

Transparency and integrity in lobbying

Lobbying is a fact of public life in all countries. It has the potential to promote democratic participation and can provide decision makers with valuable insights, as well as facilitate stakeholder access to public policy development and implementation. Yet, lobbying is often perceived as an opaque activity of dubious integrity, which may result in undue influence by special interests, unfair competition and regulatory capture at the expense of fair, impartial and effective policy making. There is evidence of an emerging consensus on the need for transparency. While by 2014 only 15 OECD countries have introduced lobbying regulations to this effect, there is a clear acceleration in this sense as 11 countries have done so in the last decade.

Regulations require lobbyists to disclose information about their practices through a register. For example, Austria, Canada, France, Germany, Mexico, Poland, Slovenia and the United States have lobbyist registers in place. Disclosure should provide enough pertinent information on key aspects of lobbying activities to enable proper scrutiny. Countries with publicly accessible registers commonly require lobbyists to file in the registers their names, contact details, their employer's name, and the names of their clients.

While it takes two to lobby, the ultimate responsibility for safeguarding the public interest and rejecting undue influence lies with those who are lobbied, namely public officials. Most OECD countries have instituted principles, rules, standards or procedures that regulate public officials' conduct. For example, such regulations in Canada and Slovenia specifically apply to their conduct in dealing with lobbyists while other countries such as Estonia, Norway and Sweden, rely on more general regulations or codes of conduct.

An increasing concern relating to lobbying is the practice of "revolving doors" - the movement of staff between related public and lobbying sectors - as it may heighten exposure to conflicts of interest and impropriety such as the misuse of insider information, position and contacts. Concern over revolving doors has prompted countries to take measures to prevent and contain conflict of interest in pre- and post-public employment situations in order to ensure the integrity of present and former public officials. Among the 24 countries which responded to the 2013 OECD Survey on Lobbying Rules and Guidelines, only half (12) have adopted restrictions on senior public officials in the executive branch to engage in lobbying after they leave the government; and only 10 have restrictions on public officials.

Another emerging concern is the capture of advisory groups by private interests to exert undue influence. When, for example, corporate executives or lobbyists advise governments as members of an advisory group, they act not as external lobbyists, but as part of the policy making process with direct access to decision makers. There is often no obligation to ensure a balanced representation of interests in advisory groups, except for Belgium, Estonia, Korea, Switzerland and the United States. In order to ensure transparency in policy making, countries can, as a minimum, make membership information publicly available for scrutiny by other stakeholders.

Methodology and definitions

The data presents the results of the OECD 2013 Survey on Lobbying Rules and Guidelines. Respondents to the Survey were country delegates responsible for integrity policies and/or lobbying rules and their implementation in central government. A total of 24 OECD countries together with Brazil, completed the survey. In addition, Denmark, Japan and the United Kingdom responded to selected questions.

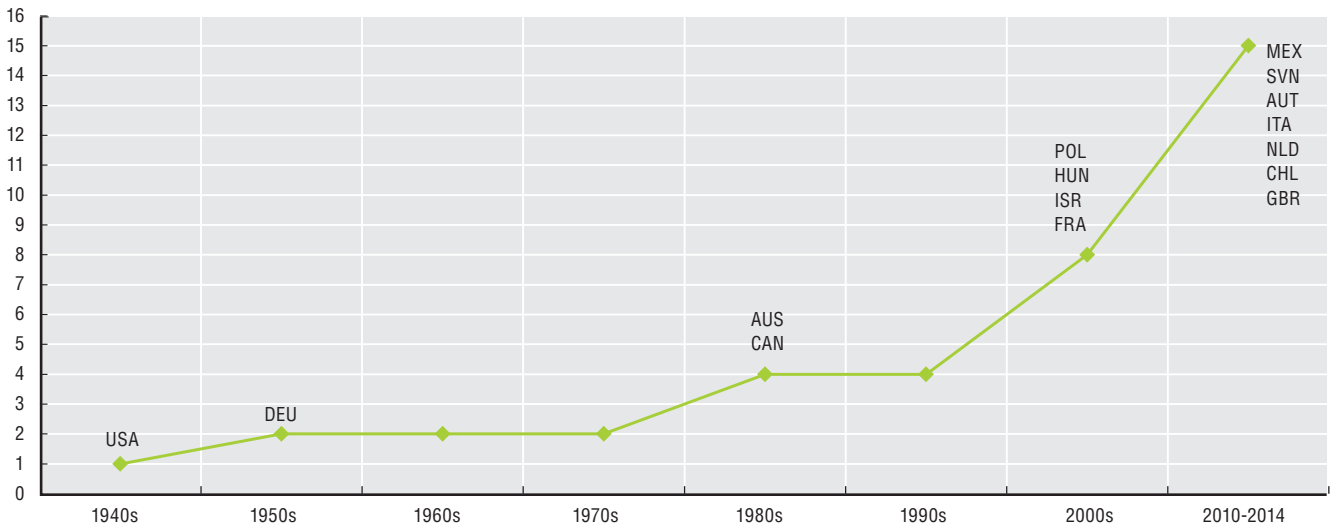
Further reading

- OECD (2014), *Lobbyists, Governments and Public Trust, Volume 3: Implementing the OECD Principles for Transparency and Integrity in Lobbying*, OECD, Paris, <http://dx.doi.org/10.1787/9789264214224-en>.
- OECD (2012), *Lobbyists, Governments and Public Trust, Volume 2: Promoting Integrity through Self-regulation*, OECD, Paris, <http://dx.doi.org/10.1787/9789264084940-en>.
- OECD (2010), "Recommendation on Principles for Transparency and Integrity in Lobbying", OECD, Paris, www.oecd.org/corruption/ethics/oecdprinciplesfortransparencyandintegrityinlobbying.htm.

Figure notes

- 7.5: Data refers to the year of introduction of the first regulation in respective countries. Ireland enacted the Regulation of Lobbying Act in March 2015.
- 7.6: Data unavailable for Australia, the Czech Republic, Denmark, Greece, Iceland, Israel, Japan, the Slovak Republic and Turkey.

7.5. Introduction of lobbying regulation, 1940-14



Source: OECD (2014), *Lobbyists, Governments and Public Trust*, Volume 3: *Implementing the OECD Principles for Transparency and Integrity in Lobbying*, OECD, Paris.
 StatLink <http://dx.doi.org/10.1787/888933248864>

7.6. Rules on the balanced representation of interests in advisory groups, 2013

	Is there an obligation to have a balanced composition of advisory/expert groups?	Are lobbyists allowed to sit in advisory/expert groups in personal capacity?	Are corporate executives allowed to sit in advisory/expert groups in personal capacity?
Austria	X	○	○
Belgium	○	X	○
Canada	X	○	○
Chile	X	○	○
Estonia	○	○	○
Finland	X	○	○
France	X	○	○
Germany	X	○	○
Hungary	X	X	○
Ireland	X	○	○
Italy	X	○	○
Korea	○	X	○
Luxembourg	X	○	○
Mexico	X	○	○
Netherlands	X	○	○
New Zealand	X	X	X
Norway	X	○	○
Poland	X	○	○
Portugal	X	○	○
Slovenia	X	○	○
Spain	X	X	X
Sweden	X	○	○
Switzerland	○	○	○
United Kingdom	X	○	○
United States	○	○	○
OECD Total			
○ Yes	5	20	23
X No	20	5	2
Brazil	X	○	○

Source: OECD (2013), *Survey on Lobbying Rules and Guidelines*.

StatLink <http://dx.doi.org/10.1787/888933248872>



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