



**THE CANDIDATES' GUIDE  
TO CORPORATE CAPTURE IN  
THE EU INSTITUTIONS – AND  
WHAT TO DO ABOUT IT**



**Corporate  
Europe  
Observatory**

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# THE CANDIDATES' GUIDE TO CORPORATE CAPTURE IN THE EU INSTITUTIONS – AND WHAT TO DO ABOUT IT

## The seven main inroads to power for corporate lobbyists

**From climate change, to the cost of living, to toxic chemicals, the serious harm caused by corporate lobby groups that dominate decision-making in a plethora of subtle ways – a phenomenon known as corporate capture – is clearer than ever.**

In recent years, we have seen Big Tech win the battle over **Artificial Intelligence**, rendering the public vulnerable to privacy incursions, discrimination, and disinformation. We have seen the gas lobby succeed in getting the European Union to lock us into **more gas infrastructure**, worsening both the climate and cost of living crises. We have seen Big Pharma making huge profits out of COVID-19 and **preventing technology sharing** measures designed to defend public health. And we have seen agribusiness and chemical industry lobbyists and their allies among Commissioners, Members of the European Parliament (MEPs), and government leaders **sabotaging crucial initiatives on chemicals and pesticide reduction**.

Corporate capture undermines democracy at many different levels, and leads to an EU that puts profits before people and planet.

This guide is intended for candidates, and it introduces you to corporate lobbyists' main inroads to power, and it offers proposals on what we can do to defend democratic decision-making from corporate capture.

In order to understand decision-making within the EU institutions – and where and how it is rendered vulnerable to corporate capture – we need to shine a light on the world of business lobbyists. According to the most recent count, there are 35,000 lobbyists that work professionally to influence decision-making. Most of these work for big companies such as Amazon, Shell, or Bayer, either directly for the company itself, as a lobbyist for a trade association, or as a hired hand in a lobbying agency – the so-called public affairs companies. Their combined budgets run into hundreds of millions, perhaps billions of euros. No-one knows for sure, and that's part of the problem.

Since 1997 Corporate Europe Observatory (CEO), a lobby watchdog based in Brussels, has investigated and campaigned on the massive power enjoyed by big business lobbyists in the EU. We have uncovered a plethora of lobbying scandals, such as agribusiness' heavy influence over the European Food Safety Authority; the role of the financial lobby in introducing flawed regulation ahead of the financial crisis in 2008; and the Dalligate scandal on tobacco lobbying. Every year has seen us working on new scandals. Despite some successes, overall the problem has intensified. That's why we need to apply bold measures to roll back 'corporate capture' of decision-making.

## Present at all stages of decision-making

Corporate lobbyists have long been major power players in the EU institutions, in many cases so much so that they dominate decision-making. This is not just the result of their structural weight in our economies, but a specific consequence of their massive investment in lobbying firepower. They greatly outspend and outnumber other interests such as trade unions, environmental NGOs, and consumer protection groups. Moreover, corporations and their lobby groups enjoy privileged access to Commission officials, MEPs, and governments who are stuck in an outdated ideology that assumes what's good for big business is inevitably good for Europe.

Their privileged access to decision-makers and their overwhelming resources often mean that representatives of big business are the only factor present at every step of decision-making:

- They are invited to join the Commission in designing or drafting the bigger, overarching strategies in whole sectors of the economy.
- They sit in so-called expert groups to help the Commission prepare new legislation.
- They roll out campaigns in European capitals to have member state governments help promote their interests in Brussels, including lobbying officials in the EU Council's secretive working parties.
- In the European Parliament, they appear when there is a law linked to their vested interests on the table – that is to say, almost always. In some cases, corporations mobilise an army of lobbyists to knock on the doors of MEPs for months.
- Finally, lobbyists are able to influence how EU laws are implemented and enforced too.

## Corporate capture: a challenge to democracy

When we look as a whole at all these inroads for corporate lobbyists, what becomes clear is their sheer domination of decision-making, posing a threat to democracy and the public interest. Corporate capture is a challenge that both citizens and MEPs need to tackle. In each and every electoral term, we have seen corporate lobbyists win significant political victories, thanks to their ability to exert influence in the EU institutions. This doesn't just undermine democracy; it paves the way for toxic pollution, weak climate policies, dangerous AI roll-out, attacks on social rights and more.

There is another worrying consequence. When the EU is more responsive to corporations than to its own citizens, this fuels distrust, anger, and a sense of disempowerment. This creates fertile ground for conspiracy thinking and recruitment to the far right, which presents itself to angry voters as an 'alternative' to the current system without actually offering any real empowerment or solutions. This situation could not be more dangerous.

Below we present examples of seven such 'inroads to power' at different levels and stages of decision-making (including the five mentioned above), and we point to how MEPs can put decision-making onto a more democratic course, without undue influence by corporate lobby groups.

# INROAD 1: BIG PLANS ARE MADE WITH BIG BUSINESS

Whenever the EU faces a big challenge, or when new bold plans are about to be made about its future development, powerful corporate lobby groups are quick to exploit the opportunities – and the Commission will often actively solicit advice from them.

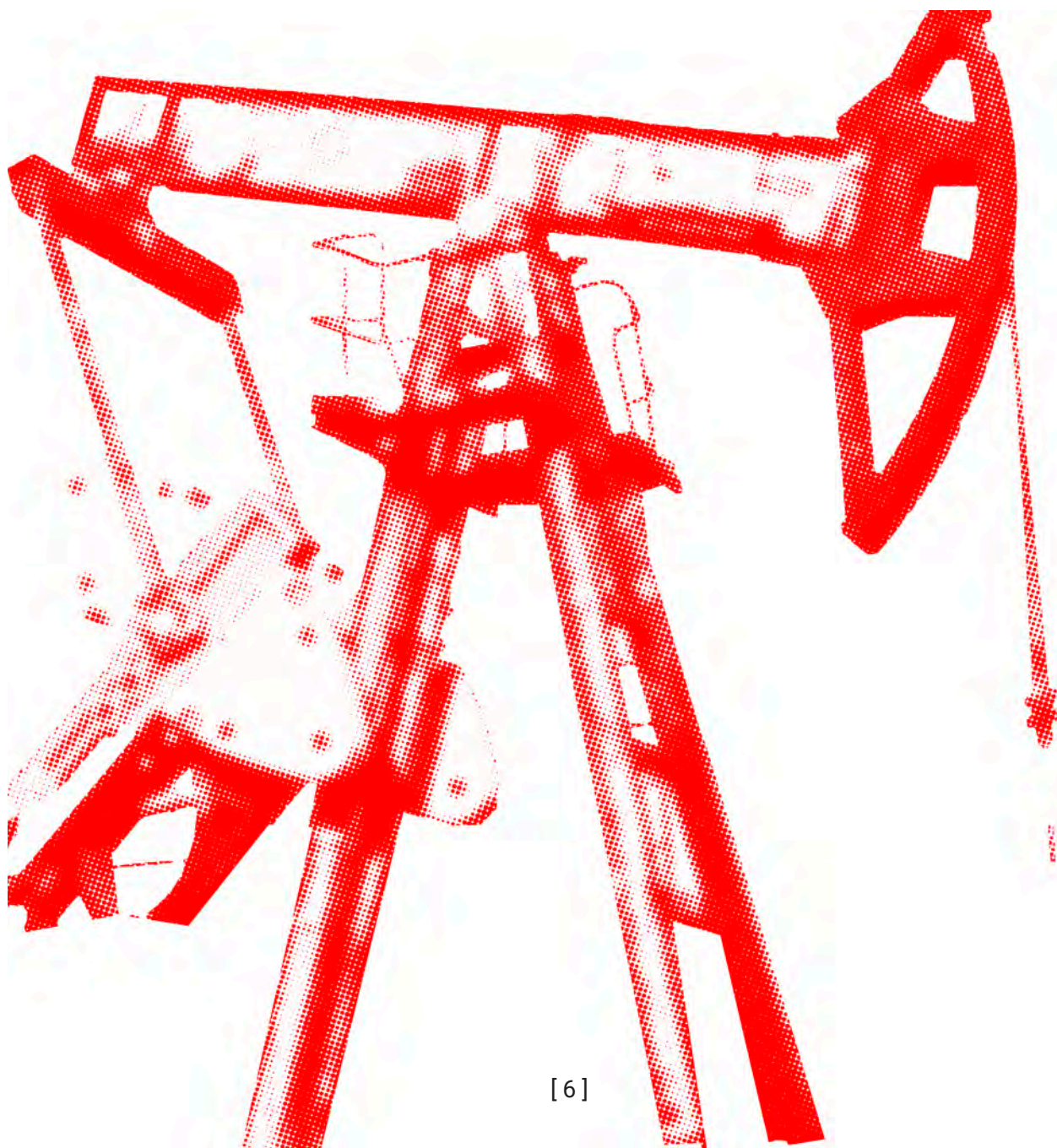
For example when Russia illegally invaded Ukraine in February 2022, the EU quickly decided to cut its over-dependence on Russian gas. It could have done so via expanding genuine renewables and phasing out fossil fuels, but the Commission focused largely on expanding its gas infrastructure and diversifying supplies from other countries. This did little to reduce the spiralling cost of living crisis generated by high fuel costs. There is a link between the reliance on gas and the peak in energy prices that took a heavy toll on people's livelihoods, especially in 2022 and 2023.

This gas expansion was in no small part due to the advisors the Commission chose to tackle the energy supply issue. The European Round Table for Industry – a club for the chief executives of some of the biggest companies in Europe – met with Commission President Ursula von der Leyen four times in March 2022. In two of those meetings the CEOs of TotalEnergies, Shell, BP, and E.on told her to set up a “Task Force” to determine which EU measures were “feasible” in the eyes of industry, and shortly after von der Leyen **announced** just that. This advisory body, the EU Energy Platform Advisory Group, was dominated by **oil and gas industry executives** from companies with a vested interest in building more gas infrastructure, and increasing Europe's reliance on gas. So, in a context of a fast-developing global climate disaster, and at a time when the reliance on fossil fuels made it very difficult for millions of Europeans to pay their energy bills, the fossil fuel industry was still able to set the agenda. Despite being in the midst of a cost of living crisis that owed a lot to the fact that EU energy market prices are set at the level of the most expensive energy form (in this case, it was gas), our governments and the Commission did not hesitate to lock us into even more gas consumption in the future. Overall the plan to radically reduce the reliance on Russian fossil gas became not an opportunity to speed up a green transition, but an excuse for building more gas infrastructure and to import more gas from other sources.

**HOW THE FOSSIL  
FUEL INDUSTRY  
BECAME TOP  
ADVISORS ON GAS  
AFTER THE INVASION  
OF UKRAINE**



Those events were not a one-off, but part of a pattern. Big plans are made with big business. European citizens regularly express serious concern at the health and biodiversity impacts of toxic chemicals. Yet in 2023, this Commission retreated from its promise to strengthen EU regulation of chemicals. Instead the Commission President von der Leyen and the Belgian Prime Minister (who had the Presidency of the Council) met at a summit-like **meeting in Antwerp** in February 2024 organised by chemicals industry lobby group CEFIC to discuss a new industrial strategy for the EU, an 'Industrial Deal' that would scale back on regulating these toxic products, and offer publicly-funded hand-outs, and an easing of green rules (see box on the European Green Deal below).



# INROAD 2: THE CORPORATE -FRIENDLY COORDINATION OF EU PROJECTS – THE COVID DEBACLE

The EU is not just a machine for producing common laws – the institutions also coordinate responses between member states, for example securing vaccines and other medical supplies during the COVID pandemic. Big Pharma was presented as a pandemic hero, but in reality its power was a great obstacle to public health and vaccine equity globally.

The negotiations between the Commission on supplies of vaccines with the biggest producers – especially with Pfizer – were at crucial moments led by Commission President von der Leyen and **shrouded secrecy**. There are indications that this approach led to higher prices and unfavourable deals for member states, but a lack of transparency has prevented us from getting a definite answer to that and other key questions. The European Public Prosecutor has started an investigation into von der Leyen's role in negotiating an April 2021 mega-contract with Pfizer, which bypassed the normal procedures that should have involved a larger EU negotiating team and member state governments. The Commission continues to refuse to disclose von der Leyen's SMS correspondence with Pfizer CEO Albert Bourla. Not only did the lack of transparency empower Big Pharma to resist accountability and scrutiny, but it also had the side effect of fuelling unhelpful conspiracy theories and undermining public trust.

At the time of the pandemic, the Commission established close cooperation with the biggest pharmaceutical companies and their lobby group, EFPIA. From March 2020 to May 2021, Commissioners or their top level staff (cabinets) had 44 meetings with individual pharmaceutical companies and a further 117 **encounters with lobby groups for the pharmaceutical sector**.

This proximity between the Commission and Big Pharma showed itself in the EU stance on patents to vaccines.

HOW BIG PHARMA'S  
INTERESTS  
SIDELINED PUBLIC  
HEALTH – AND THE  
PUBLIC PURSE

In April 2020, the early days of the pandemic, Commission President von der Leyen stated that vaccines against COVID should be **treated as a universal public good**, accessible to everyone who needed them. But these promises were betrayed, both in the EU's vaccine contracts with Big Pharma and in global negotiations about allowing countries in the global south to produce the vaccines themselves as affordable generics. Instead the EU became global enemy number one of technology sharing. It abandoned the global public good approach, and instead delivered what the pharma industry was demanding: to treat the vaccines as private monopolies owned by a handful of corporations. This resulted in a disastrous vaccine scarcity that prevented the world's poorest people from getting vaccinated. African countries in particular suffered due to this injustice. A **study concluded** that failing to share technology may have been "partly responsible for hundreds of thousands of lives lost in 2021" in low income countries.

We find a similar pattern when it comes to spending money on energy projects – a sensitive topic in an era of climate change. For many years now, the Commission has granted a group of gas companies – forming the European Network of Transmission System Operators for Gas (ENTSO-G) – a privileged role in helping pick energy projects to receive financial support from public funds. And in recent years, this pattern has repeated itself with hydrogen, which the gas industry has put at the centre of EU energy policy, claiming it is 'clean' despite the vast majority being made with fossil gas. The gas industry-dominated **European Clean Hydrogen Alliance** has received the privilege of selecting projects for consideration to receive public funds.





# INROAD 3: CORPORATE FINGERPRINTS ON COMMISSION'S NEW LAWS

**Because the Commission is the only institution that can table proposals for new laws, the dream scenario for a lobbyist is to get close to the drafting process. And in countless cases, for big business lobbyists that is not a problem: they are actively invited to add their fingerprints to legislative proposals from the outset.**

The advisory groups the Commission sets up to help it prepare new laws – among other things – are normally called 'expert groups', though sometimes they take other names. In the case of artificial intelligence, to prepare for European regulation the Commission **set up a group to provide guidance** that was dominated by business representatives, with almost half from tech companies. Insiders later said that any proposals for strict rules on problematic AI were swept off the table by industry members and that they instead pushed for corporate self-assessments of their technologies.

Sure enough, self-assessments became a core part of the Commission's proposal for an AI Act. That is not good news. While AI offers opportunities, there are many risks too – with major potential impacts for privacy, discrimination, and human rights. Alongside socio-economic risks, are risks associated with automation, for instance when it comes to weapons. It is vital that such emerging technologies are regulated democratically according to the public interest, not by Big Tech firms whether from Silicon Valley or Europe.

Self-regulation is a standard proposal from lobbyists; and just as troubling as the fox volunteering to run the hen-house. When companies are left to regulate themselves, they tend to bend rules, underplay problems, and prioritise their own financial interests. It can even open the door to outright fraud, as in the case of Volkswagen's vehicles which were manipulated to evade emissions standards in the **Dieselpgate scandal**.

**HOW BIG TECH  
LOBBYISTS  
MASQUERADED  
AS EXPERTS AND  
CO-WROTE DRAFT  
AI LAW**



Not only do corporate lobbyists often get the privilege to help the Commission prepare new proposals – lobbyists have sometimes used their positions in expert groups to persuade the Commission from taking action. For example in 2006, an expert group **dominated by investment funds** successfully advised the Commission not to propose EU financial regulation; the kind of rules that would have helped forestall the 2008 financial crisis. The EU went on to consult the same kind of experts when shaping its plans to tackle that crisis.

Nowadays there are even more mechanisms that can be used to stop regulatory initiatives before they see the light of day. Under the so-called ‘Better Regulation’ agenda and its emphasis on the flawed tool of ‘impact assessments’, the Commission has provided corporate lobbyists with opportunities to block progress. For example the chemicals lobby group CEFIC commissioned its own impact assessment which **scaremongered about the consequences** to industry profits of stronger chemicals regulation, while ignoring the health and environmental benefits. The CEFIC study helped frame the media and political debate about the Commission’s plans and ultimately the Commission backed down from publishing a proposal to strengthen the EU’s key chemicals regulation, REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals). And because only the Commission can table proposals to do with legislation, the much-needed revision of REACH has been kicked into the long grass.

# INROAD 4: LOBBY REGULARS IN MINISTRIES AND COUNCIL WORKING GROUPS

Once the Commission's draft law is out, it needs to be discussed by member state governments in the Council, and by the European Parliament. In the Council this happens between ministers at the end of the talks, but first the proposals pass through civil servants in the approximately 150 Council Working Parties. Here, business lobbyists can be frequent guests. **An analysis** of just one of these, the 'Council Working Party on Competitiveness and Growth' – which deals with a broad range of EU laws including in the digital area and industrial policy, touching on for example data privacy or environmental regulation – found out that business participation over a two year period, outnumbered NGOs and trade unions by a factor of 13.

On top of this comes the lobbying that takes place in member state capitals, for example when the German car industry has the **German Government fight** everything that affects their interests at the EU level – with dire consequences for attempts to make transport greener. Or when the French Government **pushes hard** to support the nuclear industry, not least its own.

Influencing the Council can be about creating powerful coalitions across borders too. Some corporate lobby groups are able to work in member state capitals to drum up a coalition against or in favour of specific EU laws, and they are often effective. For example, the Danish Confederation of Industry worked successfully with the Danish Government to create a European network of lobby groups and governments in order to **dilute a proposal** known as the Corporate Sustainability and Due Diligence Directive which aims to prevent European companies from acting in breach of human rights at home and abroad.

**HOW THE COUNCIL  
PREFERS CORPORATE  
LOBBYISTS WHEN  
THEY CONSIDER  
RULE-MAKING**

Another cross-border example is the long standing struggle to give internet platform workers the same rights as employees, proposals for which have been defeated twice. The second time the French and German governments – due to various ties to the tech industry – prevented the EU from adopting a definition of ‘an employee’ that would have recognised millions of platform workers as what they are – employees. And sure enough that crucial definition was then missing when the final version of **Platform Workers Directive** was adopted.

# INROAD 5: LOBBY TROOPS MOBILISE AT THE EUROPEAN PARLIAMENT

The EU influencing campaigns that appear to mobilise the most resources, are when business lobbyists set out to win the European Parliament over to their cause. It is not a problem for corporations and powerful trade associations to put together an army of lobbyists to knock on MEPs' doors. To give but a few examples: during the COVID pandemic, pharma companies had **290 lobbyists** working for them in the EU institutions, not counting the ones they hired temporarily from lobbying firms. In 2023 -- when regulating Big Tech was high on the EU's agenda -- that sector **spent about 113 million euros on lobbying**. This firepower also translated into access to MEPs: that year 66 percent of declared meetings on the AI Act were with corporate interests, drowning out other voices from civil society or academia. The chemicals industry association, CEFIC, spent **10.7 million euros in 2023** -- not counting the separate lobbying budgets of their member companies. Overall the numbers in the EU transparency register are likely to be an underestimate, given they are self-declared and are not independently verified.

With millions of euros at their disposal, corporate lobby groups stand a good chance of influencing the Parliament. They can produce dozens of glossy reports, run slick events, and set up hundreds of meetings with MEPs. They can also work via clubs they have set up with selected parliamentarians to create a stronger position for themselves. Such clubs include the **European Parliamentary Services Forum**, set up by big financial institutions, and the **Kangaroo Group**, which promotes the interests of the arms industry, big banks, and the pharmaceutical industry.

When the corporate lobbying army invades, it is often not just about making MEPs vote one way or the other. Corporate lobbyists produce amendments to draft EU laws that they then ask MEPs to table. In some cases, more than half of the amendments to be voted on are actually written by lobbyists, not by MEPs. A recent **example** of this manoeuvre is when Czech MEP Ondřej Kovařík circulated an amendment to a proposal on new pollution standards for cars, the amendment was actually written by the car lobby group ACEA.



**HOW BIG TECH AND  
BIG PHARMA AND  
OTHER INDUSTRIES  
CAN SEND IN AN  
ARMY OF LOBBYISTS**

# QATARGATE

## MONEY BOUGHT INFLUENCE

In December 2022 Belgian police ransacked offices in the European Parliament as well as the residencies of several MEPs and assistants. Photos were presented to the media of suitcases packed with euros in cash. For years a group of current and former MEPs had worked closely with the Qatari and Moroccan governments to promote their interests in the EU. That included working to prevent criticism of Qatar's human rights record in the run-up to the Football World Cup in 2022, and to keep critiques of Morocco's occupation of Western Sahara at bay and expand trade relations.

According to *Politico*, between 2018 and 2022, the group of MEPs and their assistants carried out hundreds of influence activities. They met with astonishing success: they take credit for 'neutralising' no less than six parliamentary resolutions about Qatar. Similarly, an MEP worked closely with the Moroccan Government to prevent Western Sahara from being raised. His methods seem to include massive abuse of his position in the European Parliament's Human Rights Committee.

Qatargate sent shockwaves through Parliament. Corruption cases rarely come to light, and nothing as egregious as the Qatargate scandal has occurred before. However, to Corporate Europe Observatory it was not a surprise. Since 2015 CEO has investigated lobbying of the EU by repressive regimes, and one of our overarching conclusions was that lax rules on transparency and ethics leaves ample space to manipulate decision-making.

In that way, Qatargate is a lobbying scandal. Negligence over lobbyists in general has prepared the way for repressive regimes' influencing campaigns in particular – whether in this case via front groups and crude suitcases of cash, or in other cases we have tracked via more subtle means such as the use of private lobby consultancies – and has resulted in influence over the positions of the European Parliament.

A genuine, legally-binding, comprehensive EU lobby register would be the bare minimum to help prevent cases like these. One, moreover, that would be checked and enforced, ensuring that citizens and policymakers alike can access precise information about who is lobbying the EU, for what reasons, and for how much.

While the weeks following Qatargate saw a comfortable majority in the Parliament for ambitious reforms of lobbying regulation, that soon vanished. Conservative MEPs moved the reform talks into a backroom process and in the end, very few of the proposed rule changes survived. There was clearly not enough political will to properly protect EU decision-making from undue influence. That is why pressure is still needed on parliamentarians and on the Commission to deliver real transparency and ethics around lobbying.

# INROAD 6: LOBBYISTS IN CHARGE OF IMPLEMENTATION

When a law is adopted, it is not uncommon for crucial aspects of its implementation to be left to resolve later. The problem arises when important decisions about implementation that require serious democratic scrutiny are taken in obscure committees instead, as in the case of toxic substances used on a large scale by industry. This scenario can offer extra opportunities for corporate lobbyists to push their interests in unforeseen ways.

A prominent recent example is the fight over the use of glyphosate – the active component of widely used weedkillers like Roundup. It is deemed to be “**probably carcinogenic**” for humans by the International Agency for Research on Cancer under the World Health Organisation. It has also been connected to loss of biodiversity, and the pollution of groundwater and soil. But in the EU, Bayer and other pesticide corporations are fighting tooth and nail to keep it on the market.

One of the lobbyists' methods is to play the system set up for implementing the regulation. For instance, when it comes to getting a permission to sell a certain pesticide, corporations will for instance disqualify any independent study showing the harm of its product, and fund new papers that show no harm, or submit studies using outdated methodologies.

This is what happened during the EU's recent re-approval of glyphosate: Bayer and other glyphosate producers submitted **53 studies** about the genotoxicity of glyphosate as part of the reapproval dossier. All of this was then considered by the European Food Safety Authority (EFSA). EFSA's opinions are used by the institutions, not least the Commission. If EFSA gives the green light, as it did for glyphosate, the Commission is very likely to follow suit.

However, two renowned experts on genotoxicity testing investigated the studies submitted and found that no less than 34 out of the 53 industry-funded genotoxicity studies used for the EU were “not reliable” and a further 17 studies only “partly reliable”, because of substantial deviations from OECD Test Guidelines. Their investigation revealed a systemic vulnerability: national regulators and EU authorities alike do not seem to pay close scrutiny when looking at the quality of industry's own studies.

**HOW INDUSTRY  
PLAYED THE  
SYSTEM TO KEEP  
GLYPHOSATE  
APPROVED**



In September 2023, glyphosate was approved by the Commission for another decade, even though this decision did not have the backing of many EU member states. When the question is one of implementation – rather than a new European law – the Commission plays the key role. Given the Commission’s reliance on EFSA, and industry’s ability to play the system, we have a major problem at this stage of decision-making too. The NGO PAN-Europe is now taking the Commission to court over the glyphosate decision, as the EU’s own pesticide law says that health and environment should prevail over profits for corporations.



# INROAD 7: CORPORATIONS CRY 'COMPETITION' TO STOP RULES THEY DISLIKE

EU laws are often unclear, sometimes due to convoluted political compromises in the text. It is then left to the Commission to figure out the practical meaning of the law and enforce it. That is why the Commission spends endless time scrutinising law-making in member states.

Business groups also keep a close eye on rule-making developments at the national level, and if they believe a measure goes against their interests – and can argue it may contradict European law – they have a free and powerful tool at their disposal: to file a complaint with the Commission. And all too often the Commission acts as a bulldog to force governments into submission.

Two examples from recent years concern climate change and airline companies. The French Government proposed **banning domestic flights of less than 250km** as a climate measure, given taking a domestic flight uses seven times the greenhouse gases of a comparative train ride. In a similar vein, the Dutch Government considered scaling down air traffic at Amsterdam's huge **Schiphol Airport**. Airlines and airports were furious at the prospect, and asked the Commission to step in and stop the attempt. Sure enough, in both cases the Commission quickly contacted the governments in question to intervene.

The industry complaints were successful: the Commission's decision on the French case was to **limit the ban** to a three year period, and only for three of the eight routes the French Government had identified. In the Dutch case, the Commission's intervention helped change the Dutch approach, and the plans to scale-down Schiphol were **ditched altogether**.

That's how sensible ideas by member states to cut back on greenhouse gas emissions, noise, and air pollution were stymied by the Commission acting in response to corporate lobbies.



**HOW AIRLINES  
AND AIRPORTS  
HAD THE  
COMMISSION  
PREVENT CLIMATE  
MEASURES**

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## HOW CORPORATE LOBBYISTS UNDERMINED CRUCIAL GREEN INITIATIVES

The current Commission started its term with President von der Leyen announcing the European Green Deal (EGD). The plan was heavily influenced by corporate lobby groups promoting a range of false solutions (gas, dirty hydrogen, carbon capture etc) and ensured that the EU will continue to rely on a system of emissions trading that has repeatedly proved flawed since its introduction in 2006. In reality large parts of the EGD were more of a **'European Grey Deal'**.

However, there were very positive elements in the plan too, that were not put there by corporate lobbyists, including a range of laws to protect the climate, the environment, and public health. But over the last two years, industry lobbyists have launched an offensive to sabotage planned Green Deal laws to reduce and replace hazardous substances that harm health and ecosystems, including both **toxic pesticides** and **harmful chemicals**. Aggressive and misleading corporate lobbying and right-wing political manoeuvring has created a disastrous anti-environmental backlash. This involves MEPs, EU governments, and the Commission itself, which has withdrawn plans to cut pesticide use by half and to ban thousands of toxic chemicals, and resulted in the weakening and delay of other proposals, including a promise to ban the most harmful chemicals in consumer products, which has yet to materialise.

This is a harbinger of climate and biodiversity policies undermined by a 'brown' agenda and new levels of big business-friendly policy-making by the coming Commission, as von der Leyen seeks re-appointment. **An 'Industrial Deal'** developed by corporations will ensure that the EU strategy works for higher profits, and put an end to progress in social and environmental regulation. This back-peddalling is a result of corporate lobbying power and by no means a reflection of the wishes of EU citizens; opinion polls show strong support for environmental policies when these are done in a socially just manner.

# TIME TO STOP CORPORATE CAPTURE

Over the years, lobbying scandals have frequently led to tighter rules regarding transparency, conflicts of interest, and ethics in the EU institutions. While some progress has been made, the framework is still flawed and full of loopholes. The register intended to provide transparency is not legally-binding nor properly enforced, conflict of interest rules are almost absent in some cases, and former decision-makers are still able to join corporate lobby groups or lobby firms, sometimes only after a short cooling-off period.

While Corporate Europe Observatory and other civil society organisations continue to work towards lobbying regulation – including a push for a legally-binding register of lobbyists – we need to go further than that. Reducing the power of corporate lobby groups over decision-making – in other words, ending corporate capture – takes more than transparency and ethics codes, because they do not challenge the permissive culture which sees corporations as natural and welcome partners in EU decision-making. Measures are needed that reduce the presence of corporate lobbyists – a key measure to roll back corporate capture.

Corporate capture is not a new phenomenon. For decades it was acknowledged that the tobacco industry had overly easy access to policy-makers which it manoeuvred to avoid much needed regulation for a very long time. The tobacco industry's commercial interest in selling a deadly product is clearly irreconcilable with public interest health policy-making, which means policy-making must be protected from its influence. In 2005 this led to the adoption of the WHO Framework on Tobacco Control, which includes a requirement to limit the interaction between tobacco lobbyists and decision-makers to a minimum.

## Not just tobacco

At Corporate Europe Observatory we believe this approach, adapted to the specifics of a sector or policy issue, is the way to stop corporate capture and to reclaim public institutions for democracy. This means targeted firewalls to reduce the access and influence of big business lobbyists in decision-making are needed. In some sectors it is especially urgent, particularly climate and energy policy which suffers from the continued access and influence of fossil fuel lobbyists wanting to slow down the phase-out of dirty energy. To tackle the climate emergency we must **cut fossil fuel interests** out of politics, similar to existing restrictions on the tobacco industry. The solution is a 'firewall' to end fossil fuel industry access to decision-making: that means no lobby meetings; no seats in expert and advisory bodies; and no role in governmental research bodies.

Similarly, the need to protect decision-making over the safety of toxic pesticides and chemicals from the vested interests of the industries profiting from these products is clearer than ever, after planned European Green Deal legislation has been **sabotaged by aggressive industry lobbying** (see box). To speed up action on the pollution crisis, it's time to raise a lobby firewall to protect decision-makers from the influence of the pesticide and chemicals industries.

Over the last few years, it has become increasingly clear that Big Tech has become too big to regulate. It is time to restrict Big Tech interference in EU decision-making, starting with digital giants like Meta, Google, and Amazon who have built monopoly power and operate with a destructive business model, from undermining democratic elections and manufacturing social media addiction, to squeezing smaller businesses and repressing workers' rights.

There is also major problem with corporate capture of medicines policy, and an urgent need for policy-making to be protected from the undue influence of Big Pharma. The EU vaccine strategy further worsened these problems. It is past time that the EU recognises that siding with Big Pharma and its demands for monopoly protection is disastrous for access to affordable medicines, and does little to develop new medicines.

To avoid the next five years becoming a disastrous era with unprecedented levels of corporate capture, we need a strong group of progressive MEPs who are determined to stand up against big business and demand firewalls to protect democratic decision-making. To create real momentum for rolling back corporate lobbying power, it is crucial that these problems – and the solutions – become hotly debated issues in electoral and political discussions across the EU.

## WHAT YOU CAN DO

### AS A CANDIDATE MEP YOU CAN:

- Highlight the problem of corporate capture (in general or with specific examples) in your election campaign and present to voters what you will do to protect democratic decision-making if you're elected.
- Read, reproduce, and support the list of demands below on preventing corporate capture.
- Challenge other candidate MEPs who have sided with Big Business in EU decision-making and enabled corporate capture.
- Challenge other candidate MEPs to commit to protect democratic decision-making against corporate capture.

**As Corporate Europe Observatory, we are available to provide support and cooperation, so don't hesitate to reach out with any questions or suggestions that you may have. We have also produced a series of short info briefings on corporate capture on specific EU policy issues. After the elections we are available for cooperation, for instance with suggestions for concrete initiatives to rein in corporate lobbying power.**

# TOWARDS ANOTHER EUROPE:

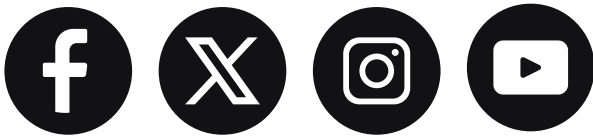
1. For every issue decided on in the EU institutions, decision-makers should stand up against big business lobbying, and **defend citizens and the public interest**, securing strong social and environmental protection.
2. **Firewall measures** (modeled after UN rules for tobacco lobbyists) are needed in order to protect EU and national level decision-making against the harmful lobbying influence of the fossil fuel and toxics industries, as well against political interference of Big Tech giants (particularly GAFAM) who have an irresponsible business model and a record of deceptive lobbying.
3. Across all sectors, it is crucial to end privileged access to EU decision-making: **strong rules are needed for all Commissioners and Commission staff** to prevent dominance of corporate interests both in the composition of advisory groups, and in terms of lobby meetings. Such rules are also needed for Council decision-making.
4. **Polluters out, people in:** in parallel to restricting the access and influence of Big Polluters, decision-makers should expand new forms of citizens' engagement, expanding ways to gain input from citizens, particularly involving currently under-represented and directly affected groups. Democratisation of decision-making is needed at all levels of society: local, national, and EU level.
5. The EU needs a **legally-binding lobby transparency register** with improved disclosure requirements, sufficient resources, the ability to properly investigate and sanction over non-compliance, and rigorous pro-transparency implementation of the EU's freedom of information law, including an opening up of the work of the Council and its working parties. In the light of Qatargate and other scandals, full disclosure of all forms of EU-focused lobbying by repressive regimes is long overdue.
6. The number of Commission officials obliged to proactively **disclose meetings with lobbyists** should be expanded: instead of only the top 300 officials, all Commission officials being lobbied should be covered by these transparency obligations.
7. There should be a **meaningful cooling off period for MEPs** (at least two years) before moving into lobbying jobs, as well as strong **financial disclosure of side incomes**, and **robust limits on second jobs** for MEPs (banning all second jobs for companies and groups that are lobbying the EU).
8. **Candidates should take a stand against the neoliberal deregulation push:** this should include scrapping the Regulatory Scrutiny Board and other obstacles to progress in social and environmental protection.

## HOW TO DEFEND DEMOCRATIC DECISION-MAKING FROM CORPORATE CAPTURE

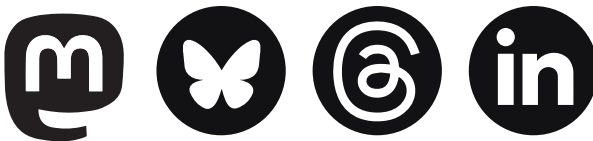


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