

The President

Ms Emily O'Reilly
European Ombudsman
Rue Wiertz
1047 Brussels

D 319039 06.12.2017

Dear Ms O'Reilly,

Following your strategic inquiry OI/8/2015/JAS concerning the transparency of Trilogues, you had suggested, by letter dated 26 January 2017, the European Parliament to inform you about the progress made related to the matters raised in that inquiry.

As you are certainly aware, Parliament has a long track record of strengthening the transparency and accountability of the legislative decision-making process. Already in 2012 it revised its Rules of Procedure (hereafter RoP) to ensure that its way of dealing with legislative dossiers is inclusive and open. Building on the 2012 reform, Parliament's latest revision of the Rules, which came into force at the beginning of 2017, further strengthened the provisions related to the ordinary legislative procedure with a particular focus on inter-institutional negotiations in the context of the first reading.

In that respect, when a committee adopts a report with a view to opening negotiations in first reading, this decision at committee level is now systematically subject to a Plenary check whereby negotiations can only start if no objection has been raised (new Rule 69c RoP). The Plenary is thus made aware of the content of the negotiating mandate and the intentions of a committee to start negotiations with the Council. The information about the committee's decision and its mandate is made available on Parliament's website before the start of the relevant Plenary part-session and any decision taken by Plenary in that respect is also made directly available online. This new mechanism not only increases internal transparency but, at the same time, gives greater *ex ante* public visibility to Parliament's activities as regards legislative negotiations.

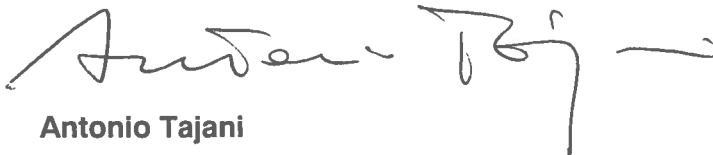
Furthermore, the rules have been clarified concerning the composition of the negotiating team (Rule 69f (1) RoP), making it easier for the public to understand who are Parliament's politically responsible representatives sitting at the negotiating table. In addition, the rules now provide that the votes on a committee report - including the negotiating mandate during first reading, and on the provisional agreement - i.e. the outcome of inter-institutional negotiations, are to be taken by roll call (Rule 208(3)), making it possible to identify how each individual Member voted. Also, documents reflecting the outcome of the concluding trilogue shall be made available to the committee and shall be published (Rule 69f (4)) RoP). These measures enhance the accountability and transparency of the legislative process while safeguarding its efficiency and flexibility.

Furthermore, the future joint legislative database agreed by the institutions in the Inter-institutional Agreement on Better Law Making is expected to provide the general public with a comprehensive image of the functioning of the ordinary legislative procedure and also to facilitate the communication process related to the outcome of trilogue negotiations. The future solution is being designed to function as a portal, which retrieves existing data available in the various databases already operational and aggregates this information in one place. The portal should clearly show, in a user-friendly way, the different steps in the legislative procedures, including links to available documents, without the need for additional searches in various existing decentralised public databases. It will eventually cover all legislative procedures, with the ordinary legislative procedure being prioritised as a matter of rollout. Technical development of the database is expected to start in 2018.

In the meantime, Parliament is further improving its Legislative Observatory and other websites to enable them to display as much relevant information on legislative files as possible. The Observatory shows for each legislative file any decision taken by Parliament, at committee or Plenary level, including on the opening of negotiations and on the approval of the result, enabling the public to understand when Parliament is ready to open negotiations and when negotiations end, i.e. when the provisional agreement is put to the vote of approval in committee. Moreover, for Plenary sittings specific videos of the debates and votes are directly accessible online while for committee meetings web streaming services are available.

As regards your query on the case T-540/15, *De Capitani v Parliament*, the Parliament is still awaiting the decision of the General Court.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Antonio Tajani', followed by a horizontal line.

Antonio Tajani