

Access & Influence: an NGOs vs Corporates Comparative Perspective

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Popular lens





DEMOCRACY INTERNATIONAL

the global coalition for democracy

Dear

Brussels is full of lobbyists. Every day 30,000 lobbyists try to influence 750 parliamentarians, 28 commissioners and their staff. Corporations are spending billions on their public relations and lobby activities. Brussels reveals the bitter truth that **influence has become purchasable and equal opportunities is all but a myth.**

One individual who is standing up to resist this development is the European Parliamentarian Sven Giegold. As rapporteur of the "Report on Transparency, Integrity and Accountability" he is fighting to curb corruption and lobbying in Europe. **Sven Giegold versus 30,000 lobbyists: a seemingly hopeless struggle!** It is therefore crucial that we show him our full support.

Please fill out the questionnaire and send us your proposals by 25th August Tell Sven

n. EP accreditations

▶ 4538

Transparency Register data: with European interest & Brussels office

- ▶ 405 companies
 - ▶ 189 with ≥ 1 EP accreditation
- ▶ 880 trade & professional associations
 - ▶ 333 with ≥ 1 EP accreditation
- ▶ 830 NGOs (& churches)
 - ▶ 317 with ≥ 1 EP accreditation

Treaty on European Union:

Art. 10

- ▶ (1) The EU shall be founded on **representative** democracy
- ▶ (3) Every citizen shall have the right to **participate** in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen

Treaty on European Union:

Art. 11, 1-2

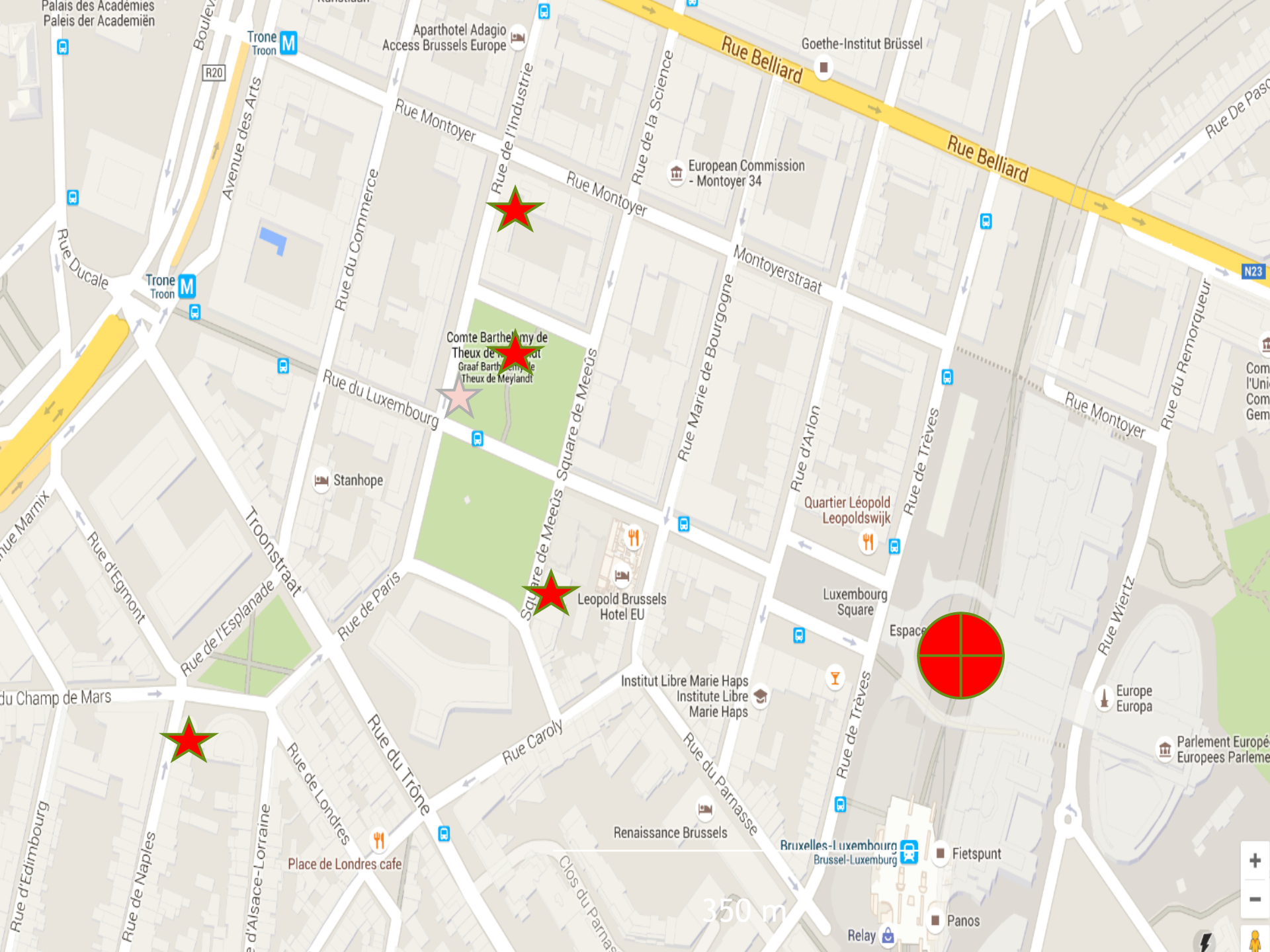
- ▶ The institutions shall..give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action
- ▶ The institutions shall maintain an open, transparent and regular dialogue with *representative associations* & civil society

A 'Brussels bubble'

- ▶ A diverse range of advocacy organisations set up offices in Brussels, for many different causes, acting as a proxy for 'civil society'
- ▶ operating in a 'market-place of ideas', a public dialogue with EU institutions

A public dialogue between EU institutions & advocates:

- ▶ Funding for NGOs
- ▶ Transparency regimes:
 - ▶ Access to Documents
 - ▶ Transparency Register & code
 - ▶ heavily incentivised by COMM & EP
- ▶ Consultation instruments



THE EU INSTITUTIONS PERFORM POORLY

When assessed against international standards and emerging best practice, the three EU institutions on average achieve a score of 36 per cent. This is particularly worrying, given that Brussels is a hub of lobbying in Europe and decisions made in the Belgian capital affect the entire region and beyond.

Of the three institutions, the Council of the European Union performs the worst, partly due to the fact that it is not covered by the voluntary [EU Transparency Register](#).

Reform of the Transparency Register is urgently required, not only to increase its coverage to the Council of the European Union, but also to make it mandatory and to ensure that there are meaningful sanctions for breaches of lobbying and transparency rules.

To increase decision-making transparency in all the core institutions, effective “legislative footprints” should be created: a document that details the time, person and subject of a decision-maker’s contact with interest group representatives.

Only when sufficient mechanisms and safeguards are in place to ensure that lobbying across Europe and at the EU-level is done in a clean, transparent and fair manner, can citizens know what interests are behind the legislation that affects their daily lives, safety and well-being.



Co-funded by the Prevention of and Fight against Crime Programme of the European Union

SUPPLEMENTARY DOWNLOADS

NGOs contribution

- ▶ Bring civil society viewpoint to EU policy debates
- ▶ Checks & balances to business, e.g. Finance Watch
- ▶ Develop EU's infrastructure which underpin democracy, e.g. Transparency & Accountability
- ▶ Provide policy relevant information, & political allies for institutions seeking to develop environmental & consumer protection policies, etc.

EU institutions need dialogue with civil society

- ▶ Information
- ▶ Political supporters & messengers
 - ▶ Different EU institutions will work with anyone likely to help them achieve goals
 - ▶ (Ombudsman-NGO axis)
- ▶ Approval
 - ▶ Drive for legitimacy since 2001 WPG

The consensual nature of EU politics

- ▶ 3 decision making institutions
 - ▶ well insulated from pressure
- ▶ 7 political parties in the EP
- ▶ 27 Member States in the Council
- ▶ Diversely constituted Commission
- ▶ Consensual outcomes
- ▶ Broadly based alliances work well

- ▶ COMM shift from market *making* to *regulation*
 - ▶ other shifts over time, e.g. financial crisis, Covid
 - ▶ EU now does more than regulation, e.g. drive for democratic credentials: favourable to NGOs
 - ▶ transparency etc. gradual improvements
- ▶ capital divided by interests on regulation
 - ▶ by industry, within industry, within a multinational
 - ▶ Numerical majorities should not be confused with influence

Other NGO strengths/issues 1

- ▶ NGOs more likely than business to have common outlook
- ▶ NGOs work through coalitions, e.g. families & 'Mundo' houses
- ▶ 'What' groups do not require internal democracy

Other NGO strengths

- ▶ Support from high protection countries, esp. Nordics, Germanic Europe
- ▶ Dual political action choices
- ▶ Benefit from pluralisation, e.g. Expert Groups, Agencies
- ▶ Good at monitoring & agenda-setting
 - ▶ May find it harder to hold initial position
- ▶ Well resourced & patronised
 - ▶ BEUC, T&E, WWF, ETUC in top 10 in n.meetings at most senior levels of COMM

NGO Success

- ▶ Duer et al, 2015: study of 70 legislative acts 2008-10
 - ▶ NGOs more successful than business
- ▶ EP: less NGO orientated since growth of co-decision
- ▶ Case studies: raising salience of issues to 'high' creates an irresistible force
 - ▶ Duer & Mateo: ACTA
 - ▶ 'bandwagon effect' led to EP changing positions
 - ▶ BLOOM & Electric Pulse fishing
 - ▶ Trilogues: EP wins on salient issues

Key concepts

- ▶ Access
- ▶ Success
- ▶ Influence

Conditions for business success

- ▶ Unified by regulatory proposal
- ▶ Commodity product
- ▶ Concentrated industry
- ▶ ‘Common enemy’

Webinar #5

The EU Transparency Register

Where are we now & what is to be done?

Organizer: ECPR Standing Group on Interest Groups

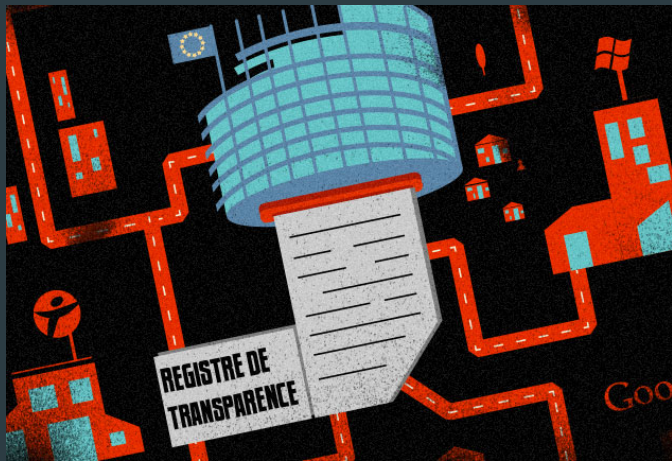
Time: Wednesday Nov 25, 2020: 4-5.30 PM CET

Location: Skype for Business (*note: not a Zoom event*)

Link:

<https://meet.uva.nl/d.j.berkhout/NMM2CM7F>

Twitter contact info: @ECPR_Int_Groups



Chair:

Justin Greenwood, College of Europe

Panellists:

Adriana Bunca, University of Bergen

Daniel Freund, Member of the European Parliament

Cristina Gonzalez, Politico & Editor of 'EU Influence'

Renate Nikolay, Head of Cabinet, Commission V-P
Jourova

Vitor Teixeira, Transparency International EU Office