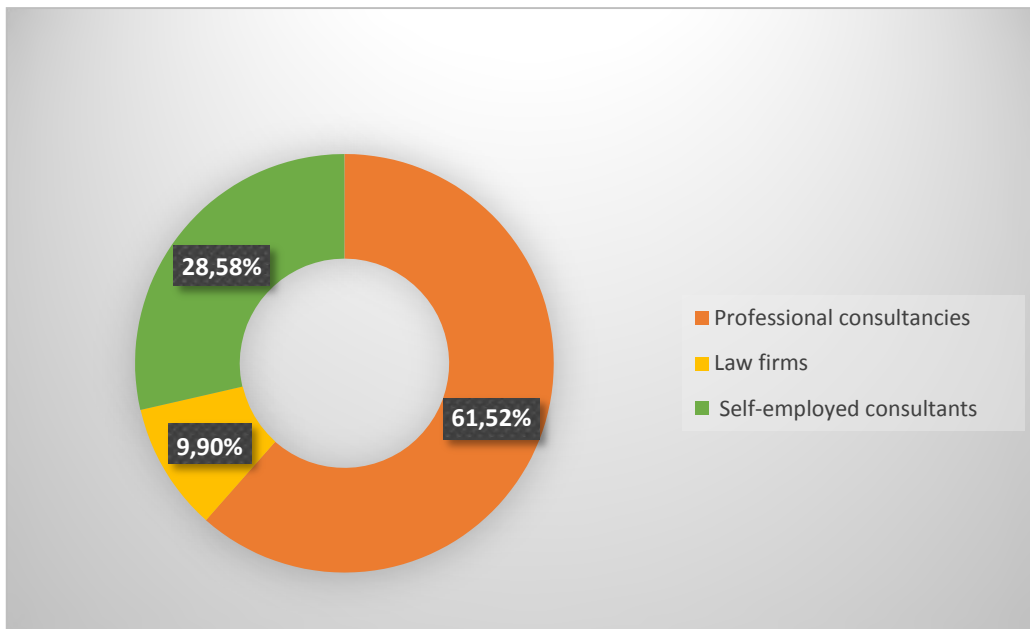
² Figures presented in this report reflect the situation on 31 December 2018.

Pie chart 1: Distribution of interest representatives



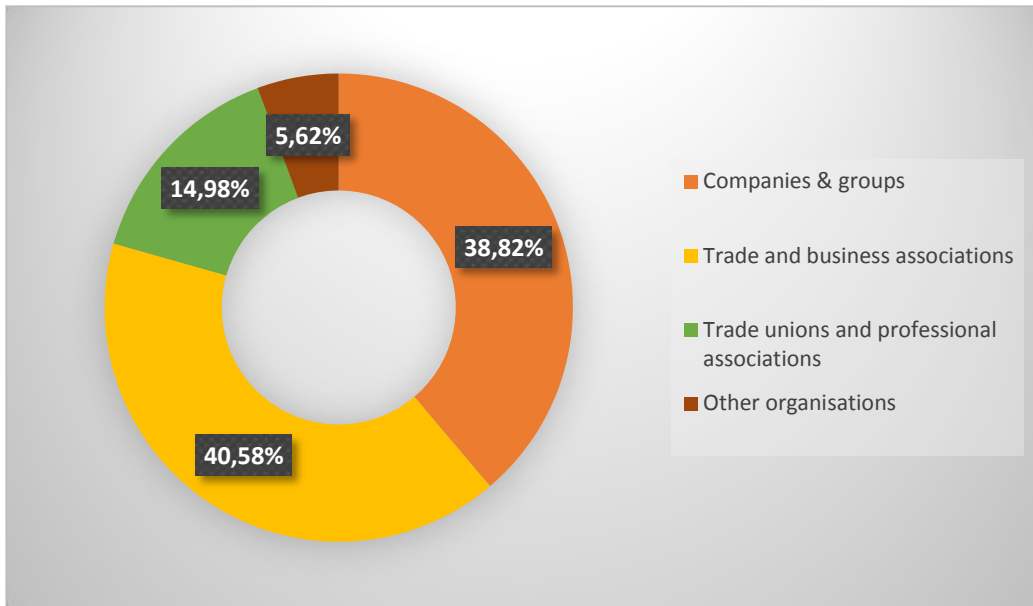
Pie charts 2: Breakdown per sub-section³

Section I: Professional consultancies/law firms/self-employed consultants

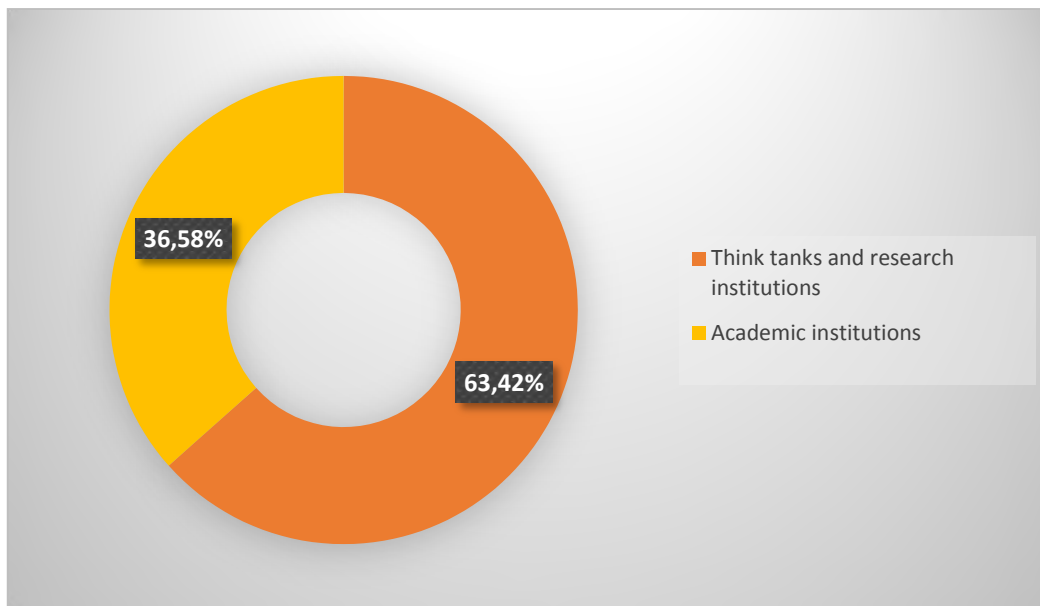


³ Sections III and V do not have sub-sections, so they are not included in the breakdown.

Section II: In-house lobbyists and trade/business/professional associations



Section IV: Think tanks, research and academic institutions



Section VI: Organisations representing local, regional and municipal authorities, other public or mixed entities, etc.

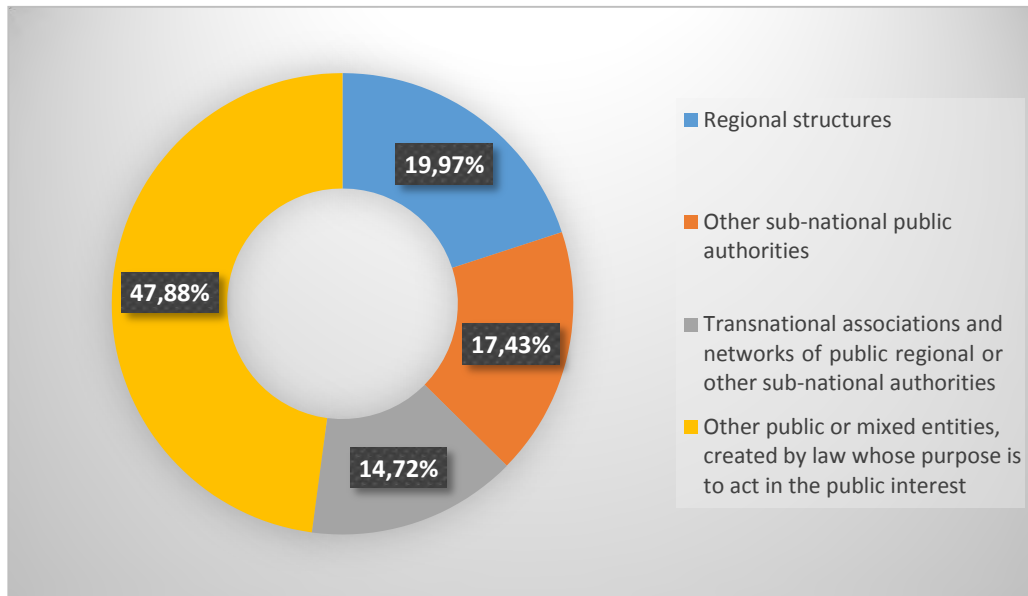


Table 3: Distribution of registrants

On 31 December 2018, there were 11 901 registrants in the Transparency Register spread across the following (sub)sections:	
<u>I - Professional consultancies/law firms/self-employed consultants</u>	1 211
<u>Professional consultancies</u>	745
<u>Law firms</u>	120
<u>Self-employed consultants</u>	346
<u>II - In-house lobbyists and trade/business professional associations</u>	5 962
<u>Companies & groups</u>	2 315
<u>Trade and business associations</u>	2 419
<u>Trade unions and professional associations</u>	893
<u>Other organisations</u>	335
<u>III - Non-governmental organisations</u>	3 159
<u>Non-governmental organisations, platforms and networks and similar</u>	3 159
<u>IV - Think tanks, research and academic institutions</u>	924
<u>Think tanks and research institutions</u>	586
<u>Academic institutions</u>	338
<u>V - Organisations representing churches and religious communities</u>	54
<u>VI - Organisations representing local, regional and municipal authorities, other public or mixed entities, etc.</u>	591
<u>Regional structures</u>	118
<u>Other sub-national public authorities</u>	103
<u>Transnational associations and networks of public regional or other sub-national authorities</u>	87
<u>Other public or mixed entities, created by law whose purpose is to act in the public interest</u>	283

There were 2 762 new registrations in the Transparency Register in 2018 (counting only those entities that registered in 2018 and were still active on 31 December 2018⁴). The average number of new registrations per month was 230 (up from 202 the previous year).

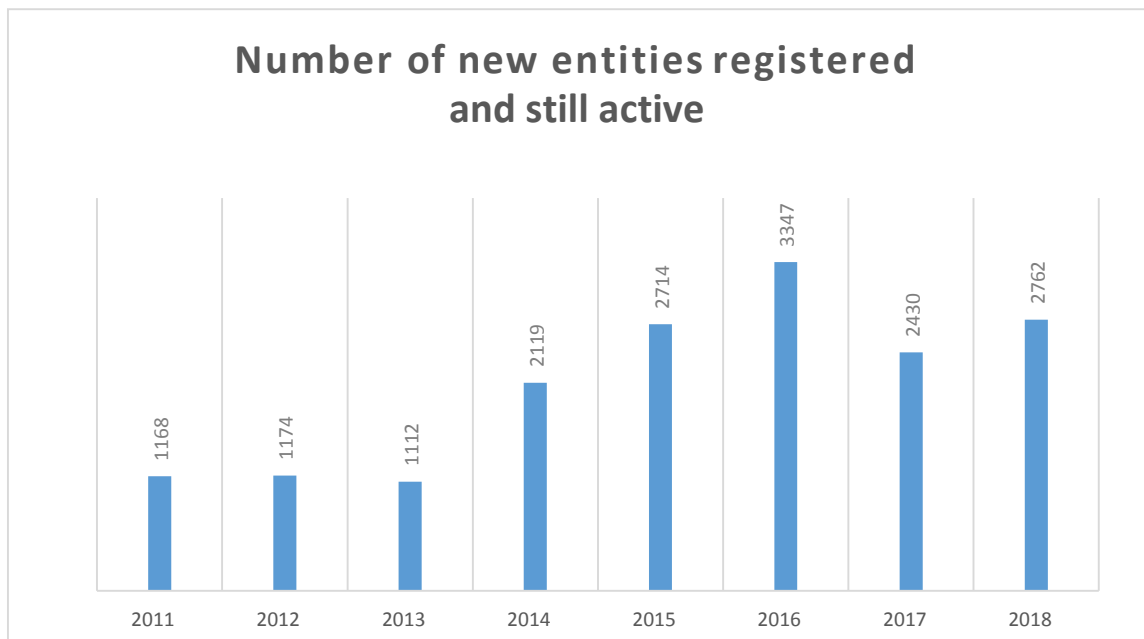
The breakdown of new registrations per section was as follows:

- 466 entities in **Section I**;
- 1 143 in **Section II**;
- 741 in **Section III**;
- 231 in **Section IV**;
- 13 in **Section V** and
- 168 in **Section VI**.

Note:

For yearly statistics since 2011, please refer to the statistics page⁵ on the Transparency Register website.

Chart 4: New registrations per year

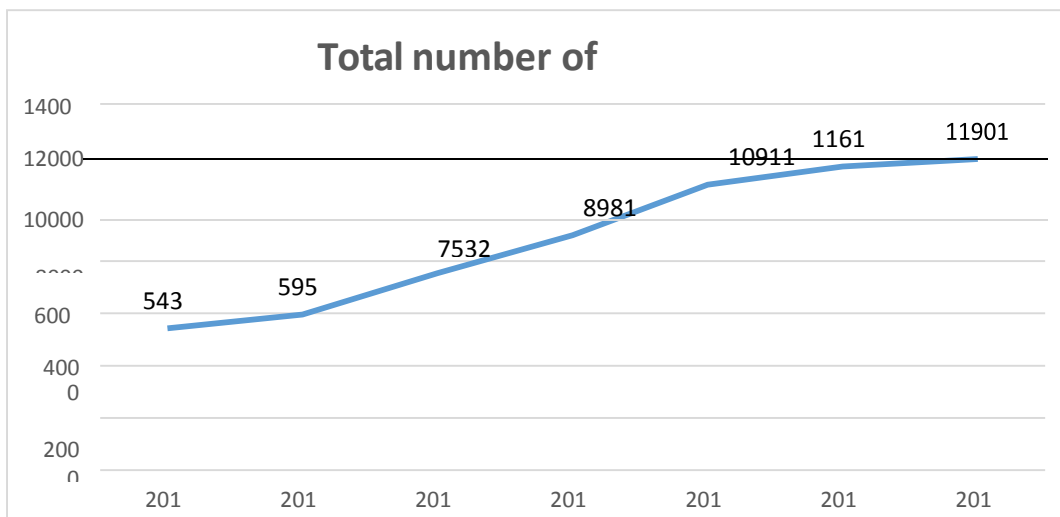


The total number of registrants rose to 11 901 in 2018 (from 11 612 in 2017), representing an increase of less than 300 registrants, or a growth of only 2,4 % compared with a 6% increase between 2016 and 2017 (chart 5).

⁴ Possible reasons for deactivation include self-withdrawal, removal by the Joint Transparency Register Secretariat following an eligibility/quality check, etc.

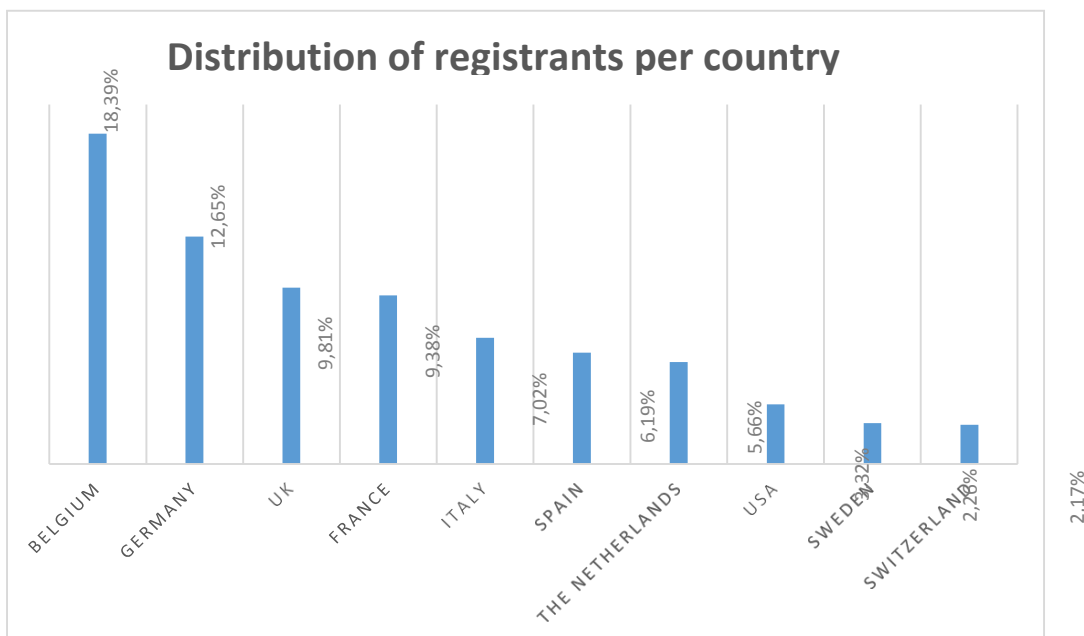
⁵ <http://ec.europa.eu/transparencyregister/public/consultation/statistics.do?locale=en&action=prepareView>

Chart 5: Total number of registrants per year



Registrants with a head office based in the EU account for over 90 % of all registrations, representing considerable growth compared with 77 % the previous year. Two countries outside the EU (United States and Switzerland) feature again in the list of the top 10 countries (chart 6). Organisations from all EU Member States are represented in the Transparency Register; half of all registrants declared a head office in one of the following four countries: Belgium, Germany, the United Kingdom and France, the same as in previous years. More than 32 % of all registrants have an office in Belgium; for approximately 18% of all registrants this represents their head office.

Chart 6: Distribution of registrants per country – top 10⁶



⁶ This statistic is based on the location of the registrant's head office as indicated in the registration. Some registrants may have a dedicated EU office in Belgium in addition to the head office.

2. Incentives linked to registration

The European Parliament and the European Commission offer certain incentives for registered interest representatives. Indeed, access for interest representatives to decision-makers, premises and certain fora in the European Parliament and the European Commission may be subject to registration in the Transparency Register.

For the **European Parliament** such practical advantages linked to registration include:

- *Long-term access to its premises* may only be granted to representatives of registered organisations, after validation by its security service. The validation and renewal procedures all take place online and are usually processed within 3 working days⁷.
- To be eligible as a *speaker at public hearings* held by parliamentary committees, interest representatives' organisations must be on the Register;
- Registrants can *subscribe to email notifications* on the activities of the European Parliament's Committees via the Register;
- When co-organising *events* of political Groups on the European Parliament premises, relevant organisations may be requested to provide registration information;
- Relevant organisations requesting *patronage* by the President of the European Parliament will be requested to provide proof they have registered.

For the **Commission** these include:

- *Meetings with Commissioners, Cabinet members and Directors-General*: interest representatives must be registered in order to be eligible to meet with high-level decision-makers;
- *Public consultations*: registered organisations are automatically notified about consultations and roadmaps in the areas they have specified. Responses from 'registered organisations' and 'others' are published separately;
- *Expert Groups*: registration in the Register is required in order for certain types of Expert Group members to be appointed;
- *Patronage*: the European Commission grants its patronage only to registered interest representatives;
- *Contacts with civil servants*: European Commission officials are advised to check whether interest representatives are registered before accepting an invitation to a meeting or to an event. Contacts with non-registered organisations may be restricted.

Accreditation with the European Parliament

Accreditation to European Parliament's premises can be granted for a period of up to 12 months. Over 8 000 access authorisations for individuals were granted in 2018 by the European Parliament, for representatives of more than 2 500 organisations in the Transparency Register (either as a new request or a renewal). This represents a certain increase compared with 2017.⁸

⁷ See also: <http://www.europarl.europa.eu/at-your-service/en/transparency>

⁸ In 2018, 8 130 access authorisations (as opposed to 7 970 in 2017) for 2 510 organisations (as opposed to 2 506 in 2017) have been granted.

New developments

Since 2017, the European Parliament no longer allows holders of long-term badges from organisations whose registrations in the Transparency Register are in ‘suspended status’ to use their badge during the period of suspension. Their access may only be re-established once the suspension is lifted.

In 2018, a new incentive for registration was introduced, allowing registrants to sign up for notifications regarding the European Parliament Committees’ news. The subscription is customisable by policy area and language.

A new feature introduced in 2018 integrates data regarding meetings registrants have had with the European Commission (with Commissioners, their Cabinet members and Director-Generals) into their profiles in the Transparency Register (in PDF format). This new feature facilitates access to consolidated information and leads to increased transparency. It follows on the synergies with the Register of Commission Expert Groups and Other Similar Entities⁹ introduced in 2017 which allow the Transparency Register to draw data from the Register of Commission Expert Groups. The Transparency Register automatically displays the name of the Expert Group(s) the registrant is appointed to in order to represent either a common interest (Type B members) or an organisation (Type C members).

3. Visits to Transparency Register website

In 2018, the Transparency Register website¹⁰ received about 365 000 visits¹¹ (30 416 visits per month), slightly more than in the previous year. The greatest number of visits originated from Belgium (29 %) followed by Germany (14%), the United Kingdom (8 %) and France (7.5 %). Around 68 % of the visits were direct, while 24 % reached the website via search engines. As regards language preferences, the English version of the webpage generated less than half of the visits (42 % down from 56 %), followed by French (14 %), German (17 % compared to 10 % the previous year), Spanish (6 %), Italian (5 %) and other languages (16 %).

III. ACTIVITIES OF THE JOINT TRANSPARENCY REGISTER SECRETARIAT

The Joint Transparency Register Secretariat (hereinafter: the Register Secretariat) is made up of a team of officials from the European Parliament and the European Commission. For Transparency Register-related tasks their work amounts to approximately six full-time equivalents combined for the two institutions.

The Register Secretariat is in charge of the day-to-day management of the Transparency Register. It provides a helpdesk service, issues guidelines for registration, undertakes data quality checks, handles alerts and complaints received, coordinates IT development and maintenance of the system and carries out awareness-raising and other communication activities to promote the scheme. The Register Secretariat operates under the coordination of the Head of the Transparency, Document Management and Access to

⁹ <http://ec.europa.eu/transparency/regexpert/>

¹⁰ <http://ec.europa.eu/transparencyregister/public>

¹¹ A 'visit' is defined as a visitor coming to the website for the first time. If the same visitor visits a page more than 30 minutes after his last page view, this will be recorded as a new visit.

Documents Unit in the European Commission's Secretariat-General, with a new Coordinator having taken up this role in July 2018.

1. Monitoring of data in the Transparency Register

The Register Secretariat coordinates the development of innovative IT solutions to improve the system underpinning the Transparency Register. It screens all new registrations in order to verify eligibility and ensure quality of data submitted by registrants. The automatic detection of potential data quality issues in registrations introduced in May 2017 brought tangible results in 2018. The Register Secretariat dealt with 256 cases subject to so-called ‘pending validation’. This procedure applies to registrations that are prevented from automatically proceeding to publication before specific issues regarding their data are clarified. The number of overall registrations with sub-optimal data decreased from 6 % of all registrants in January 2018 to 1.5 % in December 2018.

Another feature introduced in the end of 2018 prevents registrants from selecting the option ‘Newly formed entity, no financial year closed’ several years in a row. The registrant will thus be required to provide financial estimates for the financial year most recently closed if the registration of the entity took place more than two years ago.

In terms of infrastructure, the security and performance of the Register was scaled up.

The Register Secretariat also revised the Transparency Register Implementing Guidelines dating from 2015 in light of experience gathered and feedback received from stakeholders. The updated version contains a series of additions and clarifications aimed at assisting registrants to submit and maintain an adequate registration. The Guidelines are available in 23 official languages on the Transparency Register website.¹²

1.1 Helpdesking

In order to assist registrants, the Register Secretariat provides a helpdesk service. In 2018, the Register Secretariat replied to 943 individual enquiries submitted via the multilingual ‘Contact us’ online form. Of these, 591 enquiries concerned existing registrations whereas 125 concerned new registrations; 227 messages related to other matters. Additionally, the Register Secretariat offers a phone line during dedicated hours of the week.

1.2 Quality checks

‘Quality check’ is a set of verifications carried out by the Register Secretariat to ensure the quality and accuracy of the data submitted by registrants under Annex II to the Interinstitutional Agreement, so as to avoid factual mistakes and non-eligible registrations. In the event of non-compliance with the requirements set out in Annex II to the Agreement, the Register Secretariat starts a dialogue with the registrants to identify a satisfactory solution.

In 2018, the Register Secretariat performed 3 963 quality checks, which is more than in the previous year¹³. Of the quality checks performed, 48,52 % of the registrations were deemed to be satisfactory (1 923), while the remaining entities were contacted with regard to eligibility or inconsistencies of the data contained in their entries. Out of the

¹² <http://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do?locale=en&reference=GUIDELINES>

¹³ In 2017 the Register Secretariat performed 3 624 quality checks.

2 040 entities contacted, almost 54 % or 1 110 entities were removed from the Transparency Register for one or more of the following reasons: inconsistent, incorrect or incomplete data, failure to update, duplicate registration and ineligibility. The remaining 934 entities updated their registration in a satisfactory manner following guidance from the Register Secretariat. Six quality checks were still ongoing as of 31 December 2018.

1.3 Alerts

'Alert' is a mechanism that allows third parties to inform the Register Secretariat about registrations of one or more entities that may be non-eligible or contain factual mistakes, or about activities of non-registered entities falling under the scope of the Register. In 2018, 22 individual alerts were tackled by the Register Secretariat¹⁴ (six received originally as 'complaints' were re-qualified as 'alerts'). These alerts concerned a total of 25 organisations, as two alerts related to one entity. The number of alerts received grew slightly compared to 2017. The number of alerts concerning the activities of non-registered entities' activities also increased somewhat.¹⁵

When the Register Secretariat receives notifications about possible breaches of the Code of Conduct, falling exclusively under point (d) of the Code of Conduct¹⁶, such notifications are processed as 'alerts', where they are related to potential factual errors contained in the registrants' data.

1.4 Complaints

'Complaint' is a notification alleging a breach by a registrant of any of the obligations under the Code of Conduct, except for allegations concerning factual errors which are dealt with as 'alerts' (see above 1.2).

In 2018, the Register Secretariat received 13 complaints, of which two were admissible as 'complaints' and six were re-qualified as 'alerts'. Five complaints were deemed inadmissible either because they concerned matters outside the scope of the Interinstitutional Agreement on the Transparency Register, or because insufficient evidence was provided to substantiate the complaint.

The two admissible complaints alleged a breach of one or more of the following points of the [Code of Conduct by interest representatives](#):

- Point (a) 'always identify themselves by name and, by registration number, if applicable, and by the entity or entities they work for or represent; declare the interests, objectives or aims they promote and, where applicable, specify the clients or members whom they represent';
- Point (b) 'not obtain or try to obtain information or decisions dishonestly or by use of undue pressure or inappropriate behaviour';
- Point (c) 'not claim any formal relationship with the European Union or any of its institutions in their dealings with third parties, or misrepresent the effect of

¹⁴ Compared with 20 alerts in 2017.

¹⁵ In 2018, eight alerts concerned non-registered entities as opposed to seven in 2017.

¹⁶ Transparency Register's Code of Conduct point (d) provides: '[interest representatives shall] ensure that, to the best of their knowledge, information, which they provide upon registration, and subsequently in the framework of their activities covered by the register, is complete, up-

to-date and not misleading; accept that all information provided is subject to review and agree to co-operate with administrative requests for complementary information and updates’.

registration in such a way as to mislead third parties or officials or other staff of the European Union, or use the logos of EU institutions without express authorisation?

After investigation by the Register Secretariat and contact with the registrants concerned, one of the two admissible complaints was closed as a result of satisfactory explanation and updates provided by the registrants concerned. The other admissible complaint was still ongoing, with a satisfactory solution and updates to be achieved at the beginning of 2019. An additional own-initiative investigation was closed with the removal of the registration on the basis of the Register Secretariat's decision for the breach of point (c).

2. Guidance and awareness-raising

The Register Secretariat constantly seeks to raise awareness of the Register. Its members regularly carry out internal training (within the two institutions involved) and external communication activities aimed at promoting the Transparency Register and giving guidance for its use.

- The European Parliament organised twelve internal training and information sessions for its Members and their assistants, as well as staff;
- The European Commission organised three full-day training courses for staff entitled 'Dealing appropriately and effectively with lobbyists'. In addition, it delivered four training sessions on the Transparency Register in response to ad-hoc demands from various departments;
- The Register Secretariat also attended the constituent meeting of the *European Lobbying Registrar's Network* on 21-22 March 2018 in Dublin and had exchanges with operators of similar schemes from different EU Member States.

In addition, the European Commission delivered twelve presentations to stakeholders and visitor groups during the year, while the European Parliament was invited to present the Transparency Register at six events with academics and student groups interested in lobbying transparency.

3. EU Open Data Portal and the Transparency Register

Historical data sets published on the EU Open Data Portal¹⁷ continued to attract attention. The data sets allow users to download (in XML or Excel format) the list of persons accredited for access to the European Parliament's and the list of organisations featuring on the Transparency Register going back several years. Interactive data visualisations¹⁸ can also be explored.

The webpage generated over 8 000 views and over 1 700 downloads in 2018.

¹⁷ <https://data.europa.eu/euodp/en/data/dataset/transparency-register>

¹⁸ <http://ec.europa.eu/transparencyregister/public/datavisualisation/>

IV. CONCLUSION

Growth in registrations continued in 2018 and was slightly more pronounced compared to 2017, with 2 761 new entities joining during the course of the year. The Transparency Register today is the biggest of its kind in the world, reaching nearly 12 000 registrants. Its visibility and importance as a primary reference database of interest representatives remains unchanged.

Acting as the guardian of the Transparency Register Code of Conduct, the Register Secretariat ensured that due administrative follow-up was given to alerts and complaints received. Improving the overall data quality in the Transparency Register remained a key priority in 2018. An IT solution developed in 2017 facilitates the registration and updating process for new and existing registrants. This mechanism not only helps registrants to avoid the most commonly occurring errors but also flags any inconsistencies to the Register Secretariat, so that it can provide the necessary follow-up. This innovation led to significant improvement in the overall quality of data: the number of registrations with sub-optimal data decreased from 6 % of all registrants to 1.5 % over the course of the year.

In 2018, the Register Secretariat undertook first actions to ensure compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council¹⁹ on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies. These efforts will be completed in 2019.

In the context of the European Commission Proposal for a new Interinstitutional Agreement on a mandatory Transparency Register²⁰, political representatives²¹ from the European Parliament, the Council of the EU and the European Commission started negotiations on a mandatory EU Transparency Register in the first quarter of 2018 and continued the process under the auspices of the Bulgarian and Austrian Presidencies.

- END -

¹⁹ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32018R1725>

²⁰ <http://ec.europa.eu/transparency/regdoc/rep/1/2016/EN/1-2016-627-EN-F1-1.PDF>

²¹ Sylvie Guillaume, Vice-President responsible for the Transparency Register, and Danuta Hübner, Chair of the Constitutional Affairs Committee for Parliament, First Vice-President Frans Timmermans for the European Commission and the representatives of the Bulgarian and Austrian Presidencies.