

Fact Sheet Lobby Register

1. What is a lobby register?

- A lobby register is a publicly accessible database in which all lobbyists provide information on the clients, funding and objectives of the lobbying activities.
- The lobby register creates transparency in the representation of political interest: Who tries to influence laws and political decisions, on whose behalf and by what means? Covert influence on political decisions is thus made more difficult.
- A lobby register law will establish clear and binding rules for all lobby actors. A lobby register does not prevent the legitimate, and for good political decisions necessary, exchange between politics and social and economic interest groups. But it also creates a framework to prevent the few who try, through special access or illegitimate methods, to gain advantages at the expense of the general public.

2. What is a „legislative footprint“?

- A useful addition to a lobby register is a "legislative footprint". It traces who was actually involved in the creation of a specific law.
- For this purpose, the authorities, for example a ministry, must publicly document this: Which actors were spoken with? What formal and informal comments have been received? And what are their contents?
- This information is also helpful for the members of the Bundestag. They can then better assess the background of a draft law of the Federal Government before they are to vote on it in parliament. For example, it becomes visible when officials in the Ministry of Finance exchange information exclusively with banks and their associations before voting on a law about bank regulations. Or even if draft laws were in some parts copied from lobbyists' proposals.

3. Does the list of associations of the Bundestag not provide sufficient transparency?

Occasionally politicians refer to the so-called list of associations of the German Bundestag. Some speak of a "lobby register". This is misleading, because the list of associations provides little transparency about lobbyists:

- a) The registration is voluntary.
- b) It is open to some lobby actors - namely associations. Agencies, law firms and corporations couldn't even sign up if they wanted to.
- c) The details are hardly more meaningful than a telephone book: they essentially only contain names, addresses and telephone numbers of the associations.

4. Who should register and who should not?

- The entry in the lobby register should be obligatory for all those who are organised and represent interests upon request to the Bundestag and federal government.
- Citizens or small craft businesses who address their members of parliament are of course not affected.
- All actors who are in direct contact with politicians are recorded: companies, trade associations, trade unions, lobbying service providers (agencies, law firms, independent individual lobbyists), foundations and also NGOs such as Mehr Demokratie or LobbyControl.

5. What is the situation in other countries?

- France and Ireland have long introduced lobby registers that are quite impressive.

- The EU transparency register has also been in place at the European level for some years now. However, the EU register is only voluntary, yet many German associations, companies and organisations are also included.
- Canada and the USA, the motherland of lobbying, have had lobby registers for a very long time.

6. Frequent arguments against a lobby register

a) "A lobby register hinders members of parliament in their work. Their free mandate would be restricted. No one could want "glass congressmen".

- The aim of a lobby register is not to have members of parliament publish their appointments and discussions. In fact, the lobby register does not directly affect them at all.
- Only lobbyists have to register and provide information. The purpose of the lobby register is to record who is a lobbyist, who commissions and finances whom, with what budget and what goal. This has nothing to do with the disclosure of individual conversations or lobbying contacts.
- Within the framework of a "legislative footprint", however, it would be advisable to document lobby contacts, provided that they relate to a specific legislative project. That's exactly how the European Parliament has been working since last year.

b) "A lobby register would hinder the exchange between members of parliament, their voters* and citizens or would make it more difficult in general."

- This is wrong. Of course, a lobby register does not apply to citizens* who, on their own behalf, contact members of parliament.
- A precise definition of "lobbyist" in the Lobby Register Act is a prerequisite for this. A lobby register is intended to cover professional representation of interests.
- Associations or companies from the constituency generally do not fall into this category. For a clear delimitation, it is useful to define temporal and financial thresholds within which there is no registration requirement.

c) "This causes high costs and bureaucracy!"

- You can't get a lobby register for free. To set up and maintain the database you need a public authority. The effort involved is limited, as it is an online portal where lobbyists enter their data themselves.
- A transparent democracy and clear rules for lobbying must be worth something to us. Also on the side of the lobbyists* there is no great effort required. The data that is to be entered is available internally anyway.
- Experience with the lobby register in Brussels shows that German companies and associations can also fulfill the requirements without any problems.

d) "What's with all this data, nobody's looking at it anyway!"

- Most people will not research lobby transparency databases on a daily basis. But that's not what it's all about: the central aspect is that the data is available.
- Journalists, NGOs, but also politicians and their employees can use the data, in case of doubt, to look up: Who is behind this initiative? What clients does Lobby Agency XY have? The data serves research in individual cases. They show connections and networks. The lobby register obligates transparency and thus prevents hidden influence. This has added societal value, even if not all data is interesting at all times.