

Meeting Transparency Register – Stakeholders

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A. What is the overall balance sheet of the Transparency Register? Both in terms of meeting its own objectives (wide coverage, proportionate, informative, etc) and in terms of how it compare to other similar regulatory system in the world.

Improvements to the register over past year are obvious, but remain insufficient in order for TR to meet its objectives.

(1) Numbers of registered entities have risen, but the Transparency Register is not yet "de-facto" mandatory. Between 25-30% of actors in Brussels are missing, for example we count 110 large companies who have not yet registered; there are ongoing issues with law firms (deregistration due to client confidentiality), and these problems are largely due to the voluntary approach. Some new registrations due to public pressure ex. Monsanto, Deutsche Bank.

(2) The quality of data has improved a lot, especially due to new monitoring procedures, but securing a comprehensive overview is difficult. The information is limited and unreliable and difficult to compare between categories/ actors.

(3) In an international framework, the EU has the advantage of maintaining a broader definition of lobbying than the USA, which is very positive. However there is lower coverage than in the USA of the professional categories such as consultancies and law firms (around 25% of consultancies are not registered in the EU, and very few law firms). The quality of data is better in the USA and despite the current phenomenon of deregistration following new policies introduced by Obama, as described by the American Bar Association, the Bar still favours a mandatory approach.

B. What would be your agenda for change? Why and how?

- **A compulsory vs a voluntary register.**

ALTER EU supports a mandatory register & suggests a two-track approach:

(1) Short term: incentives should be found for lobby groups to register, e.g. Commissioners & public officials should only participate in events organised by registered entities, the Commission should only allow access to its premises for registered entities;

(2) Long term: a mandatory lobby register. ALTER EU has requested a legal opinion from **Markus Krajewski**, Professor of Public and International Law at the University of Erlangen-Nuremberg on the legal basis and procedure for a mandatory system. The event will take

place in EP on 17 June at 18h30. MEPs Monica Macovei and Evelyn Regner will speak at this event. The EP in its resolution of 2011 promised to push for a mandatory register; ALTER EU hopes it will continue.

- **Bandwidths and thresholds for financial declarations should be lowered:** bandwidths should be 10,000EUR and a bottom threshold of 5,000EUR should be introduced for registration.
- **The level of detail and scope of the Code of conduct.**

The code of conduct should be adapted and updated and links made to the new EP Members Code of Conduct. ALTER EU puts forward three main points:

(1) There should be a cooling off period for civil servants who move to the private sector to lobby;

(2) Lobby groups should not employ MEPs or MEP assistants;

(3) There should be more clarity regarding the definition of inappropriate behaviour.

- More clarity should be introduced to the complaint procedures
- There should be a distinction in treatment of non-registered entities

C. How does your own organisation intend to contribute itself to help us achieve our common goals? Promotion within your members, a requirement for your own members, etc.

- continue to monitor the register closely, to close the loopholes
- continue to make complaints relative to non compliant organisations
- Upgrade guidelines developed for NGOs' registrations (relative to topics and spending);
- Commissioned a study, the results of which will be rendered public on Monday 17 June 2013 at 18:00.