



Date: Brussels, 21 April 2008
Sender: Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU)
To: MEPs Diana Wallis, Ingo Friedrich and Jo Leinen
Cc: European Commission Vice President Siim Kallas
Subject: **Towards an inter-institutional and mandatory EU lobbying register**

Dear Mrs. Diana Wallis, Mr. Ingo Friedrich and Mr. Jo Leinen,

As members of the Steering Committee of the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU), we are writing to you on behalf of our coalition to express our growing concern over the final outcome of the deliberations of your inter-institutional working group. We would like to take this opportunity to ask you to carefully consider the signal your group would send if it endorses the current Commission register, which in practice falls well short of the demands and recommendations adopted by the European Parliament in its May 2008 resolution on lobbying.

The Commission's voluntary register is not providing the level of transparency on EU lobbying that EU citizens expect and that is needed for proper scrutiny of the democratic process. Because registration is voluntary, **at most 20% of all Brussels-based lobbying entities have registered so far**.¹ Many big fish are missing from the register², while it contains a host of exotic lobbying minnows³. In a recent EurActiv survey, 55% of federations, 53% of consultancies and 41% of businesses indicated that they do not intend to register. Finally, even the Commission acknowledges that law firms providing lobbying services and think tanks are boycotting the register.

In this context, we find it extremely worrying, that even before the Commission has started its evaluation of the register, Commissioner Kallas is trying to present the register as a success. Last week he reportedly stated "I will never go to mandatory."⁴

ALTER-EU is preparing an in-depth analysis of the register, expanding on our first analysis published in January this year⁵. Our research shows that among the firms and organisations that have registered there are serious short-comings in the information placed in the register. Lobbying activities and expenditures are calculated using widely divergent criteria, for example: chemical industry lobby CEFIC, with around 150 staff in Brussels, declaring its lobbying expenses to be less than 50,000 €, or oil company BP declaring 200,000 – 250,000 € (in the US BP declared to have spent 8,000,000 \$ on lobbying on an annual basis). Furthermore, the bigger lobbying consultancies can list all their clients in the category of 0-10% of total lobbying turnover, thereby avoiding meaningful transparency about the resources clients are spending on lobbying. The overall effect is a piecemeal register that only creates an illusion of transparency around the lobbying process.

Only few registrations offer anything approaching full disclosure, of the kind that was mandated in the May 2008 resolution of the European Parliament, and that should reasonably be expected of companies engaging in lobbying in Brussels. Ironically, it would appear that most large companies

- 1 On 20 April, only 538 of the registered interest representatives have indicated a physical presence in Brussels. That is circa 20% of the 2,600 Brussels-based lobbying entities mentioned in an EP study of six years ago. [Lobbying in the European Union: current rules and practices](#), Working Paper, Directorate-General for Research, European Parliament, April 2003.
- 2 On 20 April, companies like AIG, Bertelsmann, Coca Cola, Monsanto, Nokia, Philips and Vattenfall or larger lobby firms like Aspect Consulting, Bell Pottinger, Grayling and Weber Shandwick were not registered. Most of the smaller lobby firms have not registered.
- 3 For example: Bundesverband Deutscher Detektive e.V. (250 €), Nigeria Internet Wizard Association (8000 €), Unternehmervverband Erotik Gewerbe Deutschland e.V. (10 €).
- 4 [EU lobby register 'will never be mandatory'](#), EurActiv, Monday 20 April 2009.
- 5 [Commission lobby register fails transparency test](#), ALTER-EU, 27 January 2009.

would prefer 'public affairs' to be very private and obscured from public view and scrutiny. This is an unacceptable position and one that Parliament and the Commission must act swiftly and decisively to remedy.

In order to develop into a credible and reliable transparency tool, the current Commission register needs to be fundamentally improved. This could be achieved by:

- **making registration mandatory**
As the EP's register is not mandatory, linking the two registers will not result in a quasi-mandatory system; the EP register only covers the less than 5,000 lobbyists that have fulltime access and express passes (introduced primarily for logistical – not lobby transparency – reasons and with a maximum of four passes per organisation/firm). Many lobbyists get into the EP with other types of passes.
- including **clear guidelines on how to declare lobbying** (but keeping the Commission's broad definition of lobbying);
- including **names of individual lobbyists, linked to clients and/or issues**;
- obliging lobbyists to **declare financial data in more precise ranges**, say of 10,000 €.

The Inter-Institutional Working Group will announce the outcome of its work shortly before the start of the European Parliament election campaign. We believe that the current Parliament can send an important message to the Commission, and to the electorate across Europe, that elected representatives in Brussels are serious about addressing the democratic deficits and lack of trust in, and information about, the European institutions. Insisting on the implementation of a credible, mandatory lobbying register is one tangible way in which European politics can be made open to scrutiny. This can promote trust in EU public affairs, and improve accountability of the EU decision-making process. We sincerely hope that your group can make a telling contribution to securing meaningful lobbying transparency in your forthcoming opinion.

Yours sincerely,

Paul de Clerck (Friends of the Earth Europe)
William Dinan (Spinwatch)
Marc Gruber (European Federation of Journalists)
Uli Müller (LobbyControl)
Yveline Nicolas (Adéquations)
Jorgo Riss (Greenpeace European Unit)
Erik Wesselius (Corporate Europe Observatory)