

Position on the review of the Joint Transparency Register

October 2013

Background

A joint European Parliament and European Commission Transparency Register was launched on 23 June 2011. It has been the subject of annual reports. The joint secretariat has issued guidelines and since the start of 2013 an inter-institutional high-level working group has been conducting a review.

SEAP has participated in three rounds of consultations with other stakeholders during this review phase. This paper consolidates certain views of SEAP expressed in those consultations and proposes some practical steps to make the Register more effective.

SEAP is committed to the highest standards in public affairs. It promotes self-regulation; promotes transparency and openness in EU decision-making; acts as the voice of the profession to the EU institutions; provides a forum for public affairs professionals to meet; and ultimately contributes to the making of EU law and policy that is fit for purpose.

SEAP's Code sets out the ethical standards that SEAP members must observe when making representations to the EU institutions. Each SEAP member must endorse the Code and participate in training on the Code.

SEAP's high-level position on the Register

1. **A Register for all three Institutions.** A number of Member States are actively considering their own national registers of lobbyists. The definitions and rules are often different leading to compliance issues.

- There is an immediate need for harmonisation. SEAP urges renewed efforts to include the Council in the Joint Register as a first step towards better harmonisation.

2. **Voluntary.** A 2013 study by Aberdeen Business School suggests that the voluntary Register has been a success with the majority of organisations active in Brussels now registered. While SEAP supports the introduction of more incentives to encourage those organisations that have not yet registered to do so, it is important that any reform does not have the effect of distancing the EU Institutions from EU citizens and businesses.

- A proportionate approach is needed which does not prevent organisations from making contact with MEPs or Commission officials.

3. Supporting ethical behaviour. The Register's code correctly is about transparency not conduct. Promoting the highest standards of conduct is the role of SEAP and the few other organisations that are ethical code holders with complaint procedures to uphold those ethics. The Register should explicitly support these code holders.

- Add a named check box for Registrants to show adherence to codes of behaviour, such as SEAP's.

SEAP's suggestions to improve the incentives to register

Currently there are two incentives to register:

- a) it is the right thing to do;
- b) there is an option to be notified about Commission consultations.

While SEAP strongly believes that the first of these is paramount we suggest a number of simple additional incentives that could be introduced immediately.

1. A challenge question. While the Register should not be a barrier to democratic discussion, it would be good practice to ask if organisations are registered.

- Every MEP and Commission official seeing a lobbyist should ask the question; "Are you Registered?"
- And if the answer is no then ask; "Why not?"
- The meeting may continue regardless of the answer but the official or MEP may like to pass on to the Register Secretariat from time to time common reasons why certain organisations are not registered.

2. Officials and MEPs attending third party conferences.

- While leaving it to individual discretion, the default should be officials and MEPs only attend conferences organised by those on the Register (or those ineligible for the Register).

3. Holding an event in the European Parliament buildings

- This should be reserved only for those on the Register (or those ineligible for the Register).

4. Participation in Commission Expert and Consultative Groups

- This should be reserved only for those on the Register (or those ineligible for the Register).

About SEAP

SEAP is the Society of European Affairs Professionals established in 1997. It is the recognised organisation of all EU public affairs professionals including those operating in trade associations, corporations, consultancies and other representative bodies. SEAP encourages the highest standards of professionalism for European affairs activity and promotes self-regulation of the profession. For more see www.seap.be