Lobbying for governments in Brussels: A lucrative business still under the radar

Corporate Europe Observatory

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Summary

This report presents 15 recent examples of governments using lobby consultancies to influence the EU institutions. The list ranges from Belarus to Botswana, Ethiopia, Jersey, Kazakhstan and Sri Lanka, to mention a few. They all have hired “public affairs” or “public relations” firms in Brussels to try and boost their diplomacy work. Their motives differ, but include polishing their image, gaining political support, securing EU funding or preferential trade treatment, and blocking new EU regulations.

While this report is probably the most comprehensive overview yet of this little-known part of Brussels lobbying, these examples are only the tip of the iceberg. Secrecy among both embassies and consultancies keeps much of this phenomenon out of public sight.

Some of the consultancies are lobbying on behalf of governments which are directly or indirectly responsible for serious human rights violations. For instance Bell Pottinger has since 2005 lobbied the EU institutions on behalf of Sri Lanka, whose government is accused of systematic human rights violations. The consultancies lobbying for governments such as Belarus, Botswana, Ethiopia and Kazakhstan, appears not to screen the ethics of their clients. This makes the claims in the codes of conduct of lobbyists associations SEAP and EPACA of operating to the “highest ethical standards” seem rather hollow.

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1. Subcontracting diplomacy: a growing market

The hundreds of lobbying consultancy firms active in Brussels mostly work for large corporations and industry coalitions[1], but another group of clients appears to be on the rise. Lobbying for governments seems to be a growing market in Brussels. Recent examples of governments using public affairs (PA) consultancies for lobbying and public relations (PR) support include Pakistan, Portugal, Russia, Armenia, Azores, Ukraine, the Bosnian Serb Republic, Belarus, Botswana, Bulgaria, Ethiopia, Jersey, Kazakhstan, Georgia and Sri Lanka. Both consultancy firms and the countries' embassies maintain a veil of secrecy around such contracts. The cases in this report are therefore likely to be only the tip of the iceberg.

EU decisions are of increasing importance to national governments, for instance in the context of accession talks or trade preferences. This may explain why governments are turning to professional lobbyists. The complexity of EU decision-making, including the rising powers of the European Parliament, means that traditional diplomatic efforts via embassies are not considered enough. Brussels-based consultancies are hired to help governments gain access to the EU institutions and "sell" their messages and interests effectively.

Some consultancies, such as Alber & Geiger, are proactive in developing this new market. "Our law firm is a specialised lobbying firm with representation in Brussels and Berlin, and we offer our services to you to help ensure that the EU should fulfil its promise", Alber & Geiger wrote in a letter to the Pakistani Commerce ministry last July, after the EU declared that it would consider easing Pakistan's access to EU market[2]. "Through our contacts, we feel we could represent Pakistan in talks with the EU, put forward the issues that Pakistan feels should be discussed and ensure that the EU keeps their promise and implements the ideas", the law firm added.

The examples presented in this report cover a diverse range of countries, including a number of governments with controversial reputations, most often due to violations of human rights. Those controversial governments will be subject to a more in-depth analysis in this report. Examples come from large, small and medium-sized countries.

Several embassies contacted by Corporate Europe Observatory denied hiring PR firms to help them in their diplomacy work, either directly or through their national governments. "No, we never have done that and we will not in the future", the embassy of Myanmar told CEO. "Not until now, but it is not unlikely in the future", said a spokesperson for the Chinese embassy. The embassies of Honduras and Colombia both denied having ever subcontracted any of their diplomacy work to lobby consultancies.

Lobbying or "country branding"?

During a walk in the EU quarter last year, a Dutch radio journalist asked a man in suit if he was a lobbyist. He said no: "I'm in Brussels to put a country on the map – country branding". He then, rather bizarrely, refused to say which government he was working for[3]. So what is "country branding"? And is it just lobbying by another name?
"Country branding is just a marketing concept", according to Michael Mann[4],

spokesman for the EU Commission Vice President Maroš Šefčovič, who is in charge of the European Transparency Initiative[5].“The EU institutions have no reason or legal duty to endorse any definition of such a concept. Country branding certainly leads to different forms of lobbying activities in order to promote the image or the reputation of a country”, he added.

In Brussels, lobbying or interest representation officially relates to all activities aiming at “influencing the policy formulation and decision-making processes of the European institutions”, according to the European Commission[6]. The definition includes “communicating […] information material” and “organising […] promotional activities”[7], typically part of PR firms’ toolbox used to brand a country or a region. So if these actions aim at “influencing the policy formulation and decision-making processes of the European institutions”, it is clearly lobbying. If a country wants to brand itself internationally, it seems reasonable to assume it would hire a local PR firm (ie. within the country itself) for obvious practical and organisational reasons. But if a country wants specifically to brand itself towards the EU institutions and decides to hire a Brussels-based PR firm, this specific goal intrinsically reveals that the country seeks to influence the EU institutions and that there is an underlying political intention, “an objective of interest representation”.

What exactly is “country branding”?

According to brand consultancy FutureBrand, the central idea is that countries “have the potential to become some of the world’s strongest brands, rivalling Nike, Sony and IBM”[8]. In 2005, marketing lecturer Uche Nworah[9] described the concept as “a largely new but growing discipline and aspect of branding”. He then proposed the following definition: “Country branding is the process whereby a country actively seeks to create a unique and competitive identity for itself, with the aim of positioning the country internally and internationally as a good destination for trade, tourism, and investments.”[10] Some also include residents, foreign employees and students in the targeted audience of nation branding.

“A strong nation brand is a strategic asset for a country, and nation branding is as such a strategic tool, used to achieve a nation’s long-term goals”, Marcus Andersson, a leading place-branding consultant in Sweden, told CEO[11]. “Lobbying can of course be part of a comprehensive, more holistic nation-branding strategy.”

Transparency failure

Launched in June 2008, the European Commission’s lobby register is a transparency tool, designed to provide information about who is lobbying in Brussels. The register is voluntary, but any entity engaged in lobbying activities is expected to register with the exception of local, regional, national and international public authorities”[12]. Lobby consultancies, however, must list all their clients, including governments. The problem is that, almost two years after it was launched, only 40% of the lobby consultancies have joined the register[13]. For instance, Corporate Europe Observatory found out that Sri Lanka has been hiring for years PR firm Bell Pottinger as its representative to the EU institutions, but Bell Pottinger has not signed up to the EC Register of Interest Representatives[14] and does not mention the Sri Lankan government in its list of clients published on its website[15].

Another easy way for governments to stay "under the radar" is hiring a law firm to lobby the EU institutions on its behalf. The reason is simple: registration to the EC Register is not mandatory and virtually all law firms offering lobbying services in Brussels have chosen not to register[16]. They say Bar rules for attorneys do not allow them to speak of client relationships without the prior agreement of a client.

The US transparency model

In the US, the Foreign Agents Registration Act (FARA) forces lawyers and lobbyists representing the interests of foreign governments to be properly identified to the American public. A specific online register[17] allows any citizen to check, for instance, who is paid by a government to lobby Washington on its behalf. The register gives access to the scanned contracts between lobby firms and foreign officials, names of lobbyists, fees paid, and the dates, times and topics discussed via e-mails, phone calls and meetings between lobbyists and US civil servants and policy-makers.

With a few mouse clicks, anybody can learn for instance that former vice-president of Nigeria Atiku Abubakar (recently accused by the US Senate of illegally bringing more than $40 million "in suspect funds" into the US[18]), is or has been represented recently in Washington by PR giants including Hill & Knowlton[19] and APCO[20]. APCO also provided PR services to the Nigerian dictatorship of General Sani Abacha in 1995[21,22] and carried out "activities to promote positive US-Nigeria relations" on behalf of Abubakar in April-May 2007 for $40,000 plus expenses[23].

Records filed show that APCO lobbyists met with a legislative assistant to Senator Barack Obama on April 5, 2007 to promote "free and fair elections in Nigeria". The day after APCO "arranged for representatives of the foreign principal to meet with: representatives of the New York Times, Fortune Magazine, Voice of America and National Public Radio"[24].

Lobbyists who don't register and disclose this information risk sanctions. An Iraqi-American businessman who helped Saddam Hussein's government in the oil-for-food scandal between 1992 and 2003 for example was charged with conspiracy to act as an unregistered agent of a foreign government[25]. He was fined $300,000 and sentenced to probation in 2008, having provided substantial assistance to the US government after his arrest[26]. But he could have faced imprisonment of up to five years[27].

According to research by watchdog organisations, "lobbyists for various foreign agents […] disclosed receiving $85 million in fees" in 2008.[28] They contacted congressional offices in Washington more than 10,700 times – including 2,280 meetings, nearly 2,600 phone conversations and more than 4,000 e-mails.

The Commission's register: poor, outdated and unaudited information

The Commission's register does not fulfil the basic information needs that citizens, MEPs and journalists have when it comes to EU lobbying: who lobbies for which government, on what issues and with what budgets? This has to do with its voluntary nature, the limited disclosure requirements and the many loopholes.

When a new registration is made, the Commission only checks whether the information is formally in line with its guidelines. Last year for instance, PR firm GPlus omitted to declare four clients who had explicitly asked to not appear in the public register. But because GPlus mentioned that omission in its registration form[29], the Commission reacted by suspending the PR firm for one month. Does that symbolic measure really act as a deterrent against the strong commercial interest in hiding clients who wish to stay in the shade?

It should be stressed that if GPlus had not mentioned its own omission to the Commission, nobody would have ever heard of it. Anyway, to justify that they omitted a client, lobbying consultancies working for governments could also argue that they offered "country branding"– and not lobbying – services.

And, even when a consultancy does declare a client, the information provided to the register is poor, outdated and unaudited by an independent body. For instance, on 30 October 2009 Burson-Marsteller declared the government of Bulgaria among its 77 clients in 2008 with a turnover below 10% of a total lobbying turnover amounting to €7,33 million[30]. What does that mean? That during an unidentified period of time in 2008 (from one day to 366 days[31]) the Bulgarian government has paid Burson-Marsteller an unidentified amount of money (comprised between €1 and €733,000) to do an unidentified job aiming at "influencing the policy formulation and decision-making processes of the European institutions".[32] And this "information" is provided 10 to 22 months after the job has been carried out.

As the Commission does not perform any checks on the veracity of the information in the register it is far from sure that registered consultancies with governments as clients always declare them in the register[33]. Data in the register have repeatedly proven to be unreliable[34]. The difference with the US is striking: the Foreign Agents Registration Act (FARA) has resulted in an online register containing a wealth of reliable information about lobbying on behalf of foreign governments.

Haven't EU citizens, MEPs and journalists the right to know who lobbies on behalf of which government, on what issues and with what budgets? Isn't it particularly true for lobbying activities that benefit regimes whose democracy and human rights record clearly violate core values promoted worldwide by the EU?

Lobbying for governments – what are the ethics?

Some of the countries included here such as Belarus, Ethiopia, Kazakhstan, Sri Lanka have a record of violating basic democratic standards and human rights. In return for hefty fees, PR and PA consultancies work to improve the image of these governments, helping them lobby to overcome the political isolation which may have been imposed for example as a result of human rights abuses.

Although many PR and PA consultancies have embraced the corporate social responsibility (CSR) discourse, it appears that they often do not hesitate to accept controversial regimes as clients, despite the ethical problems involved. Surely, just as some consultancies refuse to lobby for the tobacco industry (defined as off-limit by the World Health Organisation), shouldn't an "ethical" consultancy refuse to represent a repressive regime?

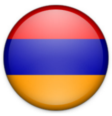
The self-defined codes of conducts and ethics of the Brussels lobby consultancy world define "ethics" in far more limited manner, however, purely focusing on the lobbying methods, not the ethics of the client or the cause that is being promoted. The Society of European Affairs Professionals (SEAP) does stipulate that its members "must observe the highest ethical standards" and "shall not engage in any practice or conduct that could be in any way detrimental to the reputation of SEAP"[35]. Not all SEAP members see this as a bar to representing unethical clients. Bell Pottinger – which has two members of staff in SEAP[36] – represents the government of Sri Lanka, which is accused of serious human rights violations, and has provided "country branding" for Belarus.

The code of conduct promoted by the European Public Affairs Consultancies Association (EPACA) states that the work of professional lobbyists "contributes to a healthy democratic process"[37]. One might question to what extent EPACA member Burson-Marsteller Brussels, which has provided media relations support to the former government of Bulgaria – described by Transparency International as the most corrupt government in the European Union in 2008[38] – really "contributes to a healthy democratic process" at the EU level or for the Bulgarian people.

What would "ethics" mean in real terms for a public affairs firm? "At the end of the day it's about the negative impact on human rights that a company could have", Niki Dheedene, Executive Officer Economic, Social and Cultural Rights at the Amnesty International EU Office told Corporate Europe Observatory[39]. "SEAP and EPACA's code of conduct start instead from the opposite point of view – that PR and PA companies should not engage in activities that would affect the reputation of the company. But that is not what ethical would mean from our perspective", she added.

Corporate Europe Observatory's research found examples of lobbying for 15 governments – Armenia (Burson-Marsteller), Azores (APCO), Belarus (Bell Pottinger), Botswana (Hill & Knowlton), Bulgaria (Alber & Geiger, Burson-Marsteller, Dominique de Villepin), Ethiopia (DLA Piper), Georgia (Aspect Consulting, Kreab), Jersey (White & Case), Kazakhstan (BGR Gabara, APCO), Pakistan (Alber & Geiger), Portugal (Kreab & Gavin Anderson), Republika Srpska (Hill & Knowlton), Russia (GPlus, Hill & Knowlton), Sri Lanka (Bell Pottinger) and the Ukraine (APCO). We hope these examples will help kick-start a long overdue debate about ethics in EU lobbying.

2. Recent cases



ARMENIA
Burson-Marsteller

The Republican Party of Armenia[40] (RPA) is a national conservative political party, the largest of the centre-right. It controls most government bodies in Armenia. In 2008 the Republican Party of Armenia hired Burson-Marsteller Brussels to lobby the EU institutions. It is unknown exactly which issues Burson-Marsteller lobbied on for the RPA, but it could be related to the on-going Armenia-Azerbaijan conflict over the breakaway of Nagorno-Karabakh, a landlocked region within Azerbaijan with 76% of Armenians which declared independence in 1991 and is still not recognised by the international community[41]. Or it could be linked to Armenia's relations with Turkey, deeply overshadowed by the massacres of hundreds of thousands of Armenians in the aftermath of World War I – massacres that the government of Armenia wants to be labelled "genocide"[42,43].

AZORES
APCO

In July 2009, the Azores regional government hired APCO Worldwide on a 12-month contract to ensure "the defence of the Region's interests at the EU Institutions, particularly its promotion and projection among Member States, and the search of new opportunities for the Region's development."[44] APCO Worldwide is run by Graham Meadows, former Director of the EC's Directorate General for Regional Policy (2003 and 2006), and Pat Cox, former President of the EU Parliament. No doubt they will open doors in Brussels for the tiny Portuguese outpost in the Atlantic Ocean, 1,500 km from Lisbon.

BELARUS
Bell Pottinger

Led by the former British Prime Minister Margaret Thatcher's PR guru Timothy Bell, Bell Pottinger Sans Frontières[45] was officially hired by Belarus in August 2008 to improve the image of "Europe's last dictatorship" among western countries and to encourage foreign investment in the former Soviet republic. When the 12-month contract expired, it was not immediately renewed[46], although it was initially meant to last "several years", according to Bell back in 2008[47]. Asked for clarification, Bell Pottinger told CEO: "We no longer represent the government of Belarus. Other than that we never disclose the details of our commercial relationships."[48]

The main part of the job was to explain to Minsk and to its Brussels embassy how EU decision-making works and "to ensure an accurate flow of information" to "key European figures" inside the EU institutions, Lord Bell explained in a rare interview on the issue[49]. Most of the work was carried out from London, but the PR firm also used a small office in the Bastion Tower in Brussels, on the outskirts of the EU quarter.

Press tour and interviews

Lord Bell, who personally handled the Lukashenko account, particularly assisted the 55-year-old Belarusian president in understanding "where we've got useful intelligence about any particular country that's very positive or very negative."

He organised a press-tour in Belarus for economic journalists from foreign media in October 2008, just three weeks before the first Belarusian Investment Forum in London[50]. At that event, Belarusian banks, industries and small and medium sized enterprises showcased some 100 investment projects worth $9 billion[51] to the European business.

During its contract, Bell Pottinger actively promoted Lukashenko's regime in the EU and internationally. Relations between Brussels and Minsk visibly thawed during that period. Thanks to Lord Bell's involvement, sympathetic interviews with Lukashenko appeared in various media including The Financial Times, Frankfurter Allgemeine Zeitung, and The Wall Street Journal in 2008. In April 2009, the images of the Belarusian president in audience with Pope Benedict XVI in the Vatican were widely circulated by international news agencies[52].

End of EU moratorium

In May 2009, government officials travelled to Prague for the first meeting of countries participating in the EU's Eastern Partnership programme. That trip effectively ended the moratorium on meetings between the EU and the Belarusian government[53]. A month later, the Parliamentary Assembly of the Council of Europe (PACE) voted to restore to Belarus its “special guest” status (which had been removed in 1997) when Belarusian authorities ban the death penalty[54].

The last European country to retain death penalty

Belarus’s first president, Aleksandr Lukashenko, was elected in 1994 three years after the state gained independence following the collapse of the USSR. Lukashenko is said to rule with an iron fist over his country of 10 million people. He is one of the longest-serving presidents in Europe today.

In 2005, US Secretary of State Condoleezza Rice described Lukashenko’s regime as “the last remaining true dictatorship in the heart of Europe”[55]. Its internal intelligence service still calls itself by the Soviet name KGB. For years, human rights groups have documented government restrictions on freedom of speech and the press, peaceful assembly, and religion[56]. Lukashenko recently promised to tighten internet regulation: “We will identify any person who disseminates lies and dirt, and will make them answer strictly to the law”, he declared[57].

In February 2010, the seizure of the unofficial Union of Poles in Belarus (ZPB)’s “Polish House” and the arrests of 40 members of the country’s Polish community and other civil society representatives caused a diplomatic row between Belarus and both Poland[58] and the EU. Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the Commission condemned police action against the Union of Poles and “what appears to be attempts by the authorities to impose a new leadership on the Polish community”[59].

Belarus is the last European country to retain the death penalty. It executed two individuals some time around 18 March[60].

The Debswana Diamond Company Ltd. is a joint-venture between the De Beers diamond mining company and the government of Botswana[61]. Many of the directors of Debswana are senior political figures in Botswana[62]. De Beers owns the rights to mine diamonds in the Kalahari region and, through Debswana (the group's major producer), has played a role in evicting indigenous Kalahari Bushmen from their land[63], mainly in 1997 and 2002. With the support of NGOs the bushmen rebelled against the situation. Debswana hired Hill & Knowlton to manage the crisis.

In 2004, the PR firm boasted that its international "information campaign" generated support for Debswana among members of Congress, UK Parliamentarians, Members of the Japanese Parliament "and Members of the European Parliament, as well as numerous media outlets". According to Hill & Knowlton, political delegations from all four regions visited Botswana to meet with President Festus Mogae and other government ministers. Moreover, "President Mogae made trips to Brussels, London, and Washington and met with government at the highest levels. This has resulted in significant political support for Botswana and its diamond industry"[64].

Brussels office secret role

It is very unlikely that Hill & Knowlton Brussels was not involved in this international campaign given they were best placed to gain direct access to the "local political scene", i.e. MEPs and European Commissioners approached by Debswana and President Mogae. Asked how Hill & Knowlton Brussels was involved in this campaign which appears to have been coordinated from Washington, the Brussels office said: "None of our current staff worked on the Debswana campaign. In the circumstances, it is difficult for us to provide you with specific information that goes beyond what is already on our website".[65] Michael Kehs, Hill & Knowlton's general manager in Washington, did not respond to CEO's e-mail requests.

According to Foreign Agents Registration Act (FARA) files, Debswana spent more than $2.2 million on lobbying in the US through Hill & Knowlton between January 2001 and May 2002[66]. The amount Debswana allegedly paid to Hill & Knowlton Brussels is unknown.

Repression of ethnic minority

Though politically stable and democratic, the government of Botswana has been accused of repeated human rights violations during the last decade, particularly towards an ancient tribe of hunter-gatherers living on a diamond-rich land in the Kalahari desert.

During a parliamentary trip to Botswana organised in 2002 by Hill & Knowlton, UK peer Lord Pearson met with some of the 200 bushmen and their families who had been forcibly resettled by the government in a camp at New Xade. "I took the precaution of hiring my own interpreter, so I was able to hear exactly what some of [them] were saying", he told The Guardian. "I heard them describe it as a place of death, where they had nothing to do but drink, take drugs and catch AIDS. Many of them felt that they had been evicted because Debswana wanted their land for its diamonds."[67]

In 2005, a UN special rapporteur on the rights of indigenous peoples said that Botswana's government should have negotiated with Kalahari bushmen before moving them to a camp[68]. In 2006, with the help of an NGO, the Bushmen won a landmark legal victory as Botswana's high court ruled they had been illegally removed from the Kalahari desert and should be allowed to return[69]. More recently, more than 400 Bushmen were denied the right to vote in Botswana's 2009 general election, with five Bushman communities inside the Central Kalahari Game Reserve omitted from the electoral register[70].

In November 2008, Bulgaria's former government's problems with pervasive corruption and organised crime led the European Union to withdraw €220 million in development assistance[71]. The EU move came a few months after the publication of a highly critical progress report on the country's commitment to remedying these problems[72]. The government was also accused of not being transparent with EU funds, and there were allegations of embezzlement.

A few weeks prior the announcement, the Bulgarian government went into "crisis management" mode and decided to go on the PR offensive.

Former French PM to hire

Prime Minister Sergey Stanishev recruited the former French PM Dominique de Villepin for a six-month mission, chairing a new "advisory board" designed to improve Bulgaria's development as an EU member[73]. Apart from de Villepin, the board also included former high-ranking figures such as Josep Piqué (Spain's foreign Minister in 2000-2002) and António Vitorino (former Portuguese EU Commissioner for justice and home affairs)[74], who all now work as lobbyists.

The Bulgarian Ministry of Internal Affairs also hired Brussels law firm Alber & Geiger allegedly for a three-month contract worth €15,000 , according to the Bulgarian press[75]. But other agreements seem to have been signed subsequently. Alber & Geiger is "the leading EU government relations law firm in Brussels", according to Public Affairs News[76]. Its assignment was complementary to the arrangement with the advisory board: branding the former government and presenting the implementation of the commitments taken by the Ministry towards the EU. "Our contract is with the Ministry of the Interior, but we are working with all relevant cabinet members, this includes Prime Minister Mr. Sergey Stanishev, Vice Prime Minister Ms. Meglena Plugchieva, this includes Minister for European Affairs Ms. Gergana Grancharova", said Andreas Geiger, partner at Alber & Geiger, in an interview with EurActiv[77].

Timely interview by EurActiv

That interview, published just before the EU Commission announced it was suspending the funds, was headlined: "Bulgaria wrongly portrayed as EU's bogeyman". If Alber & Geiger wanted to influence the Commission in a last-ditch PR push, the timing could not have been better. Instead of suspending roughly €500 million of funding to the country, as initially announced[78], the Commission opted to withdraw a more modest €220 million[79].

The interview was orchestrated by Georgi Gotev, top manager and editor at EurActiv, and a former journalist and diplomat close to the Bulgarian Socialist Party. EurActiv's chief editor Frédéric Simon confirmed to French weekly Courrier International that Mr Gotev offered him the Geiger interview[80].

An application to the EurActiv Awards 2009 by Siegbert Alber (the other law firm co-founder) highlights Alber & Geiger's "recent mandates in Bulgaria" as evidence that Alber "is lobbying successfully" with a wide range of different clients – namely the government and Bulgarian Telekom[81]. Regarding the Ministry of Internal Affairs contract, the application stresses that Alber worked "as a transmission belt" to solve the "misunderstandings" between both institutions. As a result "it is to be expected that the forthcoming progress report on Bulgaria will be highly beneficial for Bulgaria".

Bulgarians opposed to EU subsidies

Alber did not win the Award. But Bulgaria's new government reaped the fruits of his and de Villepin's labour, after the Socialist Party were defeated in elections in July 2009.

On 11 February 2010 in Brussels, the new prime minister Boyko Borissov distributed photocopies of letters from the Commission announcing that two EU aid programmes worth €1.6 billion had been unblocked to the EU press. Four other EU operational programmes for Bulgaria had been unfrozen in the preceding days. The former Minister of EU Affairs in Bulgaria praised Alber & Geiger's work as "high end solutions for high end problems"[82].

In July 2008 a majority of Bulgarians believed that the EU should indeed freeze its subsidies to their country[83]. Frustrated by endemic corruption and poverty, they perceived that this public money was not reaching them and welcomed funding cuts as a way of hurting the corrupt political class.

Less than a year before hiring Alber & Geiger, the Bulgarian government recruited PR giant Burson-Marsteller for a similar mission. "In 2008, Burson-Marsteller Brussels did a small amount of work for the Bulgarian government, as a subcontractor to our former Vienna-based affiliate, Hochegger Communications, which won a communications assignment from the Bulgarian government via public tender", Burson-Marsteller Brussels CEO Robert Mack told Corporate Europe Observatory[84]. The Hochegger Communications contract was about 2 million leva (€1 million)[85].

Secret meetings with three MEPs

"Burson-Marsteller Brussels provided media relations support and media monitoring to the government about the implications of a European Parliament hearing and, in that context, held meetings with three MEPs", Mack added. He refused to disclose the names of the MEPs or give details about the hearing – pieces of information that would be public under a US Foreign Agents Registration Act (FARA)-like regulation. Burson-Marsteller Brussels' fee for that work was €35,608, Mack said. His company has not worked for Bulgaria since December 2008, he added.

Burson-Marsteller declared the Bulgarian government among its 2008 clients in the EU lobby register. But the entry does not reveal how much money changed hands – the fees are registered as between €1 and €733,000, and no information is given about the length of the contract or the nature of the job[86].

The most corrupt of EU member states

Bulgaria has been described as the most violent, corrupt, and poorest of EU member states. According to Transparency International's 2009 Global Corruption Barometer, its judiciary system is the most corrupt sector followed by the Parliament and the public institutions[87]. Near the maximum possible levels of corruption are registered in these sectors along with all political parties and the police. Nearly 10 per cent of all Bulgarians say they would not report corruption due to fear of repression – something that does not exist in any of the other EU Member States.

Since Bulgaria joined the EU in 2007, serious shortcomings remain regarding judicial reform and the fight against corruption and organised crime. In July 2009, the Commission concluded that "more needs to be done to deliver convincing results" in these domains[88]. Bulgaria is therefore not able to correctly apply Community law and Bulgarians do not fully enjoy their rights as EU citizens.

Moreover Bulgaria lacks specific legislation protecting the media from state interference[89]. The police have been accused of abusing prisoners and using illegal investigative methods. Even if the constitution guarantees freedom of religion, local governments have attempted to enforce special registration requirements on some groups[90].

ETHIOPIA
DLA Piper

"I am from a lobby firm, DLA Piper. I have a question to you and Ms Ana Gomes. Why don't you fight the government in Ethiopia, like Professor Mesfin does, rather than from Diaspora?" In June 2008, two DLA Piper lobbyists attended an EU parliamentary hearing in Brussels on the ever deteriorating political and human rights situation in Ethiopia[91]. The lobbyists came to defend the prime minister Meles Zenawi's regime and challenge its opponents, including socialist MEP Ana Gomes (Portugal) and exiled opposition leader Dr Berhanu Nega[92]. According to Ethiopian journalists at the hearing, Berhanu responded to the lobbyist saying: "You earn money by defending a corrupt and criminal regime at the expense of the misery of millions of the Ethiopian poor"[93].

Seven months later, according to Human Rights Watch, the Ethiopian government passed one of the world's worst laws on NGOs[94]. Yet, just a few days later the European Commission announced plans to give the country €250 million in new assistance. The new law, which the watchdog compares to anti-NGO laws in Russia and Zimbabwe, did not trigger a strong warning from the EU[95], despite the requirements of the Cotonou Agreement which links aid to government respect for basic human rights.

Blood money

"Our government affairs teams have worked with [the government of Ethiopia] in London and Brussels as well as Washington, DC", DLA Piper said in a statement last year[96]. In Washington, FARA records show that between September 2007 and June 2008 the Ethiopian government hired three consultancies (DLA Piper, Dewey & LeBoeuf, Mark Sailor) and spent more than $2,500,000 on lobbying[97]. During that period, DLA Piper's lobbyists did all they could to undermine the human rights bill "HR-2003" which aims at linking respect for human rights and US foreign aid[98,99]. Figures are not available on their activities in the EU.

Those lobbying efforts were denounced by the Ethiopian Diaspora a few months later through a low-key counter-campaign in Washington. In April 2009, adverts flourished on taxis bearing the slogan "DLA Piper shares blood money with Ethiopian dictators"[100]. The campaign denounced DLA Piper's lobbying against another bill, "S.3457", designed to encourage Ethiopia not to inflict violent crackdowns on its citizens[101]. Proposed in 2008, the bill is still languishing with the US Senate Committee on Foreign Relations…

According to DLA Piper, its contract with the Zenawi regime ended in November 2008[102].

Protesters killed by police, doubts about 2010 elections

In May 2005, general elections were held to renew the Assembly of People's Representatives. The opposition, including the Coalition for Unity and Democracy (CUD) said that the victory has been "stolen" by the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF).

In November 2005, post-election protests resulted in the deaths of at least 200 protesters, many of them victims of excessive use of force by the police. In addition, about 2,000 opponents, including leaders of the CUD, were arrested. According to Human Rights Watch, Ethiopia is on a deteriorating human rights trajectory as parliamentary elections approach in 2010[103].

In 2007 and 2008, Ethiopia's military committed war crimes in neighbouring Somalia, shelling whole districts of Mogadishu[104].

The government has sought to prevent the emergence of organised opposition in most of the country, re-imprisoning opposition leader Birtukan Midekssa for life in December 2008 and passing legislation in 2009 which has been criticised as repressive[105].

In August 2008, Georgia invaded the breakaway province of South Ossetia, triggering a PR war between Aspect Consulting and GPlus. Brussels-based Aspect Consulting's media strategy was designed to depict Georgia as a victim of Russian aggression, with press releases issued almost hourly over the five-day war. "Civilian victims", "nuclear", "humanitarian", "occupation", "ethnic cleansing"… Aspect carefully picked up terms that trigger western media interest.

The strategy was built on exploiting the news media's need for a human angle on coverage, including images for television: "We put human beings in front of the camera. We recognised the need for emotionalism in emotional times rather than the way that the Russians did which was to keep, if you like a very robotic, very old fashioned media approach", said James Hunt from Aspect[106]. Western correspondents were welcomed into Gori and shown areas apparently bombed by the Russians. Georgian president Mikhail Saakashvili, held international media phone conferences and got himself on TV news[107].

EU membership aspiration

From the outbreak of the crisis, the founder of Aspect Patrick Worms managed Georgia's press relations from Tbilisi[108] while Christopher Flores played a crucial role in media and political communications in Brussels[109]. Aspect's Paris office was also involved in "branding" Georgia months before the conflict started[110]. Indeed Aspect received €500,000 in 2007 to promote Georgia's EU and NATO membership aspirations[111].

Saakashvili, who took power in the Rose revolution of 2003-2004, had already hired Swedish PR firm Kreab in 2004-2007. Kreab's chairman Carl Bildt went on to become Sweden's minister of Foreign Affairs in late 2006. Some senior Kreab staff hold strong ideological convictions and continued to freelance for Saakashvili[112].

The Georgian government also spends a significant budget on international advertisements in newspapers and on TV, including BBC Worldwide and CNN[113].

On 14 October 2008, less than a month before the European Commission presented a proposal to amend the Savings Tax Directive to ensure "more effective taxation of savings income and eliminate undesirable loopholes which facilitate tax evasion and tax fraud"[114], the then Tax Commissioner László Kovács was invited to speak at a "lunch debate" in Brussels. The event was sponsored by the governments of Jersey and the Isle of Man[115], and organised by the European Platform for 3rd Country Finance Centres (EP3CFC), the European Training Institute and Europolitics.

The EP3CFC is a lobby group launched in 2007 by Irish MEP Gay Mitchell (EPP-ED)[116] and managed by Schuman Associates[117], a prominent consultancy of the "Brussels' bubble" which is not registered with the Commission's lobby register and has eight registered lobbyists with access badges to the European Parliament.

Alastair Sutton: Jersey's man in Brussels

The "opening act" of the event was carried out by Richard Hay, an international tax lawyer who strongly advocates tax competition and tax havens. Commissioner Kovacs was exposed to Hay's highly oriented views and, after his own speech, questioned by a floor mainly composed of tax havens enthusiasts. What was at stakes? Simply the preservation of the Channel Islands' "market share" in the big EU business of tax evasion and tax fraud.

But that public lobbying event in Brussels was exceptional. Ninety nine per cent of the lobbying by Jersey and other tax havens is conducted behind closed doors. In terms of hard-core (drafting amendments, etc.) and everyday lobbying towards the EU institutions, for more than two decades now Jersey, Guernsey and the Isle of Man have been represented by Alastair Sutton, a partner from the Brussels office of US law firm White & Case[118]. A former Commission official whose career in the public sector ended as Head of Division for financial services in 1989 under Commissioner Sir Leon Brittan[119], Sutton is the lobbyist-in-chief for the Crown Dependencies in the EU capital.

A "prison" for a €220 billion fund industry

In addition to the review of the Savings Tax Directive, Sutton and his colleagues are now busily lobbying the EU institutions on another front: the so-called alternative investment fund managers (AIFM) directive or "hedge fund directive", put on the table by the Commission in April 2009[120]. The main regulatory component of this new regulation is an obligation for EU-based managers of alternative investment funds (hedge funds, private equity funds, real estate funds…) to register and disclose their activities, in order to improve supervision and avoid systemic risks.

For the Channel Islands, which sell secrecy and a lax regulatory framework to those fund managers[121], the AIFM directive is clearly not good news. Non-EU fund managers like Jersey-based Altis Partners, ranked 14th in the Bloomberg top 20 best performers[122], might lose access to the EU's fund market, and many uncertainties remain as to how they will continue to operate their existing funds. "The fear is that in an attempt to protect investors, EU is in fact not only a fortress but also a prison – preventing EU investors from accessing third country markets" like Jersey's, according to Sutton[123]. An issue of crucial economic importance for the secrecy jurisdiction. In June 2009, Jersey businesses were servicing 1,322 funds with a total estimated value of €200 billion[124].

Open doors for business input

Jersey Finance Ltd., the marketing arm of the island's finance industry also hired PricewaterhouseCoopers (PwC) in London to prepare a battle map[125,126,127] for Jersey's financial services industry lobbyists in Brussels – including White & Case[128]. Sutton is confident about the outcome of his lobbying work: "The good news is that the doors of the European institutions are relatively open to representations by all economic operators from inside and outside the EU. The AIFM directive has been a steep learning curve for all EU institutions, which continue to need technical and business input from all affected by the measure."[129]

Financial laws facilitating tax fraud

Although Jersey, Guernsey and the Isle of Man are not on the OECD grey list of "tax havens", many experts consider these British Crown Dependencies to be "secrecy jurisdictions", i.e. places which deliberately pass legislation that undermines the rules of another state[130]. As Richard Murphy from the Tax Justice Network puts it: "They create a veil of secrecy to ensure that people who use its rules cannot be discovered to be doing so by the country they are actually based in. Jersey is without a shadow of a doubt in this group. It is the leading tax haven to service the city of London."[131]

Jersey's fiscal and financial laws voted by its Parliament facilitate tax evasion and tax fraud by foreign companies and individuals. These laws have therefore a direct impact on the budgets of EU member states. In 2004, the Commission estimated tax evasion and tax fraud in the EU to be from €200 billion to €250 billion each year[132]. As the Commission puts it: "Tax fraud constitutes an obstacle to the smooth operation of the internal market inasmuch as it leads to significant distortion of competition among taxpayers."

KAZAKHSTAN
BGR Gabara • APCO

In February 2010, the Kazakh president Nursultan Nazarbayev turned to London-based BGR Gabara for his communication and lobbying in Brussels[133]. Run by Ivo Ilic Gabara, former European Commission spokesman in Sarajevo turned lobbyist for APCO in Brussels[134], the consultancy declares “lobbying Brussels and EU policy-makers in energy related issues”[135] in the EC lobby register. Before founding BGR Gabara in 2008, Ivo Ilic Gabara had previously represented Kazakhstan in Brussels through APCO, as well as Greece, Malaysia and Ukraine[136].

BGR Gabara disclosed just one client from the banking sector in the EU register for financial year 2008. On its website it discloses six other “representative” clients – but Kazakhstan is not listed[137].

Nazarbayev sits on massive oil reserves that have helped open doors in Washington and Brussels. In 2010, Kazakhstan chairs the Organization for Security and Co-operation in Europe (OSCE) – the world’s largest security-oriented intergovernmental organisation. Its mandate includes issues such as arms control, human rights, freedom of the press and fair elections. Nazarbayev has never been elected in a vote judged free and fair by the OSCE monitors[138].

Human rights defender put to prison

Kazakh president Nazarbayev has been in office since 1989, a hold on power that critics say has been with an iron fist. Last year, according to Human Rights Watch, authorities sentenced the country’s leading human rights defender to four years’ imprisonment after an unfair trial[139]. The NGO has also criticised the Nazarbayev regime for adopting restrictive amendments to media and internet laws, not allowing peaceful demonstrations and protests, and using “national security interests” to justify arbitrary detention without access to legal counsel. Meanwhile, the website of the Kazakh embassy in Brussels advertises a brochure boasting the country as a “land of inter-ethnic and inter-religious peace and harmony”[140].

PAKISTAN

Alber & Geiger (?)

At an EU-Pakistan summit in June 2009, the EU declared that it would think about strengthening trade ties with Pakistan, including easing the Islamic republic's access to the EU market. A few days later Pakistan placed an advert in the international press to look for a PR firm that would facilitate for a free trade agreement (FTA) with the EU[141]. Consultancy Alber & Geiger was the first to approach the Commerce ministry[142]. It is not clear whether others applied or who won the bid. Corporate Europe Observatory called both the Pakistani embassy in Brussels and Andreas Geiger, managing partner of Alber & Geiger. They both refused to confirm or deny any deal[143]. Anyway, it seems that the alleged winner of the bid managed to help get political support for Pakistan from Czech Republic and Greece[144], the Netherlands[145], Italy and Spain[146], Belgium[147], UK[148] and probably Germany[149]. It also seems to have facilitated at least five discreet meetings in Brussels between a small Pakistani delegation and EU officials in the last six months of 2009[150].

PORTUGAL

Kreab & Gavin Anderson

In March 2010, the Portuguese government was expected to hire lobby consultancy firm Kreab & Gavin Anderson (KGA) to help steer off speculative attacks on its financial system[151]. Through its European headquarters in Brussels and with its office network located in the main European capitals, KGA will advise the government on the PR strategy for its Stability and Growth Pact, a new austerity program of welfare cuts and privatisation aimed to bring the country's deficits within EU limits[152]. The government hopes KGA can help avoid attracting negative attention from financial markets, which may compare the state of the country's economy with that of Greece and then unleash speculative attacks like Greece recently experienced.

REPUBLIKA SRPSKA

Hill & Knowlton

Republika Srpska (Bosnian Serb Republic) is one of the two main political-territorial divisions of Bosnia and Herzegovina[153]. In 2007-2008 the government allocated some €5.5 million to promote the image of the Bosnian Serb entity around the world, mostly in the US and Belgium. The campaign involved two PR firms, US-based Quinn Gillespie Associates (QGA) and Belgium's Hill Knowlton International. In Brussels, the PR campaign included lobbying for constitutional reforms, the upcoming elections, and fostering diplomatic relations between the EU and the Bosnian Serb entity[154]. It seems the campaign was also designed to seek international support for Republika Srpska's possible declaration of independence from Bosnia and Herzegovina. The president of Bosnia and Herzegovina himself filed a complaint to the constitutional court against the PR contracts, but his request was dismissed[155].

RUSSIA

GPlus • Hill & Knowlton

Moscow hired GPlus to update media relations in 2006. The Brussels-based consultancy is in fact subcontracted by the US PR firm Ketchum[156,157]. During the 2008 Georgia war, GPlus pushed for press visits to South Ossetia so that European TV stations could show something other than rampaging Russian tanks. In January 2009, Brussels journalists received almost daily e-mails with easy-to-paste quotes and dial-in details for phone conferences with Vladimir Putin's spokesman, Dmitry Peskov. In Autumn 2007, state-owned Gazprom signed a separate deal with GPlus for government advocacy and media handling. During the gas crisis with Ukraine, as early as October 2008 reporters googling "gas" and "Ukraine" were led to pro-Gazprom website GazpromUkraineFacts.com. Hill and Knowlton amplifies Moscow's EU message: in Brussels, the PR firm promotes Gazprom offshoot Nord Stream as a "purely commercial" venture and a "strategic prospect" for EU energy diversity[158]. In the past, Hill & Knowlton flew MEPs to Siberia on a private jet for Russian oil giant Rosneft (75% owned by the Russian government[159]).

On 15 February 2010, EU member states decided to drop Sri Lanka from GSP+, an EU programme that gives developing countries preferential access to its market provided that they adopt international conventions to protect human rights, improve labour standards and other social goals[160]. The GSP+ status was granted to Sri Lanka in 2005, in the aftermath of the tsunami. Clothing and fisheries product imports have benefited from tariff cuts of six-seven per cent. The main buyer has been the EU, and the value of the benefits for Sri Lanka has been estimated at €100 million[161].

GSP+ was dropped as a result of human rights violations allegedly committed by the Sri Lankan government during the final stages of its long-running war against the separatist Tamil Tiger rebels. The EU sanction was first floated in October 2009 when the EU Commission published a damning report on human rights abuses in Sri Lanka[162], followed by a recommendation[163] in December 2009 to temporarily suspend trade benefits. In a last-ditch battle, the Sri Lankan government launched "a vigorous lobbying campaign" to try to prevent the decision[164].

Selling human rights progress

London-based PR firm Bell Pottinger does not mention the Sri Lankan government in its list of clients published on its website[165]. Yet the company has been hired by Sri Lanka to represent it in the EU since at least 2005: "The Foreign ministry has recruited Bell Pottinger five or six years ago to disseminate our political messages on several issues, including the human rights situation in Sri Lanka, to the most targeted audience – the EU institutions, the media and NGOs", a diplomatic source told Corporate Europe Observatory (CEO)[166].

The PR firm is called upon "sporadically" and the embassy has "no idea" of the terms of the contract, CEO was told. "Our embassy is very small, we only have three diplomatic officers working, so from time to time they support us also". Asked about a recent mission carried out by Bell Pottinger, the diplomat mentioned "organising hearings in the European Parliament, and for these, preparing and disseminating information".

Lies and spin at EP hearing

On 14 January 2010, the European Parliament Committee on International Trade held a hearing on the potential removal of the GSP+ concession to Sri Lanka. The Sri Lankan ambassador stressed that since December 2008 only one child is reported to have been recruited by militant groups and that Reporters Sans Frontières (RSF) recorded only one alleged attempt to kidnap a journalist in the last year – claims that were rebutted by human rights activists and RSF itself, according to a report of the hearing by a human rights NGO[167].

MEP Joe Higgins, who hosted the meeting[168], accused the Sri Lankan government of spinning a “good news story” which was far from the reality of what ordinary people live every day[169].

In October 2001, just before the parliamentary elections, Bell-Pottinger arranged a five-day visit to Britain for former President Chandrika Kumaratunga[170]. Interviews with Western media such as BBC and CNN were organised by the PR firm. The 290,500 sterling bill was leaked to the Sri Lankan press[171].

There is no official record of how much the Sri Lankan government pays Bell Pottinger and other lobby firms to lobby the EU on its behalf against human rights progress on the island.

100,000 held in detention camps

From 1983 to 2009, a civil war against the government was held by the Liberation Tigers of Tamil Eelam (LTTE), a separatist organisation wanting to create an independent state named Tamil Eelam in the North and East of the island. Both the Sri Lankan government and LTTE have been accused of various human rights violations. The United Nations (UN) say between 80,000 and 100,000 people were killed during the war[172].

In the final months of the conflict, thousands of civilians, held as human shields by the separatist Liberation Tigers of Tamil Eelam (LTTE), were allegedly killed by indiscriminate military shellfire and air strikes[173]. The UN estimates that the current government killed more than 7,000 civilians in 2009 in the final fighting against the Tamil Tigers[174], and that over 10,000 people were wounded.

More than 100,000 people remain in detention camps in March 2010, in conditions which are described as among the worst in the world. Children as young as eight years old are held in these camps. Access to these camps for independent journalists is restricted.

Mahinda Rajapaksa, who was re-elected as president in January 2010 with more than 57% of the vote, immediately imprisoned his main challenger in the poll, General Sarath Fonseka, accusing him of conspiring with the opposition to stage a coup d’Etat[175]. In early March 2010, Rajapaksa rejected the UN secretary-general’s plan to appoint a panel of experts to look into alleged rights abuses in the island nation’s civil war[176].

UKRAINE

APCO

Genocide or crime against humanity? The Holodomor is a famine that killed millions of inhabitants in 1932-1933 in the Ukrainian Soviet socialist republic. It was planned by Stalin’s regime in order to force through the Soviet Union’s policy of collectivisation of agriculture, against the will of the Ukrainian rural population. Through APCO, Kiev has been looking for a recognition and condemnation of the Holodomor by the EU institutions as an act of “genocide” (stronger on the scale of horror than a “crime against humanity”). In October 2008 in Strasbourg, the European Parliament voted a resolution describing the artificial famine as a “crime against humanity”[177]. This lost PR battle was just an episode of the ongoing “cold war” between Ukraine and Russia, Russian President Dmitry Medvedev accusing his Ukrainian counterpart Viktor Yushchenko of “using the tragic events of the early 1930s to achieve its political ends”.[178]

Notes and references

(All links accessed 13 April 2010 unless a date is specified in brackets)

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[1] A report by the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU) found "286 consultancies providing EU lobbying services", 11 March 2010.
[2] "EU lobbying firm offers services for FTA", Business Recorder, 16 July 2009.
[3] "Brusselse manieren: lobby, spin en overwin", Radio Nederland Wereldomroep, 30 June 2009.
[4] Personal communication (e-mail), 23 March 2010.
[5] Launched in November 2005, the European Transparency Initiative aims at increasing the transparency of the Commission in three domains: interest representation and lobbying activities, the Commission's minimum standards for consultation, data on beneficiaries of EU Funds.
[6] Frequently asked questions (FAQ) on the Commission's register for interest representatives, European Commission, May 2008.
[7] "These activities include: contacting members or officials of the EU institutions; preparing, circulating and communicating letters, information material or argumentation and position papers; organising events, meetings or promotional activities (in the offices or in other venues) in support of an objective of interest representation." Source: Frequently asked questions (FAQ) on the Commission's register for interest representatives, European Commission, May 2008.
[8] "Countries As Brands", FutureBrand.com, 2009.
[9] Biography of Uche Nworah, Rebrand.com, 2010.
[10] "Country Branding And The Nigeria Image Project As A Case Study", Uche Nworah, Global Politician, 24 May 2005.
[11] Personal communication (e-mail), 21 March 2010.
[12] Communication on "A framework for relations with interest representatives", European Commission, COM(2008)323 final, 27 May 2008.
[13] "Sixty per cent of EU lobbying consultancies boycott lobby transparency register", Corporate Europe Observatory, press release, 16 March 2010.
[14] Although Bell-Pottinger is based in London, it is eligible for registration: according to the European Commission, "all entities engaged in "activities carried out with the objective of influencing the policy formulation and decision-making processes of the European institutions" are expected to register."
[15] See "Clients" and "Case studies" sections on Bell Pottinger website, 2010.
[16] "Law firms, think-tanks 'boycotting' lobby register: Kallas", EurActiv.com, 10 September 2009.
[17] Available at: http://www.justice.gov/criminal/fara/links/quick-search.html
[18] "Report: 'Dirty Money' Still Entering U.S.", CBS News, 4 February 2010; "Keeping foreign corruption out of the united states: four case histories", Permanent Subcommittee on Investigations, United States Senate, 4 February 2010.
[19] FARA Register search in Foreign Principals / Historical List of all Foreign Principals (Active and Terminated).
[20] FARA Register search in Foreign Principals / Historical List of all Foreign Principals (Active and Terminated). Abubakar also hired Qorvis, Watts Partners, Weidenfeld Law Firm and Alexander Strategy Group.
[21] US Department of Justice, Exhibit B to registration statement, APCO, 6 September 1995.
[22] US Department of Justice, Supplemental statement, APCO, 17 November 1995.
[23] US Department of Justice, Exhibit B to registration statement, APCO, 10 May 2007.
[24] US Department of Justice, Supplemental statement (p.19), APCO, 25 October 2007.
[25] United States of America v. Samir A. Vincent, Information by David N. Kelley, United States Attorney, United States District Court, Southern District of New York, 2005.
[26] "Oil-for-Food Witness Receives Lenient Sentence", Associated Press, 25 April 2008.
[27] Foreign Agents Registration Act, Enforcement and Penalties, § 618 (a).
[28] "Adding it up: The Top Players in Foreign Agent Lobbying", Anupama Narayanswamy and Luke Rosiak (Sunlight Foundation) and Jennifer LaFleur (ProPublica), 18 August 2009.
[29] "Commission suspends registration by GPlus", Brussels Sunshine Blog, 19 January 2009.
[30] Profile of Burson-Marsteller, Register of interest representatives, European Commission, last updated on 30 October 2009.
[31] 2008 was a leap year.
[32] Frequently asked questions (FAQ) on the Commission's register for interest representatives, European Commission, May 2008.
[33] The Commission services do not perform any checks of the veracity of the information provided by consultancies, unless a formal complaint is filed against one particular registrant. An online form allows anybody to file a complaint: https://webgate.ec.europa.eu/transparency/regrin/infos/submitcomplaint.do
[34] For instance, last summer the European Chemical Industry Council (CEFIC) was suspended for two months from the EC lobby register after an environmental NGO filed a complaint. The lobby group, which employs over 170 staff and has an annual budget of €37.9 million, had estimated its total costs related to lobbying the EU institutions in 2007 to less than... €50,000.
[35] Society of European Affairs Professionals (SEAP) Code of Conduct, 1997 (last amended on 20 January 2009).
[36] SEAP members list, January 2010.
[37] European Public Affairs Consultancies Association (EPACA) Code of Conduct, November 2008.

[38] Transparency International, 2008 Corruption Perception Index, September 2008.
[39] Personal communication (e-mail), 7 April 2010.
[40] Republican Party of Armenia website.
[41] "Nagorno-Karabakh", Wikipedia, 2010.
[42] "A change in the Caucasus?", Charles Tannock, European Voice, 19 October 2009.
[43] "Armenia-Turkey dispute over genocide label sets off lobbying frenzy", The Washington Post, 4 March 2010.
[44] "APCO Worldwide unanimously selected by the jury to provide lobbying services for the Azores at EU Institutions", Government of the Azores, press release, 22 July 2009.
[45] Bell Pottinger Sans Frontières, Chime Communications website, 2010.
[46] "Belarus ends work with British PR firm", EUobserver, 18 August 2009.
[47] "Lukashenko Turns to Brit For PR Help", The St. Petersburg Times, 18 March 2008.
[48] Personal communication with Paul Baverstock (e-mail), 8 March 2010.
[49] "Lukashenko's PR man sheds light on EU campaign", EUobserver, 10 October 2008.
[50] "In Minsk Western journalists are 'supervised' by Lord Bell and Belarusian Foreign Ministry", Charter'97 Press Center, 30 October 2008.
[51] "First Belarusian Investment Forum opens in London today", Belteleradiocompany, 18 November 2008.
[52] "Whose rapprochement? The Belarusian media between Lukashenka and the EU", Simon Garnett, Eurozine, 29 July 2009.
[53] "Prague Summit to launch 'Eastern Partnership'", Deutsche Welle, 7 May 2009.
[54] "PACE welcomes creation of task group on death penalty at Belarus' Parliament", Belarusian Telegraph Agency, 4 February 2010.
[55] "Rice: Belarus is 'dictatorship'", CNN, 20 April 2005.
[56] "Human rights in Republic of Belarus", Amnesty International, 2010; "IFJ Protests against Legal Harassment of Belarus Association of Journalists", International Federation of Journalists, 20 January 2010; "Belarus", World Report 2010, Human Rights Watch.
[57] "Belarus to toughen control over Internet", Associated Press, 30 December 2009.
[58] "Belarus' Aleksander Lukashenko, European Chessmaster", Pavol Demeš, Charter'97 Press Center, 5 March 2010.
[59] "Statement by HR Ashton on the situation of the Union of Poles in Belarus", Council of the European Union, press release, 16 February 2010.
[60] "Europe's first ever execution-free year undone by Belarus", EUobserver, 30 March 2010.
[61] "Debswana", De Beers website, 2010.
[62] "Bushmen aren't forever – Botswana: diamonds in the Central Kalahari Game Reserve and the eviction of Bushmen", Survival International, 7 April 2003.
[63] "Who really belongs to another age – bushmen or the House of Lords?", George Montbiot, The Guardian, 21 March 2006.
[64] "Debswana", case study, Hill & Knowlton website.
[65] Personal communication with Maëlle Quintart (e-mail), personal assistant to former CEO Elaine Cruikshanks, 9 March 2010.
[66] $563,408 have been spent by Debswana the first 6 months of 2001 (Exhibit A to registration statement, 23 January 2001, and Amendment, 24 July 2001), $1,254,362 the last 6 months of 2001 (Supplemental statement, 14 February 2002), and $425,705 the first 6 months of 2002 (Supplemental statement, 10 May 2002).
[67] "Who really belongs to another age – bushmen or the House of Lords?", George Montbiot, The Guardian, 21 March 2006.
[68] "UN urges Botswana to negotiate with Bushmen", Independent Online, 9 August 2005.
[69] "Kalahari Bushmen win land battle", The Guardian, 13 December 2006.
[70] "Bushmen Denied Right to Vote", Survival International, press release, 17 February 2010.
[71] "Bulgaria loses 220 million euro of EU funding", EurActiv.com, 26 November 2008.
[72] Report from the Commission to the European Parliament and the Council on Progress in Bulgaria under the Co-operation and Verification Mechanism, COM/2008/0495 final, 23 July 2008.
[73] "Bulgarian PM Stanishev includes European former ministers in his 'board of foreign counsellors'", The Sofia Echo, 12 November 2008.
[74] And two other members: Aunus Salmi (former Finnish member of the European Court of Auditors) and Paul Demaret (rector of the College of Europe).
[75] Ambassade de France en Bulgarie, La presse bulgare N°2419, press review, 24 October 2008.
[76] "Alber & Geiger", European Consultancy of the Year, Public Affairs News, Awards Brochure 2008.
[77] "Lawyer: Bulgaria wrongly portrayed as EU's bogeyman", Andreas Geiger, EurActiv.com, 18 November 2008.
[78] "Bulgaria's 'mea culpa' as EU moves to suspend funding", EurActiv.com, 24 July 2008.
[79] "Bulgaria loses 220 million euro of EU funding", EurActiv.com, 26 November 2008.
[80] "Alber & Geiger et le 'croquemitaine' de l'UE", Alexandre Lévy, "A l'Est, du nouveau" blog, Courrier International, 24 November 2008.
[81] "Prof. Siegbert Alber", application to the EurActiv Awards 2009, 27 August 2009.
[82] Quote featured on Alber & Geiger website (animated intro on front page).
[83] "Frozen EU funds hailed in Bulgaria as punishment for corruption", Agence France Presse, 22 July 2008.
[84] Personal communication (e-mail), 8 March 2010.
[85] Ambassade de France en Bulgarie, daily press review, 9 January 2008.

[86] Profile of Burson-Marsteller, Register of interest representatives, European Commission, last updated on 30 October 2009.
[87] "Transparency International: Bulgaria Still with High Corruption", Sofia News Agency, 3 June 2009.
[88] "Bulgaria and Romania: Political consensus needed to push forward the progress on judicial reform and the fight against corruption", European Commission, press release, 22 July 2009.
[89] "Bulgaria", International Freedom of Expression eXchange, 2010.
[90] "2008 Human Rights Report: Bulgaria", US Department of State, 25 February 2009.
[91] "Woyane is represented by DLA piper at the EU hearing", Ethiopian Media Forum, 26 June 2008.
[92] "Berhanu Nega", Wikipedia, 2010.
[93] "Woyane is represented by DLA piper at the EU hearing", Ethiopian Media Forum, 26 June 2008.
[94] "EU should not tolerate Ethiopia's repression", Lotte Leicht, European Voice, 18 February 2009.
[95] EU Presidency Declaration on Ethiopia's adoption of Charities and Societies Proclamation, Council of the European Union, press release, 30 January 2009.
[96] "Ethiopians in Washington DC take on DLA Piper", Ethiopian Review, 22 April 2009.
[97] From 1 September 2007 to 30 June 2008, Ethiopia spent $2,520,812 on lobbying in the US. DLA Piper received $1,351,851 (Supplemental statement, 14 April 2008, p.100), Dewey & LeBoeuf billed $1,090,331 (Supplemental statement, 30 April 2008; Supplemental statement, 24 October 2008) and Mark Saylor $78,630 (Supplemental statement, 30 April 2008; Supplemental statement, 29 October 2008).
[98] "Ethiopia upset by U.S. bill", The Washington Times, 23 August 2007.
[99] "Zenawi cranks up lobbying machine to defeat HR 2003", Ethiomedia.com, 27 July 2007.
[100] "Ethiopians in Washington DC take on DLA Piper", Ethiopian Review, 22 April 2009.
[101] "S.3457", Ethiopedia, 2009.
[102] "Ethiopians in Washington DC take on DLA Piper", Ethiopian Review, 22 April 2009.
[103] "Ethiopia", World Report 2010, Human Rights Watch.
[104] "Ethiopia", World Report 2009, Human Rights Watch.
[105] "Ethiopia", World Report 2010, Human Rights Watch.
[106] Newswatch, BBC News, 19 September 2008. Cited by SpinProfiles.
[107] "Georgia has won the PR war", The Guardian, 18 August 2008.
[108] "Brussels-based lobbying and PR agencies Gplus and Aspect Consulting", Worst EU Lobbying Awards 2008 nomination.
[109] Christopher Flores biography, Aspect Consulting website, 2010.
[110] Aspect News, Aspect Consulting website, 9 April 2008.
[111] "Plucky little Georgia: Saakashvili's PR agency wins on second front", The Guardian, 16 August 2008.
[112] "Russia hones new image among EU elite", EUobserver, 9 February 2009.
[113] "Lobbying of Ruling Party by Budget Money is Illegal", Web Portal on Human Rights in Georgia, 11 March 2010.
[114] "European Commission proposes amendment to savings tax directive in a bid to combat tax evasion", International Tax Review, 4 November 2008.
[115] Leaflet advertising the event, European Training Institute, September 2008.
[116] "MEP Mitchell hosts roundtable launch of new platform for non-EU Financial Services Centres", EPP-ED Group, press release, 10 October 2007.
[117] Leaflet advertising the event, European Training Institute, September 2008.
[118] Hearing of Alastair Sutton, Justice Committee, House of Commons, London, 15 December 2009.
[119] Biography of Alastair Sutton, White & Case website, 2010.
[120] "European Commission unveils tough hedge fund directive", The Daily Telegraph, 29 April 2009.
[121] "Onshore regulatory and fiscal developments making life harder for hedge fund managers have made Jersey a very attractive choice of domicile both for new funds and for established players seeking a more friendly environment", claims a provider of financial services in Jersey, stressing that it sells "services in relation to a variety of unregulated offshore and on-shore fund structures".
[122] "What can Jersey offer to hedge fund managers?", Finance Update, N°1, p.9, May 2009.
[123] "Response to the EU directive on Alternative Investment Fund Managers (AIFM)", Alastair Sutton, CISX – Guernsey International Business Summit, 11 September 2009.
[124] "The Alternative Investment Fund Managers Directive - How is it shaping up?", Finance Update, N°2, p.14, January 2010.
[125] "The draft alternative investment fund managers directive: implications for the Jersey funds industry", proposed structure and contents of the report, PricewaterhouseCoopers Legal, July 2009. http://www.jerseyfinance.je/library/document_download/Scope_of_PwC_Report.pdf
[126] "The Draft EU Directive on Alternative Investment Fund Managers", James Greig, PricewaterhouseCoopers Legal, 5 August 2009.
[127] "A Directive in flux – the confusion persists", AIFMD News, PricewaterhouseCoopers, January 2010.
[128] "Response to the EU directive on Alternative Investment Fund Managers (AIFM)", Alastair Sutton, CISX – Guernsey International Business Summit, 11 September 2009.
[129] "Response to the EU directive on Alternative Investment Fund Managers (AIFM)", Alastair Sutton, CISX – Guernsey International Business Summit, 11 September 2009.
[130] According to the Tax Justice Network, secrecy jurisdictions "are places that intentionally create regulation for the primary benefit and use of those not resident in their geographical domain. That regulation is designed to

undermine the legislation or regulation of another jurisdiction. To facilitate its use secrecy jurisdictions also create a deliberate, legally backed veil of secrecy that ensures that those from outside the jurisdiction making use of its regulation cannot be identified to be doing so."

[131] "Jersey: Tax haven or international finance centre?", BBC Jersey, 3 February 2009.

[132] "Anti-tax fraud measures", summary of EU legislation, European Commission, March 2007.

[133] "Kazakh President's European lobbyist", Intelligence Online, 25 February 2010.

[134] "Ivo Ilic Gabara", biography on BGR Group website, 2010.

[135] Profile of BGR Gabara, Register of interest representatives, European Commission, last updated on 19 October 2009.

[136] "Ivo Ilic Gabara", biography on BGR Group website, 2010.

[137] "BGR Gabara", presentation of the company on BGR Group website, 2010.

[138] "U.S. urges Kazakhstan to act on democracy pledge", Reuters, 11 February 2008.

[139] "Kazakhstan", World Report 2010, Human Rights Watch.

[140] Embassy of Kazakhstan in Brussels website, 2010.

[141] "EU willing to discuss FTA with Pakistan: next meeting in mid-2010", Business Recorder, 29 October 2009.

[142] "EU lobbying firm offers services for FTA", Business Recorder, 16 July 2009.

[143] Personal communications (phone) with Mrs. Bajwa, press officer at the Embassy of Pakistan in Brussels, and Dr. Andreas Geiger, 20 April 2010.

[144] "Pakistan lobbying for EU's GSP-Plus", Dawn Media Group, 10 December 2009.

[145] Government of Pakistan, Press Information Department, press release N° 260, 1 December 2009.

[146] "Foreign minister meets foreign ministers of Italy, Japan, Sierra Leone, Argentina and Spain", Ministry of Foreign Affairs, press release N° 355, 24 September 2009.

[147] "Belgium urged to support efforts for Pak-EU FTA", The Nation, 6 December 2009.

[148] "Pakistan seeks UK help for FTA with EU", Dawn Media Group, 23 March 2010.

[149] "Pakistan lobbying for EU's GSP-Plus", Dawn Media Group, 10 December 2009.

[150] "EU willing to discuss FTA with Pakistan: next meeting in mid-2010", Business Recorder, 29 October 2009.

[151] "Portugal hires lobby firm to help steer off speculative attacks", Brussels Sunshine Blog, 11 March 2010.

[152] "Governo reúne-se amanhã com KGA para definir plano de promoção do país", i, 24 February 2010.

[153] "Republika Srpska", Wikipedia, 2010.

[154] "Silajdzic challenges Republika Srpska at the Constitutional Court for its 'illegal' lobbying campaign", 19 September 2008 (accessed 7 February, 2010).

[155] Constitutional Court of Bosnia and Herzegovina, 56th plenary session, 3 July 2009.

[156] Profile of GPlus, Register of interest representatives, European Commission, last updated on 14 December 2009.

[157] "PR groups cash in on Russian conflict", The Guardian, 24 August 2009.

[158] "Russia hones new image among EU elite", EUobserver, 9 February 2009.

[159] Shareholder structure, Rosneft.com, 20 May 2010.

[160] "EU temporarily withdraws GSP+ trade benefits from Sri Lanka", European Commission, press release, 15 February 2010.

[161] "Q&A – Sri Lanka to face loss of EU's GSP+", Reuters, 16 February 2010.

[162] "Report on the findings of the investigation with respect to the effective implementation of certain human rights conventions in Sri Lanka", European Commission, C(2009) 7999, 19 October 2009.

[163] "Commission statement on GSP+ and Sri Lanka", European Commission, 15 December 2009.

[164] "Sri Lanka faces EU trade loss", Financial Times, 20 October 2009.

[165] See "Clients" and "Case studies" sections on Bell Pottinger website, 2010.

[166] Phone conversation, 10 February 2010.

[167] "European Commission to withdraw GSP+ to Sri Lanka", Tamil Solidarity, press release, 16 January 2010.

[168] "Tamil activist highlights continuing oppression of Tamils in Sri Lanka - still over 100,000 in detention camps", Confederal Group of the European United Left/Nordic Green Left in the European Parliament (GUE/NGL), 15 January 2010.

[169] "European Commission to withdraw GSP+ to Sri Lanka", Tamil Solidarity, press release, 16 January 2010.

[170] "CBK-Kadi clash over Rs. 97 million London fiasco", TamilCanadian.com, 25 November 2001.

[171] "President's pre-poll propaganda blitz costs a packet", The Sunday Times (Sri Lanka), 30 December 2001.

[172] "War crimes video fake: Sri Lanka", Associated Press, 8 January 2010.

[173] "Sri Lanka", World Report 2010, Human Rights Watch.

[174] "War crimes video fake: Sri Lanka", Associated Press, 8 January 2010.

[175] "Sarath Fonseka asks court to overturn election result", The Times, 17 February 2010.

[176] "Sri Lankan Leader Rejects U.N. Plan to Study Abuses", Associated Press, 6 March 2010.

[177] "Commemoration of the Holodomor, the artificial famine in Ukraine (1932-1933)", European Parliament resolution, P6_TA(2008)0523, 23 October 2008.

[178] "Averting Crisis In Ukraine", Steven Pifer, Council on Foreign Relations, Council Special Report N° 41, January 2009.