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European Commission
Secretariat General
Transparency, Relations with Stakeholders and External Organisations (SGE3)
200 rue de la Loi
1049 Brussels Belgium

Delivered electronically

OPINION: CONSULTATION ON A CODE OF CONDUCT FOR INTEREST
REPRESENTATIVES

Behaviour of interest representatives is very interesting phenomenon. Therefore it was also interesting to consider own views related to interest representatives.

Since this consultation is part of Transparency Initiative there is no need to remind of transparent processes when dealing with this consultation.

My opinion is attached after signature.

Annex 1 holds information of copyright, licence and disclaimer.

Best Regards,

Jukka Rannila
citizen of Finland

signed electronically

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FOLLOWING ACTIONS OF INTEREST REPRESENTATIVES FROM THE POINT OF ORDINARY CITIZEN

INTRODUCTION

This time it seems that this consultation is quite free-form without specific questions.

In the background document ¹ there is good introduction to this area of interest from European Union point of view. Term lobbying has a negative connotation and therefore I agree of discussing about “interest representatives”.

This opinion is an opinion of an individual citizen and does represent any interest group.

There are many kinds of interest parties in the European Union affairs. One interesting resource was CONECCS ² database. The problem with CONECCS was that it was quite static system and therefore replacing it with possibly better system is highly encouraged.

SOME OPINIONS BASED ON THE BACKGROUND DOCUMENT

OPINION 1:

There are not any details about the new voluntary registration system(s). Since this is about transparency initiative there should be following information:

- Who will implement the new voluntary registration system(s)?
- What the system should do?
- What kind of action (features) are done with the system?
- Technical feasibility study?
- Responsible persons?
- Project plan?
- Etc.

When doing general background check from publicly available electronic networks, aka Internet, there is only reference to COM(2007) 127 final {SEC(2007) 360}. Therefore we note that Commission has not been very transparent about creation this/these voluntary registration system(s).

From the point of average citizen it would be important that voluntary registration system(s) serve well also average citizens.

1 COM(2007) 127 final {SEC(2007) 360}

2 http://ec.europa.eu/civil_society/coneccs/index.html (index page of closed database)

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OPINION 2:

In the background document there is following point:

It has been argued that as an incentive to register voluntarily this is still relatively weak. In the context of the consultation process it appears that the automatic alert function will probably not provide a sufficient incentive to register, particularly for Brussels-based interest groups that follow the Commission's activities on a daily basis.

This kind of opinions only highlight view that everything is centralized to Brussels. According to my estimates there are many interest parties outside of Brussels.

Therefore automatic alert function is a essential/must-have feature to voluntary registration system(s). It is has to be noted also that there is not mentioning about how average citizens can register to automatic alert function.

Therefore we note that background document highlight two implicit ideas:

1. Only interest representatives matter
2. Everything is centralized to Brussels.

I propose more explicit approach in order to provide service around the European Union:

1. Services for general public
2. Service throughout the Europe.

OPINION 3:

In the background document there is following point:

The Commission therefore intends to combine the voluntary register with a new standard template for internet consultations.

It would be nice to have a consultation or other form of feedback about this "standard template". My fear is that the creation of "standard template" will not be a public process. And then those fundamental mistakes are hard-bolted to voluntary registration system(s) causing dissatisfaction.

OPINION 4:

Related to previous opinion I have huge amount of fear that there will be a large-scale registration procedures in order to collect huge amounts of personal data.

In principle public administration data should mean no registration procedures since:

- a) they add administrative burden

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b) they create information security problems.

The simplest form nowadays to distribute information as non-registered base are technically speaking so called RSS feeds³. Therefore in the voluntary registration system(s) should inform about free and non-registered information feeds with the following icon:



An average citizen should need only subscribe anonymously to RSS feed(s) provided by the the voluntary registration system(s) in order to receive automatic alerts.

Commission in the background document admits that automatic alerts are not the incentive for interest representatives. Therefore there is no need to create any kind of administrative burdens, e.g. registrations to these information sources.

OPINION 5:

However. Accepting some sort of position from an interest representative is another issue. Therefore ideas of accepting contributions only through certain voluntary registration system(s) is highly encouraged.

Commission does not reveal that will the new system be some sort of extended system of “Your Voice in Europe”⁴.

OPINION 6:

In the background document there is a lot of considerations of the nature of the register. Should registration be compulsory, etc. questions. Since there has been a specific consultation about this issue there is no need to go into those specifics.

However. In the background document there is following point;

The new system will not only increase overall transparency but also contribute to the achievement of the Commission's 'better regulation' aims.

³ <http://en.wikipedia.org/wiki/RSS>

⁴ http://ec.europa.eu/yourvoice/consultations/index_en.htm

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Which new system? And what about the details? Once again Commission is not providing more detailed information about this new system.

OPINIONS BASED ON THE DRAFT CODE OF CONDUCT FOR INTEREST REPRESENTATIVES

OPINION 7:

In principle the proposed rules are of course quite good.

However. It would be good to have some sort of annex for detailing these rules. I will detail this opinion in the following opinions.

Like I have indicated earlier there is quite a lot of need for imagination when thinking about this/these new voluntary registration systems.

OPINION 8:

First example is rule number 3.

3. ensure that information provided to the EU institutions is accurate, complete and up-to-date to the best of their knowledge.

This is a good example of detailing the rule in annexes. Are there some information needs that Commission needs from every registered interesting representative? Yearly? Once? Etc.

I suppose that most of the interest representatives are happy to provide compulsory information if only they know what kind information to provide. This rule gives a lot of room to imagination and some interest representatives might fear administrative burden caused by this rule.

OPINION 9:

Second example is registration. What will be asked in registration? Is there plans about this? Where these plans can be read?

This raises more questions than answers.

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OPINION 10:

What is the way when handling complaints? Just thinking from the point of average interest representatives it would be good to know before hands the complaints management procedures.

Who will handle these complaints? There is no indication of this matter at all.

Once again this raises more questions than answers.

COMBINATION OF OPINIONS FROM 7 TO 10

It seems that there is a lot of issues the discuss with these new rules. As general guidelines they are quite acceptable.

However. I propose that they should be at least a SEC document detailing these guidelines to practical guides. Then those guides, possibly a SEC document, could be evaluated once more when the guidelines are accepted.

SUMMARY

As a general note can be said that the draft rules are quite general and their validity in reality remains to be seen. There were some problems when discussing about the code of conduct from the point of average citizen.

PROPOSAL:

Therefore I propose (once more) that this consultation is considered as a first round for discussing general guidelines. The second round should be about concrete procedures with template documents, i.e. that consultation document would probably be more than one page.

Best Regards,

Jukka Rannila

signed electronically

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ANNEX 1

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⁵ Based on the Finnish three-party system there is phenomenon called extreme-centre in Finland.