



Green Paper European Transparency Initiative COM(2006)194

European Tyre & Rubber Manufacturers' contribution Chapters 1 to 3

Brussels, 31 August 2006

ETRMA represents the European Tyre & Rubber Manufacturers. The product range of our members is extensive from tyres, to construction, automotive, and pharmaceutical products.

The Sector presence in EU25 is dynamic with 4.200 companies employing 360 000 people. It generates a turnover exceeding 42 b € Tyre & Rubber manufacturing industry accounts for 0.5 % of the EU GDP. 8 European companies are in the worldwide top 20 leaders of the Rubber Sector.

The Tyre & Rubber Manufacturers have been represented in Brussels since 1959. They have developed since that date reliable and constructive working relationships with representatives of the EU and international institutions, national agencies and other industry sectors, which regularly consult ETRMA for getting in-depth knowledge of our industry.

ETRMA thanks the Commissioner Kallas for having issued a Green Paper on transparency and lobbying that allows industry sectors to provide their experience and proposals for building up an improved framework for common benefits. We also welcome that the Commission recognises lobbying as a "*legitimate part of the democratic system*".

As a general comment, we wish to point out that we regret that the Green Paper defines "lobbying" in just one way saying: "*all activities carried out with the objective of influencing the policy formulation and decision-making processes of the European institutions*". ETRMA thinks this definition is partial as it does not recognise and cover the regular consultation made by EU institutions representatives at their own initiatives to get more information on a specific industry activity or to obtain the sector views on trends and possible developments of the market for instance. Indeed the benefit of being the sole interlocutor officially designed by an industry also provides an "open-door" for officials to obtain information. Providing the requested feedback is a part of the lobbying activities as well. We would therefore strongly request that this reality is reflected in the lobbying definition in the Green Paper.

The term 'lobbyist' is also too general to properly reflect the reality of actors intervening into the EU legislative debate. An increasing transparency needs that a differentiation is made between trade associations, individual companies, national/international associations, non-industry associations, NGOs, consultants, law firms, which do not vehicle the same level of information in their messages, the trade association being the only entity able to provide a whole sector opinion. This necessary differentiation would consequently lead to 'more specific requirements' in terms of legitimacy and transparency for entities under changing customer basis such as consultants and law firms.



Please find hereafter ETRMA answers to the Transparency Questionnaire:

Chapter 1: Transparency and interest representation

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

ETRMA believes that a constructive contribution to the legislative debate is guaranteed when all players are official representatives of industry, trade unions, services, consumers, ... for which membership is publicly available.

ETRMA is therefore of the opinion that greater transparency should be brought to the legitimacy of actors contributing to the EU legislative debate.

Do you agree that lobbyists who wish to be automatically alerted to consultations by the EU institutions should register and provide information, including 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 ?

ETRMA wishes to point out the importance of being automatically alerted of new EC consultations through Internet as it allows more direct and rapid exchanges internally and with the European Commission on dedicated subjects of importance to our sector.

To improve this service, we agree to register and to provide information on our members and objectives. However, we would be in favour of supplying information on the Association financial situation limited to the funding sources such as members financing, but not the amount given by each of them. This is due to the fact that any comparison could not be possible as the activities vary too much between the different stakeholders. We would also oppose to communicate any confidential data including the total amount of the budget as just a part of it is destined to the lobbying activities, for competition reasons. The financial requirement should be applicable by all players i.e. trade associations, lobbying consultants, NGOs, trade unions, ...

ETRMA requires that registration of trade associations should be made under "trade associations" and not under "lobbyists", which is a too general and not specific enough. In addition this term has not the same connotations in all EU countries and could be negatively understood.

This information can be made available to the general public. The CONECCS database already operating and to which ETRMA is registered, would be an appropriated tool that could be managed by the Secretariat General of the European Commission. To our views, there is no necessity to create a new office to deal with this issue.

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

The credibility of any trade association is linked to the content of the message it delivers to EU institutions and to how this message has been delivered. Any wrong or misleading information or any inappropriate attitude would seriously entail the reliability of the industry the Association represents.



ETRMA staff applies professional ethics and respects the code developed by the European Parliament, as the signature of each staff member to get his/her annual pass, confirms.

A code of conduct setting common minimum requirements to be respected could be written by representatives of EU institutions and interest representation entities.

It could cover commitments to inform the interests represented when contacting EU officials, to deliver reliable messages, to affirm obtaining information through honest means, ...

More specific requirements should apply to entities working under a changing customer basis such as consultants and law firms.

The code of conduct should be individually applied/signed and at Association level.

The proposal of this code of conduct elaborated by the Commission should be made available to the stakeholders and subject to consultation.

Regarding access to the European Parliament, the procedure to get renewal of the access pass has become excessively administrative and burdensome that has to be repeated on an annual basis. ETRMA requests that this procedure is done once by legislature so that the access pass could be granted for 5 years. The employer would accept to inform the Parliament when his staff would no longer be under a working contract with him leading to the sending back of the pass.

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 ?

ETRMA thinks that self-discipline and willingness to have its messages understood is the basis to build up reliable and constructive working relationship with EU officials for a mutual benefit and efficiency.

Any deviation in the professional ethics from any interests representation staff/experts would indubitably lead to providing a bad image of the person and consequently of the industry he/she represents. The sanction would therefore be immediate.

A systematic monitoring of compliance could be highly complex and costly to setting up and manage. We therefore do not think that creating an external watchdog would be necessary.

Chapter 2: An evaluation of the Commission's minimum standards for consultation

In your view, has the Commission applied the general principles and minimum standards for consultation in a satisfactory manner ?

ETRMA welcomes the European Commission intention to “*ensure that interested parties are properly heard in the Commission's policy-making process*”. To this end, we support the increasing public consultation process in various areas competitiveness, environment, transport, ...

The Europa website being known as one of the largest websites in Europe at least in terms of number of pages it remains crucial that an automatic alert be sent to trade associations having an interest in the subject under consultation in order to allow a proper contribution in due time.



The limit period for consultation of 6 weeks appears as a too short period to prepare consolidated versions of members contributions. Enlarging the process of at least two additional weeks could be highly useful.

When having contributed to commenting a legislative proposal or having requested to provide opinions on a strategy or a Commission report, it is essential that trade associations do have a clear analysis of how the feedback received has been assessed by the Commission in view of the drafting of a regulatory initiative.

Chapter 3: Publication of information about beneficiaries of funds under shared management

Do you agree that it is desirable to introduce, at Community level, an obligation for Member States to make available information on beneficiaries of EU funds under shared management ?

If so, what information should be required at national level ? What would be the best means to make this information available ?

ETRMA believes that transparency principle is a fundamental democratic requirement that should also apply to disclosure of beneficiaries of EU funds at EU and national levels. This would allow to better informing of the areas in which EU budget intervene that could contribute to providing a greater image of the Commission actions to citizens in Member States and Candidate Countries.

To this end, there should be an overall obligation at EU level directly applicable in all Member States.

ETRMA remains at the European Commission disposal to provide any additional information its services may require on this consultation.

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