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Committee on Legal Affairs

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AMENDMENTS 1-34

Draft opinion

(PE394.065v01-00)

Diana Wallis

Development of the framework for the activities of interest representatives (lobbyists) in the European institutions
(2007/2115(INI))

Amendment by Piia-Noora Kauppi

Amendment 1
Paragraph -1 (new)

- 1. *Considers that lobbying has an important and legitimate role to play in the policy process;***

Or. en

Amendment by Manuel Medina Ortega

Amendment 2
Paragraph 1

- 1. *Considers it essential that representatives of civil society should have access to the European institutions, first and foremost the European Parliament;***

Or. es

Amendment by Piia-Noora Kauppi

Amendment 3
Paragraph 1

1. Recalls that the ***European Parliament has had rules concerning access by lobbyists and their registration in a public register since 1996; considers, however, that the*** need for a more structured and rigorous framework for the activities of interest representatives is fundamental not only to the functioning of an open and democratic Union but also to the public perception of its work on the part of citizens and other parties; considers that, since lobbying practices continue to evolve over time, any rules regulating such practices must be sufficiently flexible to adapt swiftly to change;

Or. en

Amendment by Piia-Noora Kauppi

Amendment 4
Paragraph 1 a (new)

- 1a. Considers that the rules on lobbying at the European Parliament should also cover lobbying activity addressed to committee secretariats, staff of political groups and Members' advisers and assistants;*

Or. en

Amendment by Hans-Peter Mayer

Amendment 5
Paragraph 2

2. ***Fundamentally supports the Commission's intention of introducing a voluntary register for the activities of interest representatives (lobbyists); is of the opinion, however, that if they have applied for, and been granted, permanent access to the premises of the Commission, the Council, and/or Parliament, lobbyists should be subject to compulsory registration;***

Or. de

Amendment by Manuel Medina Ortega

Amendment 6
Paragraph 2

2. Expresses doubts as to *whether the Commission's proposals on registration of persons seeking to approach the institutions could be applied to Parliament, given that it is in the utmost interest of Members to keep their doors open to Union citizens;*

Or. es

Amendment by Monica Frassoni

Amendment 7
Paragraph 2 a (new)

- 2a. *Believes that a credible and effective registration and reporting system in all EU institutions, including financial disclosure as well as disclosure of all documents sent to members of the institutions, must be mandatory for all lobbyists, must also be linked to a common code of ethical behaviour and must include an independent implementation and sanction mechanism; calls for the documents concerning lobbying, particularly the common code of ethics, declarations of interests and all documents sent out by lobbyists, to be publicly available in an electronic registry;*

Or. en

Amendment by Piia-Noora Kauppi

Amendment 8
Paragraph 2 a (new)

- 2a. *Considers that, if the registration system is made compulsory, all lobbyists should be treated equally and the definition of lobbyist should cover not only professional lobbying firms and their PR consultants, but also industry in-house employees, sectoral umbrella organisations, think tanks, NGO representatives, government/regional authorities and lawyers acting as lobbyists; is of the opinion that lobbying should be understood in the broadest sense of the term, including, inter alia, influencing political decision-making without seeking to get elected and with or without direct economic gain, so that voluntary lobbyists too should register under the compulsory system;*

Or. en

Amendment by Manuel Medina Ortega

Amendment 9
Paragraph 3

3. Considers that *if a register were to be established for persons seeking to put forward their points of view to, or defend their interests before, Members of the European Parliament, this would serve to hamstring communication by Members with those whom they represent and with civil society in general;*

Or. es

Amendment by Piia-Noora Kauppi

Amendment 10
Paragraph 3

3. Considers that it is in the common institutional interest to bring more light to lobbying and takes the view, therefore, that efforts should be made to establish a common register for the Commission and Parliament, or at the very least *to have the same level of public disclosure in both registers if they were to be separate, and* to link the operation of both institutions' work in this field effectively; is of the opinion that this would have the advantage of creating a 'one-stop shop' for users, as well as ensuring that any breaches of the future Code of Conduct are dealt with in a coordinated manner;

Or. en

Amendment by Hans-Peter Mayer

Amendment 11
Paragraph 3

3. Considers that it is in the common institutional interest to bring more light to lobbying and takes the view, therefore, that efforts should be made to establish a common register for the Commission, *the Council*, and Parliament, or at the very least to link the operation of *the three* institutions' work in this field effectively; is of the opinion that this would have the advantage of creating a 'one-stop-shop' for users, as well as ensuring that any breaches of the future Code of Conduct are dealt with in a coordinated manner;

Or. de

Amendment by Manuel Medina Ortega

Amendment 12
Paragraph 4

4. Considers, *at all events, that Parliament must retain its autonomy vis-à-vis other institutions as regards relations with interest representatives, including the rules on the transparency of its activities;*

Or. es

Amendment by Piia-Noora Kauppi

Amendment 13
Paragraph 4

4. Considers that careful consideration needs to be given to the activities of lobbyists and interest groups vis-à-vis Council members in the context of codecision matters; *(deletion)*

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 14
Paragraph 4

4. Considers that careful consideration needs to be given to the activities of lobbyists and interest groups vis-à-vis Council members in the context of codecision matters; *(deletion)*

Or. en

Amendment by Hans-Peter Mayer

Amendment 15
Paragraph 4

4. Considers that careful consideration needs to be given to the activities of lobbyists and interest groups vis-à-vis *(deletion)* members *of the Commission, the Council, and Parliament; (deletion)*

Or. de

Amendment by Gabriele Stauner

Amendment 16

Paragraph 4

4. Considers that careful consideration needs to be given to the activities of lobbyists and interest groups vis-à-vis Council members in the context of codecision matters; ***calls, therefore, for the Council to join a registration system designed to serve that purpose;*** considers, moreover, that it is not appropriate for representatives of Member States to engage in activities which are tantamount to lobbying individual Members of Parliament;

Or. de

Amendment by Manuel Medina Ortega

Amendment 17

Paragraph 5

5. Considers that ***the profession of lawyer and other professions providing advice on private interests need to be treated as a case apart, since they are to a large extent regulated by EU law and the rules in force in Member States;***

Or. es

Amendment by Gabriele Stauner

Amendment 18

Paragraph 5

5. Considers it essential that lawyers acting as lobbyists should not be exempt from this initiative and its rules on registration; ***calls on*** the Commission, ***however,*** to ***submit a proposal couched in such terms as to avoid any inconsistency with the professional regulations applying to lawyers in Member States, especially as regards duties of discretion;***

Or. de

Amendment by Diana Wallis

Amendment 19
Paragraph 5

5. Considers it essential that lawyers acting as lobbyists should not be exempt from this initiative and its rules on registration; encourages the Commission to determine a formula which allows lawyers and their clients the justified protection afforded by their rules of professional conduct when they are truly acting in a professional legal capacity, ***including in particular all activities carried out by a lawyer in connection with any representation of a client in judicial, quasi-judicial, administrative, disciplinary and other proceedings***, for example when providing legal advice on staff cases, anti-dumping cases or competition law proceedings, including mergers and state aid;

Or. en

Amendment by Klaus-Heiner Lehne

Amendment 20
Paragraph 5

5. Considers it essential that lawyers acting as lobbyists should not be exempt from this initiative and its rules on registration; encourages the Commission to determine a formula which allows lawyers and their clients the justified protection afforded by their rules of professional conduct when they are truly acting in a professional legal capacity, ***including, in particular, all activities carried out by a lawyer in connection with any representation of a client in judicial, quasi-judicial, administrative, disciplinary and other proceedings and all activities concerning legal advice in the context of the political and decision-making processes of the European institutions***, for example when providing legal advice on staff cases, anti-dumping cases or competition law proceedings, including mergers and state aid;

Or. en

Amendment by Diana Wallis

Amendment 21
Paragraph 6

6. ***Is therefore convinced that transparency as to the identity of lobbyists and their clients is the most important factor; considers that some form of financial disclosure is necessary and that it should be clear and non-discriminatory and should be part of an overall picture; is of the opinion that other issues may be equally important;***

Or. en

Amendment by Manuel Medina Ortega

Amendment 22

Paragraph 6

6. Considers that *Parliament has to decide for itself on the use of funds from private sources and that its decisions must be taken by Members acting in accordance with very clear-cut ethical principles laid down in its internal rules;*

Or. es

Amendment by Hans-Peter Mayer

Amendment 23

Paragraph 6

6. *Is convinced that transparency as to the identity of lobbyists and their clients is the most important factor; takes the view, however, that any duty to disclose financial information should be subjected to critical scrutiny and in any event preclude discrimination;*

Or. de

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 24

Paragraph 6

6. Considers that *(deletion)* some form of financial disclosure is necessary and should be clear and non-discriminatory *and* be part of an overall picture; is *(deletion)* convinced that transparency as to the identity of lobbyists and their clients is the most important factor;

Or. en

Amendment by Gabriele Stauner

Amendment 25
Paragraphs 6

6. Considers that although some form of financial disclosure is necessary and should be clear and non-discriminatory, this should only be part of an overall picture; is of the opinion that other issues apart from financial backing can be equally important, and is therefore convinced that transparency as to the identity of lawyers and their clients is the most important factor; ***maintains, however, that the professional regulations applying in Member States, whereby given categories of lobbyists are required to exercise certain duties of discretion in relation to their customers and clients, have to be observed without fail;***

Or. de

Amendment by Piia-Noora Kauppi

Amendment 26
Paragraph 6 a (new)

- 6a. ***Considers that the financial disclosure should take into account relevant business and competition issues and should not be too prescriptive; is of the opinion that it should be enough to disclose the overall volumes of lobbying activity and the list of clients without indicating the individual fees or client-by-client proportionate amounts;***

Or. en

Amendment by Piia-Noora Kauppi

Amendment 27
Paragraph 6 b (new)

- 6b. ***Considers it necessary to have the same level of financial disclosure also for the voluntary lobbying often done by NGOs, and demands that the public be given more information about the finances of not-for-profit organisations and the funding of their lobbying campaigns and material;***

Or. en

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 28
Paragraph 7

deleted

Or. en

Amendment by Gabriele Stauner

Amendment 29
Paragraph 7

deleted

Or. de

Amendment by Hans-Peter Mayer

Amendment 30
Paragraph 7

deleted

Or. de

Amendment by Manuel Medina Ortega

Amendment 31
Paragraph 7

7. *Maintains that Members of Parliament have the right to defend their independence as regards their sources of information and do not have account to anyone for the thinking behind their views;*

Or. es

Amendment by Manuel Medina Ortega

Amendment 32

Paragraph 8

8. ***Maintains that Parliament has to decide entirely independently what account it will take of opinions originating from civil society;***

Or. es

Amendment by Hans-Peter Mayer

Amendment 33

Paragraph 8

8. Believes that the recommendations contained both in this opinion and in the report drawn up by the committee responsible necessitate review and joint action by Parliament in relation to its own rules and Code of Conduct and its joint working with the Commission ***and the Council***; accordingly, recommends the setting-up, by no later than the first quarter of 2008, of a Members' Working Group within Parliament to work together with the Commission (and possibly with the Council also) in this area.

Or. de

Amendment by Marie Panayotopoulos-Cassiotou

Amendment 34

Paragraph 8

8. Believes that the recommendations contained both in this opinion and in the report drawn up by the committee responsible necessitate review and action by Parliament in relation to its own rules and Code of Conduct and its joint working with the Commission; accordingly, recommends the setting-up, by no later than the first quarter of 2008, of a Members' Working Group within Parliament to work together with the Commission ***and with the Council*** in this area.

Or. en