ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

ORGANISATION DE COOPÉRATION ET DE DÉVELOPPEMENT ÉCONOMIQUES

www.oecd.org

BETTER POLICIES FOR BETTER LIVES DES POLITIQUES MEILLEURES POUR UNE VIE MEILLEURE

TRANSPARENCY AND INTEGRITY IN LOBBYING

Worldwide public concerns over lobbying and the OECD response

Concerns over lobbying practices and demands for transparency in public decision making have led to countries increasingly discussing lobbying in the political and policy arena. Lobbying can provide decision-makers with valuable insights and data, as well as grant stakeholders access to the development and implementation of public policies. However, lobbying can also lead to undue influence, unfair competition and regulatory capture to the detriment of the public interest and effective public policies. A sound framework for transparency in lobbying is therefore crucial to safeguard the integrity of the public decision-making process.

The OECD Principles for Transparency and Integrity in Lobbying have helped decision makers address concerns raised by lobbying practices. These are the only international principles addressing concerns raised by lobbying and providing guidance on how to meet expectations of transparency and accountability in the public decision-making process. They are part of the OECD strategy for a stronger, fairer and cleaner economy.

Lobbying in figures: Evidence of its size and impact

Lobbying is a global multi-billion dollar business that employs a considerable number of individuals. For example, in 2010, lobbying spending at the federal level in the United States reached the record figure of USD 3.5 billion. In 2013, the number of registered lobbyists at the federal level was 11 400, a slight decrease from the record number of 14 800 that was recorded in 2007. In Canada, the number of lobbyists at the federal level exceeds 5000. In Europe, close to 6000 lobbyist have voluntarily registered with the European institutions.

An International Monetary Fund Working Paper analysed lobbying intensity in a variety of industries in the USA. According to the paper "firms lobbying in financial, insurance and real estate corporations (FIRE industry) spent approximately USD 480 000 per firm in 2006 compared to USD 300 000 per firm in defense or USD 200 000 per firm in construction." The paper established a link between intensive lobbying by the FIRE industry and high-risk lending practices, for example by using more lax lending standards measured by loan-to-income ratio. It concluded that the "prevention of future crises might require weakening political influence of the financial industry or closer monitoring of lobbying activities to understand the incentives better."

What can governments do to enhance transparency and safeguard integrity?

In 2009, the OECD reviewed data and experiences of government regulation, legislation and self-regulation of lobbyists. Based on the evidence and lessons learned from comparative reviews, country case studies and an analytical framework endorsed by governments, the OECD developed 10 Principles.

What are the elements of strong lobbying regulation?

Experience suggests that effective regulation depends on the following elements:

- Definition of lobbyist and lobbying activities targeted by regulation are clear and unambiguous.
- Disclosure requirements provide pertinent information on key aspects of lobbyists and lobbying such as its objective, beneficiaries, funding sources and targets.
- Rules and guidelines set standards for expected behavior, for example to avoid misuse of confidential information, conflict of interest and prevent revolving door practices.
- Procedures for securing compliance are framed in a coherent spectrum of strategies and mechanisms, including monitoring and enforcement.
- The organisational leadership promotes a culture of integrity and transparency in daily practice through regular disclosure and auditing to ensure compliance.

OECD 2013 ©

Transparency and Integrity in Lobbying

Fonte: OCDE