

EUROPEAN PARLIAMENT

2004



2009

Committee on Legal Affairs

2007/2115(INI)

26.10.2007

DRAFT OPINION

of the Committee on Legal Affairs

for the Committee on Constitutional Affairs

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

Draftswoman: Diana Wallis

PA_NonLeg

SUGGESTIONS

The Committee on Legal Affairs calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Recalls 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;
2. Expresses doubts as to the fairness and effectiveness of the voluntary system proposed by the Commission, and notes that it will review the operation of the register one year after its entry into effect;
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 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;
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; 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;
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, for example when providing legal advice on staff cases, anti-dumping cases or competition law proceedings, including mergers and state aid;
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 lobbyists and their clients is the most important factor;
7. Expresses support for the idea that Parliament's rapporteurs should produce a "legislative fingerprint" of their activity, reflecting in a transparent manner the breadth of lobbying, advice and input they have received during their time as rapporteur;
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 the 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 the Parliament to work together with the Commission (and possibly with the Council also) in this area.