

ENDING THE TUG-OF-WAR OVER UKRAINE



[Click here to read more](#)

euobserver

Search EUobserver

News Opinion Agenda Focus **Overview** Investigations Blogs

Sign up for our Newsletter

SPONSORED

Debate on EU Transparency Register overlooks citizens' right to know

18.02.14 @ 20:26

RELATED · [MEPs push for mandatory transparency register proposal by 2016](#) · [Economic chaos sees Greek voters swing to fringe parties](#)

BY PAM BARTLETT QUINTANILLA

BRUSSELS - The debate on the future of the EU's Transparency Register has to date focused on the dichotomy between mandatory and voluntary lobby registers, and the extent to which lobbyists should be required to disclose information about their funding, staff, clients and activities. One of the most contentious issues is whether or not there is a legal basis in the treaties that would allow the EU to create a mandatory lobby register.

The Council and Parliament legal services have assured that the only solid legal basis in EU the Treaties would initiate a cumbersome decision-making procedure that excludes the European Parliament and requires unanimity among all 28 Member States. Although the Council has been participating as an observer in the Transparency Register since September 2012, it has yet to sign up to the initiative, raising questions about political will.

The final outcome of this debate is hugely important for citizen participation and accountability: without a mandatory register, there will be no easy way for citizens, civil society, journalists and policy-makers to accurately find out about the funding, staff, clients and activities of professional lobbyists and other interest groups including civil society organisations.

At the same time, Access Info Europe believes that to focus solely on the issue of the lobby register and on whether or not it has a legal basis, deflects attention from another area where there is a pressing need for transparency: Europe's citizens still have far too little information about how decisions are taken in Brussels and on the basis of which criteria. It is precisely this lack of information which raises concerns about whether EU legislation has been written for the benefit of the public. As recent polls once again confirm, the public suspects that that this is not the case and is losing trust in the European Union.

To tackle declining confidence, the European Union institutions should make it a priority to broaden the decision making transparency debate and take responsibility for ensuring that – with or without a mandatory register of lobbyists – the primary responsibility for ensuring adequate transparency falls on the EU institutions and public officials.

Consistent with the fundamental right of access to information, the European Union should proactively publish all documents that would make the EU's decision-making process, and hence the lobbying that surrounds it, fully transparent to the public.

Much work on Open Government Standards has been done by transparency organisations such as Access Info Europe, the Sunlight Foundation, Open Knowledge Foundation and the Alliance for Lobbying Transparency and Ethics Regulation (ALTER EU), to identify key sets of information that should be prioritised for proactive publication. These include:



NEWS IN BRIEF

- EU commission warns Italy on debt @ 08:57
- Britain, Netherlands and Sweden refuse to sign off EU books @ 08:56
- Britain toughens EU migrant benefit rules @ 08:56
- Ex-UK spy chief condones Merkel phone tapping @ 08:55
- Ukraine police attack Maidan camp 18th @ 22:17
- Ministers agree deal to guarantee bank savings 18th @ 17:57
- Enquiries flow in for Malta passport sales 18th @ 14:43
- Reports of three dead in new Ukraine clashes 18th @ 14:34

LATEST ARTICLES

- Germany: EU to consider sanctions on Ukraine @ 09:28
- **EU ELECTIONS** Croatian politicians chase coveted EP seats @ 09:07
- **OPINION** Is the EU ready for a common foreign policy? 18th @ 21:58
- **SPONSORED** A long way to go for effective EU lobby regulation 18th @ 20:27
- **SPONSORED** Transparency Register: keep it voluntary, add incentives 18th @ 20:27
- **SPONSORED** Transparent advocacy leads to better legislation 18th @ 20:27
- **SPONSORED** Debate on EU Transparency Register overlooks citizens' right to know 18th @ 20:26
- **OVERVIEW** A window to EU lobbying and lobbyists 18th @ 20:25

STAKEHOLDERS' HIGHLIGHTS

- **ECSITE**: Conference: places of scientific culture, Bremen, (DE) 10-12 March 2014
- **UNIFE**: Annual Report: an overview of the 2013 activities & accomplishments
- **EIPA**: EU Law for Non-Lawyers, Luxembourg, 24-26 February 2014
- **Counter Balance**: EIB commits to review tax haven policy at civil society meeting
- **COFACE**: Citizens action for better family policies - Berlin 28/03/2014
- **COFACE**: Less than 100 days to go to #EP2014. Need more info? Sign up for #FamiliesVOTE2014
- **Oxfam**: What role EU can play in Mali's defining months?
- **Counter Balance**: The Carbon Credit 2 cartoon shows EU hooked to market mechanisms
- **EMHRN**: EMHRN- Algeria: Allow Rights Groups to Visit the Country!

Details of meetings with third parties - EU officials who meet with third parties privately or as part of a public event to discuss EU policy or legislation should publish full information about the meetings attended, including:

- participants' list
- agenda of meeting
- sponsors of meeting or event
- background documents circulated at the meeting
- policy papers presented
- minutes of the meeting, including main legislative issues or policies discussed

High level EU officials should also make their agendas public so that citizens can know in advance who they are going to be meeting with.

Lobby documents - EU officials that receive documents from lobbyists such as policy papers, position statements, proposed amendments or voting recommendations, should proactively publish these documents regardless of whether they are submitted privately, discussed at a meeting, or submitted as part of an open public consultation.

Legislative footprint - A legislative footprint would give citizens the opportunity not only to follow but also to participate in the EU's decision-making process on an equal footing with professional lobbyists. It would include detailed information about the various stages involved in a particular decision-making process, published in advance so that citizens and civil society can identify key decision-making moments before they are finalised. Registers of visitors to EU buildings should also be made public.

Watchdog organisations such as ALTER EU (of which Access Info is a Steering Committee member) have also pointed out a number of practical measures that could be taken by the Parliament and Commission to improve the functioning of the current register by making it de-facto mandatory. These include refusing to meet with unregistered lobbyists, rejecting invitations to events hosted by unregistered lobbyists, and refusing to host events within the EU premises if the organisers or sponsors are unregistered.

It remains to be seen whether the EU institutions can shift the transparency debate to make it relevant to the ordinary citizen in advance of the European Parliament elections, and whether it will take bold steps that will generate public confidence in the political will of the EU institutions to create an ever closer union with European citizens.

Access Info Europe is a human rights organisation that works to defend and promote the right of access to information across Europe as a tool for defending civil liberties and human rights, for facilitating public participation in decision-making and for holding governments accountable.

Pam Bartlett Quintanilla is Researcher & Campaigner at Access Info Europe, a human rights organisation dedicated to promoting and protecting the right of access to information in Europe as a tool for defending civil liberties and human rights, for facilitating public participation in decision making, and for holding governments accountable. This mandate is established in our statutes.

WEBSITE › [Access Info Europe](#)

SECTION › [Transparency Register](#)

CATEGORY › [Sponsored](#)

TAGS › [Transparency](#)

RELATED › [MEPs push for mandatory transparency register proposal by 2016](#) › [Economic chaos sees Greek voters swing to fringe parties](#)



COMMENTS

EUobserver encourages comments that contribute to an intelligent debate. It reserves the right to delete comments which it deems abusive or which incite hatred. For questions about any aspect of community participation, please write to mm@euobserver.com.

[View comments](#)



