Lobbying: Enhancing transparency and accountability

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Overall approach

European Commission – Secretariat general

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
European Commission – Secretariat general

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.
Overall approach

European Commission – Secretariat general

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.
Definition of Lobbying

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

A voluntary system

- A register of interest representatives
- A code of conduct
- A system of monitoring and sanctions
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..)
The interest representation register
The register

European Commission – Secretariat general

- 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
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
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
The code of conduct

to be prepared by the Commission
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
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

- Development of the register
- Consultations about the code of conduct
- Decision on code
  (Inter-institutional dimension?)
- Operational launch: SPRING 2008
- After one year: EVALUATION