

Recommendation
of the Committee of Ministers
of the Council of Europe
on the legal regulation of lobbying activities
in the context of public decision making

(Adopted by the Committee of Ministers on 22 March 2017)

Council of Europe

- Established in 1947
- Based in Strasbourg, France
- International Organisation for Protection of Human Rights and the Rule of Law
- Members: 47 European Countries
- Bodies:
 - Committee of Ministers
 - Parliamentary Assembly
 - European Court of Human Rights
- Decisions are not Binding – Cannot make Laws

(Not related to European Union)

Background of the Recommendation

- 2010 Parliamentary Assembly calls for “honest lobbying ... so as to improve the public image of persons involved in [lobbying] activities” and for establishing a European Code on good conduct of Lobbying.
- Task undertaken by European Committee on Legal Co-operation
- Consultations with stakeholders
- 2017 Adoption of Recommendation

Structure of the Recommendation

- The Recommendation
- Appendix with the Guiding Principles on Devising Policy at National Level to Regulate Lobbying
- Explanatory Memorandum

Appendix to Recommendation

Guiding Principles on devising Policy at National
Level to regulate Lobbying

Definitions

- a) “**lobbying**” means promoting specific interests by communication with a public official as part of a structured and organised action aimed at influencing public decision making;
- b) “**lobbyist**” means any natural or legal person who engages in lobbying;
- c) “**public decision making**” means decision making within the legislative and executive branches, whether at national, regional or local level;
- d) “**public official**” means any person exercising a public function, whether elected, employed or otherwise, in the legislative or executive branches;
- e) “**legal regulation**” means statutory regulation, a system of self-regulation or a combination of both.

The Guiding Principles

- A. Objective of legal regulation
- B. Activities subject to legal regulation
- C. Freedom of expression, political activities and participation in public life
- D. Transparency
- E. Public registers of lobbyists
- F. Standards of ethical behaviour for lobbyists
- G. Sanctions
- H. Public sector integrity
- I. Oversight, advice and awareness
- J. Review

What is Recommended:

Recommends that governments of member States:

- establish or further strengthen, as the case may be, a coherent and comprehensive framework for the legal regulation of lobbying activities in the context of public decision making, in accordance with the guiding principles contained in the appendix hereto and in the light of their own national circumstances;
- ensure that this recommendation is translated and disseminated as widely as possible and more specifically among lobbying groups, business, trade unions, industry confederations, public bodies, regulatory authorities, civil society NGOs, politicians, academics.

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THANK YOU

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