



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 24 June 2013

11502/13

**PE-L 47
INST 341**

"I" ITEM NOTE

from: Working Party on General Affairs

to: Permanent Representatives Committee (Part 2)

No. prev. doc.: 5081/13 INF 5 INST 4 PE-L 2
5833/13 PE-L 9INST 49

Subject: Transparency Register
- Approval of reply to the letter of Mr Rainer WIELAND, Vice-President of the European Parliament, and Mr Maroš ŠEFČOVIČ, Vice-President of the European Commission*

1. On 19 December 2012, Mr WIELAND, Vice-President of the European Parliament, and Mr ŠEFČOVIČ, Vice-President of the European Commission, sent a letter to Mr MAVROYIANNIS, Chairman of the Chairman of General Affairs Council on the Transparency Register including the annual report 2012 on the operations of the Register¹.

In the letter, the Council is invited to consider issues addressed in this annual report, to provide any input contributing to the review process of the Register and to provide any conclusions made on the participation of the General Secretariat of the Council as observer in the Register.

* Item on which a procedural decision may be adopted by Coreper in accordance with Article 19 (7) (k) of the Council's Rules of Procedure

¹ 5081/13

2. At its meeting of 5 February 2013, the Permanent Representatives Committee approved a holding reply to the letter of the two vice-presidents¹.
 3. After discussions on 22 February, 1 March, 26 April and 7 June 2013, at its meeting of 21 June 2013 the Working Party on General Affairs adopted a draft reply to the letter of the two vice-presidents.
 4. The Permanent Representatives Committee is invited to approve the draft reply in Annex in accordance with the Rules of Procedure of the Council (Article 19 (7) (k)).
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¹ 5833/13.

Brussels, ...2013

Council of the European Union
The President

Mr Rainer Wieland, Vice-President of the European Parliament
Mr Maroš Šefčovič, Vice-President of the European Commission

Dear Vice-Presidents,

Following our previous exchange of letters, the Presidency is pleased to inform you that the Council has thoroughly examined a number of issues in view of defining its possible future role with regard to the Transparency Register and the forthcoming review of the Joint Transparency Register System (JTRS).

The opportunity for the Council to participate in the meetings of the JTRS through the presence of an observer from the General Secretariat of the Council (GSC) has proved a useful exercise and enabled Council, through the GSC observer, to get an overview of the functioning of the system.

The Council remains committed to giving the fullest possible effect to the principle of transparency. Nevertheless, there remain a number of concerns around both the scope of the Register and the added value of possible Council participation which need to be further explored before Council can take a final position. In this respect the Council could consider having an input into the review process, while at the same time maintaining the presence of an observer at the weekly meetings of the Joint Transparency Register Secretariat.

Furthermore, any potential future agreement between the three Institutions would need to clearly define the role of the General Secretariat of the Council and clearly exclude activities directed at Member States, including their diplomatic missions and national governments, since these form part of the national decision making process. The question of the scope of the Transparency Register as it might apply to the activities of interest groups directed at the rotating Presidency needs to be further examined and considered.

In light of these considerations and future developments, including the review exercise, Council will revert to the issue for further discussions as appropriate and at the latest before the end of 2013.

We look forward to continuing discussions with you on this issue.

Yours sincerely,
