

## A Patchwork of Opacities: CSE Reports on the Transparency of European Parliament Committees in the 2019-2024 Term

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Transparency of decision making processes is a key element for democracy: access to documents, and clarity of the policy making flow and key players are essential for citizens, civil society organisations and journalists to act as watchdogs to ensure that policy making is not captured by vested interests. Transparency of the institutions is also mandated by the Treaties of the EU (art. 15 TFEU) and the right to access documents from the institutions is enshrined in the EU Charter of Fundamental Rights (art. 42).

The European Parliament is the only directly elected EU institution, and is a co-legislator (together with the EU Council, which is made of Member States' Ministers): its transparency is therefore crucial for the accountability of the elected towards citizens. However, the Parliament's degree of transparency is far from optimal, especially when analysing the work of the Committees. Committees are thematic subsections of the Parliament, reflecting its political composition, which work on proposed policy files before they are submitted to the Plenary for approval, amendment or rejection. Committee work is crucial for any legislation, and therefore a high level of transparency should apply. That is why Civil Society Europe (CSE) performed an analysis of the transparency of Committees and subcommittees in the European Parliament active at the end of the 2019-2024 term (the list is available at the end of the article). The analysis (available [here](#)) was conducted in February 2024 and updated until the 30th May 2024, and scrutinised the Committees' websites. It looked at seven dimensions: 1) availability of the amendment's voting list before a committee vote; 2) availability of the compromise amendments before a committee vote; 3) availability of the list of the committee coordinators; 4) availability of the minutes of the coordinators' meetings, 5) existence of a committee's newsletter, 6) availability of the Committee work in progress document (so-called "ITER listing"); 7) publication of state-of-play interinstitutional negotiations/trilogues documents. The analysis was submitted to all the Committees for feedback: while some committees individually replied (in particular, CONT, ITRE, IMCO, and JURI), the Committee Coordination and Legislative Programming Unit of the European Parliament Secretariat took over to give a collective response and organised a meeting to discuss the issue further. This article aims to provide an overview of CSE's analysis while providing information about the Parliament Secretariat's reply and meeting.

### **The general picture: same information, different places, if at all available**

On a general level, no Committee fulfilled all the seven dimensions considered by the analysis. In this regard, the ITRE Committee was found to be the most transparent (as it was the only one for which we could find the interinstitutional and trilogue documents, with the negotiating positions of the Parliament, Commission and Council), followed by EMPL, ENVI, IMCO and TRAN, and partially by FEMM. Our research identified SEDE as the least transparent Committee, followed closely by DROI, SANT, AFET, DEVE, and to a lesser extent by INTA and PETI.

In the reply to our inquiry, the Parliament Secretariat underlined that Committees' transparency goes beyond what is required from them by the [Parliament's Rules of Procedure](#), and that, since Committees are very different from each other, their practices cannot be completely standardised, due to practical factors, such as resource availability, logistical constraints, and time-limitations.

However, that should be heavily nuanced. As our analysis shows, there is a high degree of inconsistency in what information is reported and where, which poses difficulties for interested people and organisations to follow the legislative process. Furthermore, the most transparent Committees have different sizes, functions and capacities, which makes it clear that transparency is a matter of political will, rather than resource availability, logistical constraints, and time-limitations, as we will see next.

### **Compromise amendments and voting lists**

Before each Committee votes, the members of the Committee receive a “voting list”, which indicates the order of vote of the amendments to a document, and the “compromise amendments”, i.e. the list of amendments different political groups have decided to support instead of their initial own. The availability of the voting lists and of the compromise amendments is crucial in order to effectively follow the (public) vote in the Committees, which would otherwise be impossible to understand. In fact, the voting list is crucial to check which amendments passed, and the compromise amendments are needed to have a full picture of the approved text early on.

The Parliament Secretariat indicated in their reply that voting lists and compromise amendments are published by the majority of committees on committee websites. This is not completely accurate. Voting lists and compromise amendments are published in the [eMeeting for Committees](#), to which one can be redirected from each Committee’s page ‘Meeting Documents’ by clicking on ‘Documents for upcoming and past meetings’. However, from our analysis, only 12 out of 24 committees made them available. The Committee working methods and practices approved in March 2024 mandate the publication of the compromise amendments 24 hours before the vote. This is a good development that should solve the issue, and should be accompanied by the publication of voting lists together with the compromise amendments.

### **List of Committee Coordinators**

Coordinators are the leaders of each political group in a Committee. They have a crucial role in assigning reports and opinions to the different political groups, and in the general operations of the Committees. It is, therefore, crucial to make this information available to avoid that only insiders and well-resourced lobbies can interact with these key decision makers.

Where it is available, the list of coordinators can normally be found on the homepage of the Committees’ websites, in the ‘Publications’ section under the ‘Home’ button, or, in the case of ITRE, in the ‘About’ section. In total, 12 out of 24 committees had a separate document with the Committee coordinators; BUDG did not have a standalone document, but it indicated the name and political group affiliation of the coordinators in the coordinators’ meetings’ minutes. INTA did not provide a list of coordinators, but a list of rapporteurs and shadow rapporteurs for the files dealt with by the Committee. 10 Committees did not provide any information at all, including AFET, AGRI, JURI, and AFCO. To our observations, the Parliament Secretariat replied that the list of committee coordinators can be found through other public documents and the websites of the Political Groups. However, the fact that other actors provide such information does not justify nor condone the lack of transparency of the Parliament Committees.

### **Coordinators' meetings' minutes**

When available, the minutes of the coordinators' meetings are included in the 'Publications' section under the 'Home' button on the Committees' websites. Almost all the Committees (apart from SANT, according to our analysis) provided some kind of information on the decisions of the Committee coordinators. 6 Committees (DEVE, BUDG, EMPL, ENVI, PECH, FISC) provided the meetings' minutes as standalone documents, 10 Committees provided them as annexes to the Committee meeting minutes (which makes them more difficult to find as this requires additional knowledge such as when a coordinators' meeting has taken place), while 6 Committees (ECON, JURI, LIBE, AFCE, FEMM, PETI) only provided a summary of the coordinators' decisions as part of the minutes of the committee chair announcements. SEDE coordinators' meeting minutes have been found annexed to the AFET Committee meetings' minutes (SEDE is a sub-committee of AFET). The Parliament Secretariat agreed with our analysis, in describing the different formats the meetings' minutes can be published.

Such heterogeneity in the publication of the coordinators' meetings' minutes makes it very challenging to locate the coordinators' decisions, as only one-quarter of the Committees give clear access to such documents.

### **Committee newsletters**

Newsletters are an effective tool to provide periodical information on the work of the committees, upcoming events, publications and other relevant news. As the Parliament Secretariat rightly reports, most committees publish a newsletter related to committee activities under the Home section of their websites: in fact only 6 Committees (AFET, DEVE, INTA, JURI, DROI, SEDE) did not have a newsletter. Those committees that had it held it with an unregular schedule: generally once a month, sometimes more (including weekly), sometimes less, with variations even within the same Committee over time.

### **Committee work in progress (ITER listing) documents**

ITER listings provide an overview of the whole legislative activity of the Committees, and are therefore important to monitor the overall legislative activity of such bodies. As the Parliament Secretariat reported, several committees include information on committee activities as a "work in progress" (ITER) extract or in a similar format. In fact, only 7 Committees (ECON, EMPL, ENVI, ITRE, IMCO, TRAN, FEMM) provided the ITER listing or a similar document, normally on their websites' home page. CONT provided a calendar of the meetings indicating when the vote on the discharge reports (closing the EU financial year) takes place, while 16 Committees did not provide any documents at all.

### **State-of-play of interinstitutional negotiations/trilogues documents**

The inter-institutional negotiations are conducted between the Parliament and the Council, with the mediation of the Commission, to agree on a common text for a legislative proposal, which then would be voted by each of the two legislators (Parliament and Council). Since formally such procedure should be done only at a later stage of the legislative process, it has become a practice to hold informal negotiations between the three institutions as soon as each co-legislator has clarified their own position on the document. Such informal meetings are called trilogues. The key documents of the trilogues and of the inter-institutional negotiations are the so-called '4-column documents', which contain the original legislative proposal from the Commission (first column), the position of the Parliament (second column), that of the Council (third column) and the compromise text (fourth column). Since such negotiations happen

under closed doors, transparency on their working documents is crucial for the accountability of the institutions.

Only IMCO published the 4-column documents of interinstitutional negotiations and trilogues, which provide the positions of the Parliament, Council and Commission, and compromise amendments on ongoing files negotiated by the EU institutions. The Parliament Secretariat replied that, while Committees are not under an obligation to proactively publish such documents on their website, they regularly include, on their committee agenda, an item of reporting back on the state of play of inter-institutional negotiations on their legislative files. However, the [EU Court of Justice](#) stated that “the work of the trilogues constitutes a decisive stage in the legislative process” and that “the European Parliament must in principle grant access, on specific request, to documents relating to ongoing trilogues”. Therefore, the publication of the 4-column documents is not just a matter of general transparency, but a key issue in the legitimacy of the most delicate phase of the EU legislative process.

### **Conclusion: a call to the next Conference of Committee Chairs**

The result of CSE’s analysis is that transparency of the different Committees in the final period of the 2019-2024 term was considerably uneven, and that was complicated by a multitude of different practices. As the Parliament Secretariat pointed out, the Conference of Committee Chairs is in charge of defining minimum standards for all committees, and in the previous mandate committed to publishing voting lists and compromise amendments. The analysis showed that the current minimum criteria for the publication of Committees’ documents have proven insufficient to uphold the necessary transparency of the Parliament Committees. With this new Parliament term, CSE believes that increasing the transparency of the Committees would be a positive signal to start the new Parliament term. In particular, CSE proposes the following recommendations:

1. To uniformise the practices of publication of the different documents, ensuring that the same type of document can be found in the same place on each of the Parliament Committees’ websites;
2. To ensure the respect of the mandatory publishing of the voting lists and compromise amendments together with the agendas of the Committee meetings, as half of the Committees already do;
3. To have a standalone document with the Committee Coordinators in the home page of each Committee’s website;
4. To have the Coordinators’ meetings’ minutes available as a standalone document in the “Publications” section of each Committee’s website;
5. For the Committees that have not done it yet, to start publishing Committee newsletters with regularity over time;
6. To make the ITER listing, or similar legislative progress reports, available on the home page of each Committee’s website;
7. To publish the 4-column documents of all the trilogue and interinstitutional negotiations where the Committee is involved with a specific “Trilogues and Reports” button in the homepage of their websites.

**List of analysed Committees and subcommittees**

- [AFET](#) - Committee on Foreign Affairs
- [DROI](#) - Subcommittee on Human Rights
- [SEDE](#) - Subcommittee on Security and Defence
- [DEVE](#) - Committee on Development
- [INTA](#) - Committee on International Trade
- [BUDG](#) - Committee on Budgets
- [CONT](#) - Committee on Budgetary Control
- [ECON](#) - Committee on Economic and Monetary Affairs
- [FISC](#) - Subcommittee on Tax Matters
- [EMPL](#) - Committee on Employment and Social Affairs
- [ENVI](#) - Committee on the Environment, Public Health and Food Safety
- [SANT](#) - Subcommittee on Public Health
- [ITRE](#) - Committee on Industry, Research and Energy
- [IMCO](#) - Committee on the Internal Market and Consumer Protection
- [TRAN](#) - Committee on Transport and Tourism
- [REGI](#) - Committee on Regional Development
- [AGRI](#) - Committee on Agriculture and Rural Development
- [PECH](#) - Committee on Fisheries
- [CULT](#) - Committee on Culture and Education
- [JURI](#) - Committee on Legal Affairs
- [LIBE](#) - Committee on Civil Liberties, Justice and Home Affairs
- [AFCO](#) - Committee on Constitutional Affairs
- [FEMM](#) - Committee on Women's Rights and Gender Equality
- [PETI](#) - Committee on Petitions