

19 September 2022

Commissioner Věra Jourová
European Commission

President Roberta Metsola
European Parliament

Reijo Kemppinen
Council of the EU

Dear Commissioner Jourová, Dear President Metsola, Dear Mr Kemppinen,

Complaint regarding implausible data in EU lobby transparency register

As the founders and coordinators of [LobbyFacts](#), which holds and publishes an archive of EU lobby transparency data going back to 2012, we are writing to complain about hundreds of instances of implausible data in the current EU lobby transparency register. Such implausible data is a breach of the register's [Code of Conduct](#) (especially clause f) and means that the register is still some way off from providing reliable insights into the lobbying of the EU institutions. All data cited below is correct as of 18 September 2022.

Inflated declarations

LobbyFacts' research shows that those declaring the highest lobby budgets are all implausible entries which are likely inflated. This assessment of implausibility is based on various typical indicators of being active lobbyists. Specifically, of those 27 entries which declare €10 million or more annual EU lobby expenditure (and detailed on the attachment):

- Only 1 of the 27 currently holds European Parliament access passes
- Only 8 have had any high-level Commission meetings and none have had more than 4 such meetings since December 2015
- Only 3 have an EU affairs office in Belgium
- 23 of the 27 declare less than 5 full-time lobbyists; while 16 of the 27 declare 1 or less full-time lobbyists
- 26 of the 27 registrants have never previously declared lobby budgets on this scale before. One has declared €10 million previously, but with no Belgian office, less than 1 FTE lobbyist, and only 4 high-level Commission meetings since 2015.

Based on this, we consider it is unlikely that any of these 27 registrants plausibly spent €10 million or more on EU lobbying in the past year. Indeed of the biggest 51 spending registrants (all declaring €4.5 million or more), we consider that 71 per cent (36 of 51 entries) are unlikely to really be

Brussels' biggest lobbyists, based on analysis of their declared spending alongside other information in their declarations. Disappointingly, many of these declarations have been in place for many months. LobbyFacts' sort, rank, and filter functions, alongside the archive data, enables this kind of assessment to take place.

Wrong categorisation

Among those registering as “non-commercial” in the new register (in place since 20 September 2021) are 237 trade and business associations; 79 companies & groups; 33 professional consultancies; 27 self-employed individuals; and 4 law firms. This seems implausible as they are likely to be commercial, business, or profit-making in nature and / or unlikely to be advancing “societal causes in the public interest” as the [register guidelines](#) state. But as a result of declaring themselves to be “non-commercial”, none of these 380 registrants are currently required to provide an annual lobby budget.

Examples include the Spanish infrastructure company [Ferrovial](#) which used to declare over €1 million annual EU lobby costs, [National Grid](#) which runs the UK's gas and electricity delivery systems, the [European Construction Industry Federation](#), [FurEurope](#), and the US-based [General Aviation Manufacturers Association](#). A full list is attached. The LobbyFacts' archive indicates that each of those mentioned above have been significant lobbyists in the past, and by using its sort, rank, and filter functions, LobbyFacts enables this kind of assessment to take place.

These are just some examples of what we think continues to be a problem of implausible or missing data in the EU lobby transparency register and we urge you to conduct urgent investigations. As far as we are concerned, this implausible and missing data also points to some long-standing as well as newer problems with the register:

- The register is not legally-binding meaning that sanctions are not strong enough to ensure reliable declarations
- While the register's Secretariat conducts plausibility checks on some data, these are not yet sufficient
- The new register's failure to ensure that all registrants are required to provide an annual lobby budget has provided a loophole for those who wish to keep their lobby spending hidden.

We look forward to hearing from you.

Yours sincerely,

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