

Ten steps towards ending corporate lobbying privileges and secrecy

1. A high-quality, mandatory lobbying transparency register

The Commission's weak and voluntary register must be replaced with a mandatory lobby transparency system that enables EU citizens to see who is influencing EU decision making, on which issues, on whose behalf, and with what budgets. A mandatory register covering all EU institutions can be achieved by the end of this Commission term in 2014. In the short term, the Commission and Parliament must act with determination to make registration an obligation for all actors involved in EU lobbying (including law firms and think tanks) and to improve the reliability of the information disclosed.

2. Full transparency and safeguards against corporate capture of Commission advisory groups

The Commission must deliver full transparency regarding the membership of its Expert Groups and introduce effective safeguards against corporate capture of these and other Commission advisory groups. Similar reforms are needed for the Commission's Technology Platforms (advising on spending of EU research funding) and the EU's agencies, including those for food safety and medicines.

3. Closing the revolving door between the European Commission and industry lobbies

Clear and effective limits must be introduced to avoid conflicts of interest when Commissioners and Commission officials move into new jobs, including posts that may involve some lobbying. A cooling-off period of at least two years is needed for Commissioners and for high-level officials (i.e. those officials with policy-making responsibilities) moving into industry jobs that involve potential conflicts of interest. Equally, strict 'reverse revolving door' rules are needed to prevent the appointment of Commission officials who may have conflicts of interest.

4. Effective conflicts of interest rules for Commissioners and Commission officials

In addition to stricter 'post-employment' rules, the Commission needs clearer and stricter rules to prevent a wider range of possible conflicts of interest, particularly regarding gifts and hospitality offered by lobbyists. As with the revolving-door rules, this will require an ambitious overhaul of both the Code of Conduct for Commissioners and the Commission's Staff Regulations.

5. Effective conflict of interest rules for Commission Special Advisers

Those appointed to act as Special Advisers to European Commissioners must be free of conflicts of interest. In particular Special Advisers must not be permitted to advise on issues where they have a financial self-interest or in other ways represent commercial interests that undermine their independence.

6. Independent monitoring and enforcement

To secure credible enforcement, independent assessment is needed, for instance by an independent ethics committee for each of the EU institutions (which could be combined into a single ethics body for all institutions at a later stage). Such committees should be given the mandate to investigate and report publicly on conflicts of interest in a timely fashion.

7. Upgrading European Parliament transparency and ethics rules to prevent conflicts of interest

The European Parliament needs stronger transparency and ethics rules, for instance to ensure that MEPs do not receive money, gifts, or hospitality from industries they are regulating. MEPs should put their shares in a blind trust if they are related to their work in the Parliament and Rapporteurs on parliamentary reports should not have a financial interest in the industry affected by the legislation at stake. Effective transparency and ethics rules are needed for Intergroups and other cross-party groups involving MEPs and lobbyists.

8. Pro-active transparency by Commission and Parliament

In addition to the transparency register through which lobbyists report on their activities, the European Commission should pro-actively report on who has been consulted in preparing legislative proposals. This should include legislative footprint reports that are appended to legislative proposals and also when a rapporteur presents a draft resolution, including a list of all the stakeholders with whom they have met or corresponded. The Commission should move away from the often far too narrow interpretation of access-to-documents legislation and provide online transparency about meetings and correspondence between Commission officials and lobbyists.

9. Enforceable ethics rules for lobbyists

Both the European Commission and the European Parliament need far stricter ethics rules on the issue of lobbying, together with external oversight and effective sanctions. The current codes of conduct are entirely voluntary, far too weak, and lack an independent complaints mechanism and sanctions, thereby making them utterly ineffective in preventing unethical lobbying. New rules should prevent lobbyists from exercising undue influence via offering money, gifts, or inappropriate hospitality to decision makers. Sanctions should be introduced, for instance, for serious cases of false reporting and for lobbyists who encourage decision makers to break the ethics rules of the EU institutions.

10. Citizens' democracy versus corporate capture

In order to adequately fulfil its obligation to act in the general interest (outlined in the EU Treaty), the European Commission must introduce major changes in its decision-making practices in order to prevent privileged access and policy capture by industry lobby groups. Also, a far more active commitment by decision makers, including MEPs, is needed to defend public-interest concerns against the constant pressure from numerous, well-resourced commercial lobbyists. Rolling back undue industry influence requires a broader democratisation that empowers the engagement of EU citizens' groups in decision making.