



RESOLUTION:

Lobbying transparency

Adopted at the YEPP Council Meeting in Milan, 17.02.2018

Recognizing that:

- Lobbying at the European level can be defined as follows: "Lobbying is any direct or indirect communication with public officials, political decision-makers or representatives for the purposes of influencing public decision-making, and carried out by or on behalf of any organised group"¹. European lobbying shows a varied and complex landscape, which can express itself in different forms.
- Brussels and Washington are the two biggest lobbyist strongholds. There is an average of 30 000 lobbyists in the European Capital.
- The inter-institutional agreement concluded between the European parliament and the Commission has created a "Transparency Register", but did not render it mandatory. For example, European Commissioners undertake to meet only representatives of interests registered in this register (cf. Code of Conduct for Commissioners).
- This register applies only to the European Parliament and the Commission, and to a small number of these institutions actors.

Acknowledging that:

- "At present, unfair and opaque lobbying practices constitute one of the key corruption risks facing Europe"².
- Lobbying sometimes leads to the granting of unjustified privileges to certain interest representatives.

¹ "Lobbying is any direct or indirect communication with public officials, political decision-makers or representatives for the purposes of influencing public decision-making, and carried out by or on behalf of any organised group." TRANSPARENCY INTERNATIONAL, *Lobbying in Europe*, 2015, p. 5.

² TRANSPARENCY INTERNATIONAL, *Lobbying in Europe. Hidden influence, privileged access*, 2015, p. 6.

- The lobbying current approach contributes amongst others to “environmental degradation, financial collapse, human rights abuse, and the endangerment of public safety”³.
- The European Parliament resolution of the 14th of September 2017 on transparency, accountability and integrity in the EU institutions, suggests several advances in terms of transparency, but more needs to be done.
- “Multiple scandals throughout Europe demonstrates that without clear and enforceable rules, a select number of voices with better resourcing and contacts can come to dominate political decision-making”⁴.
- Lobbying isn’t negative in itself, “It also has the potential to enhance the quality of decision-making by providing channels for the input of expertise on increasingly technical issues to legislators and decision-makers”⁵.
- Rules surrounding the traceability of lobbies must allow citizens to trace the influences on the public decision-making process.
- Those rules must therefore require detailed information on the lobbyist, their activities (registration of lobbies, declaration of meetings and their agenda) and must be accompanied by control mechanisms.
- Three inter-related “core dimensions” promote healthy, effective and consistent use of lobbying⁶:
 - Transparency: possibility for the public to ensure control on the interactions between lobbyists and politicians
 - Integrity: need to establish clear rules in terms of ethical conduct in relations between lobbies and public authorities.
 - Equity of access: the attention of the public authorities must concern a "broad spectrum of interests".

YEPP calls on:

- Framed and structured lobbying in Europe through the three axes proposed by Transparency International: transparency, integrity and equity of access⁷.
 - Transparency: (1) Make available to the citizen information on the relations between public authorities and lobbies (meeting agenda, association, budget, centres of interest); (2) Put in place a "legislative footprint" that details the actions of influences prior to the development of a law. This footprint must be mandatory and defined for all legislative texts. The latest advancements in this matter have not been successful.

³ TRANSPARENCY INTERNATIONAL, *Lobbying in Europe. Hidden influence, privileged access*, 2015, p. 8.

⁴ TRANSPARENCY INTERNATIONAL, *Lobbying in Europe*, 2015, p. 6.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ TRANSPARENCY INTERNATIONAL, *Lobbying in Europe*, 2015, 67 p.

- Integrity: (1) For all European public decision-makers, strengthen the information related with their possible conflicts of interest by imposing a regularly updated declaration of interests and assets and oblige them to publish their various public and private mandates and remunerations, by requiring transparency of professional fees); (2) Introduce a broad time-limit preventing to occupy too quickly a lobbying function within an institution where the interest representative has held a position or a mandate.
- Equity of access: (1) Ensuring access to decision-makers for diverse interest groups; (2) Allow citizen panels to contribute to ongoing legislative work.
- Extend the existing European Transparency Register to the Council of the European Union and the Permanent Representations of the Member States. As suggested by the ongoing discussions, this register must be binding.
- Create effective means of control to ensure compliance with the rules imposed on lobbying, and check the veracity of the information provided. These missions should be entrusted to an independent third party with adequate financial and human resources.