

BACKGROUND DOCUMENT

A MORE TRANSPARENT EUROPE

This document contains a non-exhaustive list of examples which illustrate how Europe consults, evaluates, reports and simplifies, in an effort to make its action more transparent. Each topic is briefly presented. The various websites provide more detailed information on the topics evoked.

This document was drawn up by the Services of the Commission.¹ It is distributed for the information of the participants in the conference "EMPOWER - European civil society forum" in Bergamo, Italy, on 9-10.11.2006.

1. Europe consults

- **Citizens**

Europe's citizens can express their opinions in various ways:

- Writing to the Commission to submit a point of view, to transmit information, raise a question or make a complaint. Letters, in particular, can be sent directly to the Secretariat-General or addressed to any representation office of the Commission in the Member States.
- Expressing their opinions, sharing their experience, discussing European policies and projects at the Internet address "*Your Voice in Europe*" <http://ec.europa.eu/yourvoice/index.htm>.
- During consultations prior to the presentation of a new action or policy (regarding motor insurance, air pollution, sustainable development, etc.).
- At the launch of an important project (a broad "*Debate on the Future of Europe*" was opened, for example, during the preparation of the European Constitution, with numerous contributions submitted).
- In the field of the environment, the Community showed its commitment to the principle of transparency and participation by signing and then ratifying the EEC/UN Convention on access to information, public participation in decision-making and access to justice in environmental matters, the "Aarhus Convention", called after the Danish city where it was signed during an Inter-ministerial Conference on 23-25 June 1998. On 17 February 2005 the

¹ Unit SG-E-3 "Transparency, Relations with Stakeholders and External Organisations" of the Secretariat-General of the Commission coordinated the update of this document. **The views expressed are purely those of the authors and not of the institution.**

Community ratified the Convention which then became obligatory on 17 May 2005.

- The importance of this Convention resides in the fact that it is the first legally binding instrument of this nature establishing rights for members of the public and obligations for public authorities, including the European institutions. Since then, it has been implemented by the Union through the adoption of various European provisions, among them two Directives specifically designed to ensure access to environmental information, on the one hand, and the participation of the public in decisions regarding activities likely to have an important impact on the environment and the development of certain plans and programmes concerning the environment, on the other.

As regards access to environmental information, the new directive not only enables people to obtain information concerning the environment from official authorities and the bodies they control, it also obliges Member States to disseminate information on the state of the environment.

A regulation, adopted on 6 September 2006, lays down the provisions of the Convention to the institutions and Community bodies. It will apply from 28 June 2007, by which date the institutions concerned should have adapted their internal regulation accordingly.

For more information:

<http://ec.europa.eu/environment/aarhus/index.htm>

- **Interested parties**

Interested parties are widely consulted and in a variety of ways:

- Documents such as "*Green Papers*" call on interested parties to give their opinions on particular subjects (example: the Green Paper on services of general interest).
- Public hearings are organised (regarding audio-visual policy, biotechnology, etc.).
- Regular dialogue and exchanges exist (with the chemical industry, with organisations representative of civil society, such as consumer organisations, environmental NGOs, organisations representing religions and convictions, etc.).
- Interactive tools have been set up on the Internet to receive reactions and experiences (examples: "*Interactive Policy Making* "; "*European Business Test Panel*").

At a more general level, the Commission adopted a communication in 2002 on the "General principles and minimum standards for consultation of interested parties by the Commission" (companies, professional associations, NGOs, etc.). These general principles and minimum standards have been applicable since 1 January 2003 and are

designed to harmonise, and make more coherent and transparent, the consultation procedures that exist in the various Commission departments. The document indicates what has to be communicated, to whom and how, and what is the minimum time limit for response, feedback, etc.

For more information:

http://ec.europa.eu/civil_society/consultation_standards/index_en.htm

- **Experts**

The Commission consults a great many experts, on a formal or informal, continual or regular basis.

- It creates groups of experts to assist it in the development of Community legislation and in the exercise of its coordination and cooperation tasks with the Member States. The Commission calls for the expertise of these groups on questions such as innovation, climate change, trafficking in human beings, economic forecasts in the Member States, safe road transport, food additives, etc.
- It orders studies and analyses (on the cost of waste management by municipalities, the effects of dioxin on health, etc.).
- In 2002, a communication clarified the methods of obtaining and using expertise by the Commission. For more information: http://ec.europa.eu/governance/docs/comm_expertise_en.pdf
- In 2005, an internal communication defined new rules relating to the creation and operation of groups of experts and the establishment of a *public register* of these groups (see below).

- **Consultative bodies**

A large number of consultative bodies assist and advise the Commission in various fields: Advisory Committee on health and safety at work (which helps the Commission to prepare and implement activities in the fields of safety, hygiene and health protection at work), thirty Advisory Groups in the agricultural sector, Advisory Committee on vocational training (which assists the Commission in the development of Community policy on vocational training), etc.

For more information: see below, the database CONECCS.

- **European Economic and Social Committee (EESC)/Committee of the Regions (CoR)**

- The EESC and the CoR play an essential role in the consultation process. These are consultative bodies created and institutionalised by the Treaties. They are consulted by the Council or by the Commission in the cases provided for in the Treaty (obligatory consultation) or when one of these institutions

wishes to receive their reactions (optional consultation). They can also express opinions on their own initiative.

- The Commission has also launched new initiatives, such as the "*systematic territorial dialogue*" established by the President of the Commission on 10 May 2004. It aims to involve, in particular, the principal associations representing the regional and local authorities at an early stage of decision-making and prior to institutionalised consultation of the CoR.

- **Code of good conduct/European Ombudsman**

- On 13 September 2000, the Commission adopted a Code of good administrative behaviour for staff of the European Commission in their relations with the public. This Code sets out rules and principles: an obligation to provide a quality service (courtesy, objectivity, impartiality), an obligation to act legally, provide equal treatment, non-discrimination (nationality, race, religion, etc.), an obligation to meet deadlines (response to letters within 15 working days), etc. It also makes it possible to lodge a complaint with the Commission in the event of non-observance of the Code.

For more information:

http://ec.europa.eu/civil_society/code/index_en.htm

- In the event of maladministration, it is also possible to address oneself to the European Ombudsman, an independent institution connected to the European Parliament.

For more information:

<http://www.euro-ombudsman.eu.int/home/en/default.htm>

2. Europe evaluates

In 2002, the Commission adopted a communication aimed at encouraging impact assessments, i.e. systematic assessment of the impact of the policies and actions envisaged by the European Union. The approach adopted in this communication was then developed to take account of the comments of the parties concerned. This led to the adoption and publication of new internal guidelines relating to impact assessments.

The impact assessment is applied to important legislative and political proposals of the Commission, namely those that fall within the framework of its annual political strategy or are listed in its annual work programme. The impact assessment targets mainly the economic, social and environmental impact, using a precise methodology: identification of the problem to be solved, definition of the objectives to be achieved, determination of the options available, analysis of the options in relation to their economic, social and environmental impact, comparison of the options, consultation of the interested parties, etc.

Consultation of the parties concerned is a central part of the impact assessment procedure. A roadmap is prepared for each relevant initiative envisaged in the annual work programme of the Commission in order to increase transparency and to facilitate the contribution of the parties concerned. It mentions work already completed relating to the impact assessment and what still has to be done. This roadmap is published at the same time as the work programme.

All completed impact assessments are also published.

For more information:

http://ec.europa.eu/governance/impact/index_en.htm

3. *Europe informs*

- **Press/Media conferences**

- The Spokesman's Service of the Commission organises a daily press special (which also goes on the Internet: <http://ec.europa.eu/avservices/ebs/schedule.cfm>), together with press conferences where journalists can put questions to Commissioners, their spokesmen or other Commission representatives on policies and the latest actions.
- Press releases are published on the Europa site and are filed in the RAPID database: <http://europa.eu.int/rapid/setLanguage.do?language=en>
- A daily television news service of the European Union, "EbS" ("*Europe by Satellite*"), makes it possible to transmit directly by satellite the major European events or to obtain thematic image banks to supplement the information (see <http://ec.europa.eu/avservices/ebs/schedule.cfm>).
- Other tools are available for journalists and the media (press files, documentation, etc). The Commission also supports individual media projects, such as the European information channel "*EURONEWS*".

- **EUROPA**

The EUROPA site, which is coordinated and managed by the services of the Commission, provides information on all the institutions and activities of the Union. It is an essential instrument of dialogue between the Commission and Europe's citizens: it contains about 6 million pages, including updates, official information pages and documents, all of which can be consulted constantly by Internet users free of charge. It is multilingual, which makes it possible to get in touch with DGs and services in each institution via the Contact links and the personnel directories; and it regularly provides a series of interactive instruments, such as "*chats*", discussion forums and "*blogs*", which encourage the active participation of citizens. EUROPA is an enormous success. It is one of the most-visited public sites in Europe: with more than 50 million hits per month.

- **Counters**

The Commission has created a whole series of sites where it is possible to obtain general or specific information.

- The Internet site "*Your Europe*" contains information for citizens and businesses. It provides citizens with practical information on their rights and opportunities within the European Union and the internal market as well as advice on how to exercise those rights in practice. It is thus possible to know more about living conditions, work or study in another country of the Union. Companies are informed of their rights and of the economic opportunities in the Union: how to tender for public contracts, how to find a trading partner in another country, etc.

See http://ec.europa.eu/youreurope/index_en.html

- The site "*Europe Direct*" enables Europe's citizens to put questions about the Union (by freephone, e-mail, fax, mail). The freephone number from all 25 Member States is 00800 67891011.

For more information: http://ec.europa.eu/europedirect/index_en.htm

- **Community legislation**

The Commission tries to make the legislation of the Union more accessible and understandable.

- **Eur-Lex** comprises the text of the Treaties, the Community legislation in force and case law.

For more information: <http://eur-lex.europa.eu/en/index.htm>

- **SCADplus** contains explanatory sheets on the legislative acts of the Union, monitoring of legislative work, etc.

For more information: http://europa.eu.int/scadplus/scad_en.htm

- **Pre-Lex** is a database of inter-institutional procedures, which allows people to follow the major stages of the current European decision-making process (such as the co-decision procedure involving the Commission, the European Parliament and the Council): the stage of the procedure, the decisions of the institutions, names of persons and departments responsible, document references, etc. It tracks all proposals (legislative and budgetary files, conclusion of international agreements) and Commission communications from their transmission to the Council or to the European Parliament. Links permit direct access to the electronic texts available (COM documents, the Official Journal, documents of the European Parliament, press releases of the Council, etc.).

For more information: <http://ec.europa.eu/prelex/apcnet.cfm?CL=en>

- **Directories**

In an effort to increase transparency, the Commission has published a large number of directories:

- **CONECCS database**

("Consultation, the European Commission and Civil Society")

This base aims to make the consultation process of the Commission more transparent.

It is divided into two sections.

- One section relating to civil society organisations.

It contains information on approximately 750 non-profit-making interest groups organised at European level. This directory is established on a voluntary basis for information purposes only.

- A second section relating to consultative bodies.

This contains information on committees and other bodies of the Commission through which civil society is consulted on a more formal and structured basis.

For more information:

http://ec.europa.eu/civil_society/coneccs/index_en.htm

The CONECCS database could be affected by the results of the consultation of the Green Paper on the European transparency initiative (COM (2006) 194).

For more information:

http://ec.europa.eu/comm/eti/index_en.htm

- **Register of comitology:** The "comitology" ("*committee procedures*") committees assist the Commission in the exercise of the executive powers which are conferred on it under the EC Treaty by the legislator (the European Parliament and the Council). The register on "*comitology*" contains a register and an archive of all the documents connected to the work of these committees that have been forwarded by the Commission to the European Parliament. If a document is not available to the public via the archive, users will find a direct link in the register which will enable them to submit a request for access to the documents. The register generally contains the following document types: agendas of the meetings of committees, draft implementing measures, summary records of the meetings of committees, results of the votes on the opinions expressed by the committees. Moreover, each year the Commission publishes a report in the Official Journal on the proceedings of the committees.

For more information:

http://ec.europa.eu/transparency/index_en.htm

- **Register of expert groups:** The Commission consults a large number of experts daily in all its fields of activity. An internal communication, approved in 2005, provides for the creation of a public register of these groups. This register contains a list of all the expert groups of the Commission and a certain amount of standard information on each group. It thus provides the European Parliament and the public with information on the functioning of the expert groups.

The register of expert groups is published on Europa:

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

- **Information campaigns**

The Commission conducts broad information campaigns in very different fields: the euro; enlargement; justice, freedom and safety; the role of the EU in the world; tobacco control; car-free day; debate on the future of the Union; rights of air passengers; etc.

- **The Representations of the Commission**

The Commission has the task of listening to and communicating with the whole of European society. Thus, it cannot, nor should it, confine itself to Brussels. The 33 Representations in the 25 Member States are a response to this political need.

Representations develop their communication efforts with the aim of ensuring that the general public has access to all useful information on the European Union, both at national and at local level. To that end, they make use of modern and user-friendly technology, in particular when working with European databases as such. This information has to be clear and must focus on the real concerns of citizens. Representations also ensure that the various relays of information provided or maintained by Brussels work in coordination with each other and that the services that they provide are available as much for specialists as for the general public.

Representations work in close cooperation with the Information Offices of the European Parliament.

- **Relays and networks of communication**

Relays and networks aim to decentralise information and to make it available closer to the European citizens. Distributed throughout the Community, these relays and networks of communication are of several types:

- The information network EUROPE DIRECT with its 393 new information relays (resulting partly from the old Info Points Europe and Carrefours).

- 610 EDCs (European Documentation Centres) related to large universities and research institutions throughout the world.
- The "*Team Europe*" network of some 530 lecturers, travelling round via the Representations of the Commission, ready to step in on all aspects of Community policies.
- The 3 major national Information and documentation centres (Lisbon, Paris and Rome).

There are also specific information networks intended for target audiences, for example, the 230 Euro-Info-Centres, which provide aid and information for companies.

- **Publications**

- ***Information booklets for the general public***

The Commission publishes an impressive number of free booklets, in order to keep Europe's citizens and interested parties abreast, in their own language, of the policies and actions of the European Union, its operation, its history and its development. Approximately 10 million copies are distributed each year, through networks, public libraries, etc.

- ***"EU bookshop"***

The results of the work of the Commission are also published in conventional paper form. Some 1 200 titles a year are composed mainly of scientific reports and socio-economic analyses. Since they are classified in accordance with international rules, they can be found through the normal network of libraries and bookshops. All publications are also accessible on the single portal "*The EU bookshop*": <http://bookshop.europa.eu/>.

- ***General report/Bulletin***

The "*General Report on the Activities of the European Union*" is published annually by the Commission. This report, which is presented to the European Parliament in February and is put on-line on the Internet, gives an overall outline of Community activities during the previous year.

The General Report is supplemented by the "*Bulletin of the European Union*", which gives an account each month of the activities of the Commission and of the other Community Institutions.

The paper version of the General Report can be ordered from the Office for Official Publications of the European Communities. The General Report and the Bulletin can also be consulted on the Internet.

For more information:

<http://europa.eu/generalreport/en/welcome.htm>

➤ ***Annual work programme***

The Commission defines the political priorities which have to underlie its activities in the annual work programme. In so doing, it identifies the principal initiatives that it intends to launch in pursuit of its priorities, in particular in the field of legislation. The programme is presented and widely distributed sufficiently early for there to be an extensive debate before the beginning of the year to which it applies. It is published in the Official Journal of the European Union and is put on the Internet (EUROPA).

For more information:

http://ec.europa.eu/atwork/programmes/index_en.htm

➤ ***White Papers, framework programmes, communications***

The Commission publishes various papers on strategic themes or topics for reflection and documents on medium-term legislative and action programmes, such as White Papers and the framework programmes, which render the Commission's objectives for action clearer and more structured, within a more coherent political framework. Examples: the White Paper on European Governance in 2001 and the 6th Framework programme on research covering the period from 2002 to 2006.

The Commission also publishes communications. For large-scale actions, such as the preparation for the new round of enlargement, global communications are presented concerning all Community policies and measures where effective application extends over several years. In addition, numerous communications are drafted, which explain, in particular, the position of the Commission in any given field (example: interpretative communication on European legislation applicable to public contracts).

➤ ***Publication in the Official Journal***

Regulations, directives and decisions of the Union are published in the Official Journal of the European Union.

For more information:

<http://europa.eu.int/eur-lex/lex/JOIndex.do>

➤ ***Specific reports***

The Commission publishes reports in specific fields, such as the Annual report on monitoring the application of Community law.

• **Visits**

The Commission makes it possible for citizens to organise group visits to the institution. A visiting service is available for this purpose. Every year approximately 50 000 people visit the Commission. During these visits, lectures and explanatory

talks are arranged. Various types of visiting programmes exist. These can be general presentations on the European Union for a non-informed public, or more technical sessions for the more informed (journalists, elected representatives, social partners, NGOs, academic world, students, etc.).

- **Access to documents**

Under the terms of Article 255 of the EC Treaty, any citizen of the Union and any natural or legal person residing or established in a Member State has the right of access to the documents of the European Parliament, the Council and the Commission. The principles and limits of the exercise of this right were established by Regulation (EC) No 1049/2001. Under this regulation, no category of documents is excluded as such from this right of access, any refusal having to be justified with regard to the injury that possible disclosure might cause. A guide explains how to exercise this right of access.

For more information:

http://ec.europa.eu/transparency/access_documents/index_en.htm

4. *Europe simplifies*

- **Improvement of the editorial quality of texts**

In 1998, the Commission, the Council and the European Parliament adopted an agreement comprising guidelines on the editorial quality of Community legislation. It sets out 22 rules for drafting legislative acts and the internal organisational measures to be taken by each institution to ensure they are effectively implemented. The objective is to make European legislation more readable and comprehensible for Europe's citizens.

This effort was supplemented in 2004 by the approval of a "*Common practical Guide*", which the services of the three institutions are greatly encouraged to use.

For more information: <http://europa.eu.int/eur-lex/en/about/techleg/index.html>

Other initiatives have been launched, such as open seminars with officials of the Member States.

- **Simplification of existing legislation**

Over the last four years, the EU has embarked on a broad strategy to improve the regulatory environment and thus provide a more effective, efficient and transparent regulatory system for the benefit of citizens, thereby enhancing competitiveness, growth and sustainable development, and contributing to the Lisbon objectives.

Following the Commission's June 2002 Action Plan for '*Simplifying and improving the regulatory environment*',² in February 2003, the Commission presented an ambitious programme³ designed to simplify and update existing EU legislation, and reduce its volume.

In October 2005, following the communication on "Better Regulation for Growth and Jobs in the EU (COM (2005) 97), the Commission launched a new phase of its programme for the simplification of existing EU law by setting out a three-year rolling programme, which will draw extensively on stakeholder input and focus on sectoral simplification needs: the Commission communication on "A Strategy for the simplification of the regulatory environment" (COM (2005) 535).

This programme contains a series of commitments, the most ambitious being a rolling programme listing some 100 initiatives spread across some 220 basic legislative acts, to be reviewed over the next three years. The Commission will report on its implementation by November 2006 and update the rolling programme for the period 2007/2009, including the re-launch of its codification programme.

Simplification has in the meantime been upgraded among the political priorities, in line with the revised Lisbon strategy and renewed interest from the Council Presidency and the European Parliament. To give expression to the priority of simplification, the Commission will integrate its simplification actions into the annual Work Programme.

² COM(2002) 278, June 2002.

³ Communication on 'Updating and simplifying the Community acquis', COM(2003) 71, February 2003.