

June 12th 2009

Comments for Improving the European Commission's Register of Interest Representatives

Introduction

The American Chamber of Commerce to the European Union (AmCham EU) is very supportive of the European Commission's (the Commission) initiative to define a framework on which the relationship between the EU institutions and interest representatives should be built. AmCham EU is registered in the Commission's Register of Interest Representatives (the Register) and has been actively contributing to the discussion, as we are firm believers that transparent interest representation furthers sound EU policy-making.

Following Mr. Kristian Schmidt's suggestion for AmCham EU to provide additional input following a meeting with our members on April 27th, we are pleased to provide below our recommendations on how the Register should be adapted in light of the upcoming review.

Online registration procedure

Whilst AmCham EU welcomes improvements to the online registration form, we would like to suggest additional features to make it more practical and user-friendly.

In particular, we would recommend introducing (i) the possibility to return to previous steps of the registration process and amend information and (ii) the ability to save and print the draft registration forms for circulation within the organisation prior to the final submission to the Commission.

Clarification in regards to the entity responsible for registration

AmCham EU encourages the Commission to clarify that a registration made by any European affiliated company is considered a registration of the whole entity. Due to the diverse and complex nature of different companies, a certain degree of flexibility is required.

Clarification in regards to the concept of “direct lobbying”

AmCham EU supports the voluntary nature of the Register and we are in favour of a well functioning and transparent registration system. Transparency and comparability are interconnected and we would welcome a level playing field for all registrants while still ensuring some degree of flexibility. However, we note that some questions still remain unanswered as to how direct interest representation should be assessed.

We would therefore welcome clarification of the term ‘direct lobbying’ by the Commission. To that end, we would be grateful for guidance on whether or not time for preparation of meetings and time spent at Trade Associations need to be included. To ensure the term ‘interest representation’ is understood as contribution to policy work, we also recommend that - as in the US and Canadian systems - all sales, marketing and advertising activities and expenses (in as far as these activities are not aimed at influencing policy) be explicitly excluded from the registration.

Clarification in regards to the problem of “double counting”

AmCham EU would recommend that further progress is made on resolving the identified problem of “double counting”. While there seems to be an understanding on the Commission’s side that a single Euro spent on lobbying may be counted various times (since many firms are members in associations who themselves are members of other organisations), there is a risk that figures in one sector or area will be added up without any differentiation based on their origin or context. We would urge the Commission to provide for sensible data analysis in this regard.

Facilitation of registration

With reference to the recommendations stated above, AmCham EU encourages the Commission to maintain the voluntary nature of the Register and to facilitate the registration process. In this respect (and in light of the common register recently announced by the Commission and European Parliament) we would like to see the accreditation to the European Parliament be prolonged automatically upon registration to the Commission’s register. This would be an efficient mechanism to improve access to the EU institutions and would ease the administrative burden for both the European institutions and interest representatives.

Conclusion

AmCham EU would like to congratulate the Commission for taking this initiative to encourage and foster greater transparency. We look forward to future discussions on the subject and remain available to provide any additional input that might be considered helpful.

* * *

AmCham EU speaks for American business committed to Europe on trade, investment and competitiveness issues. It aims to ensure a growth-orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and plays a role in creating better understanding of EU & US positions on business matters. Total US investment in Europe amounts to \$700 billion, and currently supports over 4 million jobs.

* * *