

ALTER-EU
Alliance for Lobbying Transparency and Ethics Regulation
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25 November 2013

Dear Mr Wieland,

Review of the EU Transparency Register + request to meet

As the group to review the lobby register starts to finalise its conclusions and recommendations, the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU) is writing to reiterate our priority policies for the review and to see if it might be possible to meet with you in the coming days to discuss these further?

ALTER-EU's priority demands for the review of the lobby register are as follows:

1. **Mandatory lobby register** with a timetable announced for transition to new register by 2015
2. **Transitional measures during interim period**, such as Commission to refuse to meet unregistered lobbyists
3. **Tough action to tackle non-compliance by law firms**, such as a demanding that they should register, disclose their clients and confirmation that they will not receive special treatment
4. **Improved investigation capacity and enforcement of rules**, such as checking all new entries and random spot checks on older entries
5. **Improved complaint mechanism**, such as a quicker process and tougher penalties for breaches
6. **Improved lobbyists' code of conduct**, including clarity over terms such as "inappropriate behaviour"
7. **Improved lobbyists' code of conduct**, such as a ban on lobbyists contracting and / or paying MEPs and assistants
8. **Improved financial disclosure**, such as a requirement to declare per client lobby expenditure in band-widths of €10,000
9. **Improved funding disclosure**, such as a requirement to declare all sources of funding + amounts
10. **Improved lobby issue disclosure**, such as a requirement to declare precise information on key legislative proposals worked on
11. **Improved staff disclosure**, such as a requirement to declare names of all staff undertaking lobby activities and any history these staff have within the EU institutions
12. **Improved up-to-date information to be provided on fixed dates**, a requirement to declare lobby expenses (from the previous year) and client lists (from the previous six months)
13. **Full transparency on all lobby work**, such as a requirement to declare any law firms or lobby consultancies employed for lobbying purposes and membership of coalitions etc

14. **Proactive transparency**, such as the Commission to provide comprehensive information online about all meetings and contacts between Commissioners, officials and lobbyists.

Regarding point 1, **a mandatory lobby register**, it might be helpful if we clarify a couple of issues. The US lobby register is often cited by those opposed to a mandatory register (including Commissioner Šefčovič) as evidence that a mandatory register will not work in the EU. In fact, the US system is pretty successful.

In 1993, unofficial figures show that the number of registered lobbyists was 3162. A mandatory lobby register was introduced in the US in 1996 and in 1998 (the first year for which figures are available), the number of registered lobbyists in Washington DC was 10,406. This is a growth of over 300 per cent!

The number of registered lobbyists in the US in 2012 (the last complete year for which figures are available) was 12,432. See: <http://www.opensecrets.org/lobby/> The highest number of registered lobbyists was recorded in 2007 with 14,837 lobbyists. The fall in registrations since 2007 has been attributed primarily to the economic crisis. It is not correct to say that the mandatory system has reduced the number of lobbyists registered in Washington DC.

Transparency campaigners in the US consider that their lobby register system could be further improved: there could be better enforcement and the rules should be widened to include expenditure on “grassroots lobbying” or public relations campaigns which are designed to encourage the public to contact government officials about pending legislation.

However, arguments such as these to *improve* the US system should not be used to *reject* the US system. In fact, a US colleague tells us that “the number of registered lobbyists in the US fairly closely matches the estimated number of significant influence-peddlers on Capitol Hill.” This cannot be said of the EU system where most lawyers boycott the system and where major corporations such as ABN-Amro Bank, Adidas, Delhaize, Goldman Sachs, Rio Tinto plc, Time Warner and others have not signed up.

We consider that the EU should learn lessons from the US experience to build a stronger and even better mandatory lobby system. For more information see: <http://corporateeurope.org/blog/mythbusting-us-lobby-register>

We hope this is helpful; please let us know if you require any additional information about these matters.

We would be pleased to meet you before the next meeting of the group on 3 December and we would be grateful if you could email the ALTER-EU coordinator Nicola Freeman on coordinator@alter-eu.org if such a meeting would be possible; she can then make the arrangements.

Yours sincerely,

ALTER-EU steering committee