



## **EPACA/SEAP POSITION AND SUGGESTIONS** **REGARDING ACCESS TO THE EUROPEAN PARLIAMENT**

November 2011

EPACA and SEAP are aware of the ongoing efforts within the European Parliament to review its security policy and implement the new joint Transparency Register.

Both organisations recognise the need for efficient security in the buildings of the European Institutions.

Both organisations believe that European affairs professionals – whether they represent commercial or other interests - are a vital part of the democratic process, acting as a link between on the one hand business and civil society, and on the other, European policy makers. MEPs themselves say they benefit from this contact, supporting them in their policy-making role.

Access to the European Parliament is a key incentive for organisations to take part in the transparency register. It is a fundamental element to create a much needed level playing field. From that point of view, the European Parliament's hesitations, lack of information and backtracking in terms of access these past months have had a potentially damaging effect on transparency.

The implementation of access rules must therefore be proportionate:

- Security should be intelligently applied;
- Bureaucracy should not be seen as a surrogate for security;
- Detailed vetting procedures should be meaningful
- Efforts to close security loopholes should be applied in a targeted manner;
- Passes should be delivered in an efficient manner;
- The possibility for MEPs, EP staff and European affairs professionals to have discussions in person and effectively fulfil their respective roles should be fully preserved.

The following suggestions are intended to help the European Parliament achieve these objectives:

### **Better information**

Since the spring of this year, information about the procedure for access of interest representatives to the EP has been sparse and confusing, and the procedures themselves seem to have been changing repeatedly. Furthermore, applicants have been treated differently in their endeavours to follow the procedures.

We call on the EP to ensure that access rules and procedures are clarified and properly communicated, both internally and to potential visitors (this can be done online). This would help to avoid confusion, waste of time and queuing in the wrong place and could contribute significantly to reducing the level of frustration, often due to a lack of information, or indeed ignorance by EP staff members themselves on which rules apply and how they should be implemented.

### **Annual passes**

It is our understanding that annual passes for interest representatives will no longer be available from 1 January 2012. This is an unfortunate step backwards as far as the EP's openness and transparency is concerned. It also takes away an important incentive for organisations to join the Transparency Register.

### **Suggestions**

- We urge the EP to reconsider the abolition of annual passes. We accept that requirements for the delivery of an annual pass may be stricter than those for obtaining daily passes. New technologies such as embedded chips, if used by the EP, could conveniently reconcile security and ease of access: the EP could much more easily check who is coming and going, whilst pass holders would not spend time in queues.
- More generally, enhanced use of IT and electronic badges in particular should free up EP staff and at the same time make it easier to manage the simultaneous use of different categories of badges by EP visitors (annual passes, Transparency List day passes, diplomats passes, press badges,...)

### **Accreditation on the basis of the "Transparency Register"**

Interest representatives whose names appear in the Register qualify for fast-track access using the special accreditation desk located in the hall of the ASP building (Place Lux side).

Although we regret that the EP no longer delivers passes valid up to 3 days, we welcome the setting-up of the above desks. However, the system can definitely be

improved further. This applies both to the application for the fast-track accreditation procedure and its actual implementation.

### Suggestions

- Applications for fast-track accreditation of staff members belonging to organisations found in the Transparency Register should be simplified:
  - ✓ There should be no need to have each individual application accompanied by the “certificate de bonne vie et moeurs” currently requested;
  - ✓ Once registered, organisations should be required to submit only
    - A certificate from the authority in charge of the organisation that the applicant(s) belong(s) to this organisation;
    - a copy of the person(s)’ identity card or passport.
- As in the days of the “Express List”, having a pass delivered can still take time because badges have to be printed out for each person. This can be all the more annoying that the procedure now has to be repeated every day. Badges could be prepared in advance, either through a system of “hard plastic” or even electronic badges as described below (see “Numbers”) or, if new badges still have to be produced at each entry, they could be ordered online in advance (max 24 hours in advance, for instance) and thus also be ready upon arrival. Both measures would potentially speed up the delivery of badges considerably whilst maintaining (or actually improving!) security.

### **Accreditation of “Members’ guests”**

Even those Interest representatives on the “Transparency Register” may make use of the “Members’ guests” accreditation procedure; this is notably the case when such representatives accompany colleagues or clients who do not have fast track access through the Register. Queues at the “Members’ guests” accreditation desks can be quite long; waiting times of half an hour are far from the exception. This is a considerable waste of time for the “guests” concerned and EP staff; it often results in delayed meetings with the MEPs visited who have accepted to meet these visitors; and it also places an additional burden on Members’ assistants who surely could use their time more productively than waiting in line at the accreditation desks.

### Suggestions

- The EP could review its IT systems for managing the access of Members’ guests. Time could be saved if information from a previous visit was immediately available instead of staff having to enter data for repeat visits (this was still the case in recent times).
- The EP could ensure that more desks are staffed at peak times which can be easily identified

- The process could be further sped up if Members' offices had an easy way of requesting passes in advance. On most occasions, the MEP concerned will know who to expect and when. The visitors could provide the necessary access information (e.g. number of ID card) in advance so that badges could in fact be ready to collect upon presentation of an ID by the visitor in person. At present, assistants must fill out a paper form by hand and the data for each visitor is then entered by the official behind the desk.
- The EP could provide clear information about the process (where to register; average waiting times at various moments during a day, etc.)

### **Number of interest representatives entitled to fast-track access and/or admitted to the EP premises**

It is important to distinguish between

- a) the number of people per organisation who may pretend to "fast track" access by virtue of having their name listed in their organisation's Transparency Register entry; and
- b) the number of people per organisation who, at any given time, are actually present in the EP's buildings.

The first number is an important factor for larger organisations which may have 20, 30 or more persons who regularly – but never all at the same time – visit the EP. It much simplifies those peoples' access (and incidentally also the work of MEPs' assistants who, otherwise, must collect them) whenever they do require access.

The second number is presumably the more important one for the EP: it relates to the number of persons – per organisation and in total – who actually are present on the premises and not to those who, in principle, are entitled to fast-track access. We do accept that the EP wishes to restrict this number, for reasons of security and crowd control or to avoid that larger organisations "flood" certain meetings.

Limiting the number of people with fast-track access to 10 per organisation is tantamount to a reduction by nearly half of the passes that could be held under the old system (up to 15 on the "Express List" and a maximum of 4 yearly passes). It is also a serious impediment to the work in particular of larger organisations, e.g. consultancies who represent many clients, a great number of which are not otherwise represented in Brussels and therefore not listed themselves in the Transparency Register. Such consultancies are now penalized: the EU representation of a single corporation employing 10 lobbyists in Brussels will have fast-track access for all of them; whereas a consultancy employing 30 staff and serving 15 clients will also be limited to that number. Other organisations – be they large NGOs, trade associations, professional organisations or corporate representations - are similarly discriminated against.

## Suggestions

- 1. No cap on the number of staff for which any organisation can request fast-track access. This number will de facto be limited by the requirement to demonstrate that the persons concerned are habitually engaged in working with the EU institutions. The number of those allowed to be in the buildings at any given time could, however, be limited to [12]. Please see below for practical proposals how this could be managed.

Alternatively:

- 2. In the case of interest representatives acting on behalf of more than one organisation, fast-track access can be requested for a maximum of [40] persons. The number of those allowed to be in the buildings at any given time is limited to [12].

Please note that the first suggestion should be suitable for all types of organisations: large corporate representations, large NGOs, major trade organisations and consultancies of all sizes; there would be no discrimination/implicit favouring of certain types of organisations. It is therefore the one we would by far prefer.

There are various possibilities to ensure that such a system works efficiently:

- The present stick-on singular-use badges could be replaced by hard plastic badges (which could be produced in advance and kept at the accreditation desk, to be used multiple times) that have to be returned upon leaving the premises. This provides a simple means of checking how many badges per organisation are in use at any time.
- To avoid having pre-prepared hard plastic badges for all people listed in the Transparency Register, the accreditation desk could have only the number of badges per organisation corresponding to the maximum number of people allowed at any given time (we suggest [12]). Those badges could be made nominal simply by applying a sticker bearing the current holder's name (and the date). Again, the badges would have to be returned when leaving the EP; once the "quota" per organisation is attained, a badge must be returned before a new person from that organisation can enter with this type of accreditation.
- The badges could also (preferably) be electronic ones; the practical effect would be as above.

Any of these measures would

- provide the EP with a more accurate picture than is presently the case of WHO is in the building WHEN;

- ensure that badges benefit those, and only those, who have “business” at the EP. In effect, many meetings and even Committee meetings and event attendance don’t last longer than a couple of hours, and the interest representatives involved then leave the EP. By using badges that have to be returned to the accreditation desk, these badges can then be used – if needed – by other persons working in the same organisation.

### **The EP needs to put its own house in order**

Members of our organisations have committed to play by the rules and act transparently at all times. It is therefore particularly frustrating to see that some interest representatives manage to circumvent basic transparency, sometimes with the help of MEPs or their offices.

The EP has voted for greater transparency regarding those who represent various interests towards its members; together with the Commission it has also called on interest representatives to sign up to the Transparency Register.

Some organisations, however, seem to have elected to “fly under the radar”, helped by the Commission being open to receive interest representatives not registered, on the one hand, and MEPs helping them to get access to the Parliament although the organisation may not have signed up to the Register, on the other hand.

This appears to happen by means of “guest passes” for up to one week which “friendly” MEPs or their staff deliver to certain visitors (the only constraint being that these visitors have to be fetched each day as they enter the buildings). It is an open secret that such passes are often attributed to interest representatives having privileged ties to the particular MEP. Such practices fly in the face of the objective of transparency. It is up to the EP itself to ensure that no circumvention or abuse of the normal rules is possible or tolerated.

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**About EPACA** The European Public Affairs Consultancies’ Association (EPACA) is the representative trade body for public affairs consultancies working with the EU institutions. Its 40 member companies employ more than 700 staff and represent approximately 75% of the European public affairs consulting market. For more information, see [www.epaca.org](http://www.epaca.org)

**About SEAP** The Society of European Affairs Professionals (SEAP) was established in 1997. It is the recognised organisation of all EU public affairs professionals including those operating in trade associations, corporations, consultancies and other representative bodies. SEAP encourages the highest standards of professionalism for European affairs activity and promotes self-regulation of the profession. For more information, see [www.seap.be](http://www.seap.be)