



Brussels, 29th June 2016

Dear Vice President Timmermans,

We write to you about two important issues regarding the Commission's lobby transparency regime with a view to receiving your considered response.

The absence of law firms in the EU lobby register

At the recent consultation event held at the European Parliament on 2 May you asked to be shown "evidence that law firms though lobbying are not registering in the lobby transparency register". You will therefore be pleased to see our new analysis which identifies some major law firms with EU lobby operations that are not registered.

Examples include Hogan Lovells and Sidley Austin, to name just a couple. On its website Hogan Lovells boasts of its work in the field of "government relations and policy advocacy", including "lobbying the European Commission, European Parliament, and the EU Member States on behalf of a major U.S. trade association on EU REACH-related issues"¹. Sidley Austin presents itself as "a leader in helping companies, industry associations and governments navigate and shape EU rules"².

Our report details nine unregistered law firms with EU lobby operations. But we know that the problem is in fact more widespread and that it has been present since the inception of the register. Although it was much discussed during the last inter-institutional negotiations with the Parliament in 2013, the problem remains.

Law firms argue that their client confidentiality rules prevent them from disclosing their clients' names and details in the transparency register. However, the Council of Bars and Law Societies of Europe has expressed its view that law firms which lobby should register. Moreover the transparency register guidance for law firms is very explicit: if law firms lobby, they should register. But also, some law firms, including law firms from a variety of EU member states, do register and they do list their clients. The confidentiality argument thus appears to be a mere excuse, not a justification.

Many lobbying law firms continue to choose not to register, because the voluntary nature of the present EU lobby register enables them to do so. The Commission must put an end to this situation and introduce a legally-binding register with real sanctions for those who lobby without signing up.

We very much hope you will give careful consideration to the absence of lobbying law firms from the register, and that a legally-binding register will form the backbone of your imminent proposal for a new inter-institutional agreement with the other institutions.

The absence of AMISA2 from the Commission's online meeting lists

Recent work by Corporate Europe Observatory has exposed the lobby activities of an organisation called AMISA2 which holds monthly breakfast meetings, mostly with a speaker from one of the EU institutions, alongside its 17 corporate members which include ExxonMobil, Total, Dow and Google.³

At least five of these AMISA2 breakfast meetings have been held since December 2014 with top officials at the Commission who are [now required to publish all their lobby meetings](#). And yet, these meetings do not appear on the online meeting disclosure sites:

- 20 October 2015, Kristian Hedberg, Deputy Chef de Cabinet, Commissioner E. Bienkowska, "The Latest on Growth and Investment".
- 16 September 2015, Matthias Ruete, Director General, DG HOME, "Challenges for a European Agenda on Migration".
- 5 May 2015, Jos Delbeke, Director General, DG CLIMA, "What outcome should business expect from the COP21 Climate Change Conference in Paris later this year?".
- 22 April 2015, Marco Buti, Director General, DG ECFIN, "Has the European economy turned the corner? How to avoid another false dawn?".
- 24 March 2015, Renate Nikolay, Chef de Cabinet of Commissioner Vera Jourova, "Digital Single Market Contribution, Justice and Consumer Policy".

Such private gatherings of senior EU corporate lobbyists with top Commission officials to discuss important policy details, facilitated by an organisation funded by its corporate members, should clearly be proactively disclosed online. We would like to hear from you why they are not.

We further consider that such privileged access to the Commission and other senior EU decision-makers undermines President Juncker's promise that "all such contacts [with stakeholders] should be conducted with transparency and Members of the Commission should seek to ensure an appropriate balance and representativeness in the stakeholders they meet."

We look forward to your responses on both issues.

Yours sincerely,

ALTER-EU steering committee:

Helen Darbshire, Access Info Europe, Paul de Clerck, Friends of the Earth Europe, William Dinan, SpinWatch, Olivier Hoedeman, Corporate Europe Observatory, Nina Katzemich, LobbyControl, Jorgo Riss, Greenpeace European Unit, Yuklan Wong, European Federation of Journalists

¹ <http://www.hoganlovells.com/en/service/government-relations-and-policy-advocacy>, last accessed on 12 May 2016

² <http://www.sidley.com/en/locations/brussels>, last accessed 27 May 2016

³ <http://corporateeurope.org/power-lobbies/2016/05/lobbying-over-croissants-and-coffee>