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Please take action on revised EU Transparency Register

Dear Commissioner Jourova,

We are writing to you regarding the implementation of the revised EU lobby transparency register and some concerning developments. We hope that you will take immediate action to boost the approach of the European Commission on lobby transparency.

We welcome the introduction into the register of a distinction between commercial and non-commercial organisations. After all, there is a fundamental difference between those lobbying for commercial and private interests, and those influencing on behalf of the public interest. But we are extremely concerned that the way that this has been introduced provides numerous loopholes for registrants to choose a category according to the information they prefer to publish (or keep hidden) rather than what is logically true. As set out below, this applies to both organisational budgets and lobby budgets.

Unfair budget reporting requirements

We support the requirement that non-commercial organisations should declare an annual budget and information regarding large donors. **But it is patently unfair that this provision does not concretely apply to other types of organisations, including trade associations, religious bodies, and others, as well as NGOs and think tanks.** There is a risk that organisations with a not-for-profit structure could claim to be 'commercial' in order to escape from the duty to publish information about their budget and biggest donors. This could be a particular risk for so-called astroturf groups - apparent NGOs which are created and supported by corporate interests.

Another concern is that many of those organisations which do declare themselves to be non-commercial simply declare that their source of income is their members, with no indication of how many members nor how much they donate. On the other hand, civil society organisations which operate on grants and donations, have to declare these in detail, naming the sources of all funds over 10% if this is also over €10,000. This is a much greater level of detail than membership organisations have to provide.

Our recommendation is that all legal entities be required to upload an annual report where their sources of funding are clearly identified.

Absence of lobby budget reporting requirements for non-commercial organisations

We consider that it is a major flaw in the new register that non-commercial organisations are no longer required to declare an annual lobby spend. This change means that there is less lobby transparency for non-commercial organisations in the new register than in the old register, which is a bizarre outcome. **In our view, it is in the clear public interest that lobby spending must be declared by all organisations who lobby the EU.**

In the current situation it is now no longer possible to compare the influencing budgets of commercial and non-commercial organisations. There is a high risk that vested interests (who have already attacked NGOs, including NGOs in receipt of EU funding), will misuse these figures. For example, they could compare the declared lobby spend of commercial organisations with the declared organisational budget of non-commercials in order to (wrongly) imply that their lobby spends are similar. There is a major risk that authoritarian forces with an anti-NGO agenda will misleadingly present the disclosed budgets as lobby spending

With regards to choosing a preferred category, we are concerned that some organisations, especially trade associations, may declare themselves to be non-commercial, (especially if their organisational structure might be not-for-profit) even though the register's guidelines indicate that those who advocate for private interests should declare themselves to be commercial.

Generally, the question of whether an entity is commercial or non-commercial should not determine what is reported. For now, the secretariat must be vigilant to identify and deal with cases where registrants choose the wrong category promptly, so that the register does not become distorted.

We know that the EU lobby register will be reviewed in Summer 2022; we propose that these problems be addressed beforehand. Otherwise, registrants won't have equitable reporting requirements, and lobby spending won't be comparable.

Absence of user-friendly meetings data

Civil society has long called for the Commission to provide its transparency data in user-friendly formats which are machine-readable. We have always welcomed the publication of lists of lobby meetings for Commissioners, their Cabinets, and the Directors-General, but it is a cause for concern that the Commission has traditionally published this information in such a poor way, with data spread over literally hundreds of different web pages. This way of publishing the data meets a very low threshold of usability and for **data platforms such as [LobbyFacts](#) and [Integrity Watch](#) the consequences are that the data is very unstable.**

We understand that the Commission will be making lobby meeting data available in machine-readable format by the end of March 2022. We welcome this and encourage Commission services to collaborate with relevant civil society stakeholders to ensure user-friendly functionality. This would enable citizens, students, the media, civil society, as well as LobbyFacts and Integrity Watch to use this data in a meaningful way, in order to look at trends over time and make comparisons. The Commission could also use this to measure progress towards Commissioners' commitment to "equality of treatment" when it comes to numbers of lobby meetings, which is laid down in the 'Working methods' document.

Prerequisite for this is that also the historical meetings data for all covered officials dating back to December 2014 are presented. Effective transparency is not just about making data public, but making it as user-friendly as possible.

Absence of accurate Transparency register daily datasets

In our view LobbyFacts and IntegrityWatch play an important role alongside the register: to make the data of the Transparency register comprehensible to a wider public. It would be great to hear if you share this view. But ever since the new register was launched in September 2021, the daily data downloads have been missing key data. This is very regrettable as LobbyFacts and IntegrityWatch rely on these daily downloads. **It would be helpful if the register Secretariat could remedy this problem as soon as possible, if necessary by producing two daily data sets so that accurate data is provided both for those who have declared under the new register format, and those organisations which remain in the old format.**

We would like to urgently discuss these points in a meeting with you and look forward to hearing from you as soon as possible.

Yours sincerely,

Nina Katzemich on behalf of the ALTER-EU steering committee



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