

Anastasiia Trofymenko, PhD in Political Science

Dmytro Lubinets

Mariupol State University, Ukraine

LOBBYING IN THE EUROPEAN UNION: SUPRANATIONAL LEVEL OF LEGAL REGULATION AND FUNCTIONING

The article deals with the basic prerequisites and features of the establishment and functioning of lobbying within the European Union, where the first attempt was made to regulate this activity at a supranational level through the development of legal frameworks for lobbying. The authors presented a theoretical background of lobbying regulations by highlighting two key lobbying regulation models: American one (Anglo-Saxon) and Continental one (European). It is stated that despite the fundamental differences, they tend to converge. The article provides analysis of the legal framework for lobbying in the EU, which is today defined by the Interinstitutional Agreement between the European Parliament and the European Commission in 2011, recaps the requirements for the registration of lobbyists, the features of control over lobbying activities, and draws attention to the shortcomings of the European regulatory model. Based on the analysis of the subjects, objects, subject matter and lobbying methods, the main features of its functioning at the supranational level in the EU are identified.

Keywords: lobbying, European Union, legal regulation, Interinstitutional Agreement (IIA), Code of Conduct, EU's transparency register, Joint Transparency Register Secretariat (JTRS).

Introduction

In the modern world, lobbying is an integral part of any political system that has a significant impact on the political process and socio-economic life of the state. Lobbying serves as an important multichannel mechanism of communication between public authorities and society. It ensures the adjustment of public interests, as well as open and transparent political decision-making process, and hampers corruption. The institutionalization of lobbying is one of the urgent issues of the state political system democratization, civil society formation and corruption risks prevention.

Rapid leaps of European integration, establishment of supranational decision-making centres on the European continent, which regulate the growing range of internal socio-economic life of the member states, have made Brussels the second lobby centre in the world after Washington. EU authorities have been at the centre of influence from a variety of interest groups, including major global transnational corporations, manufacturing and services companies associations, trade unions, ethnic groups, human rights NGOs, pacifist and anti-global movements, environmental associations, etc. This made it necessary to develop the legal framework for lobbying in the EU, which was the first attempt to regulate this activity at a supranational level.

Theoretical background of lobbying regulations

Lobbying is one of the most important social and political institutions in modern democratic political systems, though today there is no single scientific interpretation of the concept of "lobbying". The terms "lobbyism" and "lobbying" have a long history and acquired political connotation at the close of the eighteenth century in the United States of America. The first amendment to the US Constitution, which declares the right of citizens to petition the government, laid the first groundwork for developing the phenomenon through a system of legal rules. In 1808, the word "lobby" was first recorded in the protocols of the US Congress. This notion referred to a place where interested persons had the opportunity to convey their position to members of the House of Representatives and Senators¹.

Lobbying is broadly understood as any activity of citizens, public groups, business associations, parties and other organized associations aimed at state authorities in order to promote their own interests.

¹ Трофименко, А.В. (2014). Концептуальні підходи до розуміння лобізму. *Вісник Маріупольського державного університету, серія: Історія. Політологія*, 10, 112.

In order to improve the efficiency of this field and strengthen democratic principles, countries are taking the route of legislative consolidation of regulatory requirements for lobbyists. However, the ways in which these requirements are formulated differ among states. Modern scientific literature offers two lobbying regulation models in the law-making process: American (Anglo-Saxon, classical) and Continental (European).

The main feature of these models is the existence of a separate law on lobbying that establishes the procedure for registering and accountability of lobbyists. Laws on lobbying in countries with the American model regulate the activities of lobbyists, require mandatory registration of lobby groups, reports on salaries, current expenses, and sources of funding are determined through the legal framework for lobbying in the state. Unlike the American model, the Continental one does not impose strict requirements on lobbyists, but the legal framework of these states sets legal restrictions mainly for officials in relations with members of the public, and also adopts separate codes of conduct for them. Both models are also characterized by self-regulation of lobbying. These states have various lobbyist associations that establish their own rules of ethical behaviour spelled out in codes¹.

It should be noted that despite fundamental differences, converging of the American and European models of legal regulation of lobbying tends to take place. In certain countries with European model of regulation, lobbyist registration systems are introduced (Great Britain, France). Moreover, globalization and the increasing influence of multinational companies make us consider installing a full-fledged American-style lobbying legislation in traditionally corporate countries, along with specific group representation of interests. Scenarios for strengthening the role of corporatist mechanisms in countries with the American lobbying legal regulation model are not excluded.

Establishing the legal framework for lobbying in the European Union

The lobbyists' interest in EU structures as objects of influence is reasoned by the fact that about 80% of national laws originate in Brussels institutions. At the present stage, the EU has jurisdiction over such areas as consumption and social policy, environmental policy, agricultural policy, trade, communications, energy, media, and so much more. All this generates requests for information for decision-making and grants more opportunities for interest groups to influence EU institutions².

The impetus for starting lobbying at the EU level was the adoption of the Common market program in 1987. The formation of modern European lobbying began in the early 1990s, when the EU faced a boom in economic lobbying. At that time, an informal decision was made to initiate industrial forums with limited access, in particular telecommunications and pharmaceuticals, which were created by EU Commissioner Martin Bangemann. Finally, in 1997, about 3,500 lobbyists worked in Brussels, with small firms starting joining specialized associations in order to facilitate access to power centres³.

Such a considerable interest of interest groups in influencing the supranational bodies of the EU has led them to search for legal tools for legislative and public control over lobbying. The problem of legal restrictions on lobbying was first raised in the early 1990s by Mark Halle, the Belgian MP, who prepared a report with a proposal to introduce a code of conduct, define closed zones in the buildings of the European Parliament, register lobbyists, and disclose their income to parliamentarians. However, his report was not considered by the European Parliament mainly for political reasons. In 1992, the document "Open constructive dialogue between the European Commission and individual interest groups" which called on lobbyists to self-regulate was published⁴.

The next step was the creation in 1995 of their own lobbyist registers separately in the European Commission and the European Parliament, and since 2011, the EU's joint transparency register has been functioning. The purpose of the register is to provide public disclosure of the information about those who try to interact with the EU institutions. Registration is voluntary but may also be necessary to obtain certain types

¹ Нестерович, В.Ф. (2009). Типологія лобіювання у контексті сучасних політико-правових трансформацій. *Вибори та демократія*, 4(22), 39.

² Белоусов, А.Б. (2014). Лоббизм в Европейском Союзе: корпорации vs НКО. *Научный ежегодник Института философии и права Уральского отделения Российской академии наук*, 14, 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropeyskom-soyuze-korporatsii-vs-nko>> (2019, August, 12).

³ Белоусов, А.Б. (2014). Лоббизм в Европейском Союзе: корпорации vs НКО. *Научный ежегодник Института философии и права Уральского отделения Российской академии наук*, 14, 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropeyskom-soyuze-korporatsii-vs-nko>> (2019, August, 12).

⁴ Курчевска, У. (2002). Лоббизм в Европейском Союзе. *Европа: журнал польского института международных дел*, 2, 3(4), 119-150. <<http://www.lobbyists.ru/eu/2.pdf>> (2019, December, 12).

of access. For example, if one wants to deliver a speech at a public hearing organized by a parliamentary committee, one needs to register to do so¹. Incentives for registration also include allowing registered members to access the European Parliament premises, allowing them to meet with EU commissioners or members of their offices, receiving lists of expert group members, and reports of public consultations on issues of interest².

This register is based on the 2011 Interinstitutional Agreement (IIA) between the European Parliament and the European Commission, which sets out the rules and principles of lobbying in the EU, including the code of conduct. The register covers all activities carried out for the purpose of directly or indirectly influencing the formulation and implementation of policies and decision-making processes by the EU institutions, regardless of the channel or means of communication. Lobbyists include organizations and individuals, regardless of their legal status and location. Under the agreement, registration is not required in case of providing certain legal and professional advice, carrying out activities of social groups as participants in social dialogue, making requests for factual information, data or expertise. Churches and religious communities, political parties, third-country governments, international intergovernmental organizations and their diplomatic missions are not to be registered³.

Lobbyist to be registered are classified into the following six categories:

1. Professional consultancies/law firms/self-employed consultants.
2. In-house lobbyists and trade/business professional associations.
3. Non-governmental organization.
4. Think tanks, research and academic institutes.
5. Organizations representing churches and religious communities.
6. Organizations representing local, regional, and municipal authorities, other public or mixed entities, etc.⁴.

During registration, one must provide the following information: 1) name and contact information, 2) legal status, 3) person responsible for relations with the EU, 4) goals / objectives, 5) specific activities, 6) number of persons involved in lobbying activities, 7) participation in EU structures and platforms, 8) persons accredited in the EU Parliament, 9) areas of interest, 10) membership of the organization, 11) financial assessment of lobbying costs, 12) lobbying services (for lobby firms), 13) information about clients (for lobby firms), 14) funding received from the EU, 15) breakdown of the amount and funding sources (for non-governmental organizations and think tanks). Registrants must update their data at least once a year. If they fail to do so, registration may be suspended⁵.

The EU transparency register supplements the adopted Code of conduct which is contained in Appendix 3 to the Interinstitutional Agreement of 2014. The code establishes rules for all who register as well as basic principles and standards of conduct in all relations with EU institutions, including the following: one must always represent oneself by name and registration number as well as by name and registration number of entities or organizations whose interests are represented; one must declare interests; one must not obtain or attempt to obtain information or a decision dishonestly or using excessive pressure or inappropriate behaviour; one must not provide false information in the register; one must not use logos of EU institutions without special permission; one must not sell copies of documents received from EU institutions to third parties; one must not encourage employees of EU institutions to violate the rules and standards of

¹ Transparency register: who is lobbying the EU? (infographic). *European Parliament*.

<<http://www.europarl.europa.eu/news/en/headlines/eu-affairs/20180108STO91215/transparency-register-who-is-lobbying-the-eu-infographic>> (2019, December, 12).

² Bauer, E., Thiel, M., Vlad, I. (2018). New lobbying law in France. *European Parliament. Transparency Unit, Directorate-General for the Presidency*. <[http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI\(2018\)625104_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI(2018)625104_EN.pdf)> (2019, August, 06).

³ Bauer, E., Thiel, M., Vlad, I. (2018). New lobbying law in France. *European Parliament. Transparency Unit, Directorate-General for the Presidency*. <[http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI\(2018\)625104_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI(2018)625104_EN.pdf)> (2019, August, 06).

⁴ Transparency register: who is lobbying the EU? (infographic). *European Parliament*.

<<http://www.europarl.europa.eu/news/en/headlines/eu-affairs/20180108STO91215/transparency-register-who-is-lobbying-the-eu-infographic>> (2019, December, 12).

⁵ Bauer, E., Thiel, M., Vlad, I. (2018). New lobbying law in France. *European Parliament. Transparency Unit, Directorate-General for the Presidency*. <[http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI\(2018\)625104_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI(2018)625104_EN.pdf)> (2019, August, 06).

conduct applied to them; one must inform one's clients ' obligations to EU institutions¹.

The EU transparency register is maintained by the Joint Transparency Register Secretariat (JTRS), consisting of officials of the Parliament and the Commission. Should one fail to comply with the Code of conduct, the Joint Secretariat must conduct an investigation and may impose certain sanctions on registrars, which may include removal from the register and deprivation of incentives associated with it. A more serious violation of The code of conduct may result in the suspension of registration for 1-2 years, and in the most serious case, in publication of the exclusion decision on the registry's website².

Public oversight of lobbyists and officials is complementary to the regulation of lobbying. The EU has a developed practice of funding various non-governmental organizations that specialize in corruption monitoring, for example, the Alliance for Lobbying Transparency and Ethnic Regulation which deals exclusively with lobbying, monitors the transition of former EU officials and MPs to work in lobbying firms³. Alter EU is a coalition of more than 200 community groups and trade unions which are concerned about the growing influence of corporate lobbyists on the political agenda in Europe as well as the postponement and weakening of progress in social, environmental and consumer protection reforms. The organization requires strengthening lobbying legislation in the EU (mandatory registration, strengthening ethical rules), stricter requirements of the Code of conduct for employees of the European Commission (registering their formal and informal meetings), terminating corporate lobbyists' privileged access from the European Commission, closing the "revolving doors"⁴.

The biggest criticism in European society is caused by the voluntary nature of lobbyists' registration as it does not give a complete image of lobbying in the EU. For example, according to the non-governmental organization Alter EU, there are at least 120 unregistered lobbying groups in Brussels, including lobbyists representing major companies such as Apple, Disney, Tie Warner, and Deutsche Bank. Besides, in 2011, reports from almost 50 campaigns indicated that less than one Euro was spent on lobbying⁵. A 2018 study conducted by the non-governmental organization Leiden International Review also draws attention to the fact that, despite the large number of registrations (more than 11 thousand), many active lobby firms based in Brussels are missing from the register. Among registered lobbyists, 27% are represented by companies, 24% – by lobbying firms, and 41% are non-governmental organizations. At the same time, lobbying firms do not disclose information about their clients during registration on the pretext of confidentiality, and about half of non-governmental organizations are funded by EU institutions, which causes a conflict of interests⁶.

In response, negotiations between the Parliament, the European Commission and the Council on creating a mandatory register that would include information about lobbyists in all three institutions have recently intensified. This mandatory register is planned to be introduced in the nearest future⁷.

These features of the legal framework for regulating and operating lobbying in the EU at the supranational level differ from the national practices of the member states. EU member states have different approaches to regulating lobbying. Of the 28 EU member states, only 16 countries have adopted individual rules and regulations on lobbying. Seven of them have chosen the American model of regulation by adopting a separate law in this area (Great Britain, Ireland, France, Austria, Lithuania, Poland, Slovenia); the other

¹ Code of Conduct. *Transparency Register of the EU*. <http://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do;TRPUBLICID-prod=xu66VHLj8V9beSA4_hqWMQNzXHxKdO2vNCtoTTXEQRpG3PasTCaI!-650585841?locale=en&reference=CODE_OF_CONDUCT> (2019, October, 18).

² Bauer, E., Thiel, M., Vlad, I. (2018). New lobbying law in France. *European Parliament. Transparency Unit, Directorate-General for the Presidency*. <[http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI\(2018\)625104_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI(2018)625104_EN.pdf)> (2019, August, 06).

³ Белоусов, А.Б. (2014). Лоббизм в Европейском Союзе: корпорации vs НКО. *Научный ежегодник Института философии и права Уральского отделения Российской академии наук*, 14, 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropeyskom-soyuze-korporatsii-vs-nko>> (2019, August, 12).

⁴ ALTER-EU Coalition official web-site. <<https://www.alter-eu.org>> (2019, November, 28).

⁵ Белоусов, А.Б. (2014) Лоббизм в Европейском Союзе: корпорации vs НКО. *Научный ежегодник Института философии и права Уральского отделения Российской академии наук*, 14, 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropeyskom-soyuze-korporatsii-vs-nko>> (2019, August, 12).

⁶ Finally, Making Mandatory a Register for Corporate Lobby Groups in the EU. *Leiden International Review 2018*. <<https://www.leideninternationalreview.com/2018/03/30/finally-making-mandatory-a-register-for-corporate-lobby-groups-in-the-eu>> (2019, August, 06).

⁷ EU lobbyist register: "People have the right to expect transparency". *European Parliament*. <<http://www.europarl.europa.eu/news/en/headlines/eu-affairs/20180522STO04013/eu-lobbyist-register-people-are-entitled-to-transparency>> (2019, December, 12).

9 countries are characterized by self-regulation of lobbyists and soft control mechanisms of the continental model (Germany, Italy, Spain, the Netherlands, Finland, Czech Republic, Croatia, Latvia, Romania). The other 12 member states do not have neither separate legislation, or codes of conduct, or registers of lobbyists (the lobbying legislation and the Hungarian register adopted in 2006 were repealed in 2011 for their inefficiency)¹.

Subject-object determination of lobbying in the EU

Despite the soft legal regulation of lobbying activities, today, lobbying in Brussels is a separate industry that totals billions of euros. According to the Corporate Europe Observatory (CEO) (one of the leading non-governmental organizations in the EU that monitors lobbying), there are at least 30,000 lobbyists in Brussels who influence 75% of the legislation. They provide policy makers with information and arguments during decision-making, explain their problems, and send suggestions as for alterations introduced into legislative proposals².

However, the number of registered lobbyists is three times less than the specified volumes, although it continues to grow. If in 2012 the number of registered lobbyists amounted to 5.4 thousand of entities, in 2018 this figure included almost 12 thousand. The annual increase in registrations in 2017 made up more than 6%, however in 2018 it was only 2,4 %³.

Among the six categories of lobbyists according to which registration is made, in-house lobbyists and trade/business/professional associations predominate, their number was 50.09% (5 962 registrations), in second place there were non-governmental organizations (26.54% – 3 159 registrations), professional consultancies/law firms/self-employed consultants made up 10.17 % (1 211 registrations), think tanks, research and academic institutions – 7.76 % (924 registrations), organisations representing local, regional and municipal authorities, etc. – 4.96 % (591 registrations), the lowest number among all categories had organizations representing churches and religious communities (0.45% -54 registration)⁴.

The register is dominated by representatives of interests with a head office registered in the EU, they account for over 90 % of all registrations. The top ten states whose residents are registered as lobbyists in the EU include two non-member countries: the United States and Switzerland. The register includes individuals and organizations from all EU member states, with half of them registered in one of the four countries: Belgium, Germany, the United Kingdom and France⁵. Lobbyists from non-EU European countries account for 3.84%, North America for 3.62%, Asia and the Middle East for 0.97%, Africa for 0.38%, Latin America and the Caribbean for 0.25%, and Oceania for 0.15%⁶.

According to the 2017 register, the largest group is made up of lobbyists who spent less than 100 thousand euros on lobbying activities – 74.03% of all registrations, 23.67% spent from 100 thousand to 1 million euros, and only 2.3% spent more than 1 million euros⁷.

First of all, the European Commission and the European Parliament stand out as objects of lobbying among European policy-makers. The European Commission stands out as the body entitled to initiate the piece of legislation, whereas the European Parliament stands out as the body that gives those pieces

¹ Grosek, K., Claros, E. (2016) Regulation of Lobbying across the EU. Infographic.

<http://www.europarl.europa.eu/RegData/etudes/ATAG/2016/595830/EPRS_ATA%282016%29595830_EN.pdf> (2019, August, 11).

² Traynor, I. (2014) 30,000 lobbyists and counting: is Brussels under corporate sway? *The Guardian*.

<<https://www.theguardian.com/world/2014/may/08/lobbyists-european-parliament-brussels-corporate>> (2019, August, 06).

³ Annual Report on the operations of the Transparency Register 2018. *The European Parliament and the European Commission*. <https://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do?locale=en&reference=ANNUAL_REPORT> (2019, December, 12).

⁴ Annual Report on the operations of the Transparency Register 2018. *The European Parliament and the European Commission*. <https://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do?locale=en&reference=ANNUAL_REPORT> (2019, December, 12).

⁵ Annual Report on the operations of the Transparency Register 2018. *The European Parliament and the European Commission*. <https://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do?locale=en&reference=ANNUAL_REPORT> (2019, December, 12).

⁶ Transparency register: who is lobbying the EU? (infographic). *European Parliament*.

<<http://www.europarl.europa.eu/news/en/headlines/eu-affairs/20180108STO91215/transparency-register-who-is-lobbying-the-eu-infographic>> (2019, December, 12).

⁷ Transparency register: who is lobbying the EU? (infographic). *European Parliament*.

<<http://www.europarl.europa.eu/news/en/headlines/eu-affairs/20180108STO91215/transparency-register-who-is-lobbying-the-eu-infographic>> (2019, December, 12).

legislative power. The EU Council and the European Council are less attractive to lobbyists. In addition, there are so-called non-institutional bodies, such as the European Economic and Social Committee and the Committee of the Regions. Lobbyists have access to the European Commission through Directorates General, each of which is associated with certain lobbying groups that seek to establish long-term relationships with the directorates and maintain constant communication. Committees and expert groups the vast majority of which are created by the European Commission act as individual objects of lobbying. They are classified into scientific committees, social dialogue committees, and advisory committees that are the most attractive for lobbyists. This is where officials interact with experts and interest groups. Unlike the top-down lobbying strategy, the bottom-up strategy is considered to be one of the efficient lobbying strategies of the European Commission.

The most active groups in the European Parliament are public interest groups that specialize in protecting the environment as well as social and industrial rights. This is due to the fact that such interests are closer to the voters who choose MEPs.

The EU Council and the European Commission have a legislative initiative, but are the least accessible to lobbyists among all EU institutions. But ministers often maintain contacts with lobbying groups from their countries, which opens up certain opportunities to influence decisions of the EU Council¹.

The scopes of interest being promoted cover almost all areas of EU policy, including the following: environmental protection, research and technology, internal market regulation, energy, economic and financial affairs, trade, consumer issues, information society, education, labour and social issues, health care, transport, justice and fundamental rights, taxation, trans-European relations, agriculture, EU foreign policy, culture, security and defence policy, budget, humanitarian aid, EU enlargement, youth and sports issues, etc².

Efficiency analysis of in-house corporate lobbyists and non-governmental organizations in different sectors demonstrates that chemical, transport and energy corporations are observed to make significant investments in lobbying their own interests; they are considered to be efficient lobbyists in the EU. There is also efficient lobbying by non-governmental organizations in the field of transport and chemistry. Experts attribute their success in lobbying to the fact that they are least expected to make unethical proposals. At the same time, corporations significantly outperform non-governmental organizations in such areas as energy, finance, power supply and electronics, defence and aerospace industry. Less effective corporate lobbyists are observed to be in pharmaceuticals and medicine as well as in IT and telecommunications. NGOs succeed the most in the field of food and consumer goods. This reflects the debate in the EU about obesity, nutrition, and the health benefits of food³.

The tobacco and agricultural industries have traditionally been among the leading fields represented by lobbyists in the EU. The amount of resources that the tobacco and agricultural industries attract for lobbying puts them among the most active representatives of interests. According to the Eurocratic online publishing house, the tobacco company Philip Morris International spent 5.25 billion euros on lobbying in the EU in 2013, more than any other company that year. Agriculture is also an attractive field for lobbyists in the EU through one of the EU's most expensive programs – The EU's Common Agricultural Policy which provides direct payments to farmers and accounts for 40 percent of the budget. In 2012, the number of lobbyists from agribusiness in the register was four times more than lobbyists in other fields, and given the voluntary nature of registration, this number may be higher. According to the Corporate Europe Observatory, food multinational enterprises, agricultural manufacturers, and seed manufacturers had more contact with the Commission's Trade Department than the pharmaceutical, chemical, financial, and automobile industries combined. Agribusiness and the food sector supported and lobbied for the adoption of the Transatlantic Trade

¹ Белоусов, А.Б. (2014). Лоббизм в Европейском Союзе: корпорации vs НКО. *Научный ежегодник Института философии и права Уральского отделения Российской академии наук*, 14, 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropeyskom-soyuze-korporatsii-vs-nko>> (2019, August, 12).

² Transparency register: who is lobbying the EU? (infographic). *European Parliament*. <<http://www.europarl.europa.eu/news/en/headlines/eu-affairs/20180108STO91215/transparency-register-who-is-lobbying-the-eu-infographic>> (2019, December, 12).

³ Белоусов, А.Б. (2014). Лоббизм в Европейском Союзе: корпорации vs НКО. *Научный ежегодник Института философии и права Уральского отделения Российской академии наук*, 14, 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropeyskom-soyuze-korporatsii-vs-nko>> (2019, August, 12).

and Investment Partnership¹.

Development of European industry organizations, which was a reaction to the lobbying workload in Brussels, is one of the main peculiarities of lobbying functioning of in the EU. The European Commission prefers interaction with pan-European interest groups rather than with groups of individual states. As far back as the late 1990s, there was a tendency to transfer policy development to groups specializing on specific business problems. Since then, the EU has been active in the Transatlantic Business Dialogue (since 1995), which brought together major corporations in Europe and the United States, and the European Round Table, which included 46 chief officers of major European companies².

Today, the European Federation of Pharmaceutical Industry Associations is one of the most influential organizations. Dynamic lobbying activities are carried out by the Committee of Agricultural Organizations in the EU, the Union of Industrial and Employer's Confederation of Europe, the Association of European Professional Chambers of Commerce and Industry, the European round table, EU Committee of American Chamber of Commerce, the European Trade Union Confederation and numerous European associations of small and medium-sized entrepreneurs³.

Lobbying by non-governmental organizations, in turn, can be traced to the four main categories: environmental protection, consumer interests, regional interests, and the interests of various communities (women, youth, sports, etc). Among environmental advocates, one can distinguish lobbying activities of the European Environment Agency, Greenpeace, the Worldwide Fund for Nature; among consumers: the European Consumers Union, the Confederation of Family Organization, the European Community of Consumer Cooperatives (EUROCOOP), the Consumer' Interregional European Institute, Eurocommerce, etc. The biggest organizations representing regional interests are the Assembly of European regions and the Council of European municipalities and regions, which compete with each other, as well as EUROCITIES, the European local Authorities research and study centre, FOUR MOTORS, etc.

Organizations of various societies are weaker comparing with other lobby groups in the EU, they are less mobilized, their transnational connections are weak but in some cases they demonstrate efficient lobbying, for example, the European Women's Lobby has achieved the inclusion of clauses on gender equality in the Treaty of Amsterdam⁴.

Conclusion

The legal framework for lobbying in the European Union is based on the continental model which implies a soft regulation type of this activity. Within the EU, there is no specific legislation in this field but there are rules and principles of lobbying activities established by the Interinstitutional Agreement concluded by the European Parliament and the European Commission in 2011 which establishes a voluntary register of lobbyists and a code of conduct containing ethical standards for lobbying. The EU is also characterized by public control over lobbying as well as and the developed practice of funding non-governmental organizations by EU structures specializing in monitoring transparency of the political process. The main source for criticism of the main requirements for lobbyists is the voluntary registration which reduces the efficiency of control over lobbyists. However, the transformation of lobbying regulation in the EU tends to strengthen control over lobbyists, moving from a soft to a hard way of regulation.

The operation of the lobbying institute in the EU also has a number of characteristics, including the following: upward trend in the number of lobbyists, the advantage of in-house lobbyists over the advising lobbyists, the central place of the European Parliament and the European Commission as impact agents, wide geographical coverage of the lobbying subjects that represent the interests of all regions of the world with the overwhelming majority of institutions registered in the EU, development of the European industry organizations as subjects of lobby activities uniting the interests of big European companies in various fields of the economy, dominance among public interests in such fields as environmental protection, consumer

¹ Chambers, A. (2016). The Lobbying of the EU. How to achieve greater transparency. *Civitas: Institute for the Study of Civil Society*. <<http://www.civitas.org.uk/content/files/Anthony-Chambers-EU-lobbying.pdf>> (2019, August, 06).

² Белоусов, А.Б. (2014). Лоббизм в Европейском Союзе: корпорации vs НКО. *Научный ежегодник Института философии и права Уральского отделения Российской академии наук*, 14, 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropeyskom-soyuze-korporatsii-vs-nko>> (2019, August, 12).

³ Курчевска, У. (2002). Лоббизм в Европейском Союзе. *Европа: журнал польского института международных дел*, 2, 3(4), 119-150. <<http://www.lobbyists.ru/eu/2.pdf>> (2019, December, 12).

⁴ Белоусов, А.Б. (2014). Лоббизм в Европейском Союзе: корпорации vs НКО. *Научный ежегодник Института философии и права Уральского отделения Российской академии наук*, 14, 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropeyskom-soyuze-korporatsii-vs-nko>> (2019, August, 12).

interests, regional interests and interests of communities (women, youth, sport, etc.), disbalanced influence of industrial and public interests.

References:

1. Belousov, A.B. (2014). Lobbizm v Evropejskom Sojuze: korporacii vs NKO [Lobbying in the European Union: corporations vs NPOs]. *Nauchnyj ezhegodnik Instituta filosofii i prava Ural'skogo otdelenija Rossijskoj akademii nauk* [Scientific Yearbook of the Institute of Philosophy and Law of the Ural Branch of the Russian Academy of Sciences], vol. 14, no. 3, 103-118. <<https://cyberleninka.ru/article/v/lobbizm-v-evropejskom-soyuze-korporatsii-vs-nko>> (2019, August, 12). [in Russian].
2. Kurchevska, U. (2002). Lobbizm v Evropejskom Sojuze [Lobbyism in the European Union]. *Evropa: zhurnal pol'skogo instituta mezhdunarodnyh del* [Europe: Journal of the Polish Institute of International Affairs], vol. 2, no 3(4), 119-150. <<http://www.lobbyists.ru/eu/2.pdf>> (2019, December, 12). [in Russian].
3. Nesterovych, V.F. (2009). Typologiya lobiyuvannya u konteksti suchasnyx polityko-pravovyx transformacij [Typology of lobbying in the context of modern political and legal transformations]. *Vybory ta demokratiya* [Elections and Democracy], no. 4(22), 34-43. [in Ukrainian].
4. Trofymenko, A.V. (2014). Konceptualni pidhody do rozuminnya lobizmu [Conceptual approaches to lobbying understanding]. *Visnyk Mariupolskogo derzhavnogo universytetu, seriya: Istorija. Politologiya* [Journal of Mariupol State University, series: History. Politology], no. 10, 112-123. [in Ukrainian].
5. ALTER-EU Coalition official web-site. <<https://www.alter-eu.org>> (2019, November, 28). [in English].
6. Annual Report on the operations of the Transparency Register 2018. *The European Parliament and the European Commission*. <https://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do?locale=en&reference=ANNUAL_REPORT> (2019, December, 12). [in English].
7. Bauer, E., Thiel, M., Vlad, I. (2018). New lobbying law in France. *European Parliament. Transparency Unit, Directorate-General for the Presidency*. <[http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI\(2018\)625104_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625104/EPRS_BRI(2018)625104_EN.pdf)> (2019, August, 06). [in English].
8. Chambers, A. (2016). The Lobbying of the EU. How to achieve greater transparency. *Civitas: Institute for the Study of Civil Society*. <<http://www.civitas.org.uk/content/files/Anthony-Chambers-EU-lobbying.pdf>> (2019, August, 06). [in English].
9. Code of Conduct. *Transparency Register of the EU*. <http://ec.europa.eu/transparencyregister/public/staticPage/displayStaticPage.do;TRPUBLICID-prod=xu66VHLj8V9beSA4_hqWMQNzXHxKdO2vNCtoTTXEQRpG3PasTCa!-650585841?locale=en&reference=CODE_OF_CONDUCT> (2019, October, 18). [in English].
10. EU lobbyist register: "People have the right to expect transparency". *European Parliament*. <<http://www.europarl.europa.eu/news/en/headlines/eu-affairs/20180522STO04013/eu-lobbyist-register-people-are-entitled-to-transparency>> (2019, December, 12). [in English].
11. Finally, Making Mandatory a Register for Corporate Lobby Groups in the EU. *Leiden International Review 2018*. <<https://www.leideninternationalreview.com/2018/03/30/finally-making-mandatory-a-register-for-corporate-lobby-groups-in-the-eu>> (2019, August, 06). [in English].
12. Grosek, K., Claros, E. (2016) Regulation of Lobbying across the EU. *Infographic*. <http://www.europarl.europa.eu/RegData/etudes/ATAG/2016/595830/EPRS_ATA%282016%29595830_EN.pdf> (2019, August, 11). [in English].
13. Transparency register: who is lobbying the EU? (infographic). *European Parliament*. <<http://www.europarl.europa.eu/news/en/headlines/eu-affairs/20180108STO91215/transparency-register-who-is-lobbying-the-eu-infographic>> (2019, December, 12). [in English].
14. Traynor, I. (2014). 30,000 lobbyists and counting: is Brussels under corporate sway? *The Guardian*. <<https://www.theguardian.com/world/2014/may/08/lobbyists-european-parliament-brussels-corporate>> (2019, August, 06). [in English].