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Ombudsman: Commission should improve accuracy and monitoring of the “Transparency Register”

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The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration.

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The European Ombudsman, P. Nikiforos Diamandouros, has called on the European Commission to follow the OECD principles for transparency and integrity in lobbying when revising the “Transparency Register”. This includes providing better guidance for companies and organisations which register themselves, so as to ensure that the information given is accurate. The NGO *Friends of the Earth Europe* had complained about the way the Commission dealt with allegedly inaccurate declarations made by two multinationals. The “Transparency Register” provides information about who is lobbying the EU institutions, which interests are being pursued, and the amounts invested in these activities.

Allegedly inaccurate information submitted by two multinationals

In 2008, the Commission launched a register for lobbyists, with an eye to making the EU’s decision-making process more transparent and to enable the public to know who is trying to influence EU decision-makers. In 2011, it was replaced by the “Transparency Register”, which is jointly operated by the Commission and the European Parliament. Around 5 600 companies, NGOs, and other lobbyists have registered so far. The register is currently under revision.

In 2010, *Friends of the Earth Europe* complained to the Commission that two multinational companies had seriously underreported their spending on EU lobbying activities. The NGO later turned to the Ombudsman alleging that the Commission had not dealt properly with its complaint and that it had refused access to all related documents.

The Commission’s view was that the complaint concerning the companies’ declarations was unfounded and that it had given the widest possible access to the documents in question.

After investigating the case, the Ombudsman found that the Commission had done all in its power to investigate the complaints and that its conclusions were reasonable. However, he criticised the Commission’s failure adequately to explain to the NGO the reasons for rejecting its arguments. The Ombudsman called on the Commission fully to take into account the OECD principles for transparency and integrity in lobbying, when revising the register. This entails not only providing better guidance for companies or organisations registering, but also improving the monitoring and comparability of data in the register.

The Ombudsman further criticised the way the Commission dealt with the access to documents request. He also recommended that the Commission systematically inform lobbyists and other interest representatives it meets about its intention to release their names, should requests for public access be made about their lobbying activities.

The Ombudsman’s full decision in this case is available at:
<http://www.ombudsman.europa.eu/en/cases/decision.faces/en/50729/html.bookmark>