

# Development of the framework for the activities of interest representatives (lobbyists) in the European institutions

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The Committee on Constitutional Affairs adopted the own-initiative report by Ingo **FRIEDRICH** (EPP-ED, DE) (formerly the STUBB report) on the development of the framework for the activities of interest representatives (lobbyists) in the European institutions.

MEPs welcome the Commission's proposal for a more structured framework for the activities of the interest representatives as a part of the European Transparency Initiative. They agree with the Commission's definition of lobbying as "activities carried out with the objective of influencing the policy formulation and decision-making processes of the EU institutions". Therefore, all actors, including both public and private interest representatives, falling within that definition and regularly influencing the institutions should be considered lobbyists and treated in the same way, whether they are professional lobbyists, companies' in-house lobbyists, NGOs, think-tanks, trade associations, trade unions and employers' organisations, profit-making and non-profit organisations or lawyers (when their purpose is to influence policy rather than case-law).

MEPs also welcome the Commission's proposal for a "one-stop shop" where lobbyists could register with both the Commission and Parliament. They call for **an interinstitutional agreement on a common mandatory register** between the Council, the Commission and the Parliament, that would be applicable in all institutions and include full financial disclosure, a common mechanism of expulsion from the register and a common code of ethical behaviour.

The parliamentary committee proposes that a **joint working group** of Council representatives, Commissioners and Members of the European Parliament, be set up promptly, with the aim of considering, by the end of the year 2008, the implications of a common register for all lobbyists and the elaboration of a Common Code of Conduct.

Noting the Commission's **draft Code of Conduct** for interest representatives, MEPs ask the Commission to negotiate with Parliament for the establishment of common rules. MEPs are of the opinion that any code should ensure a strong monitoring element with regard to the conduct of lobbyists. They stress that sanctions should apply to lobbyists who breach the code of conduct and that sufficient resources (staff and funding) must be set aside for the purposes of verifying the information in the register. Sanctions may include the suspension from the register and, in more serious cases, removal from the register.

The report emphasises the need for the register to be **user friendly and easily accessible on the Internet**, and that it must include not only the names of the lobbying organisations but also the names of the lobbyists themselves. The register should also contain separate categories in which lobbyists should be registered according to the type of interests they represent e.g. professional associations, company representatives, trade unions, employers' organisations, lawyers' offices, NGOs, etc.).

In this respect, MEPs welcome the Commission's decision to request that the requirement of financial disclosure by interest representatives joining the register apply to the following: (a) the turnover of professional consultancies and law firms attributable to lobbying the EU institutions, as well as the

relative weight of their major clients; (b) an estimate of the costs associated with direct lobbying of the EU institutions incurred by in-house lobbyists and trade associations; (c) the overall budget and breakdown of the main sources of funding of NGOs and think-tanks.

The working group is called to propose specific criteria that would invoke the requirement for financial disclosure.

Recognising the influence of lobby groups on EU decision-making, MEPs consider it essential that they should know the identity of the organisations represented by lobby groups.

To this end, the parliamentary committee acknowledges that a rapporteur may, if he or she sees fit (on a voluntary basis), use a "**legislative footprint**", i.e. an indicative list (attached to each report) of registered interest representatives who were consulted, and had significant input, during the preparation of the report. It suggests that the Commission also attach this "legislative footprint" to its legislative initiatives.