

Transparency in lobbying activities

Lobbying is a legitimate act of political participation. It grants all those influencing governments access to the development and implementation of public policies. This range of interests allows policy makers to learn about options and trade-offs, and ultimately decide on the best course of action on any given policy issue. However, experience has shown that policy making is not always inclusive. Lobbying may also be abused through the provision of biased evidence and the manipulation of public opinion. Public policies based on misinformation or which respond only to the needs of specific interest groups, usually those that are more financially and politically powerful, tend to be suboptimal (OECD, 2017). As such, addressing not only the type of policies needed, but also how these policies are informed and shaped by various interests, is of the utmost importance.

The OECD Recommendation on Principles for Transparency and Integrity in Lobbying (hereafter, “Lobbying Principles”) states that countries “should provide an adequate degree of transparency to ensure that public officials, citizens and businesses can obtain sufficient information on lobbying activities” (OECD, 2010). Transparency can be provided through various means. Sixteen OECD countries (Australia, Austria, Canada, Chile, France, Germany, Ireland, Iceland, Italy, Lithuania, Mexico, the Netherlands, Poland, Slovenia, the United Kingdom and the United States) and Romania have public registries where lobbyists and/or public officials disclose information on their interactions. Another approach is to require certain public officials to disclose information on their meetings with lobbyists through open agendas (Spain, Romania, Slovenia and the United Kingdom). Other countries require *ex post* disclosures of how decisions were made (“legislative footprint”). Iceland, Latvia, Luxembourg and Poland have implemented such requirements (OECD, 2021).

Disclosure requirements differ depending on the level of the public official targeted by lobbying. In practice, there is limited transparency for all levels of officials: 13 out of 30 OECD countries (43%), plus Romania, provide information on lobbying activities aimed at ministers, cabinet members, and 14 OECD countries also include members of parliament. Only 10 OECD countries (33%) and Romania provide transparency over activities targeting appointed public officials, while 10 (33%) and Romania provide information on activities targeting senior civil servants (Table 12.3).

In addition, 17 out of the 31 OECD countries (55%) and Romania identify the beneficiary of lobbying activities (Figure 12.4). Although the Lobbying Principles explicitly state that disclosures should include the objective of the lobbying activity, much of the information needed for public scrutiny is missing. Only eight OECD countries have transparency tools that enable stakeholders to identify the specific piece of legislation, regulation or decision that was the target of lobbying activities (Figure 12.5).

Methodology and definitions

Lobbying is the act of lawfully attempting to influence the design, implementation, execution and evaluation of public policies and regulations administered by executive, legislative or judicial public officials at the local, regional or national level.

The 2020 OECD Survey on Lobbying used three questionnaires that took stock of regulations and collected experiences from public officials from the executive and legislative branches, as well as lobbyists.

Respondents to the survey for public officials in the executive branch were country delegates responsible for integrity policies and/or lobbying-related rules in central government. A total of 29 OECD member countries completed the survey. Italy responded to selected questions and the United Kingdom provided information through written procedure. Brazil, Costa Rica and Romania also completed the survey. Responses were complemented by desk research by the OECD Secretariat as part of the 2021 report monitoring the implementation of the Lobbying Principles.

Further reading

OECD (2010), *Recommendation of the Council on Principles for Transparency and Integrity in Lobbying*, OECD, Paris, <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0379>.

OECD (2017), *Preventing Policy Capture: Integrity in Public Decision Making*, OECD Publishing, Paris, <https://dx.doi.org/10.1787/9789264065239-en>.

OECD (2021), *Lobbying in the 21st Century: Transparency, Integrity and Access*, OECD Publishing, Paris, <https://doi.org/10.1787/c6d8eff8-en>.

Figure notes

Data for Belgium, Colombia, Estonia, Israel, Japan, and New Zealand are not available.

12.3. Data for Austria are not available. Hungary and Latvia require employees in the public administration to disclose meetings with lobbyists to their superior. In Hungary, the information is not made public; Latvia publishes information only if the lobbyist’s point of view was taken into account in a specific decision. Luxembourg’s parliament has rules on lobbying but transparency is strictly limited to contributions from lobbyists made during parliamentary commissions.

12.4. The information disclosed must allow the identification of the organisation that is the beneficiary of lobbying activities (in-house lobbyists disclose the name of their employers and lobbyists representing third parties disclose the names of the organisations they represent).

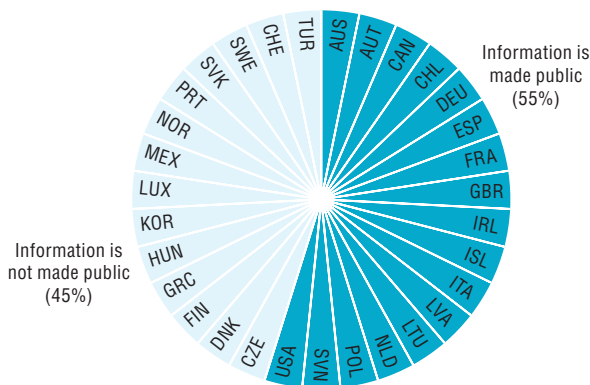
12.3. Categories of public officials for which countries make public their engagement with lobbyists, 2020

	Public officials and institutions targeted by lobbying activities				
	Ministers and/or members of cabinet	Members of legislative bodies and their staff	Appointed public officials (e.g. political advisors)	Certain senior civil servants	All civil servants within a targeted organisation
Australia	●	○	●	●	●
Canada	●	●	●	●	○
Switzerland	○	○	○	○	○
Chile	●	●	●	●	○
Czech Republic	○	○	○	○	○
Germany	●	●	○	●	○
Denmark	○	○	○	○	○
Spain	●	●	○	○	○
Finland	○	○	○	○	○
France	●	●	●	●	○
United Kingdom	●	○	●	○	○
Greece	○	○	○	○	○
Hungary	○	○	○	○	○
Ireland	●	●	●	●	○
Iceland	●	○	●	○	○
Italy	○	●	○	○	○
Korea	○	○	○	○	○
Lithuania	●	●	●	●	○
Luxembourg	○	●	○	○	○
Latvia	○	○	○	●	●
Mexico	○	●	○	○	○
Netherlands	○	●	○	○	○
Norway	○	○	○	○	○
Poland	●	●	○	○	○
Portugal	○	○	○	○	○
Slovenia	●	●	●	●	●
Sweden	○	○	○	○	○
Slovak Republic	○	○	○	○	○
Turkey	○	○	○	○	○
United States	●	●	●	●	○
OECD Total					
● Yes	13	14	10	10	3
○ No	17	16	20	20	27
Brazil	○	○	○	○	○
Costa Rica	○	○	○	○	○
Romania	●	○	●	●	○

Source: OECD (2020), Survey on Lobbying.

StatLink <https://doi.org/10.1787/888934259066>

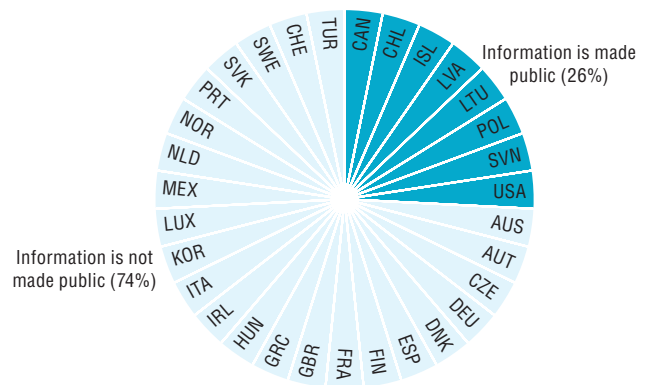
12.4. Transparency on who is lobbying, 2020



Source: OECD (2020), Survey on Lobbying.

StatLink <https://doi.org/10.1787/888934259085>

12.5. Transparency on the specific pieces of legislation, proposals, regulations, or decision targeted by lobbying activities, 2020



Source: OECD (2020), Survey on Lobbying.

StatLink <https://doi.org/10.1787/888934259104>



From:
Government at a Glance 2021

Access the complete publication at:
<https://doi.org/10.1787/1c258f55-en>

Please cite this chapter as:

OECD (2021), “Transparency in lobbying activities”, in *Government at a Glance 2021*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/594feaa8-en>

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