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Lobbying: Enhancing transparency and accountability

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The BRUSSELS ARENA





Overall approach

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NEED

to

IMPROVE TRANSPARENCY

by providing information on the nature and activities of lobbies

will contribute to:

IMPROVE TRUST in the EU institutions &
decision making processes



Overall approach

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Lobbying / Interest representation

- A legitimate activity
 - **Democratic dimension**
 - **Better legislation dimension**
 - **The European Commission has a duty to “consult widely before initiating legislation “**
 - **Principle of openness suffers no restriction.**
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Overall approach

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The process toward transparency

- **3 May 2006 : Green paper on a European transparency initiative**
 - **The need for a more structured framework for the activities of interest representatives (lobbies).**
 - **Feedback on the “Minimum standards of consultation.**
 - **Mandatory disclosure of beneficiaries of EU funds.**
 - **May to August 2006: Open public consultation**
 - **Submissions through internet.**
 - **Hearing, European Economic and Social Committee.**
 - **Series of discussion meetings in the Member states.**
 - **21 March 2007 Communication Follow up**
 - **Follow up measures.**
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Overall approach

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Definition of Lobbying

“Activities carried out with the objective of influencing the policy formulation and decision making process of the European institutions”



Overall approach

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A voluntary system

- **A register of interest representatives**
 - **A code of conduct**
 - **A system of monitoring and sanctions**
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Overall approach

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- **Main principles guiding the design of measures:**
 - **Keep the system voluntary**
 - **Avoid unnecessary administrative hurdle.**
 - **Preserve openness of consultations.**
 - **Favour self regulation.**
 - **Full compatibility with EU law.** (competition, personal data protection etc..)
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The interest representation register



The register

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- **A voluntary declaration (electronic register)**
 - **Whom is represented, which interest, which mission, how funded?**
 - **Link with a code of conduct**
 - **A new standard template for web consultations**
 - **Systematic request to register.**
 - **Separate publication of submissions of non registered entities.**
 - **An automatic alert system for consultations**
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The register

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WHO SHOULD REGISTER

- **Public affairs consultancies and law firms**
- **Corporate lobby units and trade associations**
- **NGO's and Think tanks**

NOT COVERED BY THE REGISTER:

Public authorities

But: Associations of local or regional authorities, who would choose to declare their advocacy activities, are welcome to do so



The register

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Financial disclosure

- **Professional consultancies and law firms**
 - **Turnover linked to lobbying**
 - **Relative weight of the clients**
 - **In house lobbyists and trade associations**
 - **Estimate of cost associated with direct lobbying of EU institutions**
 - **NGO's and Think tanks**
 - **Overall budget + breakdown per main sources**
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The code of conduct

to be prepared by the Commission



The code of conduct

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What it will not be

- **A code to regulate the profession**
 - **No reference to qualifications, access to the profession etc.**
 - **No interferences with national professional deontology codes**
 - **A code to regulate relations between consultancies and their clients**
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The code of conduct

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What it will deal with

- Principles

- Honesty and “professional” integrity
- openness and transparency

- Rules to respect: 4 baskets:

- Transparency (who, what interest, clients ..)
- Accuracy of data provided to Commission
- Means of obtaining information
- Questions related to the hiring of former officials

(Else.?)



What's next

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- **Development of the register**
 - **Consultations about the code of conduct**
 - **Decision on code**
(Inter-institutional dimension?)

 - **Operational launch: SPRING 2008**

 - **After one year: EVALUATION**
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