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ALTER-EU's priority demands for reform of the EU lobby transparency register

Lobby transparency is an important tool in the fight against the dominance of corporate interests within EU decision-making. Lobby transparency exposes who is lobbying whom and is a cornerstone of our ultimate goal: EU policy-making which puts the interests of people and the planet first.

For the past five years, the European Commission and Parliament have jointly coordinated a transparency register for those who lobby either of those EU institutions. This register, which is only voluntary and is riddled with inaccurate or misleading information, will shortly be revised and this provides an important opportunity to overhaul the current weak rules, and to introduce a far more rigorous and effective lobby transparency system. Ultimately, ALTER-EU via our [Full lobby transparency now! campaign](#) would like to see a legally-binding EU lobby transparency system which enables citizens to see who is influencing EU decision-making, on which issues, on whose behalf, and with what budgets. Our priority demands below seek to achieve these objectives.

1. A legally-binding lobby register

For ALTER-EU, a lobby register which is no longer voluntary, but which is backed by the force of law, is essential if all lobbyists are to sign-up and if the register is to provide an accurate snapshot of lobbying in the EU institutions. We wish to see **a commitment to start negotiating a legally-binding lobby register in place by 2017**. A legally-binding lobby register would give the authorities the opportunity to levy fines or other real sanctions on those who refuse to register. Such legislation could also bestow proper enforcement mechanisms on the authorities so that they can take tough action against those who post inaccurate information or who otherwise break the rules. A legally-binding lobby register should be introduced alongside a clear threshold for registration which clarifies what constitutes 'lobbying' and which contacts with decision-makers do not eg. citizens contacting their local MEP.

2. Effective data monitoring

The secretariat for the current (voluntary) EU lobby register, with its 9000+ registrations, is staffed by only a handful of people (ratio: 1 staff member per 3653 registrants). This is seriously inadequate considering [the Canadian register](#) with its 2650 registrations has 28 staff members to administer and police the system, including a 'commissioner of lobbying' (ratio: 1 staff member per 95 registrants).

The human resources and software capacity devoted to the EU lobby register, as well as its investigatory and enforcement powers, need to be totally transformed so that effective monitoring checks are carried out on at least 20 per cent of all declarations each year, and all complaints are dealt with speedily. Particular priority should be allocated to ensuring the accuracy of the financial data within registrations and we consider that software could easily be used highlight unlikely-looking entries, enabling speedy follow-up investigations by staff.

3. Improved sanctions to boost data quality and registrations

Currently, the only real sanction available to the lobby register authorities is removal from the register and this can only occur in cases where there has been “non-cooperation” with the secretariat, “inappropriate behaviour” or “serious non-compliance” with the [code of conduct for lobbyists](#). While ALTER-EU has [complained](#) to the secretariat about a number of corporate lobby groups who have submitted inaccurate register entries, no punitive action has been taken and such organisations have been able to maintain the privileges that come with being part of the lobby register, including having European Parliament access passes and holding lobby meetings with commissioners or other senior staff at the Commission. In fact, the quality of the data in the lobby register is extremely poor and [Transparency International estimates](#) that around half of the entries are problematic. This must change if citizens are to have confidence in the system. **Submitting inaccurate and / or misleading information must be specified as a punishable offence. If such data is not remedied or justified within a month of the secretariat raising it with the registrant, it should lead to the suspension of all privileges which come from being part of the register for up to one year**, depending on the severity of the offence. Suspended lobby groups should be placed on a public blacklist.

4. All Commission officials only meet with registered lobbyists

Currently, no commissioner, cabinet member or director-general is [allowed to meet an unregistered lobbyist](#). ALTER-EU welcomes this rule but is concerned that it only covers the top 250 or so most senior officials in the Commission. In fact, many lower level officials from among the 30,000+ Commission staff regularly meet with lobbyists, including the key TTIP negotiators, for example, but they are not included within the rules. The meeting policy should be immediately extended so that **no Commission official is allowed to meet with unregistered lobbyists**.

5. MEPs, their staff and Parliament staff only meet with registered lobbyists

While the European Parliament is party to the lobby register, MEPs are not subject to any rules to prevent them from meeting with unregistered lobbyists. This must change, if non-registered lobbyists are to be squeezed out of the law-making process. **If MEPs, their staff and Parliament staff choose to meet with lobbyists, they should first ensure they are registered**.

Such a rule would not place unnecessary restrictions on MEPs. For example, it would not prevent MEPs from meeting with citizens from their constituencies, local civic associations or small-scale entrepreneurs, none of whom would be required to join a legally-binding register unless they met the minimum threshold requirement for lobbying.

6. Include the European Council, Council and permanent representations

The European Council and Council are significant EU institutions, a recent ALTER-EU report illustrates the significant lobbying which also occurs towards the member states' permanent representations in Brussels. ALTER-EU supports the **extension of the EU lobby register to fully include the European Council, the Council and permanent representations**. Until that comprehensive EU register comes about, there will need to be significant improvements to national lobby transparency rules to ensure that lobbying of permanent representations, as well as national governments, is explicitly included there.

7. Changes to the lobby transparency register disclosure requirements

A series of detailed changes are required to the rules of the lobby register in order to further boost data quality and to ensure that the register presents a reliable picture of lobbying at the EU level:

•**Up-to-date registrations:** At the moment, the 9000+ organisations in the register are only required to submit one annual update to their registration and this can happen at any point in the year. As a result, the data posted, especially in the area of spending on lobbying, is tricky to compare and contrast as it relates to different time periods. The register would be far more effective and precise if **all registrants were required to submit at least two updates per year, and on shared dates** ie. 31 January and 31 July. This would also help to enforce the current rule that all registrants should use the financial data from the most recently-closed financial year.

•**Financial disclosure:** Currently, lobby consultancies and law firms are required to disclose their lobby turnover but only in some very broad bandwidths which become less transparent the bigger the sums involved ie. 0-99,999; 100,000-499,999; 500,000-1,000,000; or more than 1,000,000 euros. This is clearly nonsensical and **lobby turnover should be disclosed to the nearest 10,000 euros**. The same problem occurs when these registrants are asked to declare their lobby revenue per client, per annum. Again, the brackets get wider, the higher the sum. **All client lobby revenue for the previous year should be precisely declared; all client revenue for the current year should be declared to the nearest 10,000 euros. For other registrants, lobby spending should be disclosed to the nearest 10,000 euros**. This will help ensure that the register provides an accurate picture of how much is being spent on EU lobbying, and by whom.

•**Lobby issue disclosure:** Currently all registrants are required to record the main EU initiatives, policies and legislative files lobbied on. Unfortunately, this area of the register is poorly policed with too many organisations making only general, imprecise declarations; this needs remedying so that the register provides a clear picture of who is lobbying on what. Furthermore, **all lobby consultancies and law firms should be required to list, alongside the specific lobby revenue received from each client, the precise issues upon which they lobby and / or advise each client.**

•**Lobbyists' names disclosure:** At the moment the EU lobby register does not require any disclosure of specific names of lobbyists operating on a registrant's behalf, save for those holding a European Parliament access pass. This needs to change. If the names of **all individuals lobbying on behalf of a registrant were listed**, it would have two big benefits. Firstly, it would likely prevent the numerous lazy entries in the register which mistake whole staff bodies or membership as 'lobbyists' and who thus declare thousands of lobbyists. Secondly it would help to bring more transparency around the revolving door (the movement of individuals between the public and private sectors) and make it possible to better track the lobby activities of former commissioners, officials, MEPs and others.

•**Disclosure of lobbying through third parties:** Currently, registrants are required to disclose their membership of other organisations such as networks or trade associations. But this is not sufficient to provide an accurate picture of an organisation's full lobby footprint. **Registrants should specify all third party organisations which it pays (via membership fees, donations, payments for lobbying services provided etc) through which it conducts its lobbying and indicate how much it pays to them: law firm, lobby consultancy, business group, NGO coalition, or grass-roots organisation or others.** This should lead to better financial disclosure (too many organisations currently omit their spending on lobby consultancies from their own declarations) and ensure that those who back 'astroturf' or so-called front groups, have to declare it.

•**End think-tank exemption:** Currently, any organisation registered as a think-tank does not need to disclose its funding sources, but only whether the funding comes from public or private sources. This represents a loophole in the rules which aides the secrecy of industry-funded front-groups which masquerade as think tanks; **think-tanks should be required to publish a list of their funders and the sums involved.**

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