

25.11.16**Decision****Of the Bundesrat**

Proposal for an Interinstitutional Agreement on a Mandatory Transparency Register**COM(2016) 627 final**

The Bundesrat adopted the following opinion in its 951st session on 25th November 2016 pursuant to §§ 3 and 5 of the Act on Cooperation between the Federal Government and the Federal States on Matters Pertaining to the European Union (EUZBLG):

1. The Bundesrat acknowledges the Transparency Register as a joint instrument of the Commission and the European Parliament, intended to record and exercise oversight at the European level of activities by representatives of interest groups that are not included within the framework of the European legislative process. The Transparency Register addresses an important concern and is explicitly supported by the Bundesrat. The Bundesrat adopted a resolution on this matter on 7th November 2014 (BR-Official Document 456/14 (Decision)) in which it drew attention to important issues for the German federal states and local authorities in this context.
2. The Bundesrat welcomes the fact that the proposal now submitted by the Commission on a revised Interinstitutional Agreement of all three EU bodies - Commission, European Parliament and Council - takes the concerns raised by the Bundesrat and the German federal states fully into account. The exemption from mandatory registration for Member States and their local authorities (including permanent representations and embassies) that is envisaged in Article 4, Sub-section 3 of the proposal now takes sufficient account of the status of the German federal states in the European legislative process. The German federal states should indeed not be equated to business and civil-society lobby groups that seek to influence the European legislative process from outside this process.

3. The Bundesrat expects that the European Parliament and the Council will take the pressing concerns of the federal states fully into account in further concertation pertaining to the Interinstitutional Transparency Register. The agreement to be concluded between the EU institutions should not fall short of the level of protection envisaged in the Commission proposal. The Bundesrat therefore requests the Federal Government to advocate this position in the Council and vis-à-vis the EU institutions.
4. The Bundesrat shall transmit this opinion directly to the Commission and the European Parliament.