



Learning from other jurisdictions to improve EU lobbying regulation

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Summary and context

This study used a mixed-methods approach to identify the shortcomings of the current EU lobbying regulation and provide concrete recommendations for improvement based on policies in place in the US, Canada, France and Ireland. The consensus in the academic literature is that the EU Transparency register is insufficient and would benefit from reform in some key areas (Bunea, 2018; Bunea and Gross, 2019; Greenwood and Dreger, 2013; Kanol, 2012; Năstase and Muurmans, 2020). While lobbying regulations must take country-specific needs as well as cultural, legal and institutional contexts into account (OECD, 2013), it proves beneficial to learn from the experiences of other jurisdictions. In fact, some regulations have failed, precisely because they neglected to learn from the experiences of other systems (Chari et al., 2019).

Research process / methodology

Part 1: Identifying shortcomings of EU lobbying regulation

The European system was studied empirically in terms of its robustness using the CPI and Holman & Luneburg (2012) indices.

Index elements were sorted into pre-defined dimensions of lobbying regulation to identify the robustness of particular aspects of the regulation

Preliminary findings about the weaknesses of the regulation were verified and specified using literature analysis and semi-structured expert interviews.

Part 2: Exploring solutions to the shortcomings previously identified

The US, Canada, France and Ireland were chosen as jurisdictions from which to policy learn.

The countries were empirically analyzed in the same way as the EU.

Preliminary lessons were complemented and assessed in terms of applicability using literature analysis and semi-structured interviews with experts from the relevant jurisdiction.

Key terms

EU lobbying regulation: The European Commission and Parliament jointly regulate lobbying since 2011, following an inter-institutional agreement which established the Transparency Register (TR).

Robustness: "The capacity of the regulation to increase transparency and accountability" (Crepaz 2016, p. 5).

What are the weaknesses of the current EU lobbying regulation?

- Voluntary registration
- Lacking monitoring and enforcement
- Vague financial disclosure
- General disclosure requirements (lobbyists' names and records of meetings held with public officials are not disclosed)

How can these weaknesses be addressed by drawing lessons from regulations in other jurisdictions?

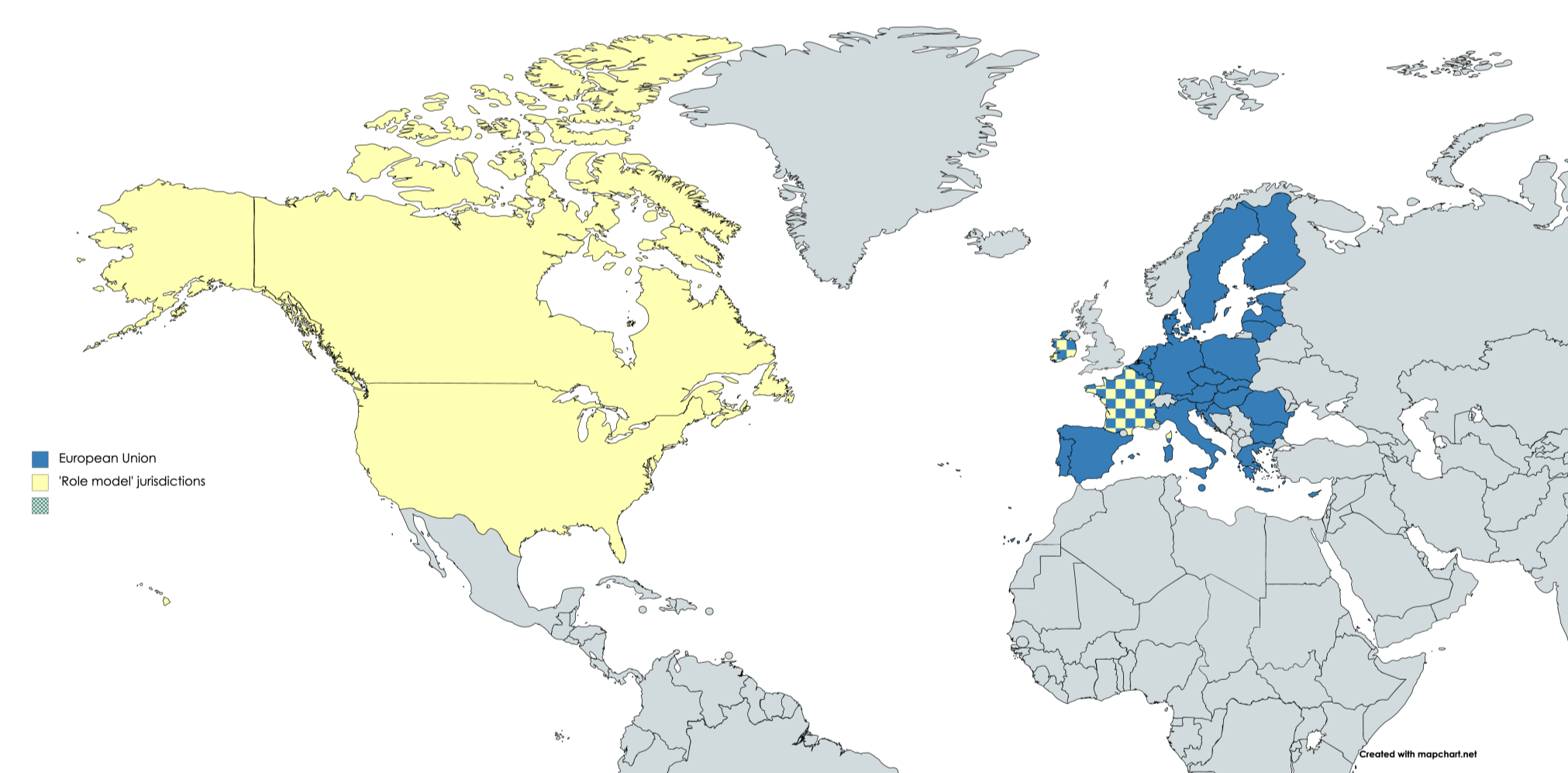


Figure 3: EU (blue) and role-model jurisdictions (yellow); via mapchart.net

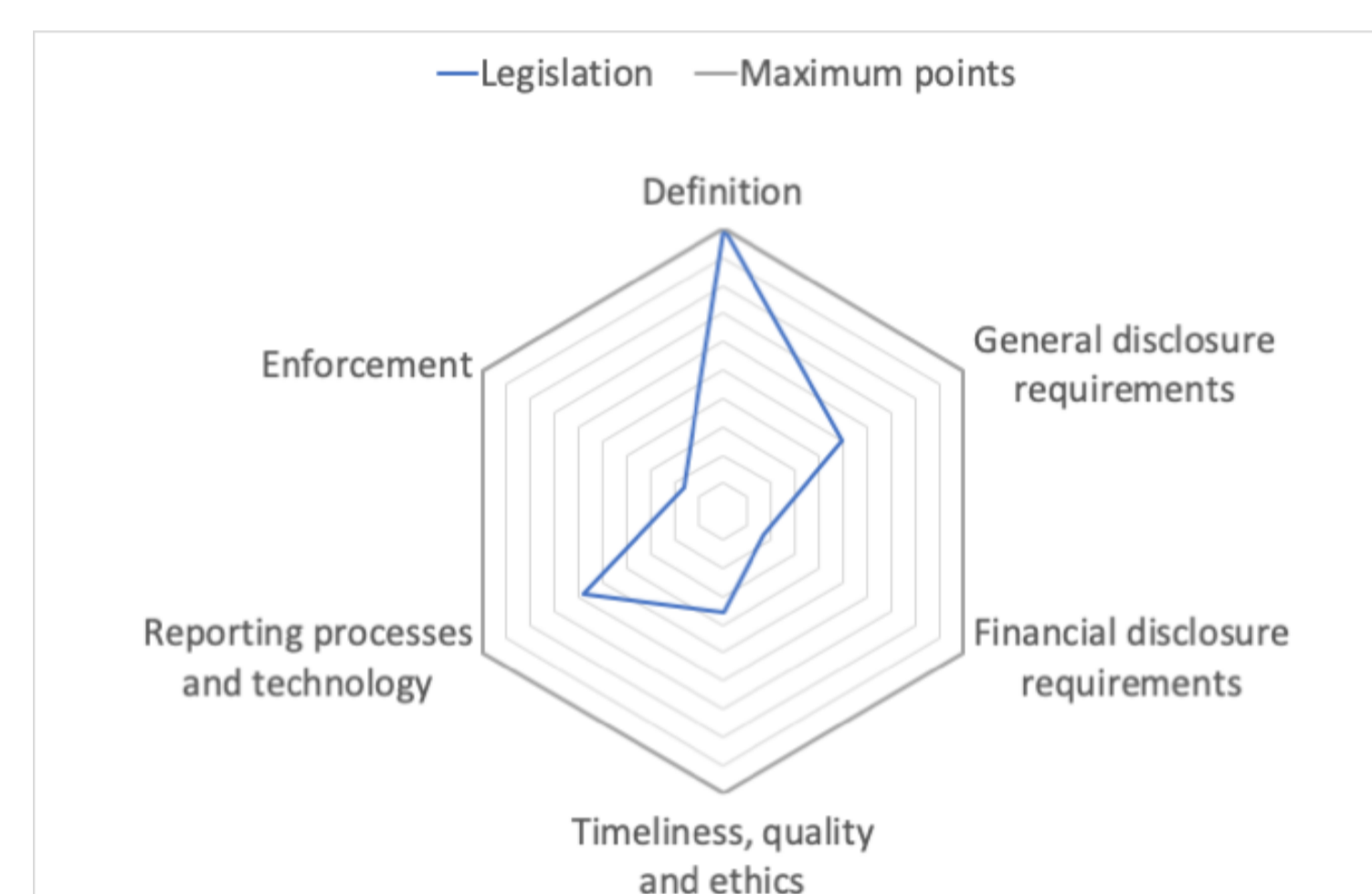


Figure 1: EU regulation robustness (CPI index)

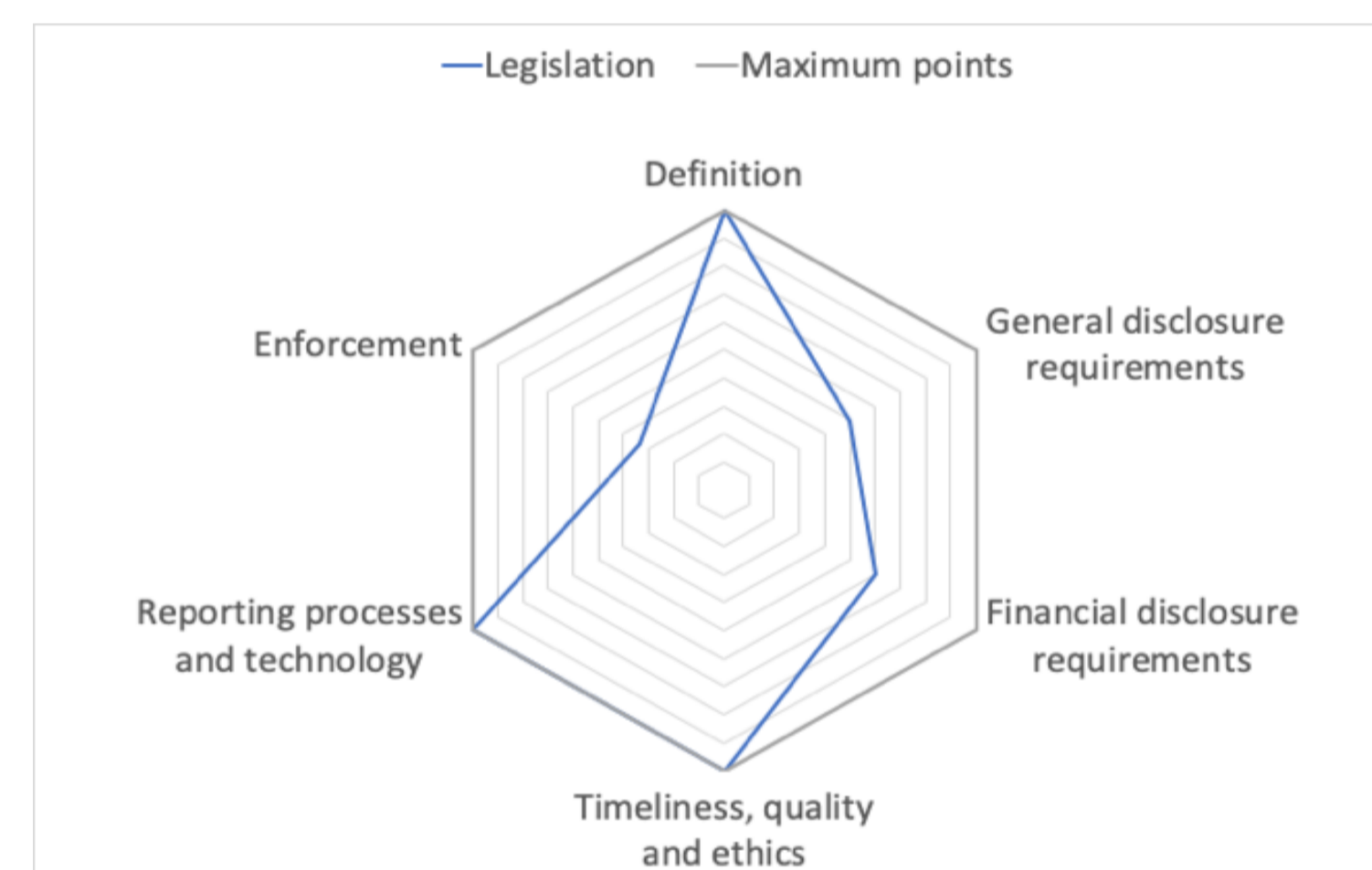


Figure 2: EU regulation robustness (Holman & Luneburg index)

- **Voluntary registration:** Introduce a mandatory transparency framework based on a legal act, similar to those in place in the US, Canada, France and Ireland, rather than an inter-institutional agreement.
- **Enforcement:** Implement a hybrid legislation similar to the Irish system, where the authority in charge of the regulation has some direct enforcement powers and can refer more severe cases to the relevant judicial authority.
- **Financial disclosure:** Learn from the US Lobbying Disclosure Act and aim to provide more precise figures on both income and expenditure. Moreover, prohibit gifts and political contributions like the United States and France.
- **General disclosure requirements:** Improve general disclosure requirements by making public the names of all lobbyists and records of meetings with public officials.

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