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# Strategic Relations with Public Authorities

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## The Communication Planning Process of RPIE (Research, Planning, Implementation and Evaluation)

PID\_00246647

Erika Casajoana i Daunert

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Recommended minimum time required: 4 hours

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## Introduction

The stages of the strategic lobbying process, as in the case of the public relations of which they form part, can be classified in line with the RPIE methodology, the stages of which are covered in the units of this module:

- 1) Research
- 2) Planning
- 3) Implementation (communication)
- 4) Evaluation

Whether they are occasional actions or structured campaigns, lobbying activities are public authority relations projects. In this respect, a lobbying project is any action, programme or campaign intended to resolve problems or capitalise on opportunities conducted by an organisation within the scope of their relations with the public authorities. Therefore, a lobbyist has to use a project planning process for any lobbying activity, from the most specific action to the most far-reaching and complex.

This strategic planning process essentially follows the phases of any public relations project, with any particular features it may have, but always within the process framework established by the RPIE methodology. With this in mind, for example, Martins (2006) suggests the following stages:

- Research and analysis for collecting data and identifying the key aspects, which may be a source of opportunities or threats.
- Definition of the objectives to be achieved.
- Establishing the strategy, which involves identifying the main players in the process, the kind of intervention (with actions, programmes and campaigns or, in other words, through projects), the suitable strategy and potential alliances (coalition building).
- Defining the approach of the activities, the message and supports (means of disseminations).
- Implementation and general coordination of the action or, in other words, the execution and supervision of the planned activities.
- Results analysis and evaluation of the actions, along with the respective follow-up actions.

We will pay particular attention to the new possibilities in lobbying offered by technological advances and, with them, the evolution of their professional and social uses: Big Data and social media.

## 1. Research

Grunig (2002) proposed the two-way symmetrical model of communication: An organisation and its publics should maintain a dialogue and build mutually beneficial relationships. In lobbying as in the rest of the public relations world, the ideal is to engage in a relationship that develops and strengthens itself over time. Social media has sparked a tectonic change in the meaning of “dialogue” in public communications, but research has always been an indispensable means throughout the public communications process and will continue to be.

Without research, we would not be able to identify and understand our key publics, make informed strategic choices nor measure results. Research can also be used to gain publicity, for instance, through a survey among a target group, say, parents of young children in a lobbying campaign to get a municipality to add fluoride to tap water. We need, however, to be honest with the public about whether our research, even for publicity purposes, is scientifically sound, or not (e.g. Web and Twitter surveys).

The possibilities of what research can bring are now exponentially multiplied by big data and artificial intelligence. As the technological revolution continues, our industry will keep adopting any new tools that allow us to understand our publics and our issues better.

### 1.1. Strategic Research and Analysis

Lobbying consists of establishing a strategic relationship with the public authorities. The aim is to achieve a favourable decision from the public authorities with respect to our organisation’s interests. There are preconditions, techniques and attitudes that help to optimise these processes.

The most constructive dialogues are long-running. The best results are obtained by establishing a long-term partnership with the public authorities, consolidating a reputation for credibility that goes beyond claims made on an occasional basis.

It is self-evident that, if we want to influence the result of a legislative process, we have to have a sound knowledge of the procedure in question and the key players involved, at both a theoretical and practical level. This requires lobbyists to recycle themselves continuously in order to adapt to constant changes.

There is a set of factors that determine the approach of our lobbying project: a company's production sector; the political, social and cultural climate; the administration being addressed and the type of competences required; and whether the scope is regional, national or international and legislative, regulatory or administrative, among other aspects.

The chosen lobbying strategy will eventually be conditioned by the attitudes of the organisation in question, the level of organisation's commitment to institutional relations and lobbying and its experience in this respect. Depending on these factors, according to Farnel, the organisation can adopt one of the following options:

- A passive attitude, limited to observing authorities' decisions, saving its reaction for the time at which the decisions are taken.
- An active attitude, with the organisation striving to modify the public initiatives in the direction of their interests, in line with a well-defined programme.
- An anticipatory attitude, trying to identify the initiatives that will affect the decision in order to minimise their negative impacts and maximise any benefits that they offer.

An example of an active attitude is when an association of authors and writers contact the legislator to propose that they impose a private digital copying levy to offset their losses through piracy.

An example of a passive attitude is a residents' organisation that, after the construction of a prison in the town has been approved, blocks a road to protest and pressure the authorities to close the institution.

An example of an anticipatory attitude is a company joining a federation in its sector that monitors the public initiative projects at various levels that may affect the sector, and which will keep the company informed.

According to Farnel, a lobbying strategy operates within three time periods. Initially, it is a matter of setting the foundation for lobbying, establishing the profound need in terms of public policies and its legitimacy in the eyes of public opinion. In the second period, it is necessary to analyse the complex information that defines the relations between the organisation and the public authority, determining whether a lobbying strategy is the suitable approach to the case and analysing the various options of the strategy. In the end, the organisation itself has to abide by certain guidelines defined prior to launching a lobbying action or campaign.



Above all, a lobbying strategy depends on the persuasive powers of the people managing it. Their main task is being able to convince, while remaining faithful to their own convictions.

It is advisable to look at the arguments from the perspective of the public interest and practise political realism. In other words, it is important to recognise the legitimacy of certain initiatives of the public authorities, even when they go against our organisation's interests. We have to be ready to compromise.

A contrary attitude, stubbornly refuse to move from unalterable positions, will have the opposite to the desired effect, giving others the perception that we are driven by a determination that is disconnected to the reality of our target audience. They will not consider it possible to work constructively with us.

With respect to relations with the public authorities, maintaining our integrity is fundamental. The more rigorous, clear and honest the information that we provide is, the more likely we are to be able to reach a consensus, a compromise.

When we predict that a present or future decision will have a negative impact on our organisation, we have to ask ourselves a series of questions that will give us the reason that we have to support or oppose a certain regulation, the justification for doing so, how it affects us or places us at a disadvantage with respect to our rivals, etc. The key question we have to ask ourselves is what we can do in this respect.

In the business world, executives or interest groups have to evaluate their needs with respect to the public policies. Once they have identified what these needs are, they have to relate them to the public affairs that work in their favour or, in the opposite case, to their detriment.

Research into public affairs includes asking the right questions to obtain the information that we need, knowing how and when to get the answers to certain questions and analysing the results in line with the organisation's needs.

It is crucial to research before taking action. We have to ascertain what the public agenda is and why, and whether the impact is likely to be internal (within our organisation and affecting our employees) or external (affecting our competitors and/or potential allies).

When formulating lobbying strategies and arguments, it is useful to focus beyond the specific decisions (for example, they have restricted the maximum speed and it annoys me) to see the objectives and justifications behind the decision (reducing pollution, incentivising public transport). Understanding the motives and needs of public decision-maker can help us to be constructive

and develop alternative solutions that are more favourable to our interests (for instance, suggesting the suitability of incentivising newer cars to take older models out of circulation or the purchase of hybrid cars to reduce the pollution they cause).

As the next step, to analyse our possibility of success with respect to a hypothetical lobbying campaign, we have to consider the following factors:

- The status of the desired decisions (costs, attitude of public opinion on this matter, possibilities to influence, current stage that the process is at).
- The status of the forces at play (who shares our position, what alliances could we establish, what adversaries will we face, what can we expect based on previous decisions of the public decision-makers and potential legal options for the various actors).
- Possible consequences in terms of reputation, relations and costs (Xifra, 2009).

## 1.2. Sources

The organisation has to select its sources of information well if it wants to take an effective anticipatory position in its lobbying. The sources of information we use include the following:

- Internet (with all due reservations with respect to reliability)
- Official sources of public bodies
- Private and non-governmental organisation sources (think tanks, associations, publications, etc.)
- Books
- Media
- Personal private, public and media contacts. A lobbyist's list of contacts is what they 'sell' to their customers and, as such, confidentiality is required. The star players of lobbying make their name precisely from their book of contacts.

The main official source of information for any lobbyist dealing with the European institutions is the Publications Office of the European Union (<https://publications.europa.eu/es/home>), which is responsible for drafting and disseminating EU publications in all formats on all media, including the Official Journal of the European Union.

Since 2012, the EU's European Data Portal (<http://europeandataportal.eu/>) has made it simple to find data stored on the websites of European institutions and agencies through a catalogue of metadata or, in other words, information

that helps to provide a context or additional information about other data. For instance, on a certain document, we will find a brief description, who published it and how to contact them, among other information.

Once the information has been compiled and organised, and its veracity has been verified, it has to be analysed at various levels (Xifra, 2009):

1) We have to carry out a legal analysis in order to ascertain what can and cannot be done with this information:

- What is the legal basis of the decision, the timeline, the role of each of the institutional actors?
- What alternatives might there be?
- What legal dimension does the argumentation have?

A favourable legal analysis for our thesis may enable us to, for example, question the public decision-maker's institutional legitimacy and, therefore, obtain a deferral or the opportunity to mount a counterattack and get other institutions involved.

2) An analysis of the impacts is crucial before initiating any process. What effects will the public decision that we want to influence have? What and how much are we gambling?

To sum up, our research has to answer the following questions:

- Who is doing what? (Who are each of the actors and what are their responsibilities and powers in the process). We have to create and constantly update a database of public and political managers, and their responsibilities.
- What are they doing? (What are we dealing with exactly? What is happening? What elements are involved in the decision and what information is available in each respect?).
- Why are they doing it? (what agenda do the public decision-makers have? What are their objectives and what interests and justifications do they have?).

### 1.3. New Research Tools: Big Data and Artificial Intelligence

Big data analytics consists of examining large data sets containing a variety of data types to find unknown patterns or correlations, market trends, customer preferences and other useful information.

Data scientists, predictive modelers and other analytics professionals are able to process and analyse large volumes of data, such as:

- Web server logs
- Internet Click Stream data
- Social media content and social network activity reports
- Text from customer emails and survey responses
- Mobile-phone call detail records
- Machine data captured by sensors connected to the Internet of Things
- Business transactions data

The analytical findings help make better informed decisions in any field: e.g. marketing, customer service, operational efficiency and, of course, lobbying.

As an industry that processes large and complex chunks of information, lobbying benefits from Big Data in many ways. Big Data can tell you who (or how many) did what, and when. It will not tell you why, though, as this excellent 35-minute conference by Big Data expert Viktor Mayer-Schönberger demonstrates. But he does give you many valuable insights:

Dr. Mayer-Schönberger, born in Zell am See, Austria, is now a Professor of Internet Governance and Regulation at the Oxford Internet Institute. He studied law in Salzburg, Cambridge and Harvard and later set foot in Information Technology (IT) as a software entrepreneur and founded the Austrian company Ikarus Software, focusing on data security.

Viktor Mayer-Schönberger's Keynote Speech on Big Data at the European Communication Summit 2015, Brussels



Big Data makes legislative and news monitoring much easier and thus, more powerful:

In Washington, DC, two Harvard undergraduates launched Quorum Analytics in 2015. A few clicks get clients members of Congress' voting track records that used to take months of painstaking work in the archives to amass, and for a fraction of the cost. Moreover, Quorum combines voting records, committee assignments, census data, legislative statistics, grassroots results, and meeting logs in auto-updating legislative spreadsheets, thereby multiplying the data's possibilities for lobbying.

In Europe, VoteWatch Europe offers monitoring services, with a focus on the co-decision procedure. Other large European market players are EU Issue Tracker and DODS Monitoring.

## 2. Planning

It is essential to define the elements of the framework within which we conduct our lobbying project. Planning is a crucial and decisive stage. If we get it wrong at the planning stage, it will not matter if we organise spectacular actions and make great arguments and contacts - we will not get what we want. As the saying goes, “failing to plan is planning to fail”.

Framework of a lobbying case:

- Organisations and the field of activity of the public policy in question:
- Stakeholders
- Competitors
- Interest groups
- Size of the sector: how much are we gambling?
- The case
- Defining the issues
- Objectives of the key players
- What are our ‘duties’?
- Potential alliances for and against. Do we have to create an ad hoc alliance or a new federation/association?
- Institutional implications: When and how is contact made with the public decision-makers?
- Civil societies: Are NGOs allies or enemies?
- Media coverage and public interest

Description of the setting – the lobbying ‘battlefield’ (Xifra, 2009):

- Stakeholders. There are many. They might have perfectly rational positions that differ from ours. Moreover, these positions may evolve.
- Issues. These go beyond the interests and are more complex. What are the issues and what interests are they associated with?
- Time. Unspecified, but it is important not to delay and end up being late!
- Limitations. They evolve over time, like stakeholders.

From a slightly different angle, we can define five large stages in the process of planning a lobbying operation:

1) Define the objectives

2) Select the issues subject to monitoring, analysis and intervention by the organisation

### 3) Identify the target audiences that we want to influence:

- Inside public institutions
- Outside of public institutions; and the right moment to take action.

### 4) Select the lobbying techniques to be used (direct or indirect).

### 5) Implementation, monitoring and evaluation.

We have to have done our research, also using the corporate or institutional annual report of the organisation that we represent. It is important to get the best performance from employees and be willing to call on external experts. The scenario may be friendly, hostile or uncertain.

A table by Van Schendelen (2010) highlighting the differences between how a mediocre lobbyist (or interest group) and a serious lobbyist (or interest group) approach their work:

<b>Mediocre lobbyist</b>	<b>Serious lobbyist</b>
They have the answers before asking the questions.	They ask difficult questions and are willing to review their objectives.
They confuse self-image with self knowledge.	They know that internal affairs are always a puzzle with pieces missing.
They think that the motivation behind the action is obvious, self-evident.	They know that the motivation has its uncertainties. The objectives are full of dilemmas.
If they lose, it is somebody else's fault, but victories are all thanks to them.	They evaluate victories and defeats, striving to find the causes. They try to identify the causality between their actions and the public decisions.

Practical tips for planning a lobbying strategy, as recommended by the Spanish lobbyist Alejandro Daroca:

- Avoid the 'friends in high places' syndrome. Before using contacts, we must make sure that we can defend our case and that we have a perfect understanding of the procedures of the decisions that we are interested in.
- Avoid the 'we can get this sorted over a nice lunch' syndrome. Our case has to be presented professionally, with a good dossier of information and documentation.
- Avoid the 'act now, think later' syndrome. Our research has to be thorough. If we are not able to predict the reactions of the public authorities, we have not done our research properly.

We should keep in mind the fact that yesterday's public opinion is today's political and tomorrow's legislation. Next week, it may be the focus of legal battles.

## 2.1. Objectives

It may seem obvious but, if we do not know what we want, it will not be possible to achieve it, unless we do so purely by chance. As the lobbyist Sílvia Herms explains in Case Study E below, on insurance and banking, the worst results are obtained when the members of the interest group do not reach agreement in terms of their objectives, as they send contradictory messages to their target audience.

Lobbying objectives have to be classified in terms of the following aspects (Xifra, 2009):

- The degree of realism. This is the fundamental attribute of an objective, as trying to achieve the impossible is just a waste of time. For instance, trying to turn around the evolution of regulations on air pollution would be a certain failure.
- Adaptation to the context. The objective depends on a balance between the forces, the status of the files, the sensitivity of the Parliament or Administration in question.
- Alignment with political trends. The more an objective coincides or seems to coincide with the intentions of the public decision-makers, the greater the likelihood of success. For instance, the objectives of the Spanish group fighting evictions, *Plataforma d'Afectats per la Hipoteca* (Platform for Mortgage Victims, <http://afectadosporlahipoteca.com/>), automatically had improved prospects when their spokeswoman, Ada Colau, was elected as the Mayor of Barcelona in 2015.
- Flexibility. During the planning phase, the objective had to be adaptable enough to respond to any change in direction in the decision-making process. As cases develop, positions tend to be reviewed. On occasions, it may be necessary to give up on part of a proposed objective without renouncing the objective as a whole, even if it is to gain the trust and support of new partners for the action. It may even be necessary to create alliances with them.
- Dynamism. Ideally, the objective can be translated into an offensive rather than a defensive strategy, in such a way that the objective is not so much a matter of defending a regulation that is fairly restrictive to us, but rather obtaining a regulation that places an obligation on the others.



In the event that failure is likely, it is better not to be stubborn and request compensation in a different area (often financial). This is a replacement objective. US tobacco companies have had this idea clear for a long time. Rather than fighting a losing battle in terms of the anti-smoking regulations being passed, their efforts (including financing the Democrat and Republican campaigns for the US presidential elections) have focused on lowering the tax burden.

## **2.2. Target Groups**

In direct lobbying, the target groups will be the decision makers themselves. In indirect lobbying, the targets are other groups which, in turn, will influence the ultimate target, decision makers.

In parliamentary lobbying, we will adapt and choose our targets according to the characteristics of any given political system: presidential or parliamentary, elections by majority or proportional voting, uninominal or multinominal constituencies, etc.

Thus, in Spain, where party discipline is strict and most members of parliament are completely unknown to the public –as they are elected in closed and blocked lists– the targets will tend to be parliamentary group leaders or committee chairs. Rank and file deputies will not be decisive. In contrast, in the United States, where each senator or congressperson is a political entrepreneur who votes what he or she wants and largely finances their campaign in a uninominal constituency, the rank and file member of Congress will be a much more salient lobbying target.

When lobbying executive authorities, the following aspects must be taken into account:

- The real power of the public authorities lies far further down the hierarchical chain than is often believed.
- Ministerial decisions often ratify initiatives put forward by the members of their own teams. It is worth repeating that the process of formulating specific policies begins at the top of the hierarchy far less often than people tend to think.
- Executive and administrative decisions are the result of complex decisions and alliances that involve various ministries, inter-ministry committees, the Parliament, public opinion, the Cabinet Office and the governing party.

Each lobbying strategy has to identify the target public decision-makers from a long list of possibilities, taking the following options into account:

- Decision-making institutions. In national capitals: governments, congress, the senate, inter-ministry committees and other specialist bodies. In the EU: the Commission, Council and Parliament.
- Advisory bodies. In Spain and other countries: the Economic and Social Committee, for instance. In the EU: the COREPER, the Economic and Social Committee and the Regions Committee, for example.
- Any third-party countries involved, regardless of whether or not they are decision-makers. The aim is to identify potential contenders or allies that, once mobilised, will intervene in the diplomatic process.
- Regional and local stakeholders.
- Business networks: companies, business associations, suppliers, customers, etc. Any party involved in the process of manufacture, distribution and commercialisation.
- Social stakeholders: employees and trade unions.
- Non-profit organisations: NGOs, environmental groups, consumer associations, etc.

In the planning phase, the aim is to identify the structures and people responsible in the sphere of public authorities that will directly be involved in the decision-making process, and prioritise them in terms of the extent of their participation and their hierarchy in the process, applying the motto “The right man (or woman) in the right place” (Xifra, 2009).

### **How to plan a grassroots lobbying campaign**

Grassroots lobbying consists of mobilising the general public, the people on the streets, to put pressure on the public authorities with respect to a specific case. Planning this type of lobbying has its own specific features.

- Select the decision-makers to address. No lobbying campaign can hope to reach all members of congress or legislators.
- Limit the target audience, concentrating on the undecided members, who can potentially be persuaded.
- In economic cases, create coalitions based on economic interest itself, focusing on individuals and organisations that may be directly affected by the public decision in question.
- Finding the people who know the key decision-makers personally or who have some connection to them.
- Letters are the best method. Personal letters from citizens are far more effective than postcards, mass mailshots of emails and petitions. The best letters are short and simple, obviously in the most suitable format: electronic or traditional.

- Facilitate cooperation with the general public. It is a good idea to provide a draft of the letter.
- Organise meetings. In a parliamentary grassroots lobbying strategy, the best means of communication is to organise a meeting in the relevant legislator's constituency with a group of the electors involved.
- Avoid underhand tactics. It is important to announce openly what interests are being promoted, why and on whose behalf.

**Case Study E: Insurance and Banking: Ms. Sílvia Herms, Head of Economic and Financial Affairs, Association of Mutual Insurers and Insurance Cooperatives in Europe (AMICE), Brussels**

Brussels, March 2017

Sílvia Herms has been the Director of Economic and Financial Affairs at the Association of Mutual Insurers and Insurance Cooperatives in Europe (AMICE) since 2008. Previously, she was a legislative advisor and technical manager at Insurance Europe, the European federation of insurers and reinsurers, and the Director of the Actuarial Audit Department at KPMG in Barcelona. She qualified as an actuary at the Universitat de Barcelona and, as such, she is an expert in risk management and quantifying uncertainty. Actuaries are in huge demand in the banking sector, insurance companies and businesses with their own risk management department, auditors, consultancies and currency exchange and stock market agencies.

AMICE is the Association of Mutual Insurers and Insurance Cooperatives in Europe and it has been an active lobbyist since it was founded in January 2008. AMICE was formed by the merger of two associations, AISAM<sup>1</sup> which was founded in 1964, and ACME<sup>2</sup>, which had been in operation since 1978.

It has members in all EU countries. The close to 2,700 insurers united in the mutual and cooperative sector account for more than half of all insurance undertakings and for a market share of over 30% representing almost €400 billion in insurance premiums. They provide cover for close to 400 million members-policyholders and employ 430,000 staff.

AMICE principally has direct members or, in other words, companies and not associations or federations (with the exception of certain associations that group together mutual and cooperative insurers but which do not operate at a national level). This facilitates direct contact with the companies and a greater understanding of their problems.

It employs 6 people and has 10 working groups in which its members assess the impact of various European legislative and regulatory initiatives on their business. The association provides mutual and cooperative insurers of all kinds a platform for combining resources and expertise and for sharing the experiences of different countries.

The key institutions that AMICE deals with are as follows:

- The European Commission and particularly the Directorate General for Financial Stability, Financial Services and Capital Markets Union (DG FISMA), which is responsible for banking and finance policies.
- The European Parliament and, in particular, the Economic Committee (ECON).
- The European Insurance and Occupational Pensions Authority (EIOPA), the European insurance regulator based in Frankfurt in Germany.
- The European Financial Reporting Advisory Group (EFRAG). This international non-profit association with headquarters in Brussels was created in 2001 under

the auspices of the European Commission for the benefit of the general interest. Its objective is to develop and promote European interests with a single voice in the drafting of international accounting regulations and standards. AMICE participates in the EFRAG's activities as an observer member.

AMICE's advocacy is ultimately very focused on the Commission and the EIOPA, rather than on the Parliament. An extremely significant part of its lobbying is conducted indirectly in Frankfurt at the EOIPA, which is a private body. It plays a key role because it is in charge of advising the Commission on all the most technical dossiers in the sector.

Silvia Herms explains that AMICE is an important player in Europe because it represents over 30% of the insurance sector. It is one of the 4 stakeholders invited to the various formal and informal meetings organised in relation to insurance and banking. Since 2008, it has taken part in more than 400 public and non-public enquiries, as well as all kinds of meetings and forums.

In Herms' opinion, the Transparency Register is a good idea. It enables lobbying activities to be conducted with normality and improves the image of lobbying associations.

### **An example of successful lobbying**

Silvia Herms starts with an introduction to specific aspects in relation to the sector:

The legislation on insurance firms (and financial companies in general) depends to a great extent on rating agencies. To assess the risks of the assets that insurance companies invest in, they use the ratings provided by these agencies. In practice, using these credit ratings is compulsory rather than optional, as the directives, regulations and other European guidelines use them as a reference.

Rating agencies take advantage of this unavoidable requirement and charge very high fees for using the ratings. AMICE has lobbied very actively over the last three years at all levels (European Parliament, EIOPA and European Commission) and, as a result of its efforts, the use of ratings is now under review. AMICE is extremely satisfied with the words of the Finance Commissioner, Jonathan Hill from the United Kingdom, in his farewell speech, before finishing his duties as a consequence of Brexit in 2016:

"We need to apply the Solvency II Directive in a way that's more proportionate for small and medium size insurers. They raise concerns about the cost of contracts they're obliged to have with credit rating agencies. And that reporting requirements are not proportionate for smaller insurance companies with a simple risk profile. We will ask EIOPA for advice on how to take a simpler, less burdensome approach."

Currently, at the request of the Commission, EIOPA is looking for alternatives to the ratings with the help of AMICE.

### **Lobbying does not always work**

In Silvia Herms' opinion, lobbying does not work effectively when the members of the association have different positions on an issue. It makes it difficult to make progress because there is not a clear message. In other words, before trying to exert influence, efforts must be made internally to reach agreed standpoints that can be defended clearly with a single voice.

To be a good lobbyist, Herms believes that you have to know and understand the issues involved. In her opinion, specialisation is crucial. Perseverance and the capacity to convince are also important.

<sup>(1)</sup> AISAM, the International Association of Mutual Insurance Companies (Association internationale des sociétés d'assurance mutuelle) represented only mutual insurance companies with a worldwide membership spanning from Japan to Africa or South America. Over time, however, the association's interests became more and more focused on Europe. Source: AMICE)

<sup>(2)</sup> ACME, the Association of European Cooperative and Mutual Insurers (Association des Assureurs Coopératifs et Mutualistes Européens) was set up by ICMIF, the International Cooperative and Mutual Insurers Federation, as its European arm and represented the interests of mutual and cooperative insurers in Europe. Source: AMICE)

### 2.3. Messages

The strategy of lobbying has a persuasive goal, in the most honourable sense of the term. Its content is informative and its underlying basis is a line of argument. The strength of the message is completely based on argumentation, which will be more solid if it is backed up by experts in the field. The most effective messages are those that are tailored to a target audience, to which the message is issued at a time that the audience is receptive.

**Messages are at the core of the five management decisions about a lobbying campaign:**

1) **Audience:** Who needs to be reached?

2) **Behaviour:** What change in behaviour is required from my target audience? What do I want them to do?

3) **Messages:** What messages will be most appropriate for my target audience?

4) **Channels:** Which channels of communication will be most effective in reaching those target audiences?

5) **Evaluation:** How will the success/failure of the lobbying communication strategy be measured?

Source: Center for Development Communications

The message is delivered in a language your audience will understand and can relate to, not like a bureaucrat. The message must be crisp and relevant, and contain a call to action. We want the audience to do something, not just receive information.

### Remember the Five C's of an effective message:

- Clear-No Jargon
- Concise-The shorter, the better. Leave out any superfluous information.
- Consistent-repeated often
- Convincing-with data and stories
- Compelling-says something relevant

Source: Center for Development Communications

## 2.4. Timing

As with most things in life, selecting the time to intervene is crucial. Intervening too late means certain failure. One example of this is Case Study F below, which focuses on the energy sector. It is important to have in-depth insight into the processes and key players involved in the decision-making process.

There is a golden rule: take action in the initial stages of the regulatory process or, in other words, when the public authorities are defining the problem or issue in question. It is easier to shape and guide public intentions when they are taking shape than when they have already acquired a complex motivational base for reorientation (Xifra, 2009).

### Case Study F: Energy. Lobbyist of a major Spanish energy company, Brussels.

Brussels, March 2017

This lobbyist represents in Brussels a company in the energy sector. He is an engineer and has rounded off his education by learning languages and taking a course of how institutions function. He admits, however, that experience has been his greatest teacher.

The lobbyist explains that his company deals with all the authorities that have regulatory power over the energy market. His aim is to manage the regulatory and political risk and, at the same time, take advantage of opportunities.

This company has been lobbying in Brussels since the start of the first decade of this century. At first, it only lobbied from its head office in Spain but, a few years later, it decided to locate a lobbyist as a permanent resident in the European capital.

In their opinion, the European Transparency Register is satisfactory but there is room for improvement

They are registered on the Transparency Register and say that they assign the equivalent of a single full-time employee to deal with EU public matters. This is because the lobbyist in Brussels spends half of his time on coordination tasks and

<sup>(3)</sup>Shell declares between €4.5 M and €4.75 M. More information here: <http://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=05032108616-26>

<sup>(4)</sup>Interestingly, ExxonMobil declares the same amount as Shell, between €4.5 M and €4.75 M. See: <http://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=0745650927-75>

relations with other companies and sector associations. His boss in Spain makes up the rest of the equivalence of a full-time employee.

They state that they are reasonably satisfied with how the European Transparency Register functions. In their opinion, the guideline that the Register's website gives for calculating expenses dedicated to lobbying are not fully clear. This enables many companies to underestimate the human and material resources assigned for this purpose. They can do so without worrying because there are no audits of companies on this voluntary register.

Together with Washington, Brussels is one of the world capital of lobbying, although it has a long way to go before it reaches the status of its US counterpart. To illustrate, we can compare what a company like BP, British Petroleum, declares as lobbying expenses in Brussels (€2.5-2.8 M) to the amount declared in Washington in 2016 (> \$5,3 M, although this figure had been higher in previous years).

The company states that it makes no difference to them whether or not the European Register becomes obligatory in nature, because they consider the company to be completely transparent and do not think that the way they operate would change in the case of such a requirement. They declare a modest annual expenditure on lobbying, in line with the assignment of just a single full-time employee to the task. This is in stark contrast to the seven-figure amounts declared by energy giants such as Shell<sup>3</sup> or ExxonMobil<sup>4</sup>, which declare almost €5 million each. They do not form part of any expert committee of the European Commission or advisory group of experts. Their contributions are channelled through their participation in public enquiries and sector associations, as well as with the company's own research and publications.

The company is a member of more than ten international associations. The membership fees that they pay to these associations depend on the size of the association and sometimes on the size of the member company. The fees range from 5,000 to 50,000 euros per year. These fees do not include travel and staff expenses involved in taking part in the activities of these associations.

They also participate in international associations and bodies outside of the EU, such as an energy committee of the United Nations, contributing in relation to its field of specialisation. This UN committee sends its final recommendations and studies to various governments, thereby offering additional channels of influence, albeit indirect ones.

The lobbyist explains that European legislation, in the form of Directives and Regulations in the energy sector, is on the rise. In the 1990s, the point of reference for regulatory risks and opportunities was Madrid. Today, it is Brussels. In view of this new reality, the company decided to have a representative in the European capital, as well as a team of people working on European regulation at the company's head office in Spain. The energy company also takes part in several conferences, forums, university events and think tanks in several countries. The conference speakers that represent the company obviously come from any of its offices, not just from Brussels.

Key examples of European think tanks in which the company participates include Bruegel, the Centre for European Policy Studies (CEPS) and the European Policy Centre. Within the academic world, the lobbyist takes part in the events organised by the Florence School of Regulation. Other specialist bodies to be held in prestige include the Energy Delta Institute, a business school specialising in energy based in Groningen in the Netherlands, and the Oxford Institute for Energy Studies, an independent centre operating within the university in the English city.

The lobbyist also takes part in informal networks and groups in which other Spanish or foreign lobbyists in the energy sector meet up. At these meetings, they share knowledge, contacts and information on the dossiers currently being drafted in institutions, on issues such as the Clean Energy Package approved in November 2016, which includes legislation, renewable energy objectives up to 2030 and governance conditions for companies, among other aspects. It involves restructuring the entire sector and contains aspects that the lobbyist considers relevant for his company's business, such as the design of the energy sector being modified to integrate greater

amounts of renewable energy and the approval of regulations that lead to better energy efficiency.

In the early developmental stages of the Clean Energy Package, the lobbyist positively rated the interaction they had with this Commissioner for Energy and Climate Change, the Spaniard Miguel Arias Cañete and his team, and with the EU Energy Commissioner, Vice-President Maroš Šefčovič, from Slovakia, as well as with the representatives of the General Energy Directorate. As Energy Commissioner, Arias Cañete put forward this legislation under the supervision of Vice-President Šefčovič, in accordance with the structure established by President Jean-Claude Juncker from 2014 onwards.

### **Spanish lobbying in Brussels**

This lobbyist is not the only professional based in Brussels who thinks that Spanish interest groups could lobby more and better, having a stronger presence and operating more effectively, with greater foresight, more resources and better coordination with allies.

For instance, in an area as crucial as the Financial sector, the British Bankers' Association declares that it spends almost €2 million on lobbying in Europe, while its Spanish counterpart, the Asociación Española de Banca declares less than €400,000.

The lobbyist regrets the supposed negative connotations and false myths associated to lobbying. In their opinion, the representatives of European institutions should be willing and available to listen to and meet everybody on all sides, gathering the greatest quantity and range of information and arguments, which they can later verify with reliable sources of information and/or with lobbyists from "other sides". All this will enable them to make their own conclusions and decisions, keep well informed and know the implications that may be involved. The lobbyist values the more open and transparent atmosphere that predominates in Brussels in terms of relations with public authorities, and with respect to monitoring the legislative dossier. For instance, the European Union enables dossiers to be followed easily and up-to-date in several ways, including the EUR-Lex portal and the European Parliament's Legislative Observatory.

The lobbyist must be able to offer reliable and easily comprehensible information to the representatives of the institutions. This type of information must always be related to their job. Company and/or sector. As the lobbyist becomes better known by the institution representatives, it is not uncommon for them to approach the lobbyist with specific questions and demands in relation to the work that they are holding. On one occasion, there was even a case when a European civil servant who wanted to know who was in charge of a certain task in the Spanish government contacted the lobbyist directly to obtain this information. This example shows how much easier it for them to ask a lobbyist they know and trust whom they should speak to in Spanish about whichever issue and how to reach this person, rather than searching for this information themselves.

The representatives of the European authorities publish their and their team's contact details on the Internet, such as in the European Commission Staff Directory, Who is Who, which makes it very easy to find out who does what and how to reach them. This is certainly not the case in Spain, as you can see for yourself if you simultaneously search for the contact details for the European Energy Commissioner and the Spanish Energy Minister.

Miguel Arias Cañete, Energy Commissioner:

The Committee's website gives us a photograph, telephone number, e-mail and responsibilities of all of the members of the Commissioner's team, starting with his Cabinet Chief, the Spaniard Cristina Lobillo Borrero:



HEAD OF CABINET

**Cristina Lobillo Borrero**E-mail [cristina.lobillo-borrero@ec.europa.eu](mailto:cristina.lobillo-borrero@ec.europa.eu)

Phone number +32 (0) 2 29 88128

**Responsibilities**

- Strategy, management and coordination of the Cabinet
- Overall coordination of Climate Action and Energy policies
- Relations with the President's Cabinet
- Relations with Vice-Presidents' Cabinets on the priority projects
- Relations with DG Energy and DG Climate
- Inter-institutional relations (Council)
- European Political Strategy Centre (EPSC)

In contrast, if we search for contact information for the Spanish Minister of Energy, Tourism and Digital Agenda, we find an address and the number for the switchboard. We are not even given the Minister's name, Álvaro Nadal:

**Central Headquarters**

Pº de la Castellana 160. 28046 Madrid, España

**Information Service**

C. Panamá, 1. 28046 Madrid, España.

Telephone: 91 349 46 40 / 902 44 60 06

**General Registry**

Pº de la Castellana 162. 28046 Madrid, España.

**Maintaining a strategic presence in Brussels**

In the energy sector at least, the lobbyist recommends participating in sector associations.

A lobbyist's approach to European civil servants must be proactive. They should be contacted regularly. There is a two-way flow of information. We must avoid meeting simply for the sake of meeting, as this will wear the civil servant out. We have to try to be useful, making a valuable contribution in each meeting, providing specific and useful information on an issue that we know in greater detail than the European civil servants due to our professional activity, thereby helping them with their work. The more technical an issue is, the more likely it is that lobbyists can offer added value to the public decision-maker. For instance, the civil servant may call lobbyist to ask for details, data or analysis with respect to a situation in a specific country. The key factor is providing quality information fast that is 100% reliable and being able to explain complex information in a summarised and easily comprehensible way. A lobbyist needs to have credibility and they can never risk giving false information or 'half-truths' because, as soon as they are discovered, nobody in the institutions will ever rely on them again. In our case, this professional gives absolute priority to requests for information and relations with the EU Administration. Resolving obstacles for European decision-makers enables them to establish their status as a credible, competent and motivated contact.

Lobbyists can also act as mediators and facilitators in the relations between different levels of the Administration: municipal, regional, national and European.

Colleagues working in the same sector should build a network between them, deciding which issues they should join forces on and on which issues their positions are neutral or opposed.

He recommends taking part in committees and forums of technical experts that advise the Commission, such as the Sustainable Transport Forum or other similar bodies that they can join as a member. This involves travel expenses, allowances and human resource allocation without any remuneration from the European Union. However, it has its rewards in other ways because, as the lobbyist is advising:

- First-hand information is provided (based in the company/sector's business) that will help the committee to make better, more informed decisions that will have an impact on the business of the lobbyist's company.
- There are many opportunities for networking and building alliances with similar organisations that are also working with the committee.
- The lobbyist demonstrates their commitment to Europe, which is always highly valued by institutions.
- They reinforce their credibility as a contact.

A specialist lobbyist must have the capacity to communicate, in a simplified and persuasive way, aspects that may be extremely technical and complex, making the arcane comprehensible.

Lobbyists may also have a public affairs role, representing the company in conferences organised by commercial bodies focusing on this speciality. In such conferences, which may be attended by representatives of European institutions or the Energy Regulators' Agency, participants share information (each speaker talks about issues related to their business or their company's position/analysis on matters of interest for the sector).

Commercial events companies take the initiative. They choose the city, hire the venue and invite the speakers from companies and universities. They then publicise the event among groups that may potentially be interested and manage registrations. Speakers do not pay the registration fee and take advantage of the exposure to increase their visibility, reputation and contacts. A large number of conferences are organised each year, some with many participants, others with very few, perhaps due to reaching saturation point in terms of the number of events.

In terms of the curriculum of Brussels lobbyists, they tend to start young in a consultancy, with modest salaries and demanding working conditions. Later, they often join an interest group, if they do not progress up the promotion ladder at the consultancy, or maybe start their own firm. They then tend to join a company as an in-house lobbyist. In the case we are looking at, the opposite happened, as the lobbyist embarked on his professional career directly at a European association for the energy sector, from where he was contracted directly by the Spanish company who asked him to settle in Brussels as a corporate lobbyist.

Another important entry route to the career is through internships, also known by the French term 'stages', with offers being published on a daily basis in Brussels to work in various lobbies and associations, many of which can be found on websites such as eurobrussels.com.

### **Successes and pending matters**

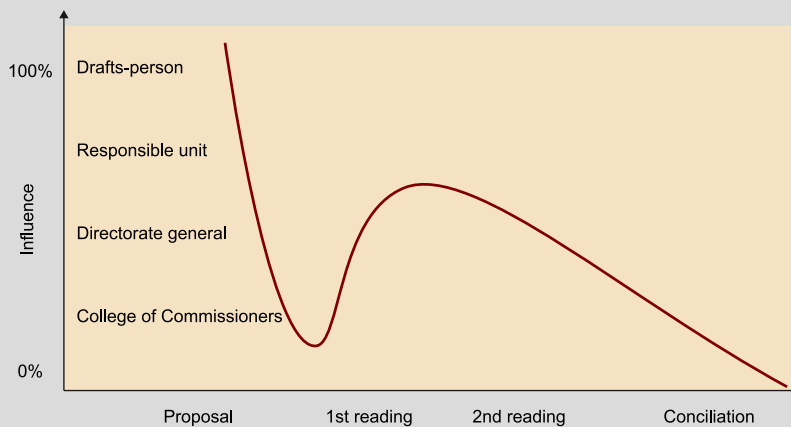
The lobbyist remembers many cases of successful lobbying, specifically when they managed to get financial and political support from the European Union for energy investment projects.

With respect to Regulations and Directives, there have sometimes been criticisms in relation to amendment paragraphs having been drafted by energy companies. It may seem surprising that this happens, but it is not necessary a bad thing. It depends on each case. European authorities need good judgment to discern the facts after hearing various opinions and then reach decisions. It is perfectly legitimate that companies and civil society try to influence them.

In terms of matters that have not turned out so well, the lobbyist mentions various cases, such as the Energy efficiency labelling directive. This issue is regulated through the co-decision procedure or the standard legislative procedure, which gives equal weight to the European Parliament and Council of Ministers in a constant back-and-forth between these two institutions.

On 6<sup>th</sup> July 2016, the European Parliament voted on its amendments to the new directive. The company had a great interest in changing two words of a text and the change was really easy to justify to MEPs. Just by changing these two words, the company would have saved between one and five million euros per year. The lobbyist received the instructions from his company just a fortnight before the all-important vote (just after the vote in the chamber of the responsible parliamentary commission), and he did not have the opportunity to influence this vote effectively.

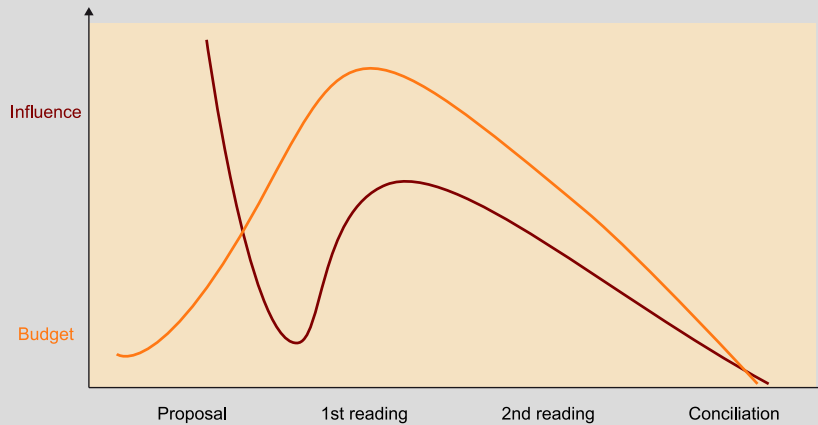
Curve of Legislative Influence vs Timing in the European Union



Source: Daniel Guéguen (2012)

In the European Parliament, 40 MEPs are required to present an amendment to the plenary session. Despite the lobbyist's efforts, they only reached 38. There was not enough time to convince more MEPs. If they had taken action earlier or had followed the dossier more closely in the Committee on Industry, Research and Energy (ITRE), it would have been much more feasible for them to achieve the desired change. The later that action is taken, not only does the effectiveness of the actions decrease, but also the costs rocket. Less influence at a higher price.

Curve: Legislative Influence vs Budget



Source: Daniel Guéguen (2012)

Our interviewee explains that, being in Brussels, there is an extremely number of issues that are debated and regulatory developments under way. For a single person, his knowledge of the regulatory sphere in Europe is very extensive, yet generalist in various cases, without being able to go into detail on all of the developments, but rather only when necessary. He knows which legislation is currently in preparation and who is the rapporteur in the European Parliament and the civil servants in charge. However, he does not always know the finer details of each regulation or directive that is currently being prepared (or the multiple versions and changes that take place over the course of the legislative process), and this is what he would have needed to know in order to take action in time to change these two key words. As such, it is essential that, depending on the size of the company's area of operation (in this case, the energy sector is very broad), the lobbyist in Brussels receives support and there is good communication with the experts on European regulation for certain issues.

When it comes to influencing the Council, obviously, the first step is the permanent representation (REPER) of the country itself. Although collaboration is fluid, it must be remembered that the REPER receives instructions from Ministries in the national capitals and, therefore, it is important not to neglect relations with the representatives of these Ministries.

In all cases, it is useful to draw up a stakeholder map, which helps to grasp the situation and define a lobbying strategy and the corresponding plan of action.

Just like in football and other team sports, even when you lose, there is no time to wallow as you have to get ready for the next match, where you are playing to win or, at the very least, score.

### 3. Implementation

Implementation consists of putting into practice the strategy decided in the planning stage.

According to the lobbyist Alejandro Daroca's advice, when it comes to implementation:

- We should avoid calling our contacts only when we need them. As we have seen, what we have to establish with the public authorities is a long-running strategic relationship of mutual information.
- We must always check our sources and the validity of the information that we are given or obtain.
- We must not overwhelm our contacts. We have to prepare each meeting well.
- We have to listen, listen and listen.

#### 3.1. Main Tools and Techniques

To influence our target audience, we must blend in to their environment and mimic them, copying whatever they do and going wherever they go. We have to use the same media they do and be present wherever they are, speaking their language and replicating their style. For instance, if we lobby indirectly and we want families to mobilise against palm oil in baby foods and demand stricter legislation, we will go to the supermarkets and set up a stand where families buy these foods. We will publish articles in women's and parenting magazine, and we may sponsor a school sports tournament.

The three most common ways to apply the strategy are direct lobbying, indirect lobbying and establishing coalitions and alliances (Xifra, 2009). These approaches are not mutually exclusive.

#### Direct lobbying techniques

This includes typical negotiation techniques:

**1) The position paper.** This refers to a document that sets out the organisation or interest group's arguments on a particular issue. It has to be drafted concisely using persuasive language. It is addressed to public decision-makers or the media and other influential actors.

As is the case with other lobbying instruments, the credibility of the position paper is essential. It tends to be a brief but well thought out and summarised text. It may be sent with other documents or annexes, such as a more comprehensive dossier, but it is important to keep it brief, just a few pages, ideally no more than two. The credibility of the position paper is based on the following criteria:

**2) Personal meetings.** Before requesting a meeting, the lobbyist has to choose the contact person who is most involved in the decision. It is a good idea to let the public decision-maker know in advance how the meeting will be scheduled and, above all, making it very clear what we aim to achieve with this meeting. We may add information about our organisation and the profile of the meeting participants.

On the day of the meeting, the lobbyist has to be punctual, friendly and concise. It is important to be aware of the value of the time that they are giving to you, including being tolerant with the public decision-makers potentially running late. The lobbyist must remain attentive, cooperative and conclusive, in the sense of summarising at the end of the meeting of what they have proposed and what they are requesting. Above all, the lobbyist must make specific demands to the public decision-makers.

It is better to hand over the documentation at the end of the meeting to avoid the decision-maker being distracted glancing over the position paper or dossier.

**3) The open letter.** This alternative may be used when it has not been possible to contact the decision-maker personally or schedule a meeting with them. It is a letter addressed to an official body (president of the European Commission, a commissioner, minister, MEP, MPO, etc.) signed by one or several people in which it presents the issue that it hopes to raise. When such letters are signed by several organisations or people of different origins, it is known as a joint application.

The open letter combines a number of dimensions: direct, indirect and grassroots lobbying. The first of these is clear, because the recipient receives the letter. However, a few days later, it can be used as an indirect lobbying technique through its public dissemination in order to create a state of opinion. If it is opened up to add more signatures or affiliations, it can be considered grassroots lobbying. It is important to ensure that the recipient does not find out about the letter in the media before they receive it personally.

In our electronic correspondence with the decision-maker, we have to avoid an information overload or massification. It is not a good idea to send the same message to a decision-maker on a daily or regular basis if they have not responded. Moreover, research shows that the probability of getting a response to an e-mail is inversely proportional to the numbers of recipients. In other words, it is much better to send personalised e-mails.

It is also important to be realistic. In all likelihood, the e-mail will be read by an assistant who filters the correspondence, rather than by the decision-maker directly.

### **Organisation of special events**

As the quintessential public relations technique, event organisation is also an important technique for lobbying.

### **Lobbying techniques on advertising supports**

The use of advertising for lobbying enables the lobbyist to control the message and ensure that the arguments are explained in their own words, without been filtered by the press.

The drawbacks of this technique are obviously the cost and the loss of the extra credibility that would be achieved if our reasons were presented by a third party perceived as being more neutral, such as the media.

### **Establishing coalitions**

A coalition is an alliance between people of interest groups that share the common goal of influencing the public authorities.

Coalitions may involve different ways of cooperating before public authorities, consulting each other on the legislative tactics and strategy that they plan to adopt, sharing tasks in relation to research, data gathering and contacting decision-makers, and jointly implementing activities with respect to press relations, defence publicity and other public relations techniques.

The establishment and day-to-day management of coalitions is far from simple. The lobbyist has to identify the common interest, convince their potential partners to join forces, agree and apply a joint strategy. The most efficient approach is for the coalition partners to divide up the tasks, capitalising on their contacts and specific abilities.

The members strive to maintain the connection and cohesion between them through fluid communication and a clear division of responsibilities.

## Nonviolent action

The events that may be organised as indirect lobbying techniques include demonstrations and petitions, which do not form part of the methods of events organisation encompassed within the scope of public relations.

Organising nonviolent actions can be an effective means of attracting media attention and generating empathy for our objectives among public opinion, as long as these objectives are legal and honest.

It is advisable, however, to use such techniques as a complementary tactic, reinforcing rather than replacing our task of informing and convincing the public decision-maker.

The risk of organising nonviolent actions is that we may lose control and they stop being nonviolent or, in other words, they descend into violence. In such a case, not only will the effect on public opinion be the opposite of what we were striving for, but also the public decision-maker may refuse us access and break relations with us.

Lobbyists must abide by an ethic principle in this respect. A demonstration must not be used as blackmail but rather as a means for gaining attention. In the case mentioned earlier of the unwanted prison in a town, if the residents' associations organise and hold protests, they are attracting attention legitimately. However, if the block the main road at rush hour on a weekly basis to cause traffic mayhem, this is coercion or blackmail (Xifra, 2009).

### **Case Study G: Medicines. Ms. Elsa Vecino, Technical Director, European Group for Generic Veterinary Products, Brussels.**

Brussels, March 2017

Elsa Vecino is Technical Director, European Group for Generic Veterinary Products (EGGVP.org), Brussels.

The European Group for Generic Veterinary Products is an independent not-for-profit association established under the Belgian law. It represents the industry of generic veterinary medicines in Europe.

EGGVP member companies are focused on the development and marketing of generic medicines for food producing animals and pets. The members of the association discuss the generic veterinary medicines policy and share practical experiences; they also strive to assemble their views and opinions to express these towards the competent EU and national authorities.

EGGVP works closely with regulators and related stakeholders to overcome the regulatory difficulties experienced by its member companies. EGGVP aims to achieve a practical, harmonised and coherent approach for the licensing of generic veterinary products in Europe. It is regularly requested to provide comments during the development of regulatory guidelines and other legal instruments.



This association has its legal headquarters at a Brussels consultancy which provides administrative and legal services in the consultancy package, and may rent extra offices and conference rooms if needed. EGGVP outsources monitoring of news and draft legislation at UK-based Dods Monitoring.

EGGVP provides the following services: 1) Representation, 2) Information and, 3) Participation.

#### 1) Representation

Advocacy and promotion of generic veterinary medicines. Representation in policy debates and stakeholder dialogues to raise the profile and importance of generic veterinary medicines.

#### 2) Information

Monitoring the veterinary medicines' policy. Fresh and key information for members through news alerts, policy updates and analysis.

#### 3) Participation

Direct involvement of members in policy development, and participation in meetings to discuss regulatory and scientific developments. Opportunities to increase the members' presence and profile at EU level.

The average member of EGGVP is a small or medium company (SME). It has 23 members from 14 Member States. Six of them are Spanish, of which 5 are based in Catalonia. The current presidency is occupied by Barcelona-based Laboratorios Maymó.

EGGVP's pragmatism and frugal ways are exemplified by their regular meetings: They take place in a hotel at the Brussels airport. Participants can usually sleep back at home, or, if they need to stay, hotel fees are lower than in the city center. EGGVP thus avoids the European capital's notorious traffic jams and high taxi fares as well. Membership fees are modest compared to other similar EU industry associations: they are complemented by extra contributions for concrete matters, such as studies or lawsuits.

EGGVP at times may work together with the association of big producers of veterinary medicines: The International Federation for Animal Health Europe, IFAH, with whom EGGVP shares interests in many areas. But for some other interests (i.e. generics or small-medium sized companies), positions are not aligned.

IFAH-Europe is the federation representing manufacturers of veterinary medicines, vaccines and other animal health products in Europe. It is a not-for-profit body representing both corporate members and national animal health associations in Europe. IFAH-Europe's membership covers 90% of the European market for veterinary products and its members include big makers of human medicine such as Boehringer Ingelheim and Bayer. EGGVP members, being small SMEs and specialized in generic medicines, created their own association to better defend their interests, independently from IFAH, whose area of influence is dominated by big corporations.

The main public interlocutors for EGGVP are the Directorate General for Health and Food Safety (DG Santé) at the European Commission and the European Medicines Agency (EMA), which is still based in London. About 10% of the Agency's work deals with veterinary medicine, and 90% with human. EGGVP may interact with DG Environment as well (medicines ending up in rivers and water reservoirs), DG Competition (competition created by generic medicines), and DG Enterprise.

Elsa Vecino is the only Brussels-based human resource for EGGVP. She supervises public communications, with the support of a working group among member companies. For instance, she may draft a press release with all the necessary technical specificities, which then is finished and released by the working group's communication professionals. EGGVP's website is maintained by a communications agency, with changes made under Elsa Vecino's direction. She talks to EGGVP's board members several times a week.

Before important votes at the European Parliament, EGGVP may buy publicity report space at influencer media such as Euractiv.com (300 euro for one press release) and Parliament Magazine. Fees are at least €2,500 for a page, €5,000 for two for the latest.

Many of these Brussels-centered media offer space for own articles – for a fee.

Elsa Vecino travels frequently to London for meetings at EMA. She considers the agency first-rate, and wishes it will keep its excellence after it moves due to Brexit.

### **The European Medicines Agency Set to Leave London by April 2019**

There are plenty of European cities in 16 countries willing to take over from London in hosting the Agency: in Spain alone, Barcelona, Alicante, Málaga and León are vying for it.

The European Commission will follow four criteria to choose the future headquarters of the European Medicines Agency:

- Readiness of the facilities
- Accessibility (airport and transport connections)
- Existence of an adequate educational offer for the children of Agency staff (international schools)
- Possibilities of access to the labor market and adequate health care for the partners of European civil servants

The Council intends to suggest one more criterion: the possibility of collaborating with the national pharmaceutical regulator when carrying out research, as is the case in the United Kingdom.

The shortlist of cities considered with the most chances to host the European Medicines Agency are Amsterdam, Vienna, Copenhagen, Stockholm and Barcelona. Barcelona was a finalist alongside London in 1993.

Competition among Member States for the Medicines Agency will be tough, and if no decision is reached before the end of 2018, the move from London now foreseen by 1 April 2019 may be postponed.

EGGVP lacks the big pockets needed to sustain onerous lawsuits, but they can provide information to DG Competition on what they consider abuse of dominant positions against EU law.

Until 15 or 20 years ago, the main instrument of European legislation in this sector has been the Directive, but now a Regulation is being prepared. Once it is transposed into national laws, the Directive imposes certain results within a time frame, but let Member States decide the means to achieve those targets. Regulations, on the

<sup>(5)</sup>COM (2014) 0557

other hand, are directly applicable in all Member States and establish more concrete obligations.

Health and Food Safety falls into the purview of the ordinary legislative procedure, or co-decision. This means EGGVP will interact with the European Commission, which proposes and drafts legislation, the European Parliament and the Council.

This association of veterinary medicine SMEs resents the ascendancy big pharma has sometimes over individual Members of the European Parliament. It considers it harder at times to counterbalance lobbying from big multinationals, having by far much more resources and influence on European institutions. Therefore, EGGVP complains often to the Unit Veterinary Medicine within DG Santé.

### **A Success Story: Draft Regulation Approved by the European Parliament**

A draft Regulation aiming to create an Internal Market for medicines for human and veterinary use was proposed in 2014<sup>5</sup> and the European Parliament has approved it. But it stalled at the Council. EGGVP believes that Member States want to maintain the system of national licenses for medicines.

The draft Regulation would simplify bureaucratic reporting obligations, and unify them from the national to the European level. EGGVP will support any legislation that diminishes the administrative burden, which falls more heavily on SMEs.

The most significant success for EGGVP in this draft Regulation, however, is not merely bureaucratic. It has managed to establish –so far– a balanced and limited patent regime for medicines.

The initial proposal by the Commission foresaw an increase in patent duration to up to 18 years. Multinationals, proposing 22 years, were arguing the long term was needed to foster innovation amid rising research costs.

This is a matter of life or death for small family businesses that produce generic medicines. If the shorter patents length stays in the text and finally gets approved as Regulation, it will have justified EGGVP's membership fees for decades!

EGGVP fears the trilogues about this draft Regulation. EGGVP can access Members of the European Parliament, who are grateful to get expert information on medicines. The case for Member States is less transparent and members of the Council are not always keen to exchange with groups of interests on their positions. The Council's website publishes its agenda, but the working documents remain undisclosed. Interest groups only know which draft legislation articles will be discussed. National Representations (REPERs) and National Experts may help with providing information, more or less officially.

But lobbies such as EGGVP still have less influence on trilogues conducted behind closed doors. None. Trilogues do not have an official agenda.

### **Satisfied with the EU's Transparency Regime**

EGGVP feels very comfortable with the current Transparency Register regulations. As a small player, they welcome the more level playing field that transparency provides. They would not object to a compulsory register.

### **Participation in Advisory Committees**

Elsa Vecino represents EGGVP at the bimonthly meetings of the Animal Health Advisory Committee at DG Santé. This requires the contribution of time and

expertise to the drafting of reports, without compensation. EGGVP welcomes the opportunity to work together with authorities and almost 30 stakeholders, including the big players.

### **The Job of Lobbying for a Small European Association**

Elsa Vecino works as an independent consultant, although, as her main client, EGGVP enjoys a non-compete clause in their contract. Vecino is a veterinarian who completed a Masters in Communication while already working as a lobbyist in Brussels.

Prior to working for EGGVP, Vecino worked for a large European association: the European Feed Manufacturers' Association (FEFANA). In contrast with EGGVP, FEFANA has its own headquarters and a relatively large staff of about eight to ten people: a Secretary General, a couple of technicians, one legal officer, a couple of administrative staff, and one person for media relations and public communications.

The average monthly salaries for this kind of positions are about €3,500 for junior and €5,400 for senior positions. Belgian taxes reduce these to about half, but the employers add extras that are very much appreciated: ticket restaurants (€6-7 per day at the office, not teleworking), private medical insurance and contributions to a personal pension plan equivalent to 7% of gross salary.

For Vecino, working for a small association is very rewarding personally. The big shooters at multinationals are technically very competent but they get rotated more quickly. She believes it is harder to establish with multinational employees the long-term trust and human rapport that she has with EGGVP's members. Ultimately, trust and deep mutual understanding produce better lobbying results.

Elsa Vecino considers public communications as the pending issue to promote at EGGVP. She would like it to have more presence in social media, and all media in general. This is why her organisation has contracted a market study to know this sector better.

## **3.2. Social Media in Lobbying Campaigns**

The widespread expansion in the use of the internet and, in particular, mobile applications has exponentially multiplied the options for lobbying by electronic means. The possibilities are huge, ranging from web platforms like change.org, where you can collect signatures in favour of changes, to the use of YouTube, Facebook, Twitter, Instagram, WhatsApp, Snapchat, Tumblr and so on. These platforms can have global resonance, but also at a national, regional or local level.

The website change.org (in Spain, change.org/es) has revolutionised civic mobilisation for social change.

For example, Isabel de la Fuente, the mother of Cristina Arce, one of the five victims to lose their lives at the Madrid Arena crowd disaster on 31<sup>st</sup> October 2012, launched a petition to collect signatures to prevent a similar tragedy from ever happening again: <http://change.org/madridarena>

“Before social media, we were bound by geography. We had centralised news. Now we are all bound in cyberspace and everyone is a newsmaker. You too”.

Moncef Bouhafa, CEO of the Center for Development Communications, a communications consultancy specialised in development issues and based in Washington, DC<sup>6</sup>.

<sup>6</sup>Workshop “Fast Track Your Media Outreach through Social Media”. Center for Development Communications, April 25-17, 2017, Brussels

The famous case in April 2017 in the US of a United Airlines passenger who due to overbooking was forcefully taken out of an airplane and injured proves this point. Fellow passengers filmed the dramatic scene and the video went viral. The result was a highly embarrassed airline with a stock value that plummeted \$1,4 billion. It was probably not the first time such an incident happened, but if no passenger had filmed and shared it, it just would not have mattered as much.

### Examples of social media lobbying instruments

Viral video for the abolition of bullfighting, by the “Fédération des Luttes pour l’Abolition des Corridas”: <http://www.culturepub.fr/videos/federation-des-luttes-pour-labolition-des-corridas-flac-renvoyons-la-corrída-a-lerre-des-dinosaures/>

*Bankia, pulmones y branquias* (2012). Protest song and dance against public bailouts of banks, viewed more than a million times on YouTube.



When it comes to choosing social media channels for our lobbying messages, the number of options are growing as quickly as new applications are released.

As the anonymous quote on social media goes:

"LinkedIn is for people you know. Facebook is for people you used to know. Twitter is for people you want to know."

Social media will multiply, at a very low cost, the advertisement of your lobbying event, say, a conference or presentation, to reach decision-makers and journalists. You can publicise media alerts or press releases via Facebook events and Twitter, for instance. You will still use the classic email mailing lists and, even more classic, the phone call for the most important guests.

While using Twitter, you need to be aware that it is completely public. At the same time, it gives you the possibility to reach anyone you want, a journalist you do not know personally or a decision-maker, e.g. Marine Le Pen. You write a tweet including the Twitter handle @MLP\_officiel and her communications team will be notified. Whether you get a reaction, that is another question!

Lobbyists are a source of information to decision-makers and journalists, and social media give us more ways to make that information get to them. Because of the dangers of instant and democratised mass broadcasting, every organisation must have clear guidelines about who can share what and when on different social media. The approval process should be FAST, e.g. via pre-approved posts written by the communications officer which the boss can approve and send with just one click.

Moncef Bouhafa recommends that every employee in the organisation get a personal Twitter account. Even if they never tweet. In fact, it is estimated that about 40% of Twitter account holders never tweet anything. But they read and see, and can alert others of what is going on in the Twittosphere. Twitter is, to a large part, a medium for onlookers. It is so much so that he recalls that at the beginning one of the possible names thought out for Twitter was "Friend Stalker".

Bouhafa points out that the US Central Intelligence Agency, CIA, uses Big Data analytics to daily monitor all the tweets in the world and thus gauge the global mood. The Library of Congress does the same at the American level, to keep it for posterity as a relevant little piece of history.

**Case Study H: Social Media. Mr. Ignasi Centelles. Expert in Social Media. International Project Management & International Communications. Centre Maurits Coppieters Foundation, Brussels**

Brussels, March 2017

Ignasi Centelles is Coordinator at the Centre Maurits Coppieters (CMC), the official foundation/think tank of the Greens/European Free Alliance group at the European Parliament, which recognized it in 2007. CMC is a non-governmental organisation under Belgian law that develops its activities with the financial support mostly of the European Parliament, complemented by CMC Members.

Ignasi Centelles (@ignasics) is a Barcelona-born political scientist and a graduate of Johns Hopkins University in Baltimore, USA. He specialises in corporate communications, social media, public relations and advocacy. He is also active as a trainer in social media for international managers and communication officers.

Centelles points out that the Internet allows infinite one-to-one connections without regard to geographic or social boundaries. Because of the ubiquity of digital tools and interactive media platforms, people have for the first time in history the ability to talk among themselves. The observations, discussions, and opinions about any topic can now reach a global scale. The internet is everywhere. With social media, we have gone from information to conversation.

From the vantage point of a non-profit, he stresses the following advantages of social media:

Organisations can use the tools of social media in day-to-day applications to support the operational and strategic activities related to fundraising, networking, reputation-building, outreach and recruitment.

It is more affordable than mass media. A full-page advertisement in *The Wall Street Journal* costs about \$300,000. An online media campaign costs much, much less.

Social media is almost free for the user. Internet access is the price of admission. A mobile phone can often serve as a computer, the only computer many people ever have access to, especially in Latin America, Africa and the rest of the developing world.

Anyone can join. People will find you and define themselves for you.

It is a learning opportunity for managers and directors. By listening and paying attention to users, you can learn what is on their minds –both positive and negative. It is your “window to the world”.

When asked about the difference between new media and social media, Centelles says that new media are all the communications and data transfer made possible by the internet, whereas social media are the communications that occur amongst and between people who belong to a self-selected community. People are there by choice and for networking purposes.

### **The Centre Maurits Coppieters**

Centre Maurits Coppieters promotes policy research at the European and international level, focusing primarily on management of cultural and linguistic diversity in complex societies, multilevel governance, decentralization, state and constitutional reform, secession of states and self-determination, political and economic governance of sub-central governments, conflict resolution, human rights and peace promotion.

CMC has 11 full members and 5 associated members covering 7 different European countries. On the one hand, it develops its own activities, and on the other, it is the point of exchange where diverse foundations and organizations come together to share information about their activities, best practices, experiences and projects.

The Centre's name honours the Belgian Flemish politician Maurits Coppieters (1920-2005), who belonged to the party Volksunie, and was a member of the Belgian Chamber (1965–71), the Belgian Senate (1971–1979) and the European Parliament (1979–81).

Maurits Coppieters studied history and later became a Doctor of Laws and obtained a master's degree in East European studies. During the Second World War, he refused to work for the German occupier. After many years as a teacher, he worked as a lawyer for a while. He was one of the people who re-established the Vlaamse Volksbeweging (Flemish People's Movement), of which he was the President from 1957-1963.

In accordance with its Statute, CMC pursues the following objectives:

- Observing, analysing and contributing to the debate on European public policy issues with a special focus on the role of national and regional movements and the process of European integration;

- Defending the people's' right to self-determination and the democratic respect for the right to decide by the majority of citizens, freely expressed through a consultation or referendum;
- Promoting scientific research, as well as gathering and managing information on the functioning and the history of all national and regional movements in the EU and making the results available to the public;
- Making information available to the public on the implementation of the principle of subsidiarity in a context of a Europe of the Regions;
- Serving as a framework for national, regional or diaspora think tanks, political foundations and academics working together at the European level;
- Maintaining contacts with all organisations active in the promotion of self-determination, human rights and diversity and the institutions of the EU;
- Developing actions to open (historical) information sources in a structured and controlled way with the aim of building a common data network on issues of civic nationalism and regionalism in Europe;

### How Coppieters Does Advocacy

The activities of the Centre Maurits Coppieters revolve around three main strands: publications, conferences and policy papers. Each of these is directed both at member organisations and the interested public on the European and international level.

As a think tank, CMC interacts with Members of the European Parliament and the European Commission to promote its papers and studies, and thus influence public policy. Obviously, it relies more heavily on members who belong to the Greens and the European Free Alliance.

In 2015, in the midst of a massive influx of refugees to Europe, CMC's president Xabier Macias authored the study: "Refugees Welcome". Europe was experiencing the largest flows of refugees since the Second World War. Macias' arguments were that the institutional response of the European Union (EU) had been and continued to be shameful, both as regards the war in Syria and the causes of this and other conflicts in the Mediterranean, and as regards the treatment of the families seeking asylum and the negotiations on admission quotas.

CMC organises conferences in Brussels and in members' countries to highlight a particular theme that it would like to stress on the European Union's agenda. Additionally, an online bi-annual newsletter informs about the Centre's research and activities.

In 2015, coinciding with the tenth anniversary of Maurits Coppieters' death, CMC launched the Coppieters Awards, with the purpose of honouring individuals and organisations that, like Coppieters himself, stand out in defense of cultural and linguistic diversity, intercultural dialogue, defense of minorities, support for the right to self-determination, support for the national rights of peoples around the world, peace, democracy and a united Europe. The Awards have increased the Centre's public relevance, and with it, that of its values and goals. The Coppieters Awards are honorary, they do not involve any monetary prize.

The Centre buys small and very targeted advertising, at a cost of under €5,000 per year: It publishes a Stakeholders' Box at the EU Observer, and is satisfied with its resonance. CMC is not a subscriber of Politico Pro.

CMC has an active social media presence, consistent with its Coordinator Ignasi Centelles' background. It has Facebook, Twitter (@ideasforeurope), Vimeo and Academia.edu accounts.



Social media is even more crucial for small organisations with limited resources.

Already by 2012, the CMC published a paper authored by Jorge Luis Salcedo Maldonado on how to use social media in advocacy and political communication: "Making Ideas Spread. New Media, Social Networks & Political Communication, Advocacy & Campaigns". Salcedo Maldonado analysed a series of case studies on the effective use of social media. From the 2008 Obama presidential campaign, the Centre created a list of good social media practices which were a determinant for his success, even more so during the primary against Hillary Clinton than after in confronting his Republican opponent John McCain. Another set of good practices for the use of social media arise from the European ecology movement and the movement for the defence of fundamental rights on the Internet.

**Good Social Media Practices Identified in "Making Ideas Spread" (Salcedo Maldonado, 2012):**

The paper lists and explains good practices designed to achieve visibility on social media:

- 1) Considering the demographic dimension
- 2) Establishing a continuous and personalised relationship
- 3) Measuring the mood of a campaign
- 4) Empowering people
- 5) Promoting competitions
- 6) Encouraging local activism
- 7) Becoming the most accurate and direct source of information
- 8) Involving celebrities
- 9) Automating lobby tasks
- 10) Taking into account how the Web works
  - Hyperlinks
  - Keywords
- 11) Connecting with groups predisposed towards our message

**1) Consider the demographic dimension**

Effective campaigns take demographic data of users very seriously: Age, education, net use habits, income level, gender, location, and so on.

**2) Establish a continuous and personalised relationship**

Interactivity is key in social media. Engage with users and develop a sense of proximity with them.

### **3) Measure the mood of a campaign**

The personalisation of a campaign can only truly be achieved if its mood is constantly

monitored. This implies analysing information from social media that supporters

from the community voluntarily submit, such as messages and tweets. The campaign needs to create its own database, with all the different key variables, in accordance with our interests and the data available.

### **4) Empower people**

Informational communities allow the interchange of knowledge and creative capacities through people united on a network. Wikis, or collaborative online tools, can be used, for instance, to deal with tasks involving organizing huge amounts of data; or promoting local campaign initiatives in multiple locations and across various languages. The best known wiki is, of course, Wikipedia.com, which makes possible the cooperation of hundreds of thousands of volunteers around the world willing to share their knowledge and enrich one another and the general public.

### **5) Promote competitions amongst the community**

One of the best practices for empowering people and capturing new supporters is the use of contests. For example, the Obama campaign decided to promote home-made advertisements and videos on social media, like YouTube. The makers of the best and

most popular videos had the chance to meet Barack Obama in person and gain public recognition.

### **6) Encourage local activism**

Social media or micro-blogging<sup>7</sup> sites such as Twitter are useful to coordinate real-life gatherings at the local level.

### **7) Become the most accurate and direct source of information**

A proactive media policy implies publishing content which we produce ourselves on topics of interest to the campaign and analysing what has been said about the campaign on social networks. It also implies being available to journalists and the general public to respond to their enquiries.

### **8) Involve celebrities**

Nothing too new here: Famous people generate mainstream media coverage, improve visibility and, through their fans, provide a readymade audience to spread campaign messages.

### **9) Automate lobby tasks**

Remember the days when Amnesty International asked its supporters to write and send physical letters asking for the release of prisoners of conscience? These days are long gone. Today, it takes citizens just a few clicks to automatically send personalised letters to public authorities. The lower the effort required, the easier for citizens to get involved and help.

## 10) Take into account how the web works

The web search engines such as Google organise information in certain ways, which we need to be aware of. Being on top of a results list is so determining for success that Google faces a fine in the billions by the European Commission for allegedly abusing its search-engine dominance to show its own results ahead of those of competitors.

Successful campaigns get a high ranking on Web search engines thanks to thousands of links to its website from other websites. In addition, they maintain a complementary relationship between traditional media (press, radio & television) and social media.

## 11) Connect with groups predisposed towards our message

Organisations or individuals which form part of a movement can use social media to

maintain links with geographically dispersed nodes of activists and mobilise

them at crucial moments: plans for polemical laws, controversial political decisions or judicial rulings or diverse actions which are against the interests of the cause being

defended.

When planning a social media strategy, Ignasi Centelles reminds us to take into account that, in the end, the success of a campaign is not only the result of the communications technologies used, traditional or social. It is also the product of a synergy between the specific characteristics of the actors involved and their message. A campaign must spread a message in accordance with the socio-economic context and the mood of the target audience. The message must try to connect with people's emotions, be easy to understand and contain a call to action. For example: "Bring the Girls Back" (About the 276 girls kidnapped in Chibok, Nigeria, in April, 2014); or "Refugees Welcome".

Taking this into account, Centelles recommends to:

- Craft a message that is memorable and connects emotionally with the target audience.
- Adapt the message to the format of each medium.
- The Web and social media sites present a wide range of formats in terms of size of the message and the scale of interaction that each medium offers. Twitter is for very short messages and links to more substantial content, whereas blogs, wikis, web pages and social networks like Facebook also allow the exchange of huge volumes of information in different formats (photos, videos, music, written documents, maps).
- Keep profiles on different social communications media up-to-date. It implies hard work. We need to respond quickly, as well as propose topics for discussion and mount campaigns that elicit the interest of followers.
- Complement different media with one another. Our various social media profiles must be linked together. For instance, tweets and links uploaded to Twitter should link to our blog, concretely to the original content we want to disseminate.
- Define the basic rules of participation.
- Moderate forums and supervise users' comments and content. Avoid offensive contributions, spam or advertising alien to your organisation. An image –and video- is worth a thousand words. Photos often explain a story better than words. For more complex messages, use video.

- Be prepared to seize the moment. An ecological disaster, a judicial decision or a political scandal may help put the focus on your organisation's subject. Seize the opportunity!
- Be authentic. If a campaign does not reflect reality, most people will realise it is just advertisement. Our brand identity must match what we really are.

### **The Centre Maurits Coppieters and the European Transparency Register**

The Centre has been registered since 2011, having declared two full-time advocates and an annual budget dedicated to these activities of about €150,000. Its advocates work mostly in Brussels, while its researchers reside all over Europe.

The CMC values the prestige and the access that an entry to the Register provides, but points out the lack of balance between the lobbying power of corporate interests and those of non-governmental organisations.

CMC does not sit on any European advisory committee, but it participates in the European Commission's public consultation processes at least once a year. This involves a considerable investment of researchers' time, which the Centre puts to good use by later publishing its contribution as a paper.

For instance, in 2016, Coppieters published "For a more transparent EU. Regulate lobbying activities and foster minorities and non-voiced interests", to the public consultation and "A Proposal for a Mandatory Transparency Register" launched by the European Commission in March 2016.

Centre Maurits Coppieters has asked the European Commission to take steps forward for a more transparent and democratic EU by:

- 1) making the Transparency register for lobby activities mandatory;
- 2) including the Council in the transparency scheme;
- 3) increasing the data quality of the register;
- 4) creating enforcing mechanisms in case of non compliance with the code of conduct of interest representatives and other obligations set down in the regulation;
- 5) making the EU more transparent and accessible for its citizens;
- 6) reinforcing lobby regulation and ensure that there is a balance between business interests and public interests (by ensuring sufficient funding for public interest organisations e.g.) and finally;
- 7) also ensuring that the minority voices can also be heard.

Ignasi Centelles says that they never have gotten any feedback from the Commission about their contributions to public consultations. In the past, participants were invited to stakeholders' conferences organised by the European Commission. Since those conferences are costly to hold, and their input is even costlier to analyse, the Commission has cut them back heavily in recent years.

### **Example of Successful Lobbying: The Coppieters Awards**

The Coppieters Awards' first edition was won by the Scottish politician Alex Salmond.

The Centre was very effective in getting Salmond an interview with the European Commission's president, Jean-Claude Juncker, when the Scot traveled to Brussels for the Award ceremony in December 2016. The meeting received important press coverage, although at the time Mr. Salmond was no longer the first minister of Scotland

Obviously, timing is of the essence. Without the Brexit vote in June 2016, Mr. Juncker would hardly have much interest in meeting with the Scottish pro-independence champion.

CMC wrote an electronic letter to Mr. Juncker's office many weeks in advance, informing of Mr. Salmond's visit to Brussels and formally asking for a meeting. In many European countries, especially in the Mediterranean, it is quite unthinkable to ask a head of government for an interview via a simple email, let alone Europe's top man. But Brussels' bureaucracy is more open and more informal than many Member States, and it worked. This does not mean that we recommend it, though.

The strategic and political salience of Scotland after the United Kingdom voted to leave the European Union is the determining factor that gives Mr. Salmond –or his successor Mr. Sturgeon for that matter– access to the top echelons in Brussels. Postal letter or email, it does not matter much at this point.

In its correspondence with Mr. Juncker's office, CMC never mentioned the issue of photographs. It left that to the Commission to decide what kind of graphic information would come out of the meeting. Mr. Juncker's office decided to bring its own photographer and publish photos of the handshake between the two men.

Both Mr. Salmond and CMC were ready to give up the photo opportunity in order to make the meeting with the Commission's president more likely. Also note that it was the Centre and not Mr. Salmond's office that asked for the interview. If the attempt had failed, it would have been a slight to the Centre, not Mr. Salmond himself.

The Centre complemented Mr. Salmond's activities in Brussels with media interviews and semi-private lunches with the secretary generals of several European think tanks, under Chatham House rules<sup>8</sup>.

When asked about the remaining challenges, or advocacy campaigns that have not worked as expected, Mr. Centelles reflects that sometimes, campaigns where the Centre has invested considerable human and financial resources sometimes work well, and sometimes they do not. They still do not know exactly why. He admits that some subjects the Centre deals with are quite complex, such as multilevel governance, or paradiplomacy<sup>9</sup>

Watch a video of the interview with Ignasi Centelles.

<sup>(7)</sup>Microblogging is a combination of blogging and instant messaging that allows users to create short messages to be posted and shared with an audience online, such as Twitter. They may include text, images, video, audio, and hyperlinks. Source: Daniel Nations.<https://www.lifewire.com/what-is-microblogging-3486200>

<sup>(8)</sup>The Chatham House Rule is a system for holding debates and discussion panels on controversial issues, named after the headquarters of the UK Royal Institute of International Affairs, based in Chatham House, London, where the rule originated in June 1927. At a meeting held under the Chatham House Rule, anyone who comes to the meeting is free to use information from the discussion, but is not allowed to reveal who made any comment. It is designed to increase openness of discussion. Source: Wikipedia

<sup>(9)</sup>Paradiplomacy refers to the foreign policy capacity of sub-state entities: their participation, independent of their metropolitan state, in the international arena in pursuit of their own specific international interests. Source: Stefan Wolff. <http://www.saisjournal.org/posts/paradiplomacy>

## 4. Evaluation

In terms of evaluation, we once again have to examine the framework of the Van Schendelen lobbying case (2010), which is now some years ago, analysing how things have gone for us in terms of the following aspects:

- Organisations and the field of activity of the public policy in question:
- Stakeholders
- Competitors
- Interest groups
- Size of the sector: how much is at stake?
- The case
- Defining the issues
- Objectives of the key players
- What were our 'duties'? Did we fulfil them?
- Alliances for and against. Did we create an ad hoc alliance or a new federation/association?
- Institutional implications: When and how was contact made with the public decision-makers?
- Civil society: Were NGOs allies or enemies?
- Media coverage and public interest
- The story – What happened
- Conclusions and lessons. Did the key players achieve their objectives? Why or why not?
- Lessons learned for the future

With such an evaluation, lobbyists can measure the degree of success in terms of achieving their goals and objectives. Evaluation takes place in two periods: during the implementation of the campaign (monitoring) and at the end, once the implementation phase has been completed.

### **Case Study I: Agriculture. Ms. Laura Girol, Executive Director, European Sugar Refineries Association (ESRA), Brussels.**

Brussels, March 2017

Laura Girol is Executive Director at the European Sugar Refineries Association (ESRA), Brussels. ESRA has members in 9 different European countries, that employ close to 5,000 people directly. All of them are full-time sugar cane refineries.

This association has its legal headquarters at a Brussels communications consultancy, Cambre Associates. It is a common arrangement for smaller European interest groups, which are about 80% of those based in Brussels. The consultancy offers them all kinds of related services: news monitoring, legislative tracking, website and

community management (social media), legal services, administrative support, rental of conference rooms, and printing of advertising materials.

In fact, association management is a specialty of some Brussels consultancies. Keeping overhead under control is practical for smallish associations with members scattered around Europe but willing to influence EU institutions nonetheless.

These kinds of consultancies usually have very good communications professionals, most of them with a background as journalists. Anglo Saxons have an innate advantage in this market for language and cultural reasons: Britons and Americans excel in the sectors of communications, public relations and lobbying. But these journalists often lack the depth and the expertise in any given sector. Another weak point for them is often poor language skills beyond English. They tend to be young and inexperienced, under 40 years of age. As they grow older, many join in-house lobbying teams of associations and companies. A few set up to become senior partners in a communications consultancy or set up their own.

Lobbying entrepreneurs sometimes have a professional experience inside the institutions themselves or at the national representations. These ones know the procedures well.

Laura Girol is a graduate in political science and ESRA's only lobbyist. She works as an independent consultant whose main client is this sugar refineries association. She is a specialist in agriculture, with more than 10 years experience lobbying in this sector.

ESRA was created in 2011, but its precursor goes back to the '50s, like many interest groups which were born and grew together with the Common Market. Their historic model were national associations. And then, they partnered across borders as well.

In this sector, the really big association is Food Drink Europe. It separates members into three categories: national associations or federations, sectorial, and, in their own subgroup, multinationals.

Associations made up of national federations are less agile. ESRA's members are companies, straight out. They create working groups that can make decisions and outline strategies quickly.

Within ESRA, there are geographical and cultural differences. For instance, Southern and Eastern Europeans tend to be less active and take more time to react. Eastern Europeans became EU members in the 21st century and may not have yet the self-confidence to move around the Brussels institutions with ease. As for Spaniards, they often wake up on an issue at the last minute and then they pretend to get a meeting with a Commissioner about it.

In the old days, up until the nineties, European institutions interacted more like a Gentlemen's Club. Officials and influencers lunched and dined, socialized together. Now, with close to 30 Member States, the world of lobbying in Brussels has become much more professionalized. Meetings with officials are requested in writing, and of course there is the Transparency Register.

Also, since the co-decision procedure has become the ordinary legislative procedure, communicating to more than 750 Members of the European Parliament has demanded more sophisticated means.

For example, on monitoring, the new Bible is Politico Europe PRO services by sector. Subscribers to its monitoring service are called "Pros" by Politico. It offers early morning newsletters, customizable news alerts and in-depth articles with analysis and insight. Pros also receive Politico's weekly Brussels Influence newsletter and priority access to news-making events of its own.



### **Laura Girol's Take on the Transparency Register**

Girol believes the Register is very generic, and therefore quite insubstantial. Though she does not think it would be advisable to toughen up its financial disclosure requirements. For instance, if the Register demands from associations to identify all donors who contribute more than 10% of their budget, a small association soon will unveil much more about its finances than a big one that will tend to have very few donors contributing over 10%.

### **ESRA's Targets within the EU Institutions**

The Common Agriculture Policy is one of the main exclusive competences of the European Union and certainly the one consuming most of its budget (around 40%).

ESRA stays very attentive to the meetings of the Management Committees of comitology related to sugar. The interest groups usually get the meeting agenda in advance from their contacts in national authorities, which also tell them about projects and implementing regulation.

Often, national authorities consult with agriculture interest groups before committee meetings. They engage, exchange information and discuss viewpoints with different associations. Spain does not usually do it, though.

### **Facilitating Sugar Imports into the European Union**

Laura Girol highlights as a remarkable ESRA success the import quota for sugar negotiated by the European Commission in the free trade agreement with Central America. Obviously, as an association of refineries, ESRA was interested in the freest sugar trade possible, or the highest import quota as second best. ESRA and its allies –including the Central American exporters themselves, of course– in the end got an import quota 4 or 5 times higher than the initial Commission proposal.

Also, ESRA has partnered with South Africa to push Europe to accept higher sugar imports. Pressure from two sides, as tweezers, works much better. Even getting the South African government on board was not easy: ESRA allied itself with their business partners: South African sugar exporters.

Laura Girol laments that the European Union is very protectionist in agricultural and food matters, almost a fortress. It is even more unfortunate given that these sectors represent vital export markets for emerging economies.

ESRA hardly lobbies the Council of Ministers during the negotiation of free trade agreements, as the ministers' negotiating mandates are kept secret. On occasion, ESRA gets wind of a position through the national representatives of a northern, sugar importing country. Then, ESRA lobbies the committee advising the Council. The Council negotiators themselves are not accessible.

Girol recommends to know what you want, from whom, how you want it and when, in order to be an effective lobbyist.

### **The Common Agricultural Policy (CAP)**

The behemoth Common Agricultural Policy is any food importer's nightmare. It was reformed in 2013, and the new CAP went into effect in 2015.

There are very powerful interests plus European Member States pressuring to keep Europe's agricultural and food markets protected. CAP reform opened markets a bit,

and lessened the cost for taxpayers of a common and protected agricultural market. But ESRA thinks that it was not enough.

ESRA was hoping for more liberalization of sugar markets. But it could not get enough Member States behind the idea. In this regard, Brexit will make fighting protectionism even harder, as one could always count on the Brits to favor more open markets than most of continental Europeans.

## Activities

In September 2015, a global scandal was uncovered in the United States, a German automobile company had manipulated the software of 11 million vehicles so that the greenhouse gas emissions reading that they gave were lower than the real levels. The company's share price plummeted, the global CEO resigned and even confidence in the "Made in Germany" brand was shaken.

What lobbying actions would you recommend in your country for the first six months in order to minimise the fines that are extremely likely to be imposed for this manipulation?

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