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Committee on Budgetary Control

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DRAFT OPINION

of the Committee on Budgetary Control

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))

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SUGGESTIONS

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

Overall approach by the Commission

1. Notes that the Commission defines lobbying as "activities carried out with the objective of influencing the policy formulation and decision-making processes of the European institutions";
2. Recalls that the European Union institutions take decisions not only in relation to legislation, but also concerning:
 - contracts;
 - grants;
 - infringements;
 - fines; and
 - recoveries and waivers;

with regard to which the interested parties may wish to express their views or to exercise influence; believes that any future rules or code of conduct should be drawn up in such a way as to cover all the areas of activity of the EU institutions which outside bodies or persons may seek to influence;

3. Notes that according to the Commission's proposal, public affairs consultancies, corporate lobby units ("in-house representatives"), non-governmental organisations (NGOs), think-tanks, trade associations and law firms will be encouraged to join the register and will be offered the opportunity to indicate to which category they belong;
4. Points out that the list in paragraph 3 does not include other categories of interest groups with a significant presence in Brussels such as a) regional, provincial or local authorities, which lobby on their own behalf or on behalf of companies or other entities situated in their territory, b) firms of accountants offering a full range of business services, including lobbying activities, or, c) trade unions;
5. Concludes from the list of categories of lobbyists targeted by the Commission that its approach is essentially based on regulating private sector lobbying, without any apparent attempt to apply equivalent transparency to lobbying by public sector representatives, e.g. regional authorities, diplomats, ministers, national parliamentarians;
6. Believes that the same lobbying rules which apply to the private sector should apply to all public sector representatives, with the exception of the Member States' permanent representations;

7. Notes that under the Commission's proposal, lobbyists who voluntarily register certain information about themselves would be given an opportunity to indicate their specific interests and, in return, would be alerted to consultations in those specific areas;
8. Recalls that a considerable number of the contributions received by the Commission in response to its Green Paper on transparency, in particular NGOs, advocated a compulsory (rather than voluntary) approach as the only way to ensure full transparency;

Financial disclosure

9. Notes that according to the Commission's proposal registered lobbyists would be required to declare:
 - for professional consultancies and law firms involved in lobbying EU institutions, the turnover linked to such lobbying as well as the relative weight of the clients in that turnover;
 - for "in-house" lobbyists and trade associations active in lobbying, an estimate of the cost associated with the direct lobbying of EU institutions; and
 - for NGOs and think-tanks, the overall budget and breakdown per main sources of funding (amounts and sources of public funding, donations, membership fees etc.);
10. Believes that it is essential for Members of the European Parliament, as well as for others, to know for whom lobbyists are working, the source of any information provided or promoted by lobbyists and the identity of the interests which they represent;
11. Suggests that any future code of conduct should require lobbyists at the beginning of any meeting or conversation arranged for lobbying purposes to indicate in clear terms the client, organisation, movement or campaign on whose behalf they are acting and whether or not they are registered lobbyists;
12. Asks the Commission to specify what would be the consequences of a failure or refusal to join the voluntary register and, in particular:
 - whether that failure or refusal would be recorded and clearly visible in a section of the register;
 - whether the organisation concerned would thereafter be debarred from lobbying the Commission;
13. Takes the view that the register should include a simple system for removing entries from it and for notifying the reasons for removal to the person or body concerned;

Code of conduct

14. Supports the Commission's view that self regulation of lobbyists is not enough; notes its intention to review and update the existing requirements adopted in 1992; agrees that subscribing to the code should become a requirement for lobbyists wishing to be included in the new register, in line with the example set by Parliament;

Parliament's current rules on lobbying

15. Points out that Parliament already has a code of conduct (Article 3 of Annex IX to the Rules of Procedure) on lobbying;
16. Points out that, as regards the definition of lobbyists, Rule 9(4) of the Rules of Procedure authorises the College of Quaestors to issue access passes to persons who wish to enter Parliament's premises frequently with a view to supplying information to Members within the framework of their parliamentary mandate in their own interests or those of third parties;
17. Recalls that according to Parliament's website "Lobbyists can be private, public or non-governmental bodies. They can provide Parliament with knowledge and specific expertise in numerous economic, social, environmental and scientific areas";
18. Calls on the Secretary-General to move Parliament's list of representatives of accredited interest groups, currently at:
<http://www.europarl.europa.eu/parliament/expert/staticDisplay.do?id=65&language> to a more easily accessible location on Parliament's website;

Inter-institutional cooperation

19. Notes the Commission's wish for the future register and code of conduct to be common to the Commission and, at least, Parliament and its belief that "one-stop-shop" registration would provide an increased incentive for stakeholders to register;
20. Recognises that if the various institutions each have separate lobbyist registration arrangements there may be a risk of inconsistency in the information which lobbyists provide about their own organisations, the clients for whom they are acting and the level of financing available for a given lobbying initiative; accepts therefore that there may be sound arguments in favour of setting up a single unified registration system in due course;
21. Stresses that Parliament must retain its autonomy in decisions as to the acceptance or otherwise of such interest groups or lobbyists as it may consider relevant for its political role in representing EU citizens;
22. Suggests that in the absence of arrangements by the institutions for a common register of lobbyists, their individual web-based registers should include links to the registers of the other institutions in order to enable comparison of lobbyists' entries.