

## Speaking Brief

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### Speaking points

- Policy-making cannot take place in a vacuum. Lobbying is an important and legitimate part of the EU policy decision-making process, regardless of whether it is carried out by individual citizens or companies, civil society organisations and other interest groups or firms working on behalf of third parties. Inputs are needed and influences will always be exerted. Transparency is there to provide checks and balances and shed light on the nature of those seeking to influence the European decision-making process and their activities.
- While greater transparency is not a tool to stop corruption, it does make a major contribution towards building a more ethical atmosphere in the public arena.
- The Commission has a long tradition in setting, and living up to, high standards of transparency. All Commissioners are bound by a code of conduct, which was recently further strengthened. It provides for ethical guidelines on their activities and asks for a declaration of their financial interests to show and ensure their integrity.
- Last week with the opening of the European Parliament & Commission's joint Transparency Register, which the Council supports, a further step was made to illustrate and make concrete our endeavour to enhance further our commitment to transparency. Let me therefore dwell today more specifically on this instrument.
- On the policy influence side, the Commission had already put in place a voluntary register of interest representatives in 2008. This instrument provided citizens with detailed information, never made available before, about which organizations are involved in such activities and with what level of financial resources.
- More than 4,000 organisations signed up, placing the European Commission among the very few public bodies in the world, to offer its own citizens such transparency on lobbying as well as, more widely, on the participatory process involved in its policy making.
- The European Parliament and the Commission have now built on this acquis. The extension and the consolidation of the existing register into a common transparency register for all organisations engaged in EU policy making and implementation is a significant step forward they have achieved. A one stop

shop, common to both institutions, is now available for citizens to access the information as well as for stakeholders to declare their activities and update their data, in a user friendly and consolidated system.

- The “Transparency register” is based on three pillars:
  - **A code of conduct.** In Europe, the traditional concept puts the onus on the ethical behaviour of the institutions themselves, and we must not fall short in this regard. But I think that this should be matched by integrity rules for lobbyists. That is why we ask registrants to make their commitment to a common code of conduct explicit.
  - **A system of complaint and sanctions to enforce the code.** Violation of the code should not be ignored, otherwise it is worthless. So anyone can lodge a complaint to the joint register secretariat. Sanctions, including suspension or even deletion from the Register, affecting the reputation of the registrants, are in place to dissuade potential violators of the rules or to bring them back to compliance.
  - **Voluntary provision of information in the register,** including on financial activity, on the number of staff involved in advocacy as well as on the amount of funding received from the EU institutions.
- Applicants are asked to provide information on whom they represent, what their mission is and how they are funded. Groups and lobbyists who register have the opportunity to indicate their specific interests and, in return, are alerted to consultations in those specific areas. For the general public, the register give access to information about groups engaged in lobbying the European institutions.
- A level playing field is established for the Register and all operators engaged in similar activities will be treated in a similar manner. Quite detailed information has been provided on the definition of the activities falling within or outside of the scope of the Register. In particular it should be stressed that lawyers are expected to register, just as lobbying consultants are, when they are themselves engaged in lobbying activities such as representing a client in advocacy activities, aiming at changing the law. It is indeed an activity which is compatible with their profession but doesn't necessarily benefit from the entire prerogatives attached to the lawyer's profession itself.

Having heard the reaction of the lobbying profession, I am confident that there is wide support for this approach and, indeed, that it holds a number of benefits for the lobbying community itself. Transparency enhances the credibility of the profession. Transparency enhances the credibility of individual lobbyists. Through voluntary

- registration, lobbyists demonstrate that they are willing to argue their case publicly, showing that they believe their facts to be reliable and accurate.

For all these reasons, I believe that the Transparency Register is a timely initiative and I trust that all organisations involved in such activities will see registration as both

a duty and a matter of self-interest while citizens will see it as a source of useful information.