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ECPA Evidence to the European Transparency Initiative Consultation

Question 1: Do you agree that efforts should be made to bring greater transparency to lobbying?

For nearly twenty years the ECPA has had as its mission statement the aim “to record, analyse and improve the conduct of public affairs”. We believe that for public affairs to play a proper role in a mature democracy requires a degree of public acceptance and confidence in the honesty and transparency of the system. Eric Jonnaert, Chairman of the ECPA Management Board, writing a foreword to a recent ECPA book of essays, “Challenge and Response: Essays of Public Affairs and Transparency”, welcomed the European Transparency Initiative on the grounds that it “*may help build credibility, trust and confidence in the way the EU is currently operating and interacting with its citizens*”. However he warned of the dangers of seeking to “*regulate everything*” in a dynamic world. He argued instead that we should “*stick to some good principles that should be carefully complied with by all lobbyists and make sure that those setting these principles have a system in place to ensure that non-compliance is sanctionable ... we should ideally move towards a system whereby we have the same set of principles for ethical lobbying for all European institutions, instead of the current rather parochial approach whereby each institution in the EU feels that they need their own rules ... at the same time, this new initiative should try to ensure that rules for more transparency apply to all public affairs practitioners, without exception the current debate singles out companies more than others interacting with the institutions*”.

Question 2: Do you agree that lobbyists who wish to be automatically alerted to consultations by the EU institutions should register and provide information on their objectives, financial situation and on the interests they represent? Do you agree that this information should be available to the general public? Who do you think should manage the register?

The members of the ECPA include corporate practitioners, trade associations, NGOs and consultants. Any structure should include all public affairs practitioners who should register and provide information on a standardised basis. We do not believe that the offer to be automatically alerted to consultations is either a sufficient or appropriate inducement to register. In principle we believe that information on this kind of register should be

available to the general public. We believe that it is important that there should be single system for all EU institutions. The management of the register should be decided in this context.

Question 3: Do you agree with consolidating the existing codes of conduct with a set of common requirements? Who do you think should write the code?

ECPA members have been active supporters of the various codes. Priority should be given to discussions of a structure that would cover all institutions and all public affairs practitioners rather than “consolidation” of existing codes. Codes, of all but the most general kind, rapidly become out of date. Attention should be given to a system of rolling advice on best practice. Some have suggested that this could be modelled on the WTO system of panels.

Question 4: Do you agree that a new, inclusive external watchdog is needed to monitor compliance and that sanctions should be applied for any breach of the code?

An independent body for standards in public life at EU level should be part of any general settlement. This would obviously require an institutional watchdog able to monitor compliance, conduct investigations and issue opinions. Any public affairs watchdog should be of similar structure.

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Information on the European Centre for Public Affairs

1. Name and address of the organisation:

The European Centre for Public Affairs, Ltd

2. Type of organisation:

Not-for-profit company, limited by guarantee under English law, linking members from the corporate, NGO, consultant and trade association sectors of public affairs practice

3. Level of representation:

European, national and global (Management Board membership attached). Full details available at www.publicaffairs.ac

4. Stated objectives of the organisation:

“To record, analyse and improve the conduct of public affairs”

5. The organisation is funded by annual membership fees and earnings from the ECPA’ teaching activities

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