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Council of Europe  
European Committee on Legal Co-operation

## **Comments regarding *Draft recommendation on the legal regulation of lobbying activities in the context of public decision-making***

A regulation concerning lobbying could both have advantages and disadvantages. It can be a good thing if it creates openness around the commercial interests seeking to influence politicians and other stake holders. Concerning the actors of the civil society a regulation could though mean restrictions in the possibilities to address viewpoints. This is in particular true in cases where personal data is going to be registered in a public register. Inside the organisations of the civil society there are lobbyists working with issues making them extra vulnerable to threats and harassments. Organisations representing immigrants working for human rights are also at risk to be exposed to espionage.

The regulation in question can, on one hand, be positive in order to regulate the lobbying of companies, but NGO:s should, on the other hand, be exempt from the requirement of a "legal regulation" (B 2) and a Public register of lobbyist (E). Also the regulations concerning Standards on ethical behaviour for public officials (H) are problematic from a civil society perspective, because it means difficulties for civil society organisations to recruit former politicians or experts from the government sector and for persons inside the civil society to change to a political office or a job as a civil servant. Inside the business sector there are, in cases of quarantine time, often some form of economic compensation in place. This is not the case inside the civil society.

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