



<b>Event</b>	<b>Hearing on the Green Paper on the European Transparency Initiative</b>
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<b>Date and Place</b>	<b>11 July 2006 Offices of European Economic and Social Committee</b>
<b>Organised by</b>	<b>European Economic and Social Committee, at the request of the European Commission</b>

European Economic and Social Committee (EESC), at the request of and in close cooperation with the European Commission (EC), organised a hearing of the parties concerned by certain questions addressed in the Green Paper - civil society organisations, consultancies, business sector lobby groups, law firms and think tanks, as well as the EC, the EESC and the office of the European Ombudsman.

The debate focused on two key questions with a view to enhanced transparency in the activities of civil society organisations and other interest groups - **creating a system for registering civil society organisations and other interest groups**, and **drawing up a joint code of conduct**.

The results of this hearing were intended to feed into European Commission discussions on the follow-up to the Green Paper, as well as to contribute to the opinion which the EESC is drawing up on the subject.

### **First Session - Registration of civil society organisations and other interest groups**

**Siim Kallas**, Vice-President of the European Commission in charge of Administrative Affairs, Audit and Anti-fraud opened the hearing. **Jean Marc Roirant**, co-president of the EESC's Liaison Group with European civil society organisations and networks, chaired the first session on Registration of civil society organisations and other interest groups.

The first session kicked off by questioning the meaning of "*lobbyist*" and the Commission's use of the term "*lobby*" applied to civil society organisations. Representatives of many civil society organisations felt the **terminology was problematic** and over-general. The vast majority of representatives who

spoke did not feel that they should be classified as “lobbyists”, “lumped together” with business interests. A number of civil society organisations asserted their role in representing European citizenry, whose right it is to participate and be included in social and civil dialogue with the EU Institutions. One speaker noted that the dialogue of civil society, contrary to lobbying, is recognised in the Treaty. In addition, it was noted that civil society organisations often contribute expert knowledge to the Commission, which is not necessarily “lobbying”.

Regarding **registration** of civil society organisations and other interest groups, questions were raised as to its real purpose, function and effectiveness. There were concerns that the data might be misused, for example as a tool of selection for consultation feeding into policy. Several participants noted that measures must be taken to ensure that consultation is not discriminatory. Some were annoyed that voluntary registration was not even asked as a question in the Green Paper. The added value of a registration system was questioned repeatedly by numerous participants - considering the existing mechanisms, the cost and organisational effort necessary in compiling the information, and the potential abuses a system may facilitate (i.e. as an EC database for selection of parties to be consulted).

Suggestions for any new registration system generally **emphasised that it should be simple, inclusive, and non-discriminatory**. It was requested that registration not become overcomplicated, as in the European Parliament presently, nor pose huge administration costs. Several representatives felt that it should include details of clients including lobbying budgets and lists of beneficiaries. It was suggested to learn from the example of Member States such as Poland, who have implemented a system similar to that proposed. In addition, there were calls for the EC to publish lists of consulted stakeholders.

It was noted that there is confusion in the debate around access to decision-making. According to a number of participants, the **ETI should be about transparency, and not access to the decision-making process**.

**Jens Nymand Christiansen**, Director of the Commission, responded to the issue of definitions, noting that the process of decision taking is very complex. The EC has “*tried to be all-encompassing*” and open and receptive to input (there are 1,300 expert groups). In preparing the Paper, the rapporteur had looked at mandatory registration systems in other countries but were not impressed by what was found. He admitted that minimum standards were not always respected and that will be a point to work on in the future.

## **Second Session - A joint code of conduct for civil society organisations and other interest groups**

The second session focused on a joint code of conduct for civil society organisations and other interest groups. **Jan Olsson**, EESC member and president of the European Transparency Initiative Subcommittee, chaired and encouraged participants to actively lobby him!

The debate focused on who should write, monitor and implement a code of conduct. There were differing views on whether a common code of conduct is possible, and whether minimum standards guiding individual organisations' codes of conduct would suffice. There were differing views on who should impose sanctions in the case of breach of code of conduct, as well as the merits of the name and shame system and expulsion from formal consultation procedures. Whether codes of conduct are voluntary or mandatory was discussed.

Some participants argues that the Green Paper should not have limited itself to code of *conducts* but embraced codes of *ethics*. Lawyer representatives argued that their code of conducts include respecting the secrecy/confidentiality of clients, to which other responded that lawyers in public policy cannot claim confidentiality.

Olsson closed the debate, noting that it was somewhat confused by the differing views on codes of conduct.

**Margot Wallström**, Vice-President of the European Commission in charge of institutional relations and communication strategy, noted that she see transparency in terms of communication and noted that *“democracy requires more transparency and openness”*. She asserted her full support of the transparency initiative in strengthening participatory democracy.