

Introduction



Foundation
MACHIAVELLI

BVPA

Beroepsvereniging
voor Public Affairs

The Dutch context of public affairs



The Dutch context of public affairs

Current situation

No clear regulation / definition of lobbying
(Lobbyist Register of the House of Representatives)

Focus on self-regulation / professionalization: scientific chair, BVPA(600+), Code of conduct

Attention of:
* Media **HIGH**
* Public **LOW**
* Politics **HIGH**

New initiatives focus on transparency of decision-making process

Facts & figures

How robust are lobbying transparency mechanisms in European countries and EU institutions?

Scale 0-100, where 0 is the weakest and 100 is strongest. Overall score based on an un-weighted average of results in four sub-categories. Results are presented in descending order with highest scoring country/EU institution appearing first.

%	Access to information	Registration and disclosure by lobbyists	Oversight of register and transparency rules	Pro-active public sector transparency mechanisms including legislative footprint	Overall score
Slovenia	67	60	56	50	58
Ireland	67	64	50	13	48
European Commission	67	50	38	38	48
Lithuania	50	50	56	38	48
European Parliament	67	50	38	25	45
United Kingdom	67	33	25	13	34
Austria	50	57	19	13	34
Poland	50	27	13	25	29
Latvia	50	13	0	50	28
Netherlands	67	10	0	25	25
Estonia	50	0	13	33	24
France	33	30	10	21	24
Slovakia	83	0	0	0	21
Czech Republic	75	0	0	0	19
Council of the EU	67	0	0	0	17
Bulgaria	50	0	0	0	13
Germany	50	0	0	0	13
Portugal	33	0	0	17	13
Italy	33	10	0	0	11
Spain	33	7	0	0	10
Hungary	33	0	0	0	8
Cyprus	17	0	0	13	7
Regional average	50	22	14	17	26




%	Access to information	Registration and disclosure by lobbyists	Oversight of register and transparency rules	Pro-active public sector transparency mechanisms including legislative footprint	Overall score
European Parliament	67	50	38	25	45
United Kingdom	67	33	25	13	34
Netherlands	67	10	0	25	25
France	33	30	10	21	24
Italy	33	10	0	0	11
Spain	33	7	0	0	10
Regional average	50	22	14	17	26




Source: Transparency International April 15 2015

Facts & figures

How comprehensive are definitions of lobbyists, lobbying targets, lobbying activities in national and EU lobbying regulations?

Countries/institutions included in the table are those with lobbying regulation in place. They are presented in descending order from those with strongest definitions to weakest.

	To what extent does the law clearly and unambiguously define "lobbyists"?	To what extent does the law/regulation define "lobbying targets"?	To what extent is the term "lobbying"/"lobbying activities" clearly and unambiguously defined?
European Parliament			
European Commission			
Ireland			
Slovenia			
Austria			
Poland			
United Kingdom			
Lithuania			
Netherlands			
France			

-  Comprehensive, clear and unambiguous definition
-  Partially but inadequately/too narrowly/too broadly defined
-  No definition/wholly inadequate definition

Accelerants

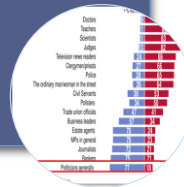
Excuses oud-minister Bot voor
lobbygesprek



Behavior



Distrust



Attention



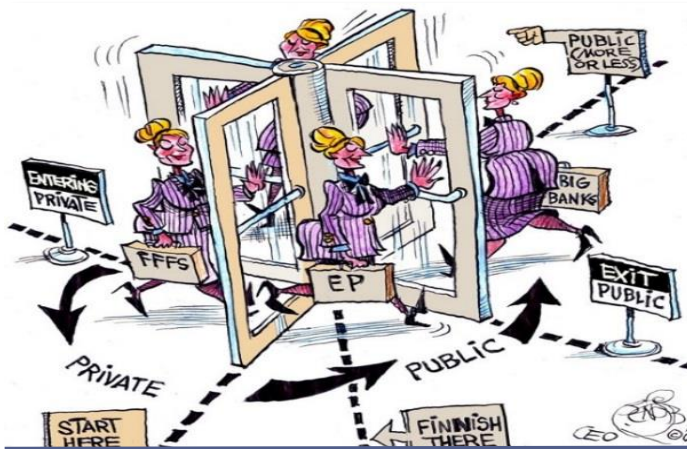
de Volkskrant

Trouw

Home Nieuws Opinie Groen Religie & filosofie Schrijf Video Foto

Bedrijfslobby dicteert beleid duurzaamheid

Issues of lobbying in the Netherlands



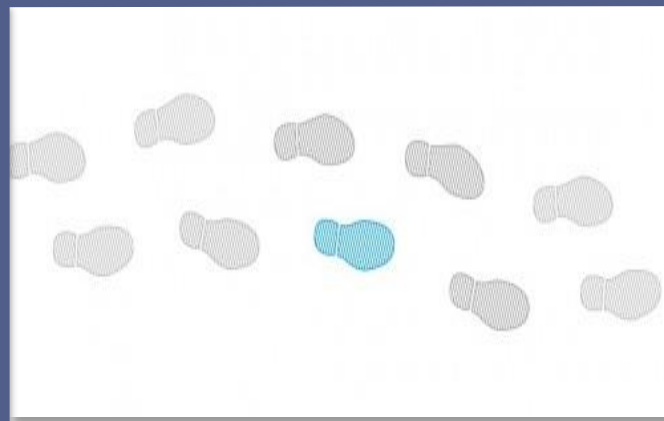
Senators are not allowed anymore to vote on matters they are personally involved with.

Agree 91% (2878)

Disagree 9% (269)

3147 votes

Volkskrant, March 16 2015



Political events on lobbying regulation



Debates about lobbying

- Debate on the influence of lobbying on decision-making (February 18)
- At the debate on COCO's & influence of national banks on concept texts (February 18) the minister of Finance publicly supported a legislative footprint
- A motion of Socialist Party (SP) & Social Democrats (PvdA) for a legislative footprint was accepted by Parliament
- Disagreement between government parties



Initiative "Lobby in daylight"

- Announced by Social Democrats as a proposal (2012) to regulate lobbying & improve transparency of decision-making
- Proposal is submitted after 3 years! (December 23, 2015)
- Waiting on the reaction of the Government Ministry of Interior (PvdA)

Debate about a legislative footprint and role of lobby

IZ 637

Bedrijfslevenbeleid

lr. 229

MOTIE VAN HET LID VAN GERVEN

Voorgesteld 18 februari 2016

De Kamer,

gehoord de beraadslaging,

constaterende dat in de huidige situatie bij totstandkoming van wetgeving alleen op basis van vrijwilligheid de betrokkenheid van lobbyisten in kaart wordt gebracht;

van mening dat transparantie over totstandkoming van wetgeving van belang is voor zowel Tweede Kamer als de bevolking;

van mening dat de transparantie wordt vergroot door aan te geven wie op welke onderdelen van een wetsvoorstel invloed heeft gehad;

verzoekt de regering, de toevoeging van een lobbyparagraaf (legislative footprint) aan wetsvoorstellen wettelijk vast te leggen,

en gaat over tot de orde van de dag.

Van Gerven

SUPPORTERS (89)

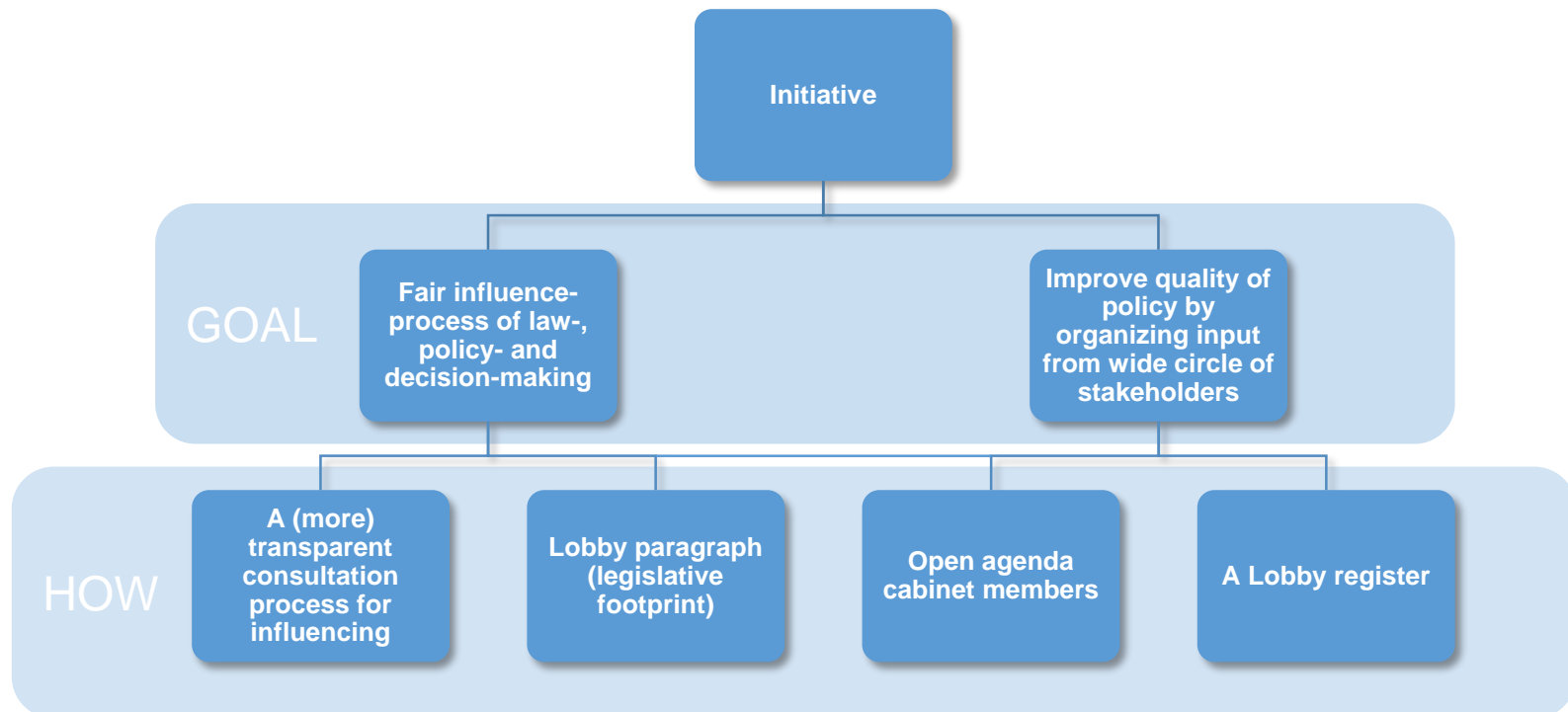
- Social Democrats (PVDA)
- Liberal democrats
- Socialist Party
- Green Left
- Right wing Freedom Party
- Animal Party
- Christian Socialists
- Etc.

AGAINST (61)

- Conservatives (VVD)
- Christian Democrats
- Orthodox Christian
- Elderly Party
- Etc.

Initiative “Lobby in daylight”

- All stakeholders plays a role in a fair influence process and quality of laws and policy.
- An open government and organizing ‘daylight’ are the suggested ‘remedies’, therefore focusing on the front (better & more input on decision-making) and the back (to check what happens).
- Suggesting that successful lobbying depends on money and dominance/power



Vision of the BVPA on the initiative

Taking into account that

There are no real boundaries for interest groups to influence

There are social and democratic checks and balances

Incidents shapes the public reputation of public affairs

The pa-professional benefits from more transparency and integrity

Therefore the BVPA

Supports efforts to create an open access and a level playing field

Supports a lobby paragraph(legislative footprint), lobby register and a transparent consultation process

Suggestions & remarks

Transparency measures should also applies to the MP's

Benchmark current regulations in foreign countries to map the best practices

Define clearly what lobbying and a lobbyist is to make lobby register meaningful

What real problem does this initiative addresses and what are the priorities? No clear cases

Some proposals creates a false sense of transparency and checks

Closing remarks

The debate about more regulation, a clear definition of lobbyists and transparency is ongoing

After reaction of the Ministry of Interior affairs a debate in the Standing committee with the initiators will be scheduled

Answer on the questions of standing committee EA on the letter of the Government about the execution of the footprint-motion is expected

Unclear what will happen in a new Parliament after the General Elections (March 15, 2017)

The legislative footprint is already implemented by Ministry of Health

BVPA thinks professionalism, enforcement of transparency rules & behavior should also come proactively from the sector (self-regulation), without accepting ineffective regulations.

Thank you for your time and attention

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Overall trends in politics and public affairs

Knowledge of MP's under stress because of fragmentation of the Parliament

More and more debates about regulation after ratification and about implementation (what does this mean for focus lobby?)

Political influence/role of the Senate is growing

Quest for more transparency policy and decision-making (increase participation of civilians)

Lobby & PR by the Government

Focus on flexible coalitions on individual issues

Growing demand for public affairs support in all sectors

Growing demand for pa development: multidisciplinary instruments & focus of stakeholders (*all-service*)

Ethics and transparency

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Code of conduct Public Matters

The public affairs management and lobby consultants of Public Matters are active (in supporting organisations which operate) in the public, political and administrative domains. Consultants consider it their professional responsibility to take into account, while exercising their work in this domain, certain practical, moral and ethical core values, in addition to the applicable laws and regulations. These core values are captured in the "Code of conduct Public Matters". Every consultant is obliged to operate according to the letter and spirit of this code. The reputation of clients, stakeholders, the office and the profession is our main interest. According to the mission of Public Matters the core activities of the consultants consist of i) advising companies, government and industrial associations about which public affairs and lobby strategy/activities to follow, ii) influencing (results-oriented) of perceptions and decision making (directly and indirectly), iii) developing and maintaining networks with stakeholders.

1. Integrity

- The information offered to consultants of Public Matters will be kept confidential. Data which is provided by clients will only be made public with her or his permission. This is also the case for information provided by stakeholders.
- During meetings with stakeholders no financial compensation, products or services will be offered or accepted for (return) performances.

2. Transparent and independent

- Every (appearance of) conflict of interest will be avoided. Consultants do not accept assignments which are in conflict with the interest of existing clients. At reasonable doubt, the issue will be submitted to clients.
- Consultants of Public Matters provide information based on proper research, knowledge and (if possible) authentication. This information is submitted by verifiable and accessible sources and/or stakeholders.
- During meetings with stakeholders, the consultant mentions the reason for the meeting and on whose behalf the meeting takes place. No veiled questions will be asked; the meetings take place out in the open and by appointment.
- Consultants have a mediating role, not a representative role, during meetings with stakeholders on behalf of their clients.

3. Accurate and fast

- Relevant information will be made available in a comprehensible way to clients and stakeholders. Consultants of Public Matters operate on the basis of objective and comprehensive information, offering a realistic picture of the situation and the targets which can be realised. As a result, the quality of the advice will be guaranteed.

- A consultant is able to justify the hours really spent on working for their clients, so that they have a clear overview. This responsibility is part of the prior agreements made with the client.
- Advice is not only carefully established, but speedily so. To be able to respond to the developments in the public, political and administrative area, speed is essential. Speed and accuracy have to be in balance with each other.
- The consulting team of Public Matters is composed on the basis of a representative reflection of the social / political / commercial / administrative diversity. Consultants are generalist with respect to subjects and content, and specialists in (the process of) communication – and public affairs management. On the basis of this profile, the consultants should be able to formulate a strategy, to establish sectoral linkages and to signal trends.

4. Social responsibility

- Public Matters works on a for-profit basis for clients in various fields: government, business and trade organisations, in The Netherlands, Brussels and abroad. We work on the basis of differentiated rates.
- Public Matters counsels various socially-oriented organisations on a pro bono basis (i.e. free of charge).

(the end)



HANDVEST

1. Inleiding

Wat kunnen en mogen politici, ambtenaren en journalisten verwachten van leden van de Beroepsvereniging voor Public Affairs (BVPA) die het vak van Public Affairs uitoefenen? En waarop kunnen de leden van de beroepsvereniging elkaar aanspreken?

Het Handvest van de BVPA beschrijft het vakgebied van Public Affairs en verwoordt een aantal principes en regels die leden van de beroepsvereniging als uitgangspunt onderschrijven bij hun dagelijks werk. Het Handvest is op alle leden van toepassing - naleefbaar, openbaar en toetsbaar. Handvest en lidmaatschap van de BVPA zijn onlosmakelijk met elkaar verbonden.

Transparantie

Public Affairs is een vak dat volgens de beroepsvereniging in alle openheid bedreven wordt.

Met het Handvest maakt de beroepsvereniging duidelijk wat zij onder het vak van public affairs verstaat en welke 'waarden en normen' zij eraan verbindt. Aan duidelijkheid bestaat onmiskenbaar behoefte, gelet op de onwetendheid en het onbegrip over public affairs en/of over lobbyen dat onder vakgenoten en onder de doelgroepen te bespeuren valt.

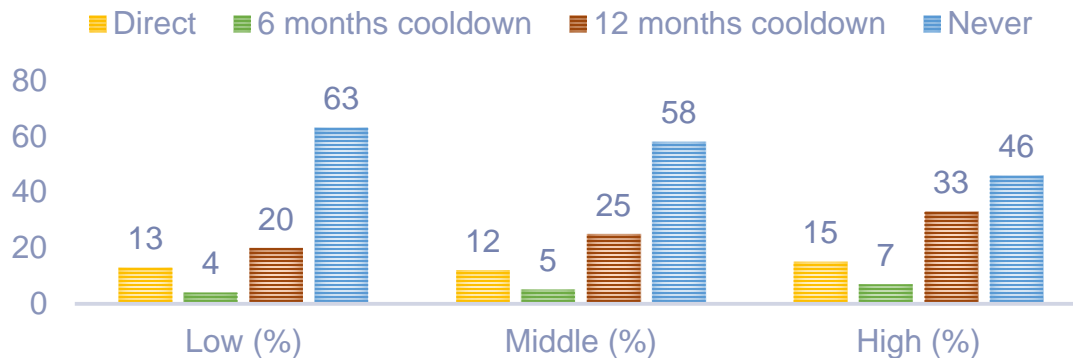
Het document is zowel een helder statement naar de buitenwereld als een bindend intern richtsnoer. Het Handvest heeft als een instrument voor de beroepsvereniging bij het ontwikkelen en professionaliseren van het PA vakgebied (een van de kerndoelen van de vereniging) een normerende functie.

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Extra facts & figures

WHEN SHOULD A FORMER POLITICIAN BE ABLE TO WORK AS LOBBYISTS?



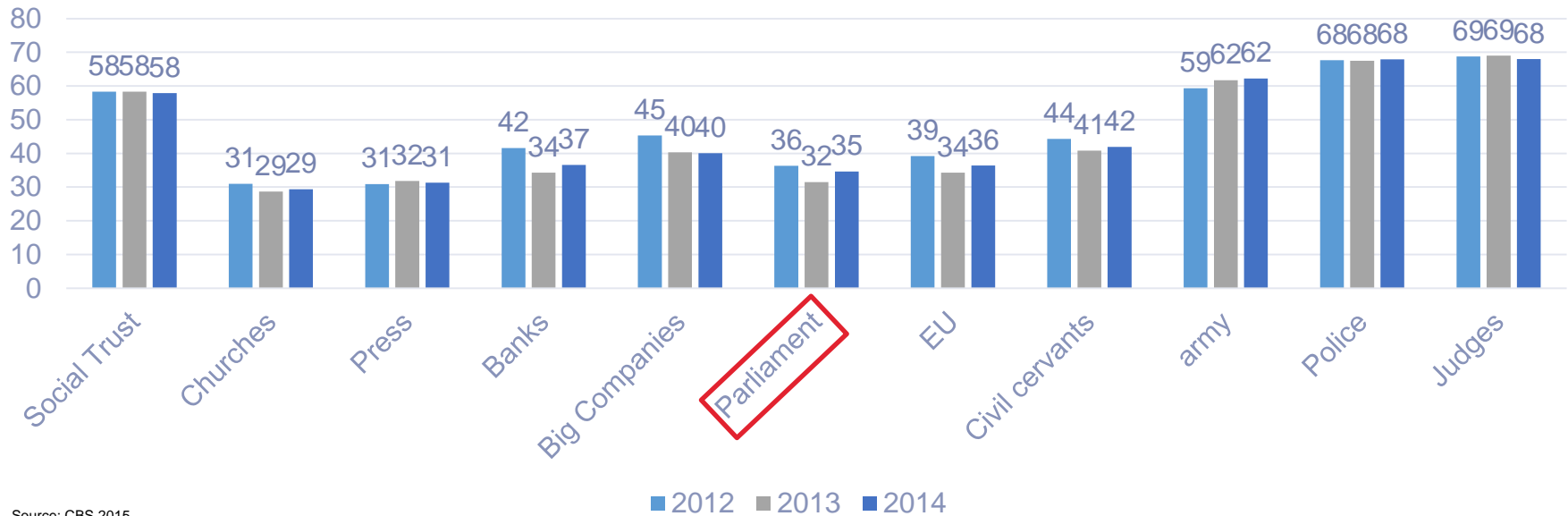
TRUST IN LOBBY PER SECTOR:



Source: Public Matters poll, performed by TNS NIPO (base: 643 Dutch adults), April 2015

Extra facts & figures

% people have trust in:



Source: CBS 2015

Concrete proposed actions in the (pvda) Initiative

Initiative "Lobby in Daylight"

Government

Parliament

Political parties

Lobbyists

(more) Transparent consultation-process

Lobby paragraph in laws & policy-proposals

Open agenda cabinet members

Cooldown period for cabinet members

Transparent decisions of supervisory bodies

Open & transparent about interests

Create more input opportunities for stakeholders

Open procedure political decision-making

Even access for all influencers & transparency lobbyists

Lobby paragraph election programs

No closed lobby register (EU)

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A 'Dutch' initiative: Network of EP's for transparency

- September 2 2014 first meeting in dialogue with NGO's
- On May 2 2016 a Plaque offered to EC vice-president Timmermans by a member of European Parliament (SP) Dennis de Jong (chairman of network for transparent EP)(May 2) with the words of activist Michael Moore:

'Openness, transparency; these are among the few weapons the citizenry has to protect itself from the powerful and the corrupt.'

- Same as the EP Secretary General in February 2016 already pledged to promote an transparent law-making process.



- They stating: "A Transparency register will only work when both EP and EC will be transparent about who tried to influence them in the law-making process. That's the only way 'we' can check the information lobbyists put in the Transparency register"