

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

2007/2115(INI) - 08/05/2008 - Text adopted by Parliament, single reading

The European Parliament adopted by 547 votes to 24 and 59 abstentions, a resolution on the development of the framework for the activities of interest representatives (lobbyists) in the European institutions. The own-initiative report was tabled for consideration in plenary by Ingo **FRIEDRICH** (EPP-ED, DE) on behalf of the Constitutional Affairs Committee.

**Improving Parliament's transparency:** Parliament recognises the influence of lobby groups on EU decision-making and therefore considers it essential that Members of Parliament should know the identity of the organisations represented by lobby groups. It emphasises that equal access to all the EU institutions is an absolute prerequisite for the Union's legitimacy and trust among its citizens. It is, moreover, essential that representatives of civil society have access to the EU institutions, first and foremost to Parliament.

In this context, Parliament acknowledges that a rapporteur may, as he or she sees fit (on a voluntary basis), use a "legislative footprint", i.e. an indicative list, attached to a Parliamentary report, of registered interest representatives who were consulted and had significant input during the preparation of the report. It stresses that it is equally important for the Commission to attach such "legislative footprints" to its legislative initiatives.

**Commission proposal:** Members welcome the Commission's proposal for a more structured framework for the activities of 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". All players, including both public and private interest representatives, outside the EU institutions falling within that definition and regularly influencing the institutions, should be considered lobbyists and treated in the same way: professional lobbyists, companies' in-house lobbyists, NGOs, think-tanks, trade associations, trade unions and employers' organisations, profit-making and non-profit-making organisations and lawyers when their purpose is to influence policy rather than to provide legal assistance and defence in legal proceedings or to give legal advice.

Parliament also welcomes in principle the Commission's proposal for a "one-stop shop" where lobbyists could register with both the Commission and Parliament. It calls for an interinstitutional agreement between the Council, the Commission and Parliament on a common mandatory register that would be applicable in all institutions and include full financial disclosure, a common mechanism of removal from the register and a common code of ethical conduct. Bearing in mind, however, the essential differences between the institutions, Parliament reserves the right to evaluate the Commission's proposal when it is finalised and, only then, to decide on whether to support it. Parliament calls for mutual recognition between the Council, the Commission and Parliament of separate registers in the event that a common register is not agreed.

It goes on to propose that a joint working group of Council representatives, Commissioners and Members of the European Parliament should be set up without delay, with the aim of considering, by the end of 2008, the implications of a common register for all lobbyists. Any code should contain a strong monitoring element with regard to the conduct of lobbyists. Members stress that sanctions should apply to lobbyists who breach the code of conduct, and sufficient resources (staff and funding) must be set aside

for the purposes of verifying the information on the register. For the Commission's register sanctions may include suspension from the register, and in more serious cases removal from the register.

The resolution emphasises the need for the register to be user-friendly and easily accessible on the Internet. It must include not only the names of the lobbying organisations but also the name of the individual 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, law firms, NGOs, etc.).

Parliament welcomes 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.