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Siim Kallas  
European Commission  
B - 1049 Brussels

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### **The 'Campaign for Creativity' as a case for mandatory lobby disclosure**

Dear Mr Kallas,

As a contribution to the ongoing debate about how the European Transparency Initiative can best be shaped in order to ensure transparency and ethics in lobbying, we are writing to you about the increasing use of misleading tactics in attempts to influence European policy making. We have previously pointed to the different 'NGOs' and 'coalitions' established by public affairs firm Burson Marsteller on behalf of corporate clients (with transparency being too little, too late), but these practices are far from limited to this firm alone. The most recent example in case is the 'Campaign for Creativity', that lobbies MEPs on the software patents directive. The Parliament will take a crucial vote on this directive next week.

The 'Campaign for Creativity' (C4C) urges 'creative people' to send standard formatted emails to MEPs, it offers to arrange meetings with MEPs, and organises lobbying events at the European Parliament. In doing so, C4C claims to represent artists, writers, musicians and software developers. However, the way C4C portrays itself as a grassroots campaign with its base in the creative communities is misleading - both for MEPs as well as for potential supporters of the campaign visiting their website.

In reality, the campaign is orchestrated by Simon Gentry of the PR/Public Affairs firm Campbell Gentry, a fact that is not disclosed at the C4C website nor in other publications. The website also fails to disclose how the campaign is financed. The English website only states that C4C is "supported" by corporations including Microsoft and SAP and the industry association CompTIA, without clarifying what that means. The German and French websites lack even that information. When called up by LobbyControl, Simon Gentry refused to provide further information on the campaign's finances. He claimed that C4C has some hundred supporters, but these individual supporters do not contribute financially to the campaign. According to Gentry, the companies mentioned contribute to specific actions of the campaign, not on a fixed scheme.

Due to this lack of transparency, it remains unclear who the campaigns actually represents. Simon Gentry in the past used similar problematic tactics when lobbying for SmithKline Beecham in favour of the controversy stricken biotechnology patents directive.

The practice of PR/PA firms establishing "NGOs" or "grassroots campaigns" like C4C, in our opinion, is one of the many reasons that mandatory lobbying disclosure rules are needed: EU citizens and decision-makers must be enabled to judge who is trying to influence EU policy-making and on behalf of whom. Voluntary registers are unlikely to make lobbyists that engage in these problematic practices provide the needed transparency.

Mandatory disclosure and ethics rules, on the other hand, would effectively end most misleading practices and secure sufficiently high levels of transparency. Additional benefits include improved democracy, better informed decision-making and more trust in the European Union. Mandatory disclosure rules do not need to be burdensome or expensive. A modern internet-based registration and reporting system could be easily set up. Together with other groups from the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU), we look forward to contribute with specific recommendations to the European Transparency Initiative in the next few months.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Uli Mueller'.

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