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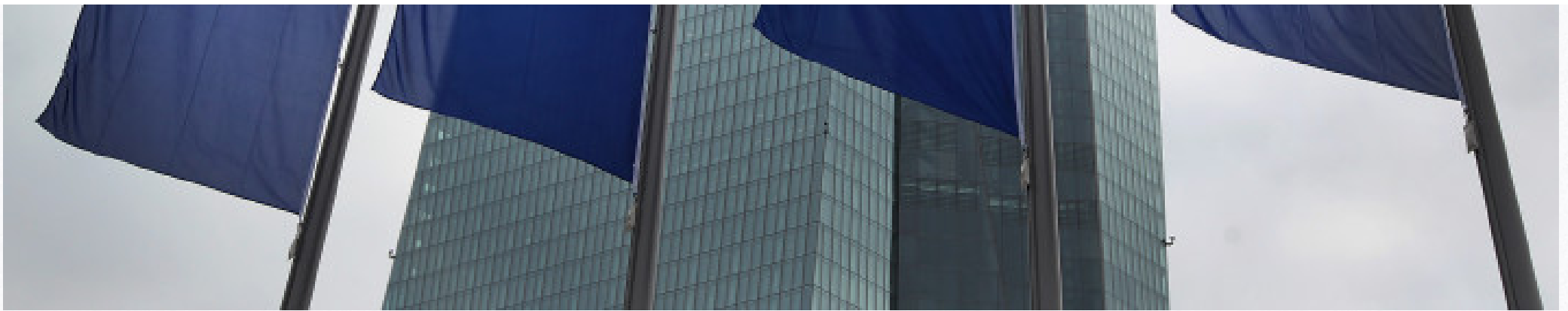


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European flags flutter in front of the headquarters of the European Central Bank | Daniel Roland/AFP via Getty Images

Transparency groups target lobbying weak spot

NGOs say national delegations should be required to disclose lobbyist meetings.

By **QUENTIN ARIÈS AND JAMES PANICHI** | 3/22/16, 12:01 AM CET | Updated 3/23/16, 6:05 AM CET

Transparency groups took aim Tuesday at what they say is a weak spot in the EU's lobbying disclosure rules: the Brussels-based delegations of the bloc's member countries.

The [study](#) from ALTER-EU, an umbrella group of transparency campaign groups, found that at least six of the 28 permanent representations to the EU had no record at all of the lobbyists they have met, while seven others were unwilling to provide information about who lobbied them and when.

The four permanent representations that did disclose their lobbying interactions — Poland, Romania, Ireland and the Netherlands — provided a first-ever look at the relationship between lobbyists and national diplomats in the EU bubble. The report showed that corporate interests accounted for 80 percent of meetings between 2014 and mid-2015, while NGO lobbying efforts made up 20 percent.

“This report demonstrates that there is a worrying level of corporate lobbying directed at the EU’s permanent representations,” said Vicky Cann, a campaigner for Corporate Europe Observatory, one of the NGOs which worked on the survey. “These national government offices play an important role in EU decision-making but in a way which is largely under the radar, making them an ideal target for big business lobbyists.”

Permanent representations, which among other tasks do the important preparatory work on EU legislation ahead of ministerial meetings, are under no legal obligation to disclose their contact with lobbyists and have traditionally been reluctant to do so.

The EU’s Council of Ministers has resisted moves by other institutions to extend transparency requirements to the permanent representations’ work. As a result, most national diplomats working for permanent representations are able to meet lobbyists who are not signed up to the EU Joint Transparency Register — something senior European Commission officials cannot do.

It is unclear the extent to which permanent representations of member countries are covered by

national lobbying rules. [New lobbying regulations](#) in Ireland extend to the country's permanent representative and deputy permanent representative; however, for other countries freedom of information laws do not extend to missions abroad.

The ALTER-EU report requested meeting information from 17 permanent representations relating to a period between 2014 and 2015.

Three provided all information of their meetings with lobbyists (Romania, Ireland and Poland); one provided some information (the Netherlands); six countries said they did not keep track of their meetings with lobbyists (Belgium, Denmark, Germany, Portugal, Spain and Sweden); and two refused to provide information (the United Kingdom and Malta).

A further five member countries (Austria, Cyprus, Greece, France and Italy) did not reply to ALTER-EU's request for information.

Disclosure concerns

Both Malta and the United Kingdom rejected the NGOs' requests for information, which were made through national access to information legislation.



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A spokesperson for the Maltese permanent representation said the delegation had been asked to provide a full list of meetings and contacts with stakeholders over the course of 12 months — a request it considered too broad and one it was not under a legal obligation to accept. However, the spokesperson said that in most cases the Maltese government does respond to requests under the country's freedom of information provisions and publishes the results online.

Other countries denied access to the information on the grounds that they did not keep lists of meetings with stakeholders. “We have no such list and have no plans to start one,” a spokesperson for the German permanent representation said.

A French diplomat also said there was no reason to hand over lobbying information. “We cannot provide a document which does not exist,” the spokesperson said, arguing that permanent representations were not decision-making bodies that deserved the scrutiny reserved for other institutions. “We are not the Commission, we are an administration. We do not make decisions, we can only pass along information and positions.”

But the NGOs argued that the transparency rules should apply to the national delegations. “To find that most permanent representations do not even keep a record of lobby meetings and, in some cases, even refuse disclosure of this basic information is shocking,” said Andreas Pavlou from the NGO Access Info Europe.

Some Brussels lobbyists said they would welcome greater transparency in how the permanent

representatives deal with them.

“Being transparent is a more efficient way to gain access to people,” said Karl Isaakson, the managing partner of lobby firm Kreab. “And I would not mind having permanent representations in the [EU Joint Transparency] Register, even if that seems very unlikely at the moment.”

But Isaakson says he would not welcome a requirement for lobbyists to register in all 28 capitals in order to have meetings with permanent representatives in Brussels — as mandated, for example, by Ireland’s new lobbying legislation.

Other lobbyists claimed that NGOs are focusing on this issue because they have been outmaneuvered by industry players in the effort to lobby the EU institutions and member countries.

“I sense that the grievance from the authors of these reports is that they are not able to get out from behind their desks and lobby themselves, which is what their donors are paying them for,” said Aaron McLoughlin, a senior adviser at FleishmanHillard who previously served as head of the World Wildlife Fund’s European Marine Program.

“It is about 10 times easier to get a meeting if you are from an NGO than if you are from an industry organization,” he said. “Yet the NGOs are losing. [...] They need need to spend less time in internal dialogue and more time speaking with decision-makers in a constructive way.”

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