



Council of the European Union



Annual report on the functioning of the Transparency Register 2022

Presented by the Transparency Register Management Board

to

the European Parliament, the Council of the European Union and the European Commission

An annual report on the functioning of the Transparency Register is to be submitted to the signatory institutions, in line with Article 13(3) of the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register, signed on 20 May 2021.

This report sets out factual information on the Transparency Register, its content and any changes concerning it in 2022. It also reports on the conditionality and complementary transparency measures, which are in force in the signatory institutions in the same year.

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I. Executive summary

The year 2022 was the first year of full implementation of the mandatory Transparency Register and a very active year for the new register. Following the transition period provided to registrants to amend their data, the monitoring of the content of the register is now focused on the new types of information applicants and registrants provide.

The transition to the new system appears to have led to an increase in the use of the register as an information and reference tool for interest representation activities at EU level. This is shown by the rise in applications for registration and increased number of visits to the website year-on-year.

The activities of the Secretariat of the register have increased as a result, with a rise (of 64%) in numbers of direct requests for helpdesk assistance and a rise in requests to the Secretariat to participate in awareness-raising activities and events aimed at staff and stakeholders. Importantly, the Secretariat carried out an increased level of targeted monitoring on registrants (26% higher). There was also a clear rise in use of the complaints tool in 2022 and a higher number of own investigations opened by the Secretariat, showing the high level of scrutiny of the database content.

These activities are outlined in more detail in the report.

II. Introduction

The Transparency Register is the go-to reference tool for interest representation at EU level. It is a database set up to provide the public with up-to-date information about interest representation activities aimed at influencing the law-making and policy implementation processes of the EU institutions. It helps to keep track of which interests are being represented to the institutions, who is representing them and on whose behalf, what legislative files are targeted and what resources are devoted to the related activities. It is the EU's key tool for promoting transparent and ethical interest representation and for increasing the openness and visibility of stakeholders' and civil society's participation in the EU's democratic decision-making process.

The European Parliament, the Council of the European Union and the European Commission operate the Transparency Register jointly, on the basis of the Interinstitutional Agreement (IIA) adopted in 2021¹. The IIA sets up a mandatory Transparency Register and provides for the signatories to make registration a precondition for certain key lobbying activities. In addition, it sets out the detailed information that registrants are required to provide in the Transparency Register, as well as a code of conduct by which they must abide.

In line with Article 13 of the IIA, this report contains factual information on the Transparency Register, its content and any changes introduced during the reporting period. It also provides an overview of the conditionality and complementary transparency measures currently in force in the signatory institutions.

¹ Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register, OJ L 207, 11.6.2021, p. 1.

1. Governance

The Transparency Register has a two-level governance structure: a Management Board that provides general oversight and direction concerning the register and a Secretariat in charge of its day-to-day management.

The Management Board ensures the overall implementation of the IIA. In this context, it is responsible for identifying the annual needs and priorities for the Transparency Register, adopting the annual report on its functioning and issuing general instructions to the Secretariat. It is also tasked with examining and deciding on any requests to review measures that have been applied by the Secretariat, following an investigation.

The Secretaries-General of the European Parliament, the Council and the Commission together make up the Management Board. They meet at least once a year and each Secretary-General holds the chair for an annual term. The Secretary-General of the European Parliament chaired the Management Board in 2022.

The Secretariat offers guidance on the registration process to interest representatives, monitors and verifies the eligibility of applications, and carries out checks on the quality of information provided by registrants. It handles complaints concerning alleged breaches of the code of conduct by registrants and can apply measures where it finds that the code has not been appropriately observed. The Secretariat also prepares the annual report and raises awareness about the Transparency Register (see Section IV).

The Secretariat is made up of staff from the three signatory institutions, currently amounting to 10 full-time employees. It is represented at the Management Board and in public by a Coordinator, who oversees the daily operations. In 2022, the head of the unit responsible for transparency in the Commission's Secretariat-General, was the designated Coordinator of the Secretariat.

Detailed information on the governance of the Transparency Register can be found on its <u>website</u>.

2. Implementation of the mandatory register

2022 was the first year of full implementation of the mandatory Transparency Register, following the publication of the new registration form in September 2021 and the ensuing transition period for registrants to amend their entries in line with the new information requirements.

The Secretariat oversaw the final transition to the new system, extending the initial cut-off date from 20 March to 30 April 2022 to allow as many registrants to adhere to the new system as possible. A total of 87% of the registrants in the Transparency Register on 20 September 2021 amended their registration and 1 496 registrants were removed from the register. Registrants that were removed retain the possibility to submit a new application for registration number. As with all new applications, the Secretariat will check the applicant's eligibility and the overall data quality of applications before activating the registration on the register.

To raise awareness of and ease the registration of interest representatives in the new system, the Secretariat provides hands-on assistance through the helpdesk and with step-by-step guidance on the registration process and <u>Frequently Asked Questions</u> on the Transparency Register website.

III. Conditionality and complementary transparency measures

The European Parliament, Council and Commission each adopt, by means of individual decisions, conditionality measures whereby registration in the Transparency Register is a precondition for interest representatives to be able to carry out certain key interest representation activities. The three institutions may also adopt complementary transparency measures to further encourage registration and strengthen the joint framework established by the IIA.

The conditionality and complementary transparency measures that are currently in force in each of the three institutions are outlined below.

Other EU institutions, bodies, offices and agencies, as well as Member States in relation to their permanent representations to the EU, may notify the Management Board of conditionality or complementary transparency measures that they adopt and ask for these to be published on the Transparency Register website. In 2022, no such notifications were communicated to the Management Board, but discussions did take place at service level with a number of other EU bodies in response to inquiries.

All Member States have committed to apply a conditionality measure during their Presidency of the Council and in the six months preceding it, by making meetings between their respective Permanent Representative and Deputy Permanent Representative to the EU and interest representatives conditional on the latter registering in the Transparency Register.

That conditionality measure applies to meetings organised with the Permanent Representative and Deputy Permanent Representative when acting in their capacity of acting or incoming Presidency of the Council². Therefore, interest representatives are not able to participate in such meetings unless they are registered. In 2022, this applied to France³ and Czechia⁴ as they were holding the Presidencies of the Council of the EU, and Sweden⁵ as the incoming Presidency.

A list of the <u>conditionality and other transparency measures</u> currently in force in the EU institutions can also be found on the dedicated page of the Transparency Register website.

² <u>https://ec.europa.eu/transparencyregister/public/openFile.do?fileName=Transparency%20register%20-%20Member%20states%27%20political%20declaration.EN.pdf</u>

³ <u>https://ue.delegfrance.org/registre-de-transparence</u>

⁴ Czechia has signed up to the Transparency Register |Permanent Representation of Czechia to the European Union (mzv.cz).

⁵ <u>Öppenhetsregistret - Regeringen.se</u>

European Parliament

Taking account of their specific role and mandate, it is recommended⁶ that Members of the European Parliament only meet those interest representatives that are registered in the Transparency Register. All Members are also encouraged to publish these meetings on their individual profile pages on Parliament's <u>official website</u>.

Rapporteurs, shadow rapporteurs and committee chairs are, however, required to publish all scheduled meetings with interest representatives for each parliamentary report. The data published must display the date and type of meeting held, the subject matter of the meeting, the interest representative present and the role of the Member (i.e. as a rapporteur, shadow, committee chair or as a Member with no allocated responsibility for the file). As of 15 January 2023, Members had declared 12 040 meetings for the calendar year 2022. Since the beginning of the term, 481 Members have declared at least one meeting, of which 54 did so for the first time in 2022.

Parliament staff, as indeed all EU civil servants, are required to maintain their professional and personal independence at all times. They must therefore act in a manner consistent with the independence of their position and are recommended to check that interest representatives are registered before meeting them or accepting an invitation to an event organised by them.

As a conditionality measure, the European Parliament requires interest representatives to be registered in order to participate in intergroups or other unofficial group⁷ activities. It also requires⁸ that speakers in its committee hearings are registered prior to the hearing. Importantly, the European Parliament provides that only registered interest representatives can be issued with long-term access badges to its premises⁹. As of 31 December 2022, of the 12 425 entities registered in the Transparency Register, 2 030 had at least one accredited representative to the Parliament. In 2022, a total of 8 604 individuals had an active accreditation; on average, this translated to 4.24 representatives per organisation. In 2022, Parliament issued 6 131 access badges to interest representatives from the Transparency Register.

The European Parliament recommends that its staff check the registration of interest representatives ahead of events taking place in-house. It also recommends to its Members that interest representatives with whom they want to co-host or co-organise an event on the European Parliament's premises should be registered¹⁰.

Council of the EU

As set out in Council Decision (EU) 2021/929¹¹, registration in the Transparency Register is a precondition for interest representatives to meet the Secretary-General of the Council or the Directors-General. The same rule applies for participation by interest representatives, in their professional capacity, in thematic briefings organised by the General Secretariat of the Council (where appropriate and after consulting the Presidency) or as speakers at public

⁶ <u>European Parliament Rules of Procedure</u> (Rule 11(2)).

⁷ <u>EP Rules of Procedure</u>: Rule 35(5).

⁸ Article 7 of the <u>Decision of the Bureau of the European Parliament of 18 June 2003</u>.

⁹ Rule 123 of the European Parliament's Rules of Procedure.

¹⁰ EP Bureau decision of 4 July 2016.

¹¹ OJ L 207, of 11.6.2021, p. 19.

events organised by the General Secretariat of the Council. Staff are also requested to check the credentials of interest representatives in order to ensure that they have an entry in the Transparency Register. If that is not the case, staff should carefully consider the appropriateness of meetings, and consult with their line manager¹².

As a further measure to improve transparency and encourage registration, invitations to interest representatives to attend a meeting of the Council or its preparatory bodies should be conditional on them being registered in the transparency register. Their registration number should be recorded on the provisional agenda. The Council's annual report on the implementation of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents includes relevant information about the attendance of interest representatives at meetings of the Council or its preparatory bodies¹³.

European Commission

The Commission has strict rules in place regarding its contacts and interactions with interest representatives. In particular, it requires all Members of the Commission, members of their Cabinet and Directors-General of the Commission to only meet interest representatives that are registered in the Transparency Register. That obligation, enshrined in the Code of Conduct for the Members of the European Commission¹⁴ and the Commission's Working Methods¹⁵, means that an interest representative needs to be registered before such meetings take place.

The Commission complements its 'not on the Transparency Register, no meeting' rule with the transparency measure of publishing online information on all such meetings with (registered) interest representatives, in line with its Decisions 2014/838/EU, Euratom¹⁶ and 2014/839/EU, Euratom¹⁷. In 2022, the Commission published information on meetings¹⁸ held with 2 099 registrants. Those registrants held 4 416 meetings with Members of the Commission and/or members of their Cabinets and 686 meetings with Directors-General of the Commission¹⁹. That information, in addition to being published on the Commission website²⁰, is also made available on the entries in the Transparency Register for the relevant registrants as a downloadable PDF file. In 2022, the Commission made consolidated datasets of meetings held with interest representatives publicly available on the <u>data.europa.eu website</u>

¹² Staff note CP 35/21 and Staff note CP 42/22.

¹³ Guidelines on the occasional attendance of third parties, including interest representatives, at meetings of the Council or its preparatory bodies, 22 July 2021.

¹⁴ Article 7 of Commission Decision of 31 January 2018 on a Code of Conduct for the Members of the European Commission (C(2018) 700), OJ C 65, 21.2.2018, p. 7

¹⁵ Point V of the <u>Working Methods of the European Commission</u>.

¹⁶ Commission Decision 2014/838/EU, Euratom of 25 November 2014 on the publication of information on meetings held between Directors-General of the Commission and organisations or self-employed individuals, OJ L 343, 28.11.2014, p. 19-21.

¹⁷ Commission Decision 2014/839/EU, Euratom of 25 November 2014 on the publication of information on meetings held between Members of the Commission and organisations or self-employed individuals, OJ L 343, 28.11.2014, p. 22-24.

¹⁸ The information that is made public consists of the date of the meeting, the location, the name of the Member of the Commission and/or Member of the Cabinet or the Director-General, the name of the interest representative, i.e., organisation or self-employed individual and the subject of the meeting. It is published within 2 weeks following the meeting.

¹⁹ The same registrant may be concerned by more than one meeting.

²⁰ In particular, the dedicated transparency webpages of the websites of the Members of the Commission, and of Directorates-General of the Commission respectively.

in both machine readable and Excel format. This allows interested parties and the public to have easy access to that information in a comprehensive manner and be able to process it to extract relevant information.

As regards its administration below Director-General level, the Commission's Practical Guide to Staff Ethics and Conduct contain a standard recommendation to all its staff to check the credentials of interest representatives in order to ensure that they have an entry in the Transparency Register. If they are not in the Register, staff are advised to always invite them to register before engaging in any further contact.

Furthermore, the Commission, in line with its relevant rules²¹, appoints only registered interest representatives to Commission expert groups. That requirement for prior registration applies to both Type 'B'²² and 'C'²³ members. If these members are suspended or removed from the Transparency Register, the Commission suspends them from the expert group(s) of which they are members, until their registration in the Transparency Register has been re-established.

As a further measure to improve transparency and encourage registration, the Commission provides automatic alerts to registrants that have specified an interest in particular policy areas, notifying them of the launch of public consultations or roadmaps in the relevant fields. Contributions from registrants are also processed separately from those of non-registered respondents²⁴.

IV. Activities of the Transparency Register Secretariat

In 2022, the overall annual priorities determined by the Management Board for the Transparency Register were:

- a fully operational register;
- streamlining internal procedures;
- enhanced data quality and better security for Transparency Register users;
- continued awareness-raising activities; and
- cooperation with the European Court of Auditors (ECA) on their announced audit of the Transparency Register.

The Secretariat worked on delivering on these annual priorities, including by wrapping up the transition period for registrants, strengthening its eligibility checking, increasing helpdesk assistance and introducing a number of improvements to the IT platform in conjunction with its daily activities, detailed below.

²¹ Article 8 of Commission Decision of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups (C(2016)3301).

²² Individuals appointed to represent a common interest shared by stakeholders in a particular policy area.

²³ Organisations in the broad sense, including companies, associations, non-governmental organisations, trade unions, universities, research institutes, law firms and consultancies.

²⁴ Better Regulation Guidelines of the European Commission (SWD(2017)350), in particular <u>Chapter VII</u> <u>Guidelines on Stakeholder Consultation</u>.

1. Data quality monitoring

The Transparency Register offers a snapshot of current lobbying activities performed by interest representatives on the recent formulation or implementation of policy cycles and decision-making processes of the EU institutions, including specific details on the main legislative proposals or policies targeted. This explains why the data is continuously changing, and why some interest representatives register only for a limited period, while others may remain in the database for longer.

By registering, interest representatives commit to providing information that is complete, up-to-date and not misleading at the time of registration, and are ultimately responsible for the accuracy of their registration data. To that end, registrants are encouraged to review and update the information provided as soon as any major changes occur and they must update their registration annually in order to remain in the Transparency Register.

Reminding registrants of their obligations and securing the best possible quality of data in the Transparency Register is one of the main tasks of the Secretariat. In the context of its general monitoring activities in 2022, the Secretariat checked a total number of 6 816 entities²⁵ that either applied for registration or were already entered in the Transparency Register²⁶, which is more than double the number of checks performed the previous year. These checks consisted of screenings carried out at the application stage, targeted quality checks of already registered entities and any additional checks carried out in the context of investigation procedures.

<u>Application stage</u>: Following the end of the transition period, the number of total registrants has decreased overall²⁷ but the quality of the information available in the register has increased in parallel. The Secretariat assesses the eligibility and data quality of all new applications for registration before they can be validated and published on the register. This helps to improve both the relevance and consistency of the data provided. Of the 2 976 applications received in 2022 (+/- 8 a day), 1 817 (61%) were accepted and activated following the checking process, which in most cases requires an update or correction by the applicant.

<u>Targeted checks</u>: In addition to its daily checks, the Secretariat also takes a more targeted approach, in particular in circumstances where it has reason to believe that registrations do not accurately provide the information required. 4 238 targeted quality checks were performed by the Secretariat in 2022. Of these:

- 1 872 checks provided satisfactory data quality (44.1%);
- 1 492 of contacted registrants updated their registrations (35.2%);
- 578 were removed from the register following the check, for ineligibility or failure to update (13.6%);
- 296 were still pending at the end of 2022 (6.9%).

Since the targeted checks focus on registrations where an inconsistency or other issue has been detected or is likely to exist, the rate of implausible or insufficient data for these registrations

²⁵ Some entities underwent more than one check in 2022 and therefore the total number of checks was higher.

²⁶ In 2021, a total of 3 360 checks were performed on the content of the register, which was lower due to the transition to the new mandatory system.

²⁷ Decreasing from 13 366 registrants on 31 December 2021 to 12 425 on 31 December 2022.

is expected to be high from the outset. In September 2022, two non-governmental organisations active on transparency matters²⁸ submitted a list to the institutions of 431 specific entries of alleged inflated lobby expenditure or wrong categorisation of the interests represented. The Secretariat performed a thorough check on all these entries²⁹ for the issues highlighted and any other inconsistencies, and resolved the issues with a high success rate (only 3% were correct from the outset, in 59% of cases the registrant provided a satisfactory update and 38% were removed from the register).

2. Helpdesk service

The Secretariat provides a helpdesk service to answer all types of questions about the Transparency Register via a multilingual website ('Contact us' tab), open to applicants and registrants and to the public. The Secretariat tries to provide assistance as quickly as possible – generally answering within 48 hours.

In 2022, the Secretariat answered 2 056 inquiries, which included requests for information about the Transparency Register from stakeholders, researchers and individuals, as well as requests for technical support and guidance from applicants and registrants during the registration process or when encountering technical difficulties. The number of questions received was considerably higher than in 2021, which is likely a result of the new scheme in place³⁰. A particularly high number of registrants sought assistance when trying to access their registration with the new EU Login authentication system, introduced in 2022 to provide users with a more secure experience (see Section 6 on technical developments).

3. Investigations

In addition to monitoring the quality of data in the Transparency Register, the Secretariat handles incoming complaints and carries out own-initiative investigations in line with the procedures laid down in Annex III to the IIA. In doing so, the Secretariat acts in accordance with the underlying principles of proportionality and good administration.

'Complaint' refers to a procedure that concerns allegations brought to the attention of the Secretariat about a registrant's non-observance of the code of conduct. Any natural or legal person making such allegations against a registrant may lodge a complaint with the Secretariat by filling in the relevant form on the Transparency Register <u>website</u> and providing supporting evidence.

'Own-initiative investigation' refers to a procedure whereby the Secretariat examines whether a given registrant is eligible to remain on the register, in the light of information received or identified, which may indicate ineligibility to remain on the register either due to absence of relevant activities or non-observance of the code of conduct.

In 2022, the Secretariat closed five complaints pending from the previous year, after the respective registrants updated their registration or otherwise provided satisfactory explanations.

²⁸ Corporate Europe Observatory and LobbyControl.

²⁹ All the registrants concerned were registered under the previous IIA, i.e., before September 2021, but their amended registrations adapting to the information requirements resulting from the new legal framework had not yet received a quality check by the Secretariat.

³⁰ In 2021, the Secretariat answered 1 255 inquiries and requests.

In 2022, the Secretariat received 65 new complaints. This very high number of complaints compared with the previous year³¹ highlights the growing visibility of the mandatory Transparency Register and its complaints mechanism. Of these complaints, 10 were found to be inadmissible, as they did not relate to matters falling within the scope of the Transparency Register (e.g. personal grievances or consumer-related complaints). Of the 55 admissible complaints, 44 were closed in 2022 with a positive outcome in terms of full cooperation of the registrants concerned, and the remaining 11 were still under investigation at the end of the year. Over half of the admissible complaints concerned alleged non-observance of point (f) of the code of conduct by the registrants concerned, in terms of accuracy and completeness of the information provided in the registration. These cases were resolved by the registrants concerned within the deadline of 20 working days of receipt of the notification.

Other cases related to alleged breaches of point (b) of the code, whereby registrants must specify the clients or members whom they represent. In terms of public expectations, there is clearly a growing concern about the underlying interests promoted by any given organisation in terms of affiliation, membership and even sponsorship, which is information to be provided in the registration.

When handling an investigation, the Secretariat always seeks to ensure a constructive dialogue with the relevant registrant(s) in order to clarify and resolve the identified issues as far as possible, prior to taking any necessary measures. In 2022, the Secretariat did not find it necessary to apply measures under point 8 of Annex III to the IIA against a registrant.

In 2022, the Secretariat opened 13 own-investigation cases against registered entities, of which 5 were still ongoing at the end of the year.

In particular, in the context of the measures adopted at EU level in response to Russia's war of aggression against Ukraine, the Management Board of the Transparency Register, at its meeting of 12 July 2022, issued general instructions to the Secretariat to investigate all registered interest representatives headquartered in the Russian Federation for a possible breach of point $(e)^{32}$ of the code of conduct, and to suspend their registrations as a precautionary measure. The Secretariat opened investigations concerning 10 registrants in this context. By the end of the year, 7 of these investigations had been closed, with the suspension lifted as regards 2 registrants, while the other registrants either removed their registrations of their own will or were found ineligible to remain on the register. All cases were closed at the beginning of 2023.

In light of this international context, the Secretariat raised awareness on the Transparency Register website of Council Decision (CFSP) 2022/884 of 3 June 2022 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 153, 3.6.2022, p. 128) and its relevance to applicants and registrants. That decision could affect interest representatives providing business and management consulting or public relations services to the Government of Russia or legal persons, entities or bodies established in Russia.

³¹ In 2021, the Secretariat received 29 new complaints.

³² (e) not damage the reputation of the register or cause prejudice to the Union institutions or use their logos without express authorisation (Annex I to the IIA).

4. 2022 Management Board meeting

The Secretariat prepared the second meeting of the Management Board, which took place on 12 July 2022. At that meeting, the Management Board took the following decisions:

- confirmed the chairing rotation agreed at its inaugural meeting and the Council's chairing of the Management Board in 2023;
- reappointed the head of the unit responsible for transparency issues at the Commission as Coordinator of the Secretariat for an additional term of 1 year, until the end of 2023;
- adopted the annual report for 2021, agreed to submit it to the signatory institutions and to publish it on the Transparency Register website;
- determined the annual priorities for the Transparency Register in 2023, together with the budget estimates and share for the implementation of those priorities for each signatory institution³³;
- took note of the Secretariat's assessment of the 10-year-old IT platform supporting the functioning of the Transparency Register and instructed the Secretariat to launch a project for a full remake of the tool;
- issued the general instructions to the Secretariat referred to above.

All documents relating to the meeting of the Management Board, including the agenda and minutes of the meeting, are published on the <u>governance subpage</u> of the Transparency Register website.

5. Guidance and awareness raising

The Secretariat issues guidance to clarify and explain in more detail certain provisions of the IIA. This guidance is the result of regular exchanges with stakeholders and aims to support applicants and registrants in their efforts to provide accurate information and avoid common mistakes.

When carrying out its monitoring activities, the Secretariat may also invite entities to register in the Transparency Register, where relevant. The Secretariat undertakes regular communication and awareness-raising activities to raise awareness of the tool among stakeholders. In 2022 this included information sessions and exchanges held with various stakeholders³⁴ and university students³⁵ as well as contacts and exchange of best practice with similar bodies at national or European level³⁶.

³³ For 2023 the budget estimates can be found on the <u>website</u>. The following shares were agreed: Commission: 57%; Parliament: 33%; Council: 10%.

³⁴ European Public Affairs Consultancies' Association (EPACA), Society of European Affairs Professionals (SEAP), The European Centre for Public Affairs (The ECPA), Freshfel East Africa Delegation, Public Affairs Council (PAC), Auge Consultorio (EUVP), and Expertisecentrum Europa.

³⁵ Maastricht University (Students of the MA European Studies and of the Faculty of Arts and Social Sciences), Université de Rennes, Geneva Graduate Institute, Katholieke Universiteit Leuven and Hochschule Osnabrück.

³⁶ French High Authority for Transparency in Public Life (HATVP), European Lobbying Registrars' Network (ELRN), Balkan parliament staff, Hellenic Transparency Authority, French Senate and Landtag Thüringen.

The three institutions made additional efforts to raise awareness of the Transparency Register within each institution, through dedicated information and training sessions for staff³⁷.

6. Technical developments

The Secretariat coordinates the development of IT solutions to improve the Transparency Register.

As of 3 October 2022, the Secretariat introduced EU Login as a more secure authentication method for users of the Transparency Register. EU Login is the authentication tool that is now used for a number of EU applications and systems. It increases access security by using technology developed and constantly maintained by a team of security specialists. The new authentication method improves the security of the Transparency Register system, by replacing the previous single shared account per organisation with personal identification based on user accounts for each individual user. Additional safeguard measures were implemented, such as a more restrictive password policy and 2-factor authentication. In order to facilitate the transition to the new authentication system, the Secretariat published detailed FAQs on the Transparency Register website.

In 2022, further to instructions received from the Management Board, the Secretariat carried out a detailed assessment of the performance of the IT platform for the Transparency Register, by setting up an ad hoc IT Working Group consisting of the relevant IT services of the three institutions. The resulting recommendation is to replace the existing Transparency Register infrastructure with a new state-of the-art digital platform to adapt to contemporary technological and information security standards and enhance user experience. The assessment of the business needs for the new system, which is to be developed over the coming years, started at the end of 2022.

7. ECA audit on lobbying the EU policy and decision-making process

The European Court of Auditors is undertaking a detailed audit of the Transparency Register, entitled 'Lobbying lawmakers' to assess whether the Transparency Register is an effective tool for ensuring the transparency of lobbying activities in EU policy-making. The Secretariat cooperated with the auditors from the start of the audit on 14 July 2022, to provide all necessary information and support and help ensure that the outcome of the audit yields useful recommendations and input for the further development of the register. The results of the audit are expected to be published in autumn 2023³⁸.

³⁷ This includes 26 information sessions on interest representation for staff and accredited assistants in the European Parliament. The Commission also provided five such training sessions for its own staff, as well as tailored presentations to Cabinets of Members of the Commission and to their network of transparency and ethics contact points. In the Council, a series of communication and awareness-raising activities were undertaken in order to explain the IIA and the practical implementation of Council Decision (EU) 2021/929, in particular for managers. The Secretariat staff also delivered a dedicated awareness-raising/training course open to managers and staff from the EU institutions, bodies, offices and agencies on the Commission's EU Policymaking Hub platform.

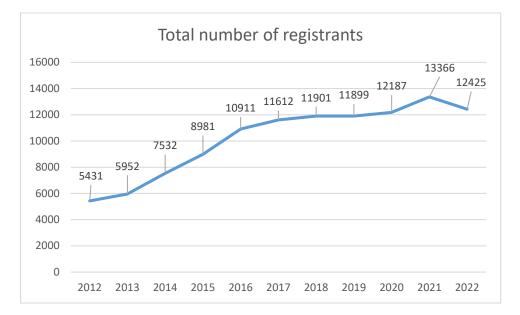
³⁸ See ECA 2023 Work Programme: <u>https://www.eca.europa.eu/Lists/ECADocuments/WP2023/WP2023_EN.pdf.</u>

V. Statistics

The entry into force of the IIA changed the typology of registrants on the Transparency Register. Registrants are now sorted into three main types of interests represented, with different corresponding bands of financial information applicable to each category.

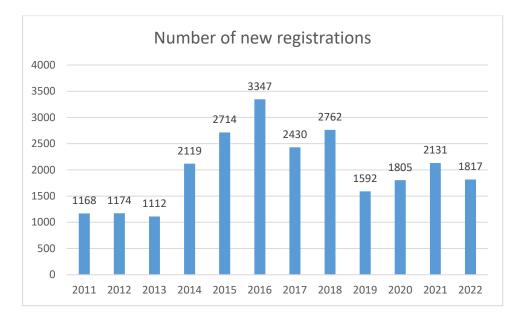
1. Development of the Transparency Register

The Transparency Register has grown steadily in size³⁹ from its inception as a joint public database of the European Parliament and the European Commission to the current tripartite mandatory scheme. Following the implementation of the new IIA, however, this trend slowed. In particular, the transition and the increase in eligibility checks led to a considerable decrease in the number of total registrants, from 13 366 to 12 425 at the end of 2022.

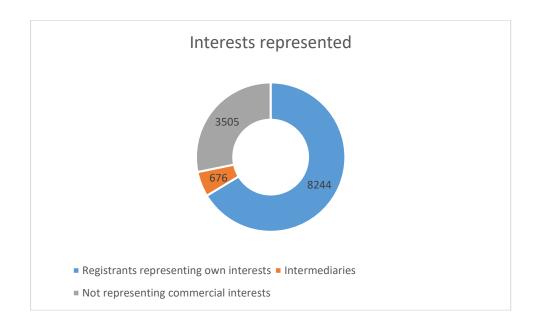


The chart below shows the changes in numbers of new registrations, covering interest representatives registered over a period of 12 months, between 1 January 2022 and 31 December 2022, and which were still active at the end of that period. The lower number of new registrants in 2022 must be compared to the total of 2 976 applications received by the Secretariat in 2022 (+/- 8 a day), since only 1 817 (61%) were accepted and activated following an eligibility check. The additional checking at the application stage has resulted in a slower growth rate in terms of new registrants compared with previous years.

³⁹ Rising to 13 366 registrants on 31 December 2021.



2. Interests represented

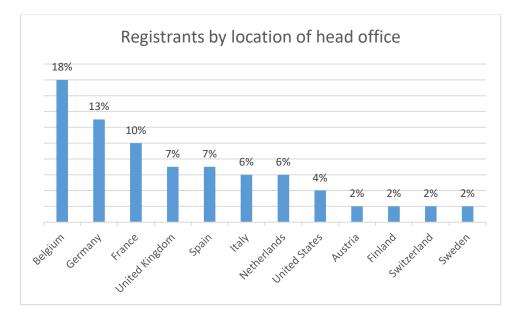


These new registrants were broken down into the following sections:

Professional consultancies	552
Law firms	84
Self-employed consultants	143
Companies and groups	3 035
Trade and business associations	2 630
Trade unions and professional associations	967
Non-governmental organisations, platforms and networks and similar	3 483
Think tanks and research institutions	561
Academic institutions	315
Organisations representing churches and religious communities	51
Associations and networks of public authorities	161
Entities, offices or networks established by third countries	2
Other organisations, public or mixed entities	441

3. Geographical data

Registration on the Transparency Register is not limited to interest representatives established in the EU, although the largest group of interest representatives do carry out their activities from an establishment in Belgium. This is likely to be due to the EU institutions being located in Brussels. However, since the scope of EU legislation and policy also affects individuals and businesses outside the EU and can have an impact on trade and other external relations beyond the borders of the 27 Member States, this global reach is also reflected in the Transparency Register.



4. Transparency Register website visits

In 2022, the Transparency Register website received a considerable increase in visits, with 431 345 visits in total⁴⁰. For the purposes of this statistical overview, a 'visit' is defined as a visitor accessing the website for the first time. If the same visitor remains on a single page more than 30 minutes after their last page view, this counts as a new visit. On average, this breaks down to around 36 000 visits per month.

Around 71% of website visitors used the search function in English, while the homepage was most frequently visited in English, followed, in descending order, by French, German, Spanish and Italian. Almost 85% of visits come from users in Europe, followed by 10% of visits originating in North America. Within Europe, 25.5% of visits to the website originated in Belgium, followed by Germany (11%), France (9.5%) and the United Kingdom (6.5%).

In 2022, the Transparency Register consolidated dataset transferred to <u>data.europe.eu</u> was the 11th most viewed dataset among more than 1 500 000⁴¹ datasets published there. The datasets allow users to download (in xml or Excel format) the list of people accredited for access to the European Parliament premises and the list of organisations featuring on the Transparency Register, going back several years.

⁴⁰ This compares with 326 700 visits in 2021.

⁴¹ Datasets from EU institutions, agencies and bodies, Member States and other countries, as well as certain local authorities.

VI. Conclusions

The year 2022 proved to be very active for the Transparency Register. The new mandatory system has led to an increase in the use of the register as an information and reference tool to follow interest representation activities carried out at EU level. This can be seen in the rise in applications for registration and the increased number of visits to the register's website, even if the growth rate of registered organisations and other entities has slowed overall. The Secretariat had accordingly a very busy year in terms of direct requests for helpdesk assistance, communication and awareness-raising activities, data quality monitoring and investigations on registrants.

The Secretariat delivered on the register's annual priorities, including by wrapping up the transition period for registrants, strengthening its eligibility checking, increasing helpdesk assistance and introducing a number of improvements to the IT platform in conjunction with its daily activities, which are detailed in the report.

As a public tool, the Transparency Register has an important role to play in preserving public trust and strengthening accountability, within the wider transparency policy of the EU institutions, and in showcasing the common commitment of the EU institutions to promoting transparent and ethical interest representation, which is especially important in the current context.