



2024/3081

5.12.2024

COMMISSION DECISION (EU) 2024/3081

of 4 December 2024

on transparency measures concerning meetings held between Members of the Commission and interest representatives, and repealing Decision 2014/839/EU, Euratom

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 249 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Whereas:

- (1) In accordance with Article 11(1) and (2) of the Treaty on European Union (TEU), the institutions must, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action and are required to maintain an open, transparent and regular dialogue with representative associations and civil society. Furthermore, in accordance with Article 2 of Protocol No 2 on the application of the principles of subsidiarity and proportionality, and with Article 11(3) of the TEU, the Commission has to consult widely before proposing legislative acts.
- (2) For these purposes, Members of the Commission and members of their Cabinets regularly meet with interest representatives to enable them to present their views on decisions that may affect them and enhance the quality of decision-making by providing channels for external views and expertise.
- (3) In order to maintain the trust of Union citizens in the legitimacy of the political, legislative and administrative processes of the Union, contacts with interest representatives should be carried out in a transparent manner. To that effect, the Commission is committed to promoting ethical and transparent interest representation by means of the mandatory transparency register ⁽¹⁾.
- (4) Pursuant to Article 7(1) and (2) of Commission Decision C/2018/0700 ⁽²⁾ on a Code of Conduct for the Members of the European Commission, the Members of the Commission and their members of Cabinet shall meet only those interest representatives that are registered in the transparency register inasmuch as they fall under the scope of the Interinstitutional Agreement and shall make public information on such meetings.
- (5) In view of the positive experience with the publication of information on meetings held by the Members of the Commission or by members of their Cabinet with interest representatives on issues relating to decision-making and policy implementation in the Union, the practice of making public information on such meetings should be maintained. While there is no need for further measures with regard to the participation of Members of the Commission and members of their Cabinets in public events, since such information is already in the public domain, the Members of the Commission should continue to make public information on all meetings held by them or by members of their Cabinets with interest representatives.

⁽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) ('the Interinstitutional Agreement').

⁽²⁾ Commission Decision of 31 January 2018 on a Code of Conduct for the Members of the European Commission (OJ C 65, 21.2.2018, p. 7).

- (6) Meetings that do not take place in the framework of covered activities, as defined in Articles 3 and 4 of the Interinstitutional Agreement, should not be covered by this Decision. In particular, meetings with representatives of other Union institutions or bodies, which reflect the ordinary course of interinstitutional relations, should not be covered by this Decision. Meetings with representatives of public authorities of Member States, including their permanent representations and embassies, at national and subnational level, should not be covered by this Decision as those authorities pursue the general interest and contribute to the work of the Commission under the principle of sincere cooperation. Meetings with associations and networks of public authorities at Union, national or subnational level should not be covered by this Decision, on condition that those associations and networks act exclusively on behalf of the relevant public authorities. In order to protect the international relations of the Union, meetings with representatives of public authorities of third countries, including their diplomatic missions and embassies, or intergovernmental organisations, including agencies and bodies emanating from them, should not be covered by this Decision.
- (7) In order to respect the specific character of the dialogue with the social partners, provided for in Article 154 of the Treaty on the Functioning of the European Union (TFEU), as well as the specific character of the dialogue with churches and religious associations or communities or philosophical and non-confessional organisations referred to in Article 17 of the TFEU, meetings taking place in those contexts should not be covered by this Decision.
- (8) In view of the specific role of political parties recognised by Article 10(4) of the TEU, meetings with representatives of political parties should also not be covered by this Decision.
- (9) In line with the Interinstitutional Agreement, spontaneous meetings, meetings of a purely private or social character and meetings taking place in the context of an administrative procedure established by the TEU or TFEU or legal acts of the Union should not be covered by this Decision. In addition, this Decision should not cover contacts with natural persons acting in a strictly personal capacity and not in association with others.
- (10) Meetings that take place in the framework of the provision of legal and other professional advice should not be covered by this Decision. Meetings organised for the purposes of making submissions as a party or a third party in the framework of a legal or administrative procedure established by Union law or by international law applicable to the Union, or submissions based on a contractual relationship with any of the signatory institutions or based on a grant agreement financed by Union funds, or submissions in response to direct and specific requests from any of the Union institutions, their representatives or staff, for factual information, data or expertise, should not be covered by this Decision.
- (11) In order to further enhance transparency concerning interest representation and allow citizens to be aware of the content of the exchanges held between the Commission and interest representatives, the Members of the Commission should make public minutes of all meetings held by them or by members of their Cabinet with interest representatives.
- (12) This Decision is without prejudice to the exercise of the right of access to documents of the institutions pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council ⁽³⁾, and the exercise of the rights of the data subject pursuant to Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁴⁾. It is also without prejudice to more enhanced transparency requirements or commitments resulting from Union legislation or international agreements concluded by the Union,

⁽³⁾ 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 (OJ L 145, 31.5.2001, p. 43).

⁽⁴⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision establishes measures concerning the transparency of meetings that Members of the Commission and/or members of their Cabinet hold with interest representatives.

Article 2

Definitions

For the purposes of this Decision, the following definitions apply:

- (a) 'interest representative' means any natural or legal person, or formal or informal group, association or network, that engages in activities carried out with the objective of influencing the formulation or implementation of policy or legislation, or the decision-making processes of the Union institutions, bodies, offices and agencies;
- (b) 'meeting' means an encounter organised at the initiative of an interest representative or a Member of the Commission and/or a member of his/her Cabinet to discuss an issue related to the formulation or implementation of policy or legislation in the Union, without prejudice to Article 3.

Article 3

Exemptions

This Decision shall not cover the following meetings:

- (a) spontaneous meetings, meetings of a purely private or social character and meetings taking place in the context of an administrative procedure established by the TEU or TFEU or legal acts of the Union;
- (b) meetings held with:
 - (i) social partners acting as participants in social dialogue pursuant to Article 154 of the TFEU;
 - (ii) natural persons acting in a strictly personal capacity and not in association with others;
 - (iii) public authorities of Member States, including their permanent representations and embassies, at national and subnational level;
 - (iv) associations and networks of public authorities at Union, national or subnational level, on condition that they act exclusively on behalf of the relevant public authorities;
 - (v) intergovernmental organisations, including agencies and bodies emanating from them;
 - (vi) public authorities of third countries, including their diplomatic missions and embassies, except where such authorities are represented by legal entities, offices or networks without diplomatic status or are represented by an intermediary, as defined in point (e) of Article 2 of the Interinstitutional Agreement;
 - (vii) political parties, with the exception of any organisations created by or affiliated with political parties;
 - (viii) churches and religious associations or communities as well as philosophical and non-confessional organisations referred to in Article 17 of the TFEU, with the exception of offices, legal entities, or networks created to represent churches, religious communities or philosophical and non-confessional organisations in their relations with the Union institutions, as well as their associations;

- (c) meetings held in the framework of the provision of legal and other professional advice, where:
 - (i) it consists of representing clients in the context of a conciliation or mediation procedure aimed at preventing a dispute from being brought before a judicial or administrative body;
 - (ii) the advice is given to clients to help them ensure that their activities comply with the existing legal framework;
 - (iii) it consists of representing clients and safeguarding their fundamental or procedural rights, such as the right to be heard, the right to a fair trial, and the right of defence in administrative proceedings, and includes activities carried out by lawyers or by any other professionals involved in representing clients and safeguarding their fundamental or procedural rights;
- (d) meetings organised for the purposes of making submissions:
 - (i) as a party or a third party in the framework of a legal or administrative procedure established by Union law or by international law applicable to the Union;
 - (ii) based on a contractual relationship with the Commission or based on a grant agreement financed by Union funds;
 - (iii) in response to direct and specific requests from the Commission, its representatives or staff, for factual information, data or expertise.

Article 4

Information on meetings

1. Members of the Commission shall make public information on all meetings that they and/or members of their Cabinet hold with interest representatives, in accordance with the provisions of this Decision.
2. The information to be made public shall consist of:
 - (a) the date of the meeting;
 - (b) the location of the meeting;
 - (c) the name of the Member of the Commission and/or of the member(s) of their Cabinet;
 - (d) the name(s) of the interest representative(s);
 - (e) the subject matter of the meeting.

Article 5

Minutes of meetings

1. Minutes shall be taken of all meetings that Members of the Commission and/or members of their Cabinet hold with interest representatives.
2. Members of the Commission shall make public the minutes of meetings, in accordance with the provisions of this Decision.
3. The minutes of a meeting shall be drawn up as a single document including:
 - (a) the information set out in Article 4(2);
 - (b) main points raised and positions expressed at the meeting;
 - (c) conclusions from the meeting, where applicable.

*Article 6***Publication**

Without prejudice to Article 7, the information set out in Article 4(2) and a document drawn up in accordance with Article 5(3) shall be published in a standardised format on the official websites of the Members of the Commission within a period of 2 weeks following the meeting.

*Article 7***Personal data of individuals attending meetings**

The personal data of individuals (acting on behalf of interest representatives) or Commission staff (other than members of the Cabinets and Commission staff holding management functions) attending meetings shall not be made public.

*Article 8***Final provisions**

1. This Decision shall replace Commission Decision 2014/839/EU, Euratom ⁽⁵⁾, the effects of which shall cease to apply from the date of entry into force of this Decision.
2. This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.
3. It shall apply from 1 January 2025.

Done at Brussels, 4 December 2024.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁵⁾ 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).