

# Executive summary

Lobbying can have a profound impact on the outcome of public policies and, in turn, on well-being and living standards in societies. By sharing expertise, legitimate needs and evidence, interest groups can provide governments with valuable insights and data on which to base public policies. This can help policy makers understand options and trade-offs, and can lead, ultimately, to better policies. Lobbying to strengthen environmental standards, improve road safety or increase childcare services, for example, can benefit society as a whole. Nonetheless, the abuse of lobbying practices – such as the monopoly of influence by special interest groups, undue influence through covert or deceptive evidence, or the manipulation of public opinion – can result in suboptimal policies and outcomes. An analysis of 300 academic studies showed that such abuse has led, for example, to negative health outcomes, inaction on climate policies, excessive regulation to protect incumbents, or insufficient regulation to correct market failures or distortions. In addition, the abuse of lobbying practices undermines citizens' trust in democratic processes.

The 2010 Recommendation on Principles for Transparency and Integrity in Lobbying provides countries with guidance on fostering transparency and integrity in lobbying. This report takes stock of the progress made in implementing those principles and reflects on the increasing complexity of lobbying activities that involve new tools for influencing government, such as social media, and a wide range of actors, including NGOs, think tanks and foreign governments.

## Key findings

**With the rise of digital technologies and social media, lobbying has become more complex.** The definition usually used in regulations – an oral or written communication between a lobbyist and a public official to influence legislation, policy or administrative decisions – is no longer sufficient. Mechanisms and channels of influence have become more diverse, which can lead to abuse. Increasingly, government policies can be influenced by and through non-governmental organisations (NGOs), research centres and think tanks, and the use of social media strategies to inform, misinform or change public perceptions. This can damage trust in both governments and those influencing the policy-making process, particularly companies.

**Only a minority of countries globally have addressed lobbying risks in their governance arrangements through transparency and integrity frameworks.** For example, in 2020, 23 of the 41 countries analysed provided some level of transparency over lobbying activities, either through a public registry with information on lobbying activities, and/or by requiring certain public officials to disclose information on their meetings with lobbyists through open agendas, and/or by mandating ex-post disclosures of how lobbyists' contributions were taken into account in public decision-making processes ("legislative footprint"). The COVID-19 crisis has demonstrated that countries with a regulatory framework to enhance the transparency of lobbying activities, and policy making generally, ensured a greater degree of accountability in policy decisions during the crisis. Improving the transparency and integrity of the public decision-making process remains high on many governments' agendas. For instance, at least 7 of the

countries surveyed are currently designing or considering new lobbying regulations, or revising existing ones.

**Transparency in lobbying activities has increased in those countries with transparency and integrity frameworks. However, levels of transparency vary across countries, and some of the measures in place provide only limited transparency on the influence process.** In the majority of countries, transparency is limited on both who is conducting lobbying activities and who is targeted. Certain actors that are *de facto* lobbyists, such as some NGOs and think tanks, are not always covered by transparency requirements. Despite the risks to democratic processes and national security, only Australia, Canada, the United States and the EU provide some transparency on the influence of foreign governments through lobbying activities. Finally, few countries provide some transparency on lobbying activities in all branches of government, and transparency remains the exception at subnational levels.

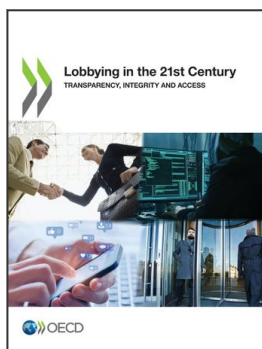
**More transparency is needed on who funds research, think tanks and grassroots organisations, as well as on the use of social media as a lobbying tool.** The Canadian Register of Lobbyists and the EU Transparency Register are the only frameworks requiring lobbyists to disclose information on the use of social media and other public relations campaigns as a lobbying tool. While transparency of political finance is high, some grey areas remain, such as the funding of digital advertisements for political parties and candidates. Transparency over the composition and functioning of advisory and expert groups remains limited.

**Beyond transparency, the strength and effectiveness of the policy-making process also depends on the integrity of both public officials and those who try to influence them.** While legislation, policies and guidelines on public integrity have been established, they have usually not been tailored to the specific risks of lobbying and other influence practices. While rules on gifts, invitations and hospitality are robust, few countries have standards, guidance and training that specifically address lobbying activities and other influence practices. The “revolving door” between private and public office also remains a major concern, despite strict standards for managing conflict of interests. For example, only a few countries provide cooling-off periods for members of the legislative branch.

**Lobbyists and companies are under increasing scrutiny and need a clearer integrity framework for engaging with the policy-making process.** While codes of conduct remain the main tool for supporting integrity for lobbyists, they can lack coherence or leave too much room for interpretation. It is essential to improve standards and guidance across the range of measures that are available to influence public policy, to help lobbyists and companies engage in a way that does not raise concerns over integrity and inclusiveness. In particular, it may be necessary to specify the due diligence companies should undertake to ensure that their lobbying activities are aligned with their sustainability commitments.

**OECD countries have strengthened stakeholder engagement in regulatory processes to provide a more level playing field among actors in the world of influence, but opportunities for participation – and awareness among stakeholders – could be increased.** In addition, stakeholders are often involved too late in the process or given too little information to allow them to effectively influence regulations or policies.

**The OECD Principles for Transparency and Integrity in Lobbying should be updated to reflect the evolving lobbying and influence landscape,** and to help actors in government, business and civil society strengthen the frameworks for transparency and integrity in policy making.



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