

OECD Forum on Transparency and Integrity in Lobbying

How to Win Back Trust?

AGENDA



27 – 28 June 2013

Paris, OECD Conference Centre



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Supporting a Policy-making Process Conducive to Trust

Today, restoring trust is at the forefront of government's reform agendas. Available data indicate a serious erosion of trust in government and public institutions. Trust in government is necessary for decisive and effective reforms, and creates conditions for stakeholders buy-in. A solid foundation of trust for effective policy making matters particularly in the current context of economic recovery, where structural reforms involve difficult and unpopular choices and the confidence of citizens and markets is critical to foster economic and social development.

These factors point to the urgency of addressing the credibility of the formal institutions involved in policy making and strengthening the underlying institutional conditions shaping the policy making process. Growing concerns of undue influence and capture in the public decision-making process, particularly in relation to lobbying practices, are leading governments to explore how to enhance transparency and integrity in lobbying and thus safeguard the public interest and ensure a level playing field among all stakeholders.

Following the OECD Public Governance Committee Symposium "Trust in Government for Better Policy Outcomes", the OECD Ministerial Council Meeting on "Jobs, Equality and Trust" agreed on the imperative of building a policy-making process conducive to trust through transparency, openness, integrity and inclusiveness. Ministers welcomed the Agenda on "Trust in Government: Evidence, Policies and Decision Making" and called on the OECD to develop a strategy on trust, building on existing OECD work on integrity in areas such as open government and ensuring fairness in policy making, including in the area of financing for political campaigns.

As an immediate follow-up, the OECD Forum on Transparency and Integrity in Lobbying brings together high level officials from the Executive and Legislative branches of government, along with representatives from the private sector and civil society to discuss lessons learned from firsthand experiences in designing and implementing rules and guidelines on lobbying.

A High-Level Policy Dialogue (open to the press) will launch the Forum, setting the global debate within the broader context of open, informed and inclusive policy making to optimise trust in government, markets and institutions. This will be followed by four sessions of focused policy debate on key building blocks for designing and implementing cost-effective rules and guidelines on lobbying in line with the OECD Principles for Transparency and Integrity in Lobbying.



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09:00 Registration and coffee

High-Level Policy Dialogue

09:30 Welcome remarks: How to win back trust in the process of policy making?

Restoring trust is at the forefront of government's reform agendas in OECD countries. The OECD Ministerial Council Meeting on "Jobs, Equality and Trust" on 29-30 May reaffirmed countries' commitment to rebuilding trust in governments, markets and institutions, combating corruption, promoting open government, and ensuring transparency in policy making.

A forward looking agenda on trust necessarily needs to consider how to pursue informed decision making while also safeguarding the public interest and ensuring a level playing field among all stakeholders. Lobbying practices fall squarely at the heart of this concern. The welcome remarks will set the scene for the global policy debate on transparency and integrity in lobbying, as an essential component of open, informed and inclusive public decision making.

- Mr. Pier Carlo Padoan, OECD Deputy Secretary-General and Chief Economist
- Mr. Maroš Šefčovič, Vice-President of the European Commission, European Commissioner for Inter-Institutional Relations and Administration

10:00 High-Level Roundtable. From design to implementation: Lessons learned from the trenches

Experience shows that regulating lobbying has proven difficult due to its complex and sensitive nature. Yet, more and more countries are making efforts to set up rules or guidelines to channel the benefits of lobbying and mitigate the risks through increased transparency. Although some countries have managed to introduce rules or guidelines, implementing them and measuring the impact remains a challenge.

This high-level roundtable will serve as a platform to exchange views from principal actors and to reflect on what has been achieved, in particular how they have addressed challenges in designing and implementing rules and guidelines on lobbying.

- Ms. Karen Shepherd, Commissioner of Lobbying, Canada
- Mr. Don W. Fox, Principal Deputy Director of the United States Office of Government Ethics
- Mr. Alex Thomas, Deputy Director, Elections and Parliament Division, United Kingdom Cabinet Office
- Mr. Sebastián Soto, Head of the Legal and Legislative Division of the Ministry of the Presidency, Chile
- Ms. Lyn Trytsman-Gray, Senior Vice President, European Affairs at RTL Group
- Mr. John Evans, General Secretary, Trade Union Advisory Committee (TUAC) to OECD
- Mr. Bernhard Welschke, Secretary General, Business and Industry Advisory Committee (BIAC)

Moderator: Mr. Mario Marcel, Deputy Director of the OECD Public Governance and Territorial Development Directorate



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A coffee break is scheduled at 11:00

12:30 Lunch break

Focused Discussions

14:00 Session 1. Creating rules and guidelines on lobbying: How to balance comprehensiveness with feasibility?

Defining the scope of lobbying activities and creating the appropriate rules and guidelines has proven a challenge in many countries. While a comprehensive scope ensures a level playing field among all interest groups, it may also result in an overwhelming administrative burden. Alternatively, certain countries rely solely on self-regulation by lobbyists.

This session will explore the approaches taken by different countries to find the right balance between the cost and benefit of rules and guidelines on lobbying in order to build a well-functioning system that achieves expected objectives and addresses concerns regarding lobbying.

Questions for discussion

-What are today's concerns related to lobbying and how could they be effectively addressed?

- Is there a set of principles or guiding criteria to inform who or what needs to be covered by lobbying rules?

-Under what circumstances is self-regulation by lobbyists the solution?

The discussion will be launched by short presentations from:

- Ms. Aine Stapleton, Principal Officer, Government Reform Unit, Department of Public Expenditure and Reform, Ireland
- Mr. Adam Bramwell, General Counsel to the Secretary of the Senate, United States
- Mr. Gérard Legris, Coordinator of EP-COM Joint Secretariat of the Transparency Register
- Mr. Thomas M. Susman, Director of Governmental Affairs, American Bar Association

15:30 Coffee break

16:00 Session 2. Open Government in the 21st century: What level of transparency in lobbying practices?

Mechanisms to ensure an informed public decision making and transparency in lobbying practices are critical parts of an open government. However, the debate is still ongoing regarding how much information is needed to shed light on lobbying and effectively address concerns, in particular the risk of bias in the process of decision making.

This session will discuss approaches and measures in place to provide information on lobbying to governments, lobbyists and the public, and will examine supporting mechanisms to allow scrutiny by stakeholders and strengthen trust in the decision making process.



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Questions for discussion

- What level of transparency in lobbying practices is necessary and feasible?
- What information on lobbying is meaningful to disclose?
- How can information on lobbying be disclosed and made public in a cost effective manner?

The discussion will be launched by short presentations from:

- Dr. Thomas Schoditsch, Ministry of Justice, Austria
- Dr. Peter Köppl, Vice-President, Austrian Public Affairs Association (OePAV)
- Mrs. Mary Thiele, European Parliament Secretariat General
- Mr. Giuseppe Mazzei and Ms. Micol Bertoni, Public Affairs Community of Europe (PACE) Secretariat

18:00 Cocktail

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09:00 Session 3. Integrity in public decision making: What safeguards could influence behaviour?

Trust in the public decision making process has decreased in many countries. Citizens' perception of corruption and undue influence by powerful interest groups has a significant impact on trust. Improper interaction, conflict of interest and the revolving door phenomenon between lobbyists and public officials have attracted particular attention.

This session will share experiences on what measures have proven efficient in providing proportionate responses to address these concerns. This session will also highlight the shared responsibility to promote standards of conduct and professionalism among public officials and lobbyists.

Questions for discussion

- What influences the conduct of public officials and lobbyists in their interactions?
- What are the risks to integrity in these interactions? How can they be curbed?
- What specific measures proved effective to safeguard the integrity of the decision-making process (e.g. conflict of interest related to the revolving door phenomenon, unbalanced representation in advisory/expert groups)?

The discussion will be launched by short presentations from:

- Rok Praprotnik, Deputy Chief-Commissioner, Commission for the Prevention of Corruption, Republic of Slovenia
- Mr. Wolfgang Rau, Executive Secretary of the Group of States against Corruption (GRECO), Council of Europe
- Mr. Christian Humborg, Managing Director, Transparency International Germany
- Ms. Susanna di Felicianantonio, President, Society of European Affairs Professionals (SEAP)



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10:30 Coffee break

11:00 Session 4. Compliance and enforcement: How to make transparency and integrity in lobbying a reality?

Over the past years, countries have increasingly designed and implemented rules and guidelines on lobbying. Yet, questions on how to achieve compliance remain. Challenges to enforce the regulation in a cost-effective manner are evident and countries still struggle to provide incentives for compliance and to sanction breaches.

This session will explore the drivers for compliance and how to assess the effectiveness of measures to deter and detect breaches of rules and guidelines on lobbying.

Questions for discussion

- How can the effectiveness of the system be measured?*
- What specific incentives and sanctions proved effective to support compliance of decision-makers with the rules on their interaction with lobbyists?*
- What practical incentives can governments provide lobbyists to enhance compliance?*
- How can lobbyists themselves improve compliance and enforcement?*

The discussion will be launched by short presentations from:

- Ms. Karen Shepherd, Commissioner of Lobbying, Canada
- Mr. Don W. Fox, Principal Deputy Director of the United States Office of Government Ethics and Mr. Adam Bramwell, General Counsel to the Secretary of the Senate, United States
- Mr Krzysztof Przemieniecki, Ministry of Interior, Poland
- Mr. José Luis Rufas Quintana, European Parliament Secretariat General
- Mr. Robert Mack, Vice-chair, European Public Affairs Consultancies' Association (EPACA)

12:15 Concluding remarks