

LOBBYING IN EUROPE: HIDDEN INFLUENCE, PRIVILEGED ACCESS

FREQUENTLY ASKED QUESTIONS

Why has Transparency International researched and published the Lobbying in Europe report?

Lobbying scandals throughout Europe show that without clear and enforceable rules, a select number of voices with more money and personal contacts can dominate political dialogue. The powerful influence of a privileged few means that alternative and valuable perspectives, particularly from marginalised communities, remain unheard by decision makers. At best, this skews individual decision-making; and at worst – leads to institutions and states being dominated by special interests. Unfair and opaque lobbying practices constitute one of the key corruption risks facing Europe.

The scale of the issue, coupled with the consequences of the recent financial crisis, has also led to a lack of trust in government across Europe. Citizens feel alienated from the structures which are supposed to represent them and act on their behalf. According to Transparency International's 2013 [Global Corruption Barometer](#), over half of citizens across Europe believe that their country's government is to a large extent or entirely run by a few big interests.

To help clarify and pinpoint the problems with lobbying, we researched and published the report *Lobbying in Europe*. It explains how lobbying manifests itself across Europe and the quality of responses by both governments and the EU institutions to the risks and realities of undue influence in public decision-making. It offers targeted recommendations for reform to promote transparent and ethical lobbying, and deter undue influence.

How was the research done for this report?

The report brings together the findings of 19 national assessments carried out in 2014, examining the practice of lobbying and attempts to regulate it across Europe.

The research framework was developed by Transparency International with reference to internationally recognised standards on the regulation of lobbying and prevention of undue influence. Using these standards as a starting point, a methodology consisting of 65 indicator questions was developed. The 65 indicators correspond to three core dimensions and 10 sub-dimensions, which are considered to be a comprehensive approach to lobbying regulation. The three core dimensions are transparency, integrity and equality of access.

The research was conducted from March to August 2014. It involved an initial desk review of legal and policy documents and existing secondary data. National researchers then carried out in-depth interviews with policy-makers, lobbyists and experts on lobbying in the country.

For more information on the methodology, see the "Research Framework and Methodology" section of the report.

What is the definition of lobbying?

Lobbying is any direct or indirect communication with public officials, political decision-makers or representatives for the purposes of influencing public decision-making, and carried out by or on behalf of any organised group.

Which country does the worst in the Lobbying in Europe report? Why?

Cyprus and Hungary fall at the bottom of the ranking with just 14 per cent, performing poorly in almost every area assessed, but particularly badly when it comes to transparency of lobbying and access to information. The public has a right to know who is trying to convince decision-makers on matters of public interest. When lobbying happens behind closed doors, beyond public scrutiny, it becomes difficult for citizens to hold those entrusted with public power to account. In addition, there is little or no ethical guidance for lobbyists, and professional associations largely fail to set any standards for themselves.

Which country does the best in the Lobbying in Europe report? Why?

Slovenia comes out at the top of the list, albeit with an underwhelming score of 55 per cent. The country has a dedicated lobbying regulation in place and robust rules that require public officials to report on contacts with lobbyists, providing the public with important information about who is lobbying whom on what matters. Nevertheless, the system suffers from gaps in coverage as only professional lobbyists are required to register. This omits a wide range of actors seeking to influence public policy. In addition, implementation of the regulation has been lacking, with many public officials not reporting contacts and the agency responsible for oversight failing to issue penalties or sanctions.

Is all lobbying bad?

No, lobbying is not bad in itself. Lobbying is an important part of a healthy democracy, related to universal values such as freedom of speech and the right to petition of government. It allows for various interest groups to present their views on public decisions that may affect them. It also has the potential to enhance the quality of decision-making by providing channels for the input of expertise on increasingly technical issues to legislators and decision-makers.

However, without clear and enforceable rules that provide for transparency and promote ethical behaviour among lobbyists and those who are the targets of lobbying, a select number of voices with more money and personal contacts can come to dominate political decision-making.

What is the link between lobbying and corruption?

Transparency International defines corruption as “the abuse of entrusted power for private gain”. Unchecked and unregulated lobbying opens the door to corruption by allowing undue, unfair and sometimes illegal influence in the political process. When lobbying happens in secret, beyond public scrutiny, it becomes difficult for citizens to hold those entrusted with public power to account.

Unethical lobbying is sometimes technically legal and sometimes a clearly illegal activity. An example of the latter might be companies or lobbyists paying parliamentarians to push forward specific legislation, and an example of the former would be decision-makers favouring their friends and connections when making decisions. Either way, it constitutes a corruption of the political system for private gain.

How were the 19 countries selected?

Although lobbying has been identified as a risk area across the region, the 19 countries were selected based on the research and thematic interests of our National Chapters and partner organisations.

Which countries outside of Europe do better and set the standard for “best practice”? Why?

Canada and the US are often viewed as setting a high standard for lobbying regulation, with relatively strict disclosure requirements for their registration systems. This means that the quality of information gathered by the systems is high, allowing for greater public scrutiny. The oversight agencies in both countries are well-resourced and have the power to sanction.

However, it is important to note that both countries continue to face challenges in tackling undue influence. In Canada, in-house lobbyists adhere to an “activity threshold”, which means that those who spend less than 20 per cent of their time on lobbying activities do not have to register. This allows a significant portion of lobbying activity to go unrecorded. In the US, attempts to regulate lobbying have not been accompanied by concerted effort to tackle the problems of political financing and, as a result, corporate money and political influence remain inextricably linked.

