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PROTECTING THE PUBLIC INTEREST, BUILDING TRUST:

Integrity standards for public decision-making in Europe

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INTRODUCTION

Public integrity and democratic resilience

Democracy in Europe is under severe pressure. Reverses in the rule of law and rising support for extremist parties with weak democratic credentials in many European Union (EU) member states raise concerns for the future.[1] In the Eastern European neighbourhood, levels of democracy have declined over the last decade, stabilising more recently at slightly above the 1990 level.[2]

In the EU, the quality of democracy makes a significant difference to levels of trust in government and political officials.[3] Despite a small increase in levels of trust since autumn 2025, 59 per cent of EU citizens "tend not to trust" their national governments – against an average across the Organisation for Economic Co-operation and Development (OECD) of 43 per cent.[4] While a degree of healthy citizen criticism of the performance of government is not in itself concerning, a feeling that citizens have little or no influence on government decision making may suggest a level of scepticism that can undermine democracy. A survey of trust across OECD countries in 2024 shows that over two fifths of respondents believed that their government would accept demands from a corporation even if they were harmful to society as a whole. Perceptions that other, possibly hidden, interests are dictating government decisions are reflected in narratives around "captured elites" or a "deep state" impervious to democratic control, which span the political spectrum.

Concern for democratic resilience should mean concern about integrity in public decision making.[5] Yet evidence from the European Commission's annual *Rule of Law* Reports shows persistent weaknesses in anti-corruption safeguards, and limited progress in addressing them.[6] A review of the European Commission's Rule of Law Report recommendations addressed to eight European countries between 2020 and 2026 shows standards remain unmet on the transparency of interest representation, revolving doors,[7] and asset and interest declarations. Lack of political determination to close such gaps leaves public integrity systems across Europe vulnerable to the next large-scale corruption scandal – such as Qatargate[8] or the Azerbaijani Laundromat[9] – or to the disproportionate influence of ever-more powerful transnational corporate interests. This has already been seen in the undoing of sustainability protections through the Omnibus I package of EU legislation.[10]

The EU Anti-Corruption Directive: a catalyst for integrity reforms

In April 2026, the EU adopted an Anti-Corruption Directive that requires each member state to "bring into force the laws, regulations and administrative provisions" that provide "minimum rules concerning the definition of criminal offences and criminal and non-criminal penalties in the area of corruption, as well as measures to better prevent and fight corruption".

Minimum preventive measures must include the adoption of an anti-corruption strategy, the identification of sectors and occupations most at risk of corruption, and the establishment of preventive bodies that operate free from undue interference. Such measures can include appropriate access to information of public interest, disclosure and management of public-sector conflicts of interest, mandatory asset and interest declarations by national officials, verification of such declarations, and penalties for failure submit them. Measures to ensure transparency in the funding of political parties and election campaigns, and rules regulating the interaction between the public and private sectors, are also essential.

An important rationale for the Directive was attempting to increase harmonisation and consistency across national legislation and practices, to make these more effective in combatting corruption as an increasingly transnational phenomenon. While the Directive is not prescriptive about the standards that preventive measures must meet,

there is a need to adapt to the national context rules and practices around existing international commitments, as well as recommendations from a variety of review mechanisms.

This policy brief aims to contribute to this process of review and revision, with a focus on conflict of interest management, asset and interest declarations, and regulation of interest representation or "lobbying". It also addresses how to avoid the unintended consequences these regulations may have for civic participation, in line with international standards. Transparency International addresses other preventive tools, such as integrity in political finance and whistleblowing, in separate policy documents.[11]

Shrinking civic space: an emerging context for public integrity

Policies to promote public-sector integrity in Europe are increasingly being implemented in a context of declining civic space. The CIVICUS Monitor has tracked a decline in the populations of Europe and Central Asia who live in countries with "open" or "narrowed" civic space, from 58 per cent in 2019 to 26 per cent in 2025.[12] Similarly, a 2024 consultation by the EU Fundamental Rights Agency revealed that 75 per cent of civil society organisations (CSOs) promoting fundamental rights encounter barriers in conducting their activities.[13] CSOs face deliberate attacks and targeting, legal barriers, a growing compliance burden, a shrinking funding pool, and underdeveloped or reduced practices in participation and consultation.[14]

Attacks on civil society are often based on accusations of alleged foreign interference, with the spread of Russian-style "foreign agents" laws obliging CSOs to publicly register as "foreign agents" when receiving international funding, along with other stigmatising or intrusive requirements. Such legislation has been enacted in Hungary, with variations reintroduced after the European Court of Justice found that the original text violated EU law.[15] Such legislation is also proposed in Bulgaria and Slovakia. While these initiatives are not examples of interest representation legislation, government rhetoric may cite the need to regulate lobbying or unaccountable influence as motivation for such laws.

This context raises serious concerns about how governments will use and implement the proposed EU Third Party Interest Representation Directive, intended to increase transparency around foreign-sponsored interest representation, which could require member states to establish foreign influence registers, potentially providing legal cover for abusive schemes requiring foreign agent registration. Implementation of this legislation by national governments will pose a particular risk to CSOs and, if enacted, the Directive will require careful design of adequate safeguards and vigilant monitoring to prevent abuse.

Conflict of interest and interest representation rules can support fairer and more open public decision making, particularly when paired with strong public participation rules. However, emerging challenges to civic space make it especially important that such rules are not weaponised against civil society, or applied in a manner that discourages public participation or exercise of fundamental rights. Given such concerns in the context of interest representation rules, Section 3 of this policy brief provides additional commentary on civic space dimensions of interest representation legislation.

SECTION 1. ADDRESSING CONFLICTS OF INTEREST AND PREVENTING ILLICIT ENRICHMENT

Public officials are elected or appointed to make decisions that serve the public interest in the course of their duties. How officials manage a situation when they must choose between the public interest and a private one makes a crucial difference between integrity and corruption.

Effectively addressing conflicts of interest requires clear definitions and rules that are appropriate to each situation. Most countries across the EU lack a generalised legal definition of "conflict of interest",[16] and the EU Anti-Corruption Directive does not harmonise the resulting diversity of definitions. To address this, European countries should draw on existing international standards to design robust frameworks to manage conflicts of interest, whether actual, apparent or potential. The two complementary definitions below are frequently used and may inform harmonisation efforts across the EU.

DEFINING "CONFLICT OF INTEREST"

In Recommendation No. R (2000)10 "on codes of conduct for public officials", the Council of Europe's Committee of Ministers stresses the importance of protecting impartiality among officials: "Conflict of interest arises from a situation in which the public official has a private interest which is such as to influence, or appear to influence, the impartial and objective performance of his or her official duties."[17]

The Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Service (2003)[18] further distinguishes between current, apparent and potential conflicts of interest: "A 'conflict of interest' involves a conflict between the public duty and private interests of a public official, in which the public official has private-capacity interests which could improperly influence the performance of their official duties and responsibilities." The same Recommendation further distinguishes "apparent" conflicts of interest, "where it appears that a public official's private interests could improperly influence the performance of their duties but that is not the case", and "potential" conflicts of interest, "where a public official has private interests which are such that a conflict of interest would arise if the official were to become involved in relevant (i.e. conflicting) official responsibilities in the future".

It is therefore essential that rules enable all public officials to identify conflict of interest situations, and prevent their private interests from conflicting with their official duties. This would protect the impartiality required to discharge official duties in the public interest. The EU Anti-Corruption Directive is unambiguous on the benefits of a preventive approach to conflict of interest as part of a wider framework to promote integrity and safeguard against corruption.[19]

Consequently, the Directive requires member states "to take measures to ensure that preventive tools" are in place. These may include access to information of public interest; measures to ensure transparency in the funding of election candidates and political parties; the disclosure and management of conflicts of interest in the public sector, including asset and interest declarations by public officials, and their verification; regulation of revolving-door situations; rules regarding failure to report substantial assets or interests, and rules regulating the interaction between the private and public sectors. At a minimum, member states are obliged to put such measures in place for higher-level officials and law enforcement and judicial authorities, and to regularly assess risks of corruption and conflicts of interest in other categories of official. Unfortunately, the Directive does not prescribe specific measures, nor give guidance on what constitutes best practice in each area. Until final decisions by the European Court of Justice, this leaves considerable discretion to each member state to define effective implementation of the Directive in relation to its national public integrity system.

This section of the briefing provides guidance for national administrations to fulfil their obligations under the EU Anti-Corruption Directive, as well as other regional and international instruments. It outlines reforms that will align their systems for managing and preventing conflicts of interest, and for the disclosure of interests and assets to detect unexplained wealth, with international best practice. This, in turn, supports more resilient democratic institutions.

1. Defining conflicts of interest and incompatibilities

Rules for managing conflicts of interest must help public officials take appropriate action when facing a choice between the public interest and a private one. They must define which activities are incompatible, and what happens when a conflict is identified despite precautions to prevent it.

Clearly defining activities incompatible to public service, and the period during which these restrictions apply, is essential to effective prevention. For example, experts in the UK have identified parliamentarians' second jobs as a significant source of conflicts of interest, and Transparency International Netherlands has highlighted that part-time lobbying conducted by Dutch senators presents high risks of abuse, as demonstrated by the leader of a political party who is simultaneously a lobbyist in the agriculture sector.

RELEVANT INTERNATIONAL AND REGIONAL STANDARDS

- United Nations Convention against Corruption (UNCAC), art. 12(2)(e): Prevent conflicts of interest by imposing, where appropriate, reasonable restrictions on former public officials' professional activities or private-sector employment after resignation or retirement.
- *Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Sector* (2003), para. 16 and sections 1.1.1 and 1.2.2: Define incompatible situations and establish clear rules and procedures for resolving or managing identified conflicts, including recusal and divestment.
- *Recommendation of the Council of Europe's Committee of Ministers No. R (2000)10 "on codes of conduct for public officials":* "Conflict of interest arises from a situation in which the public official has a private interest which is such as to influence, or appear to influence, the impartial and objective performance of his or her official duties."
- *Recommendation of the OECD Council on Public Integrity* (2017), in particular II.4: Set "clear and proportionate procedures to help prevent violations of public integrity standards and to manage actual or potential conflicts of interest", and provide "easily accessible formal and informal guidance and consultation mechanisms to help public officials apply public integrity standards in their daily work, as well as to manage conflict-of-interest situations".

- *G20 High-Level Principles for Preventing and Managing Conflict of Interest in the Public Sector* (2018), Principles 4 and 6: Establish preventive measures for at-risk activities, including post-employment restrictions, and effective procedures for managing conflicts, including ethical advice and recusal.
- *G20 High-Level Principles* (2018), Principle 12: Establish effective mechanisms to resolve conflicts of interest and proportionate, timely sanctions for violations.

If a conflict of interest is identified, standard mitigation measures should follow a graduated sequence – for example, formal disclosure, orally or in writing, recusal from the relevant decision-making process, or, in more serious cases, divestiture or reassignment. How these mitigation measures are implemented could vary according to the function and seniority of the public official. The EU Directive also provides for the authority which monitors compliance with these rules to operate without undue interference and be vested in either one or several bodies (e.g. an independent ethics body) or organisational units in the official's hierarchy.

PRINCIPLE 1.1: LEGAL DEFINITION OF CONFLICT OF INTEREST

A country's legal framework must define conflict of interest, and the formal rules and procedures for its management, applicable to all public officials. This should include – but not be limited to – identification of incompatible activities for different categories of public official.[20]

Policy recommendations

a) Governments must update their legal framework to provide harmonised definitions of actual, potential and apparent conflicts of interest, including through codes of conduct that clearly identify situations and activities incompatible with the role of public official.

b) Conflict of interest regulations should apply to all public officials or any other person who performs a public function, irrespective of contractual status, remuneration or seniority.

c) The identification of situations and incompatible activities should provide for qualified standards of conduct applicable to categories of public official deemed most at risk of corruption, based on assessments of sectors and occupations.[21] These categories should include, at least, high-level public officials, such as members of parliament (MPs), law enforcement agents and judicial authorities, as per Articles 2(9) and 20(4) of the Directive.

PRINCIPLE 1.2: MANAGEMENT

The legal framework must set out rules for managing and addressing conflicts of interest, in proportion to the risks identified.

Policy recommendations

a) The legal framework must establish public officials' obligation to disclose any actual, apparent or potential conflicts of interest.

b) The legal framework should provide for methods to address conflicts of interest, including:

- divestment or liquidation of the asset-related interest by the public official
- resignation of the public official from the conflicting private-capacity position or function, or removal of the private interest in another way
- recusal of the public official from involvement in an affected decision-making process

- restriction of the affected public official's access to particular information
- transfer of the public official to duty in a non-conflicting position
- rearrangement of the public official's duties and responsibilities
- performance of duties by the public official under external supervision
- resignation or dismissal of the official from public office.

2. Addressing revolving-door conflicts of interest

Rules for the prevention and management of conflict of interest should apply to situations that arise with public officials' prospects of future engagement in private-sector employment. These rules should be tailored to the specific risks relating to an area of activity or a category of official. While restrictions should be appropriate to protect the impartiality of public decision making, they should also protect public-sector capacity to attract talent.[22] Effective monitoring of compliance with restrictions, carried out by independent ethics oversight bodies or organisational units, is particularly relevant for these preventive measures to be effective, as prescribed by Article 22(1)(c). However, while 20 of the 25 EU countries (80 per cent) assessed by the OECD require "cooling-off periods" – set periods of time as a buffer between roles – for former public officials going into sectors they previously regulated, only Lithuania and Spain were recorded as tracking post-employment activities for both ministers and senior officials.[23]

PRINCIPLE 1.3: PREVENTION OF POST-EMPLOYMENT CONFLICTS OF INTERESTS

The legal framework must define robust and enforceable post-employment or "revolving door" incompatibilities, to prevent former public officials entering into conflicts of interest when joining the private sector. These rules must be proportionate to the official's function, seniority and risk profile, and must include elected representatives.

Policy recommendations

a) Outgoing officials should be required to notify their current or former institution of employment of any offer of employment for a period of up to two years after leaving office.
b) For a cooling-off period, former officials should be prevented from taking up positions in private-sector organisations that operate in any sector over which the official possesses significant information, or had significant authority or official dealings. The precise length of this period should be proportional to the nature of the employment, the official's previous role and the nature of the risk involved. For example, if an official had significant, direct responsibility for relevant policy, regulation or contracts in an area of prospective employment, this presents a clear post-employment conflict of interest.
c) For a period of up to five years, former officials should be prohibited from engaging in paid lobbying or interest-representation activities that target former colleagues.
d) Elected officials should be prohibited from taking up paid interest-representation roles that directly or indirectly target the body in which they work, or the sector for which they provide oversight.
e) Post-employment regulations should establish proportionate and dissuasive sanctions for non-observance of cooling-off periods, as well as well-defined and objective criteria for exceptions. The anti-corruption bodies referred to in Article 22 of the EU Anti-Corruption Directive must be tasked with monitoring compliance with post-employment regulations, advising on potential conflict of interest situations, deciding on the merits of requests for exception, and determining sanctions for infringements. Each decision must be justified in terms of the nature of the integrity risks involved, and must be recorded and made publicly available.

FRANCE'S REVOLVING DOOR RESTRICTIONS

Under French legislation, former ministers, ministerial advisors, members of independent administrative and regulatory authorities, specified senior local executives, presidential staff and senior civil servants are subject to scrutiny by the *Haute Autorité Pour la Transparence de la Vie Publique* (HATVP) for three years after leaving office. Revolving door controls also extend to other civil servants and public employees, whose proposed private-sector activities are reviewed by their direct supervisor, who consults the administration's ethics adviser in cases of serious doubt about the compatibility of the proposed activity and refers the matter to HATVP if such doubts remain.[24]

During the three-year cooling off period, the former office holder must submit proposed private-sector professional activities for review, either to HATVP or to the relevant administration, depending on the applicable procedure. Where HATVP is consulted, it assesses whether the activity is compatible with the person's former functions. This assessment covers both ethical and criminal. Regarding the former, HATVP examines whether the proposed activity reveals a conflict of interest during the person's time in office or could undermine the normal, independent and neutral functioning of their former administration.[25] The Authority can issue an opinion of compatibility, compatibility subject to conditions, or incompatibility. An incompatibility opinion prevents the person from taking up the proposed activity until the three-year period has expired.[26]

French criminal law provides an additional safeguard. Article 432-13 of the Penal Code prohibits former public officials, including civil servants, from taking employment, advisory roles or financial interests in private enterprises over which they exercised specified supervisory, contractual or decision-making responsibilities, within three years of ceasing their public functions ('pantouflage'). Breaches are punishable by up to three years' imprisonment and a fine of €200,000, which may be increased to twice the proceeds of the offence. A favourable opinion from HATVP does not preclude criminal prosecution under Article 432-13.[27]

HATVP monitors compliance with these restrictions. Its opinions are binding and selected opinions are published. In 2024, 27 cases or approximately 8.5 per cent of HATPV's substantive opinions on proposed moves to the private sector returned an incompatibility finding, while more than 75 per cent declared compatibility subject to conditions.[28]

For some categories of public servant, non-compliance can also lead to disciplinary consequences or, for retired civil servants, withholding of up to 20 per cent of their pension for three years following their departure from public service.[29]

3. Enabling a conducive environment for public integrity

Across international standards – from UNCAC to recommendations by the Council of Europe, the OECD and the G20 – a consistent theme is the need for administrations to promote a culture of openness and an enabling environment. Together, these encourage public officials to uphold integrity standards, proactively identify conflicts of interest and resolve them effectively before they cause harm to the public interest.

Creating a culture of openness requires public officials in leadership positions to involve colleagues in the design and review of integrity frameworks that apply to their professional conduct, making communication channels available for eliciting advice on ethical responsibilities, alongside robust whistleblowing systems enabling stakeholders to report corruption and ethical violations. An organisation's willingness to protect and assist whistleblowers proves its commitment to integrity. Yet successive assessments by Transparency International

show shortfalls. A 2023 assessment of 20 EU countries found that 19 failed to meet minimum standards in at least one critical area of whistleblower protection, while a deeper 2026 assessment of how laws are implemented in practice found that even in countries with strong laws on paper, implementation is lacking.[30] These critical areas of whistleblower protection include the ability to report directly to competent authorities; access to full compensation; the availability of free and accessible advice, and the establishment of effective penalties for non-compliance.

RELEVANT INTERNATIONAL AND REGIONAL STANDARDS

- UNCAC, arts. 8(4) and 33: systems to facilitate reporting by public officials of acts of corruption; to provide protection against unjustified treatment for any person who report corruption in good faith and on reasonable grounds.
- *OECD Guidelines for Managing Conflict of Interest in the Public Service* (2003), para. 16 and section 2.2.1: Public organisations should foster an open culture, provide guidance and training, and enable officials to disclose and discuss matters of conflict of interest.
- *G20 High-Level Principles for Preventing and Managing Conflict of Interest in the Public Sector* (2018), Principles 5 and 8: Officials should be able to seek guidance without fear of reprisal and should receive sufficient information, guidance, training and timely advice throughout their careers.
- *G20 High-Level Principles* (2018), Principle 9: Preventing and managing conflicts of interest is a shared responsibility of the public and private sectors, and awareness of public-sector standards should be promoted in the private sector and among the wider public.

PRINCIPLE 1.4: INTEGRITY AWARENESS

Governments should promote a public-service culture based on integrity, transparency and accountability, ensuring that public institutions foster the development of public officials' capacity to uphold adequate professional standards, personal responsibility and awareness of conflict-of-interest situations and corruption risks, as prescribed in article 20(2) of the Anti-Corruption Directive.

Policy recommendations

a) All public officials, including elected representatives, should be required to attend mandatory ethics training and awareness sessions at regular intervals.

b) Public institutions should publicise existing regulations and policies to public officials in plain language, including real-world examples of how potential or actual conflict of interest situations should be handled.

c) Public institutions should identify and make available external sources of confidential ethics advice for public officials who are in doubt about the application of conflict of interest rules. The sources could be an external ombudsperson or ethics body, or an independent oversight agency. Alternatively, public institutions should make available internal sources, such as a supervisor, an internal ombudsman or an ethics advisor. Institutions must widely publicise how to obtain such advice, including to service users and contractors or partners.

THE EUROPEAN COMMISSION NETWORK OF ETHICS CORRESPONDENTS

The European Commission operates a decentralised network of ethics correspondents intended to make ethics advice accessible within individual Directorates-General (DGs), while maintaining consistency across the Commission.

Each DG appoints an ethics correspondent who acts as the local focal point and first point of contact for staff on ethics questions. Correspondents provide confidential, practical guidance to colleagues on issues such as conflicts of interest, gifts and hospitality, outside activities, professional conduct and post-employment restrictions. In this way, they function as an intermediary between individual staff and the Commission's central ethics departments, rather than as independent ethics officers with their own enforcement powers. Formal integrity decisions and enforcement remain elsewhere in the Commission or oversight institutions.

PRINCIPLE 1.5: SAFE CHANNELS TO REPORT INTEGRITY VIOLATIONS

Governments must implement article 25(2) of the Anti-Corruption Directive by taking measures to ensure that the scope of their national whistleblower frameworks – adopted under the EU Whistleblower Directive 2019/1937 – includes breaches by public officials of integrity standards and conflict of interest rules, which can result in criminal offences referred to in the Anti-Corruption Directive.

Policy recommendations

a) Public institutions must ensure that their internal whistleblowing systems have a broad material scope that extends to acts of corruption. These systems are the channels and procedures established for the purpose of reporting and following up on information, as well as the protections due to reporting persons.

b) Policymakers should designate authorities competent to receive and follow up on external reports about acts of corruption and breaches of ethical or integrity obligations, such as failure to report conflicts of interest. These authorities should establish safe and effective external whistleblowing systems, including safe reporting channels and robust measures to protect whistleblowers.

PRINCIPLE 1.6: ENABLING SCRUTINY BY THE MEDIA AND CIVIL SOCIETY

Governments must ensure broad access to information of public interest, to enable scrutiny by the media and civil society. This scrutiny plays an important role in accountability and prevention of corruption.

Policy recommendations

a) Public institutions must promote broad public scrutiny by proactively publishing information relevant to conflicts of interests and integrity of public decision making – including, but not limited to, asset and interest declarations, public appointments, gifts and hospitality, political donations, procurement and revolving-door cases.

b) Information must be made publicly available in a timely fashion, in accessible, machine-readable formats, and must be downloadable in bulk, so that the public, the media and civil society can access and use it in their efforts to achieve accountability.

4. The private-sector contribution to an enabling environment for integrity

Adding to amendments of regulations on the criminalisation of corruption in the private sector,[31] the Anti-Corruption Directive sets an expectation that EU member states "shall ensure that measures to prevent corruption in both the public and the private sectors are available and tailored to the specific risks of an area of activity". National regulations on conflicts of interest arising from the interaction between the public and private sectors must therefore support businesses with frameworks for conducting their broad engagement with public officials and their influence on decision-making processes (see section 2). A particular area to address is how private-sector entities ensure that their charitable and political donations, sponsorships, gifts and hospitality to other organisations or individuals are not a disguised form of bribery or undue influence.

Tailoring risk prevention to company size is essential to enabling private-sector contribution to public integrity. Small and medium-sized enterprises (SMEs) face the same corruption risks in their dealings with public officials as larger companies, but rarely have dedicated compliance resources. The Transparency International and World Economic Forum toolkit for medium-sized enterprises, along with Transparency International's SME integrity capacity-building tools, offer effective, size-appropriate prevention in practice.[32]

PRINCIPLE 1.7: SHARED RESPONSIBILITY WITH THE PRIVATE SECTOR

The private sector should contribute to an enabling environment for public integrity by upholding ethical standards in its interactions with the public sector, refraining from seeking undue influence, and fostering awareness of its ethical responsibilities among its employees and supply chains.

Policy recommendations

a) Companies should establish risk-based and proportionate corporate ethics and anti-corruption compliance programmes; maintain effective internal whistleblowing systems – including safe and secure whistleblowing channels with protection against retaliation – and promote ethics training and awareness-raising.

b) Companies should develop programmes and procedures for managing integrity risks when interacting with the public sector, including through charitable and political donations, gifts and hospitality, conflicts of interest, lobbying and public procurement, and the recruitment of former public officials.

c) Companies should disclose their anti-corruption compliance programmes, as well as the procedures used to identify the organisation's functions and business partners at higher risk of corruption. They should also disclose measures for managing conflicts of interest related to their interaction with the public sector, and assessment of those measures' effectiveness.

5. Using interest declarations to address conflicts of interest and prevent illicit enrichment

Requiring public officials to submit comprehensive asset and interest declarations serves multiple purposes: raising awareness of conflicts of interest, and preventing, detecting and deterring them.

Submitting information on non-financial interests – such as affiliations, or past or secondary employment – is an exercise in self-assessment by the filing officials themselves. It helps incoming public officials build a sound understanding of potential or apparent situations of conflict of interest, and proactively resolve them. Collecting and scrutinising financial information – for example, covering assets, income or stocks – at regular intervals can help oversight agencies tasked with their review detect not only potential conflicts of interest, but also signs of illicit

enrichment or unexplained wealth resulting from past misconduct. Making officials' interest declarations publicly available online – taking care to safeguard private information – has additional deterrence value, as it gives civil society watchdogs opportunities for oversight and accountability, while directly supporting other anti-corruption enforcement authorities in acquiring information valuable for their investigations.[33]

There is evidence that interest disclosure systems work. The first cross-national evaluation of interest disclosure efforts found a positive and significant relationship between the expansion of comprehensive disclosure systems and a country's capacity to control corruption across borders.[34]

6. Scope and frequency of interest declarations

The identification of which categories of official should be required to make comprehensive declarations of interests and assets should be based on the careful assessment and identification of "sectors and occupations most at risk of corruption",[35] and of categories of public officials whose influence or mandates make them more vulnerable to corruption risks within each national system. Such assessments should also inform the extent to which officials should be required to submit information on their close associates or family members.

Standards and practice across the EU show considerable variation in scope on both counts. For example, despite concerns about the influence wielded, without accountability, by political appointees such as ministerial advisors, only two EU members – Estonia and Romania[36] – require these advisors to submit a comprehensive interest and asset declaration. According to a 2023 European Parliamentary Research Service study, all EU countries required MPs to submit such declarations, but only 11 required them to declare information relating to their spouses, and nine required information on dependent children.[37]

PRINCIPLE 1.8: SCOPE OF APPLICATION OF INTEREST DECLARATIONS

The obligation to submit interest declarations must be proportionate to the influence, function and powers of public officials across all three branches of government – legislative, executive and judicial – and all public institutions.

Policy recommendations

a) Assess corruption risks: Comprehensive and periodic assessments of corruption risks across all areas of government, carried out by a competent preventive body, must inform the identification of roles and positions that fall within the scope of obligations to submit declarations.[38] Risk assessments should cover all branches and levels of the public sector, regardless of an individual's contractual status or remuneration. They should also include temporary contractors and advisors, paid or unpaid, irrespective of their seniority, as per the EU Directive's definition of public official.[39] In informing the scope of declarations, risk assessments must also consider whether, for each category of public official, the assets and interests of immediate family members and close associates should be included in their declarations.

b) Target high-risk roles: At a minimum, asset and interest declarations must be required from higher-level officials and national officials performing roles or occupations identified as most at risk of corruption.[40] The requirement must apply to all branches and levels of government – national, regional and local.[41] Higher-level and at-risk officials are those who exercise significant influence and power, such as ministers and MPs, as well as their advisors; judges and prosecutors at all levels; political advisors and assistants; political appointees; heads of state agencies; local councillors; senior security and military officials; senior procurement officials and directors of state-owned companies. Advisory and expert group members shall be required to disclose their interests and affiliations relevant to items under consideration in advance of any work on the issue.

PRINCIPLE 1.9: FREQUENCY

Declarations must be made at regular intervals during and after a public official's time in office.

Policy recommendations

a) Require submission of declarations at the following points:
   - at an individual's registration as a candidate or nominee for public office
   - at their election or at confirmation of their appointment to public office
   - at set intervals during the office-holder's tenure (e.g. annually)
   - during a "cooling-off" period after an official leaves a role, e.g. for 12 months.[42]

b) Define unambiguously "significant" or "substantial" changes that would prompt ad-hoc updates to declarations, as the definition of either term may carry inherent ambiguities.[43]

PROPORTIONALITY IN CZECHIA

Czechia's Conflict of Interest Act imposes obligations on some public officials based on risk of corruption or conflict of interest. Public officials are divided into two groups. The first, who must all make comprehensive declarations on a yearly basis, includes, among others, MPs, ministers and local councillors. The second group, containing, among others, judges, public prosecutors and employees at particular levels of management, are only required to make declarations of activities, assets, income and liabilities if their functions involve at least one of four specified risk factors:

- authority over public financial operations exceeding 250,000 Czech koruna (around US$11,500)
- direct participation in decision making over public procurement
- decision making in administrative proceedings
- participation in the conduct of criminal prosecutions.

The Council of Europe's Group of States against Corruption (GRECO) notes that ministers' individual advisers are not included in either group and recommends inclusion of this category.[44] Other significant concerns relate to weak and inadequate sanctions, weak enforcement and insufficient capacity for effective oversight, as well as the lack of meaningful differentiation between officials mentioned above.

7. Interest declarations: content and public disclosure

The cornerstone of any system for managing conflicts of interest is how asset and interest declarations are disclosed to an oversight authority. According to a 2016 World Bank report, over 160 countries had introduced some form of system for collecting declarations from public officials.[45] However, across Europe, even in countries where a disclosure system exists, this is limited to certain categories of asset. Such systems can also set inappropriate thresholds that may not include the disclosure of liabilities, loans given or received, cash savings, foreign bank accounts, moveable or virtual assets, real estate, financial instruments, beneficial ownership or several other major asset categories. In addition, paper-based systems remain common, making procedures unnecessarily cumbersome. The OECD assessed[46] that only 44 per cent of its member countries use digital systems for the submission and verification of declarations.

Public disclosure of relevant information contained in declarations is even more limited. Only 55 per cent of 160 countries surveyed by the World Bank require the information to be fully or partially publicly available by law. A 2021 survey by the Global Data Barometer found that 45 per cent of 109 countries published asset and interest

information online. Yet full public disclosure of declarations enables wider scrutiny and more comprehensive monitoring, and constitutes an important element of citizens' right to information about which interests may have an impact on public decisions.

In August 2022, in a decision on publication of asset declarations, the European Court of Justice left ample legal room for allowing online publication of data concerning not only public officials, but also their family members, if asset declarations concerned proper public officials.[47]

RELEVANT INTERNATIONAL AND REGIONAL STANDARDS

- UNCAC, art. 8(5): Declarations should concern outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result.
- *Recommendation No. R (2000) 10 of the Committee of Ministers of the Council of Europe, On Codes of Conduct for Public Officials*: Officials should declare their interests on appointment, at regular intervals and whenever changes occur.
- *G20 High-Level Principles for Preventing and Managing Conflict of Interest in the Public Sector* (2018), Principle 10: Countries should establish appropriate and effective periodic financial, interest and asset disclosure systems for relevant public officials.
- *OECD Guidelines for Managing Conflict of Interest in the Public Service* (2003), para. 16 and section 1.2.1: Relevant private interests should be disclosed appropriately; initial and in-service disclosure should enable identification and management of conflicts.
- *Special Session of the United Nations General Assembly (UNGASS) Political Declaration against Corruption (2021),* para. 10: Countries should establish effective and transparent financial disclosure systems, with information disclosed by appropriate public officials made available as widely as possible, including through digital technology.

PRINCIPLE 1.10: DETAILED CONTENT

Declarations must contain any substantial property, assets and funds of any kind;[48] liabilities and all debts; income and private interests – financial or non-financial – held by the public official, and – where commensurate to the risk of their position – those of their close relatives or associates. In order to enable continuous and independent verification and monitoring of possible conflicts of interest and the concealment of illicit enrichment, the information provided should be sufficiently detailed.

Policy recommendations

a) Ensure that declarations contain information on property, assets and funds of any kind,[49] liabilities and all debts, and other non-financial interests held by public officials and, where applicable, their close relatives and associates.

b) Require that declarations contain, at a minimum, the following information on assets and interests held in either domestic or foreign jurisdictions:

   - income, including its source
   - immovable and valuable moveable property, including digital, virtual or crypto assets, and financial assets, such as cash, bank accounts, exchange-traded funds, stocks or bonds – including those held jointly with others
   - all debts and other liabilities
   - service expenditures, loans given or disbursed, and donations

- any outside paid or unpaid employment or activity, including membership in commercial and non-profit organisations or bodies
- beneficial ownership of any type of legal entity
- transaction dates, values and partners; unique identifiers of assets and interests such as registration numbers, and clear indication of the date on which values are declared
- gifts, including in-kind gifts and payment for services – whether received or declined.

c) Officials should be required to formally attest to the completeness and accuracy of their declarations.

PRINCIPLE 1.11: COLLECTION OF INTEREST DECLARATIONS

Governments must ensure the use of innovative and digital technologies in the systems for submitting asset and interest declarations,[50] to enable effective verification, information sharing and oversight.

Policy recommendations

a) Oversight bodies should establish digital platforms for submission and storage of interest declarations, while ensuring appropriate protection of personal data.

PRINCIPLE 1.12: PUBLICATION OF INTEREST DECLARATIONS

Declarations made by all higher-level officials and officials in high-risk positions must be published online, including data on close relatives and associates, subject to considerations of privacy and data protection.

Policy recommendations

a) Oversight bodies must publish interest declarations in machine-readable, open data formats, and make them available via a single, user-friendly online portal.
b) Publication of declarations made by other categories of official, such as those involved in procurement procedures, should be based on a comprehensive assessment of risks of corruption and conflicts of interest.
c) Publication must omit core private and personal data concerning the location of properties, vehicle number plates, and the identification numbers of bank accounts, safety deposit boxes or credit cards.

OPEN DATA IN SPAIN

As part of the Spanish Parliament's conflict of interest management framework, the Congress of Deputies Open Data portal publishes MPs' Declarations of Economic Interests (*Declaración Intereses Económicos*) directly as open data in three machine-readable formats: CSV, JSON and XML. The portal also provides downloadable data on current and former MPs in the same formats.[51]

8. Enforcement and accountability

Effective systems to prevent corruption require credible oversight of compliance with integrity frameworks, as well as the enforcement of accountability mechanisms. Article 20 of the EU Anti-Corruption Directive reflects different legal traditions within the EU, and gives discretion to member states on whether oversight of asset declarations, transparency and conflicts of interest should be centralised in one body or diffused in "several bodies or organisational units".

A 2020 European Parliament report noted that "most countries are [...] reluctant to go beyond forms of institutional self-control" and that "[m]ost institutions in the Member States of the EU are of the opinion that any form of self-regulation has the advantage that it is simpler, easier and less conflictual".[52] However, this oversight model is not problem-free. For instance, the European Network of Public Ethics has pointed out that "the dispersion of supervision authority" is an obstacle to effective oversight of conflicts of interest.[53] Transparency International has also warned that diffused arrangements risk being hindered by slow and ineffective cooperation within and between EU member states, and that bodies in charge of verifying officials' assets and interests often face restrictions in their ability to request data from financial intelligence units or tax authorities, making prevention work ineffective.[54] This is illustrated by OECD data showing that the gap between conflict of interest regulations and their implementation stood at 35 percentage points among its members in 2025.[55] Clear gaps persist between policy and results: among EU members, only France, Romania and Slovenia provide genuinely independent and centralised oversight of all public institutions.

There are many advantages in establishing a centralised oversight body with the necessary independence to carry out comprehensive functions effectively and free from any undue influence. It creates economies of scale by concentrating material resources and specialised staff, and it facilitates consistent application of integrity standards, including investigatory and sanctioning powers, to ensure compliance. The transposition of the Directive in countries that rely on decentralised or diffused preventive bodies or units should aim at overcoming the resulting challenges by fostering inter-institutional cooperation and independence from undue interference.

RELEVANT INTERNATIONAL AND REGIONAL STANDARDS

- UNCAC, art. 6(2): Ensure that preventive anti-corruption bodies have the necessary independence, material resources and specialised staff to carry out their functions effectively and free from undue influence.
- *OECD Guidelines for Managing Conflict of Interest in the Public Service* (2003), section 2.3.1: Provide procedures for establishing conflict of interest offences and proportionate consequences for non-compliance, including disciplinary sanctions.
- *G20 High-Level Principles for Preventing and Managing Conflict of Interest in the Public Sector* (2018), Principles 10-12: Ensure effective disclosure and verification mechanisms, international information exchange where appropriate, and proportionate and timely enforcement mechanisms.
- UNCAC, art. 8(6): Disciplinary or other measures should be considered against public officials who violate codes or standards of conduct established under the Convention.

PRINCIPLE 1.13: ETHICS FOCAL POINT

Public institutions must designate an ethics and integrity focal point to receive, manage and address issues arising from potential or actual conflicts of interest in public officials.[56]

PRINCIPLE 1.14: INDEPENDENT OVERSIGHT

The conflicts of interest regime for high-level officials and other high-risk categories of officials should be governed by an independent oversight body. This must be mandated to carry out the required assessments to identify sectors and occupations most at risk of corruption; receive and monitor compliance with asset and interest declarations, and provide advice and decide on issues arising from potential and actual conflicts of interests. It must also issue sanctions or refer cases to law enforcement, and cooperate with other competent authorities,

bodies or organisational units tasked with the repression of corruption, where applicable and as prescribed in article 22 of the Directive.

Policy recommendations

a) Oversight bodies should enjoy functional and budgetary independence, and be adequately resourced.
b) Oversight bodies should have the powers and necessary expertise to verify regular declarations and address ad hoc disclosures of potential or actual conflicts of interest, as well as to refer cases for investigation, and issue fines and other administrative sanctions where appropriate.

PRINCIPLE 1.15: GOVERNANCE OF MPs' INTERESTS

The conflicts of interest regime for MPs should be governed through a body or bodies with operational independence from MPs.

Policy recommendations

a) An independent oversight body should oversee the collection of MPs' interest declarations, monitor them for compliance, and manage and address complaints or disclosures concerning potential or actual conflicts of interest.
b) An internal parliamentary body could have the power to impose sanctions on MPs for breaches of integrity, with functional independence guaranteed either through lay membership or other forms of depoliticised decision making.

PRINCIPLE 1.16: WORKABLE VERIFICATION SYSTEMS

Systems for the verification of asset and interest declarations should strike a workable balance between available resources and the total number of declarations.

Policy recommendations

a) Oversight bodies should develop risk-based approaches to the sampling and verification of declarations.
b) Oversight bodies must prioritise in-depth scrutiny of declarations submitted by high-level officials and high-risk categories of officials.

PRINCIPLE 1.17: INTER-INSTITUTIONAL AND INTERNATIONAL COLLABORATION

Relevant national oversight bodies, such as anti-corruption or ethics agencies, should cooperate among themselves, with peer bodies in other jurisdictions and with international institutions, to enable access to relevant information that is not publicly available.

Policy recommendations

a) Enable regular cooperation and exchange between ethics officers across the public service, to promote best practices and ensure consistency of application.
b) Oversight bodies should independently verify declarations for accuracy, using datasets from other state agencies such as tax authorities; corporate, vehicle and land registries, and financial intelligence units. These datasets should cover both open and private data sources and, in particular, banking data.

PRINCIPLE 1.18: PROPORTIONAL AND DISSUASIVE CORRECTIVE ACTIONS AND SANCTIONS

The legal framework must ensure that conflict of interest obligations are matched with proportionate and dissuasive corrective actions and sanctions against officials who are in breach of such obligations. The law must

also mandate the oversight body or bodies to require such actions and apply sanctions in a timely, consistent and fair manner.

Policy recommendations

a) Regulations should establish proportionate and dissuasive corrective disciplinary and administrative actions and sanctions for failure to produce timely, complete and accurate declarations.
b) Regulations must ensure that the strongest sanctions apply to the most egregious breaches, which result in criminal offences. These should include criminal liability, and should cover in particular, the intentional concealment of substantial assets or interests; unexplained wealth or violating conflict of interest obligations.

INTERNATIONAL COLLABORATION

The International Treaty on Exchange of Data for the Verification of Asset Declarations entered into force in June 2025 and addresses the cross-border dimension of monitoring and verification of assets. It is open for the EU as a whole or any country to join, and has been ratified by Moldova, Montenegro, North Macedonia and Serbia. However, most countries still lack formalised mechanisms for international cooperation in this area. Effective verification therefore requires mechanisms for cross-border cooperation and data exchange, both between member states and countries outside the EU.

POLICY OPTIONS FOR MANAGEMENT OF CONFLICT OF INTERESTS FOR MPs

Independent ethical oversight of legislative bodies can sometimes conflict with standards of parliamentary sovereignty enshrined in primary law or national constitutions. This has resulted in varied approaches to parliamentary oversight in different national systems. Countries' current practices include at least four different approaches:

1. Responsibility for monitoring compliance with MPs' regular declarations and examining complaints or matters concerned with alleged contravention of ethical obligations rests with a body constituted by parliament and composed of sitting MPs – e.g. Ireland's Committee of Members of Dáil Éireann.
2. Responsibility rests with an independent ethical body, while investigation and sanctioning of potential ethical violations is carried out by a body constituted by parliament and composed of sitting MPs. The independent body can refer possible ethical violations or breaches of rules to the parliamentary body. This model is adopted in France.
3. Responsibility for monitoring and verification of declarations and for dealing with ad-hoc disclosures rests with an independent body, while responsibility for investigation and sanctioning of potential ethical violations rests with a body composed of sitting parliamentarians and independent or lay members. This approach is taken in this policy brief, and elements of this model have been adopted in Ireland and the UK.
4. Responsibility for monitoring and verification of declarations, dealing with ad-hoc disclosures, and investigation and sanctioning of potential ethical violations rests entirely with an independent body, such as an independent anti-corruption agency. This model is adopted in Romania.

These are broad approaches and the list is not exhaustive. There is much nuance and variation in each approach, in particular around the nomination and appointment procedures of independent members, and whether they have merely advisory or decision-making powers. In addition, some parliamentary regimes conduct no substantive monitoring and verification of declarations beyond checking that they have been completed, contain no obvious errors and are filed on time. These systems rely heavily on public monitoring. However, we do not recommend this as best practice.

SECTION 2. INTEREST REPRESENTATION

Frequently referred to as "lobbying", interest representation is a legitimate activity and an important part of the democratic process. It is how decision makers hear from those most concerned with a decision, those with the greatest expertise in the policy area of their decisions, or those with a stake in the effect of their decisions. When conducted without transparency, interest representation can become a source of undue influence. Ensuring greater transparency in these relationships is an important tool to prevent interactions between the private and public sectors from becoming "gateways to corruption", as identified by Article 20(3) of the EU Anti-Corruption Directive.[57] When sources and channels of influence over public decisions are visible, the public can identify conflicts of interest or patterns of privileged access, hold decision makers accountable for their choices, and deter corrupt exchanges that depend on secrecy.

Without such transparency, influence operates under cover. The general public and oversight bodies cannot distinguish legitimate interest representation from undue interference, and decision makers face no reputational or legal cost for favouring narrow interests. Regulation of interest representation should be designed not only to make influence visible, but also to ensure that public policymaking is inclusive and that decisions reflect input from a wide range of interests.

The complexity of interest representation and its regulation can vary considerably across different jurisdictions. However, foundational steps such as publication of senior officials' agendas and meeting schedules, disclosure of participants in policy consultations, and transparency over the selection, composition and activities of advisory bodies can be achieved in virtually any institutional setting. Such measures considerably strengthen public scrutiny and the accountability of government decision making.

Although the EU Anti-Corruption Directive states clearly the need for regulation in areas such as lobbying, revolving doors and freedom from undue influence, it does not provide concrete guidance for national administrations on introducing or updating existing legislation and tools. This is unfortunate, not only because country-level *Rule of Law* reports consistently assess interest representation rules and practice without a coherent benchmark,[58] but also because of the potential misuses of interest representation regulation to curtail democratic freedoms, restrict public deliberation or unfairly stigmatise certain sectors or organisations (see Section 3).

1. The need for a broad definition of interest representation

The definition of "interest representation" or "lobbying" is fraught with potential misunderstanding, particularly as the word "lobbying" has negative connotations in many contexts. This brief follows recitals 16 and 30 of the EU Anti-Corruption Directive in using the term "interest representation" to describe the interaction between the private and the public sectors (Article 20) around influencing the formulation or implementation of public policy and decision making. Similarly, "interest representative" refers to the natural or legal persons that carry out such activities.

Public understanding of the policymaking process is improved by a broad definition of interest representation that includes both private interests and other non-commercial interests. Narrow definitions can create loopholes that shield significant interest representation activities from public scrutiny. For example, Germany's interest representation legislation exempts churches and other religious and philosophical communities from registration, despite these organisations' interests in public policy, such as the remuneration of care workers. This exemption,

which also exists in other EU member states, has been criticised by Transparency International Germany and LobbyControl.[59,60]

As interest representation and influencing activity increasingly moves online, it is emerging as good practice to include indirect forms of influence – such as public campaigning, commissioning research, and traditional and social media campaigns – in the definition of interest representation and influencing activities. These are covered, for example, in recent OECD standards and EU legislation on political advertising.[61,62]

RELEVANT INTERNATIONAL AND REGIONAL STANDARDS

- *OECD Recommendation on Transparency and Integrity in Lobbying and Influence* (2024), section II: Defines lobbying and influence activities broadly to include direct or indirect action aimed at public officials, stakeholders, the media or a wider audience, and covers parties acting on their own behalf or for others.
- *OECD Recommendation* (2024), section II: Defines public decision making across all levels and branches of government and expressly excludes specified categories such as diplomatic channels and natural persons acting strictly in a personal capacity.
- *Council of Europe Recommendation CM/Rec(2017)2, Appendix*, paras. 1-4: Adopts a broad functional definition of lobbying, defines transparency as the regulatory objective, and requires regulation to respect freedom of expression, political activities and participation in public life.
- *International Standards for Lobbying Regulation* (2015), Regulatory Scope, points 1-4: Regulation should cover direct and indirect communications, and a broad range of lobbyists and lobbying targets, with narrowly drawn exemptions.

PRINCIPLE 2.1: DEMOCRATIC LEGITIMACY

Regulations to prevent corruption in the interaction between the public and private sectors must ensure that interest representation enhances democratic participation and civic space. Any regulatory measures to secure these ends should be proportionate and fit for purpose, and should not impede individual rights of association, freedom of expression, public participation and petition of government.

Policy recommendations

a) Regulation of interest representation should not limit the participation of organisations in the public policy arena on the basis of legal status, function or funding sources.
b) Legal frameworks should include precise definitions and strong safeguards to prevent the stigmatisation of CSOs.
c) The adoption of legislation on interest representation should be preceded by a thorough assessment of its impact on fundamental rights and civic space,[63] to avoid unintended restrictions on the freedoms of association and expression. Such an impact assessment should be repeated every 3-5 years.

PRINCIPLE 2.2: TRANSPARENCY AS A GOAL

Regulation of interest representation must seek to provide greater transparency over the influence exerted during interactions between the private and public sectors. This helps prevent undue influence and regulatory capture, while facilitating more inclusive deliberation and better policy outcomes.

Policy recommendations

a) Governments should consult relevant stakeholders in the design of the regulatory framework governing interest representation.
b) Governments should involve relevant stakeholders when conducting periodic reviews of the effectiveness of interest representation frameworks.

PRINCIPLE 2.3: SCOPE OF REGULATIONS

The legal framework for interest representation should cover direct and indirect activities intended to target public-sector decision makers at all levels of government, while allowing for freedom of expression.[64]

Policy recommendations

a) The interaction of individual citizens with public officials concerning their private affairs should be outside the scope of legal frameworks for interest representation, as should meetings of a purely private or social character.
b) Responses to official government consultations or requests for information, formal dialogue with social partners, and complaints and petitions submitted through formal administrative channels should be outside the scope of legal frameworks for interest representation.
c) The definition of "interest representative" should include any natural or legal person who engages in interest representation activities, whether for private, public or collective ends, and whether remunerated or not.[65]
d) Interest representation regulation should cover all levels and branches of government in a coherent, unified manner.

THE EFFECT OF A NARROW DEFINITION

Polish legislation distinguishes between lobbying activity in general and professional lobbying activity, defined as remunerated lobbying on behalf of third parties. Only those engaged in professional lobbying are required to register,[66] so actors such as companies lobbying exclusively on their own behalf fall outside the scope of mandatory registration. As of November 2026, the Register of Entities Engaged in Professional Lobbying Activities lists 659 entries,[67] while the Sejm (the lower house of the Polish parliament) lists just 18 individuals engaged in professional lobbying activities.

2. Meaningful transparency of interest representation

Transparency in interest representation is derived from two principal sources. Firstly, a mandatory interest representation register makes visible who is seeking to influence public decisions, with the information disclosed in the register provided by the interest representatives themselves. Secondly, the decision-making or legislative footprint makes visible the influence that interest representatives had on specific policy outcomes. The information disclosed in a legislative footprint is provided by public institutions. Each source provides different levels of granularity – registers at the level of organisation or individual; legislative footprints at the level of policy initiative – but both sources are needed for meaningful accountability.

RELEVANT INTERNATIONAL AND REGIONAL STANDARDS

- *OECD Recommendation on Transparency and Integrity in Lobbying and Influence* (2024), section III(a)-(b): Publish timely, comprehensive and detailed lobbying information online in reusable open-data form and establish a public decision-making footprint, enabling public scrutiny and cross-checking.
- *OECD Recommendation* (2024), section V(b)-(g): Disclose relevant financing, donations, activities of indirect influence, organisational links, gifts and certain interests connected with lobbying and influence activities.
- *Council of Europe Recommendation CM/Rec(2017)2, Appendix*, paras. 5-13: Disclose lobbying information; make a public register easily accessible, user-friendly and free; and ensure it contains at least the lobbyist, the subject matter, and the client or employer.
- *International Standards for Lobbying Regulation* (2015), Transparency, points 1-5: Provide a mandatory lobbying register, detailed and timely disclosure, a legislative footprint and accessible open information.

Meaningful transparency of interest representation requires registered organisations to submit enough information to reveal the nature and extent of the activities. However, many existing registers still do not disclose sufficient information. Among the 24 OECD member countries and five OECD partner countries with an operational register, all require the disclosure of the lobbyist's name or organisation. However, only 17 require information on the type of lobbying activities conducted. Even fewer countries require disclosure of the specific legislative or regulatory initiatives targeted. Similarly, only seven countries require disclosure of lobbying budgets or related expenditures.[68]

PRINCIPLE 2.4: STREAMLINED REGISTRATION

The legal framework should ensure registration requirements are as simple and streamlined as possible, aiming for minimal administrative burden.

Policy recommendations

a) National governments should establish a mandatory, centralised, publicly accessible register of interest representatives and their activities.[69]
b) Registration as an interest representative should not be required for participation in calls for evidence, civic dialogue or similar formal channels of participation.
c) Exemptions from registration should be strictly limited and based on due consideration for any constitutional protections and guarantees.
d) Registration should not be overly burdensome in relation to the size and capacity of the interest representative, and should avoid duplication of existing registration procedures.

PRINCIPLE 2.5: REPORTING OBLIGATIONS BY INTEREST REPRESENTATIVES

Interest representatives must disclose at regular intervals sufficiently detailed information to convey the nature, scope and scale of the interest representation activities they carry out.

Policy recommendations

a) Information submitted by interest representatives to the register should include:[70]

- identity and registration ID of the interest representative
- identity of staff and members engaged in interest representation activities
- a list of clients on behalf of whom activities are carried out, when interest representation is remunerated
- other funding sources and amounts dedicated to fund interest representation activities, over a specified threshold
- the specific regulations or decisions targeted by interest representation activities, and the outcomes sought
- the targeted institution or public officials in interest representation activities
- expenditure on interest representation activities, direct and indirect
- donations, gifts – monetary or in kind – and hospitality given to political parties or candidates, either directly or through third parties, over specified thresholds.

b) The reporting of direct interest representation activities or meetings with public officials should be standardised as much as possible – for example, to record the date, participants, meeting agenda, the interest representative's objectives, any materials they produce for the meeting, and a brief summary of the issues discussed.

c) Reporting obligations and frequency should take into account the administrative capacities and resources of interest representatives, as well as any risks associated with their safety. Measures to mitigate unnecessary burdens could include, for example, a tiered approach or the use of thresholds.

PRINCIPLE 2.6: TRANSPARENCY OF INTEREST REPRESENTATION ACTIVITIES

Details of interest representation activities should be made publicly available, to enable the public to trace and assess to the greatest extent possible the influence of interest representatives on individual policies, legislation and public decisions.

Policy recommendations

a) Information disclosed to the register should be available online through a single website, free of charge, and should be searchable and downloadable as machine-readable open data, with unique identifiers for each interest representative registered.[71]

b) Information published by the register should be interoperable with information from other registers, including business and non-profit registers, beneficial ownership registers, asset and interest declarations, tax information and government consultation websites, to avoid duplication of administrative procedures.

PRINCIPLE 2.7: DECISION-MAKING FOOTPRINT

Governments should ensure that public decisions, including on policies, legislation and regulations, should be accompanied by a "decision-making footprint" that documents what inputs from stakeholders and interest representatives were received, and which steps were taken to integrate those inputs into decisions.

Policy recommendations

a) The decision-making footprints should be made publicly available online in accessible formats that allow public scrutiny and cross-checking with other publicly available information.

b) Public institutions must establish systems for high-level officials such as ministers, public representatives at all levels, and senior civil servants to record and publish their agendas and meetings with interest representatives. This should be in as close to real time as possible and with due consideration to the need to protect the rights or reputations of others. Further categories of officials should be included according to the level of their influence on decision-making processes, based on a formal assessment.[72]

GERMANY'S TIERED FINANCIAL REPORTING OBLIGATIONS

Germany's interest representation legislation provides for different levels of financial reporting, depending on the type of entity.

Registered organisations must all provide the same core information, but financial reporting contains thresholds and bands. In particular:

- Annual expenditure on lobbying must be reported in €10,000 bands.
- Individual public grants or subsidies must be identified when the aggregate amount received from a particular donor exceeds €10,000 in the financial year.
- Legal persons, partnerships and sole traders must provide annual accounts or accountability reports.
- Where no other accounting rules apply, an organisation with total income above €10,000 must provide a statement of income and expenditure.
- Organisations lobbying on behalf of clients face an additional layer: they must disclose information about each mandate and report the financial resources received from each client in €50,000 bands.

3. Integrity rules in interest representation

Avoiding undue influence in interest representation activities is part of a broader integrity system that includes obligations for public officials to decline gifts and hospitality over a specified threshold and to observe post-employment restrictions on lobbying contact with former colleagues (see also Section 1.4 above). Preventing undue influence also overlaps with principles of good administration and governance, such as requirements to keep accurate, detailed records of meetings with interest representatives and to seek balanced stakeholder input.

While most European countries have rules in place that specify post-employment ethical obligations, and almost 80 per cent apply cooling-off periods to former officials, pre-employment restrictions are less common. An OECD survey has identified that only Estonia, France and Romania have cooling-off periods for persons with who has carried out private sector professional activities or are former interest representatives who wish to join public service.[73] In France, for example, the administration must refer appointments of most senior and sensitive posts, including ministerial and presidential advisers, to the HATVP before they take effect.[74] Also, Germany has introduced rules on external staff in the federal administration,[75] an aspect of indirect or hidden interest representation often overlooked.

RELEVANT INTERNATIONAL AND REGIONAL STANDARDS

- *OECD Recommendation on Transparency and Integrity in Lobbying and Influence* (2024), section VI(a)-(c): Lobbyists and influencing actors should adhere to integrity standards and apply due-diligence measures linking lobbying to anti-corruption, public integrity and responsible business conduct.
- *OECD Recommendation on Transparency and Integrity in Lobbying and Influence* (2024), section VII(a): Public officials should have clear standards for engagement with lobbying and influence actors; and VII(d): public officials must promote fair and equitable representation of lobbying and influence actors, proactively seeking the views of underrepresented stakeholders.

- *OECD Recommendation* (2024), section VIII(a)-(c): Countries should establish rules for conflict of interest and revolving-door risks, including those linked to entry into public office, and should define subject-matter covered and cooling-off periods for officials leaving office.
- *Council of Europe Recommendation CM/Rec(2017)2, Appendix*, paras. 14 and 16-17: Lobbyists should follow principles of openness, honesty and integrity; public-sector integrity measures may include cooling-off periods and guidance for officials.

PRINCIPLE 2.8: SHARED RESPONSIBILITY

Both interest representatives and public officials should be subject to clear, enforceable standards of conduct and principles of inclusive consultation. Public officials and interest representatives share responsibility for ensuring that standards of ethical conduct and transparency are upheld.

Policy recommendations

a) Governments should oblige interest representatives to sign a code of conduct that clearly articulates expected standards of behaviour and sanctions for breaches, including deregistration. Such codes should also outline due diligence standards for interest representatives when engaging clients, such as verifying the beneficial owners of corporate entities.
b) The code of conduct should explicitly address interest representatives' responsibility to ensure compliance with cooling-off periods and other post-employment restrictions when hiring former public officials.
c) Public institutions should have rules and procedures in place, such as recusal, divestment, blind trusts, and other procedures to deal with the risks of conflict of interest arising from interest representation activities.[76]

4. Oversight and accountability in interest representation

A framework for interest representation cannot function in practice unless it establishes an effective oversight body with the right mandate, capacity and independence to carry out its functions effectively and free from any undue influence.

Despite the importance of independent oversight to ensure that all interest representation organisations operate on a level playing field, a 2024 Transparency International review of existing registers in the EU found that only five member states have a single, binding code of conduct overseen by an independent authority: Cyprus, France, Greece, Ireland and Lithuania.[77]

In addition, oversight bodies are often hampered by a lack of adequate resources to enforce the rules. This is the case for the EU's own oversight office, which has been consistently underfunded, preventing proper enforcement of its comparatively robust ethical rules. It is staffed by a mere 10 full-time personnel, expected to oversee the activities of over 12,000 organisations active in Brussels. This resulted in only 68 investigations for alleged breaches of the EU rules in 2022, of which 55 were initiated following complaints by external parties.[78]

RELEVANT INTERNATIONAL AND REGIONAL STANDARDS

- *OECD Recommendation on Transparency and Integrity in Lobbying and Influence* (2024), section II (definition of "oversight function") and section X(a)–(c): Oversight should be independent, adequately resourced and empowered to monitor disclosures, enforce rules, impose proportionate and dissuasive sanctions, and provide training and awareness raising.
- *Council of Europe Recommendation CM/Rec(2017)2, Appendix*, para. 15: Lobbying regulation should contain effective, proportionate and dissuasive sanctions for non-compliance.
- *Council of Europe Recommendation CM/Rec(2017)2, Appendix*, paras. 18-20: Oversight, advice and awareness functions should support implementation of lobbying regulation and provide guidance to lobbyists and public officials.
- *International Standards for Lobbying Regulation* (2015), *Oversight, Management and Sanctions*, points 1-4: An independent, mandated and well-resourced oversight body should manage registration, monitor and investigate compliance, provide advice and training, operate a complaints mechanism, and apply effective, proportionate and dissuasive sanctions.

PRINCIPLE 2.9: EFFECTIVE OVERSIGHT

Interest representation regimes should have an oversight body that is independent, adequately resourced and endowed with effective investigatory and sanctioning powers.

Policy recommendations

a) Regulatory frameworks for interest representation should establish an oversight function that has sufficient operational independence, adequate resources and the legal authority to investigate and enforce policies and regulations concerning interest representation activities, including verification of financial information.[79,]
b) Oversight bodies must raise awareness among interest representatives, public officials and the public of the application of relevant laws and the results of their work.
c) Oversight bodies should regularly engage with civil society representatives on the implementation of interest representation policies. Civil society should be represented on advisory or governing bodies where possible.

PRINCIPLE 2.10: ACCOUNTABILITY

Public officials and interest representatives should be subject to proportionate and dissuasive sanctions for breaches of interest representation rules.

Policy recommendations

a) Sanctions should operate on a sliding scale, including the threat of criminal sanctions, temporary deregistration and disciplinary proceedings for public officials.
b) Sanctions could include:
    - publishing the name and employer of interest representatives sanctioned
    - deeming null and void public-sector contracts concluded in violation of essential regulations
    - attaching personal liability to the leadership of entities where they are found to have consented to or connived in the commission of a criminal offence
    - reserving fines and other irreversible punitive measures for serious offences and omissions.

EFFECTIVE AND PROPORTIONATE SANCTIONS REGIME IN IRELAND

Ireland's Standards in Public Office Commission (SIPO) manages the country's Register of Lobbying.[80] In 2025, it issued 148 notices of potential prosecution for failure to submit returns or for late submissions, with the majority of these notices resulting in compliance.[81]SIPO has the power to impose minor sanctions, comprising advice, a reprimand or a caution, or major sanctions, such as a financial fine of up to €25,000 and prohibition from joining the register for up to two years.

In addition to the two-tier system of major and minor administrative sanctions, there are also criminal offences available for failure to register, failure to make a return, failure to cooperate with an investigation by SIPO or an order of an authorised officer, or intentionally providing inaccurate, false or misleading information to the Commission. For such offences, the accused is liable, on summary conviction, to a maximum fine of €2,500, or if convicted on indictment, to an unlimited fine or a maximum of two years' imprisonment.

5. Open and inclusive public participation

A fairer and more inclusive approach to public decision making cannot be achieved by interest representation rules alone. It also requires rules around legislative and administrative processes that include transparent and proactive publication of draft laws and regulations, opportunity for public debate and input, and legally mandated public participation procedures. Clear, transparent rules designed to promote inclusivity and avoid favouritism in access to participatory spaces can provide a counterbalance to undue influence by special interests and associated corruption risks.

Strengthening public participation rules also aligns with EU Commission Recommendation 2023/2836 on promoting the engagement and effective participation of citizens and CSOs in public policymaking processes. The European Commission's *Strategy for Civil Society* invites member states to strengthen engagement mechanisms and policies, "including by taking further steps to fully implement Commission Recommendation (EU) 2023/2836, as regards the effective participation of civil society organisations". In developing national anti-corruption strategies in consultation with civil society, as per Article 20 of the EU Anti-Corruption Directive, member states should incorporate steps to implement Recommendation 2023/2836 in conjunction with efforts related to interest representation regulation, as a mutually reinforcing strategy for fairer, more open and more inclusive policy development.

Open access to information about public decision making and public participation rules should also be informed by other relevant international and regional standards and guidance, such as the Council of Europe Committee of Ministers *Guidelines for Civil Participation in Political Decision Making* and the *OECD Guidelines for Citizen Participation Processes*.[82]

PRINCIPLE 2.11: PUBLIC PARTICIPATION IN DECISION-MAKING

The public, civil society and other stakeholders should have open and fair access to public decision-making, including through legally protected participation processes.

Policy recommendations

a) Countries should formally recognise the right to participate in public decision making, and establish a legal framework that defines clear and accessible public participation processes.

b) Citizens and CSOs should be able to participate without undue interference, at an early stage in the process, with appropriate and necessary information, and with particular attention to marginalised, underrepresented and vulnerable groups.
c) Authorities should be required to publicise consultation results, including an explanation of why inputs have or have not been taken into account.
d) Authorities should accompany any refusals of access to participatory processes with a written justification, based on clear legal criteria, and should offer an opportunity to challenge the decision.
e) Authorities should make access to key documents widely available, proactively and according to set timelines, with particular attention to ensuring access by marginalised, underrepresented and vulnerable groups.
f) Authorities should ensure that the selection process for expert advisory groups and positions is governed by transparent public procedures with clear criteria for eligibility and appointment, including for balanced composition representing a diversity of views, and protections for participants' independence.
g) States should take steps to ensure the safety of participants and that there is an enabling environment for participation, particularly by individuals or CSOs subject to attacks, threats or intimidation.

SECTION 3. INTEREST REPRESENTATION AND CIVIC SPACE: AVOIDING UNINTENDED CONSEQUENCES

Conditions of civic space provide essential context for any discussion of how to improve the quality and inclusiveness of public decision making by regulating interest representation. Strong protections for public participation and debate around policymaking are a critical counterbalance to undue influence. However, many independent CSOs in Europe face aggressive efforts to delegitimise their work by portraying them as representing external or foreign interests.

As highlighted in the introduction to this policy brief, the threat of stigmatising CSOs with "foreign agent" designations can make registration requirements that impact them a particularly sensitive issue. There is also increasing concern about abusive reliance on lobbying regulation to target civil society. For example, following backlash to the proposed foreign agent law in Slovakia in 2024, Parliament considered an alternative version which would have regulated CSOs as lobbyists.[83] Slovakia has no general lobbying regulation, meaning CSOs would have been the only lobbyists regulated. The final version of the law dropped the lobbying reference, imposing administrative obligations that were eventually struck down by the Constitutional Court for violating privacy rights regarding donor disclosure and for treating CSOs as public authorities for freedom of information purposes.[84]

CSOs can also suffer unintended consequences from efforts to regulate interest representation. A 2024 consultation by the EU Fundamental Rights Agency (FRA) found that one of the most frequently reported areas in which the legal environment caused organisations difficulties in their work was "transparency and lobby laws".[85] The legal compliance burden is a particular problem for small and volunteer-based CSOs with weak administrative knowledge and capacity. Interest representation regulation should be designed carefully so as not to unduly increase this burden or duplicate reporting requirements, as this is a powerful disincentive to organised civic participation.

Rules covering interest representation can support fairer and more transparent public decision making, particularly when paired with robust public participation frameworks. However, as civic space comes under growing pressure, it is vital that such rules are not weaponised against civil society or applied in ways that discourage public participation or the exercise of fundamental rights. Given the current context, this section provides additional guidance on implementing principles from Section 2 in ways that protect civic space and avoid singling out CSOs.

1. Protecting civic space in the context of interest representation regulation

Design of interest representation regulations should be guided by the principles in this brief, many of which contain elements relevant to the protection of civic space, especially Principle 2.1:

Regulations to prevent corruption in the interaction between the public and private sectors must ensure that interest representation enhances democratic participation and civic space. Any regulatory measures to secure these ends should be proportionate and fit for purpose, and should not impede individual rights of association, freedom of expression, public participation and petition of government.

Beyond the principles above, the following supplemental principles are particularly important in light of civic space risks.

SUPPLEMENTAL PRINCIPLE 3.1

Interest represent regulation should never be uniquely or primarily applied to civil society and the non-profit sector while entirely or largely exempting other actors. It should not impose burdensome requirements uniquely on non-profit organisations.

SUPPLEMENTAL PRINCIPLE 3.2

Interest representation regimes should be generally applicable, rather than exclusively focused on foreign interest representation or interest representatives who receive foreign funding.

SUPPLEMENTAL PRINCIPLE 3.3

The overall design of an interest representation regime should not have disproportionate impacts on non-commercial advocacy.

2. Key considerations: upholding overarching principles of fundamental rights

PREVENTING TARGETING OF CIVIL SOCIETY

As an important starting point, interest representation regulation should not be a vehicle for imposing obligations primarily or exclusively on civil society actors. Systems which provide sweeping exemptions for commercial lobbyists or which apply only to CSOs represent efforts to restrict freedom of association and civic participation, rather than genuine efforts to foster transparency and integrity in public decision making.

Interest representation regulation should also avoid an exclusive focus on foreign interest representation, given the risks of excluding CSOs which receive international funds. A strong interest representation regime renders such laws unnecessary, by enabling public oversight of all undue influence, whether foreign or domestic. If states do enact special rules for foreign interest representatives, it is critical that the rules do not apply to CSOs solely on the basis that they receive international development funding or foreign-origin donations. Instead, states should enact a strong, general interest representation law. This is particularly the case at EU level, where the proposed Third Party Interest Representation Directive currently raises serious concerns over civic space.

OVERARCHING PRINCIPLES OF FUNDAMENTAL RIGHTS

The regulation of interest representation potentially touches on several fundamental rights protected in the European Convention on Human Rights and the EU Charter of Fundamental Rights – particularly the rights to freedom of association and expression. Freedom of association includes the ability to form and join associations to

"pursue common objectives collectively", and is critical for citizen participation in the democratic process.[86] This extends particularly to formal non-profit legal organisations and their ability to operate, advocate and fundraise, and it informs specialised international and European standards on reporting and disclosure obligations placed on non-profit organisations.[87] Freedom of association is closely linked to freedom of expression, which protects people's rights to speak both individually or collectively via a coalition or an organisation.

If interest representation regulations impose disproportionate requirements on CSOs or result in restrictions on civil society's ability to make public statements or issue other communications, these regulations may constitute restrictions on freedom of association and expression. Any regulation should only impose such restrictions to the extent that they align with a strict test under European and international human rights law, which considers factors such as whether the regulations are clear and precise, necessary, proportional, the least intrusive possible and non-discriminatory.[88]

Public participation rights may also be impacted by interest representation regulation, including specific procedural rights, such as the right to petition, as well as more generalised participatory rights protected constitutionally or via European and international treaties. Other relevant European human rights standards include due process rights if sanctions are imposed, and the right to privacy in the case of disclosure requirements that reveal details about individuals, such as a requirement to disclose the identity of individual donors.

As described above in Policy recommendation 2.1(c), proposed legislation should be subject to a fundamental rights assessment. This should include a legal analysis based on domestic constitutional law, European human rights law and international human rights treaties. It should also evaluate the impact of the legislation on civic participation and civic space, in close consultation with civil society. Guidance on such assessment of fundamental rights is available from sources such as the FRA.[89] An assessment should involve an independent agency or agencies, including one with human rights expertise, such as an independent human rights commission. The assessment can also draw on publicly available national assessments, such as the European Commission's annual *Rule of Law* reports and ad hoc reports by the Council of Europe's Venice Commission.

TOWARDS INTEREST REPRESENTATION REGULATION THAT PROTECTS CIVIC SPACE

When designing an interest representation scheme, policymakers should consider how to address concerns over fundamental rights and to account for the differences between paid commercial lobbying and public interest advocacy, while still maintaining a system that is rigorous overall. A blanket exception for non-profit legal entities is not recommended, given potential misuse of the non-profit form by vested interests, and the importance of capturing certain types of non-profits in the scope of interest representation regulation. These include business and trade associations or other groups that lobby on behalf of their members' commercial interests. As outlined in Supplemental principle 3.3, however, the overall design of the interest representation regime should avoid disproportionate impacts on civil society. For example, a tiered system in some countries can mitigate impacts, such as by applying thresholds based on lobbying contacts or expenditure. The most appropriate approach will depend on the national context, including the civic space environment and protections for the independence of enforcement and sanctioning authorities.

While expenditures on indirect interactions with public officials can be included in reporting requirements, engaging in non-commercial public comment – for example, on social media – should not alone trigger reporting obligations (see Principle 2.3, which includes indirect communications "while allowing for freedom of expression"). Political advertising itself is already regulated under EU Regulation 2024/900 on the transparency and targeting of political advertising.

In line with Policy recommendations 2.4d and 2.5c, reporting, disclosure and registration requirements should be simple and streamlined, and should account for the administrative capacities of interest representatives. In implementing these recommendations, policymakers should be mindful that rules designed primarily with commercial lobbyists in mind may not adequately account for differences in the size, budget and capacity of CSOs, especially volunteer or grassroots ones, as well as differences arising from donor-based funding and the non-commercial nature of non-profit activities. Implementing authorities should consider whether reporting, disclosure

and registration forms and rules are appropriate for the non-profit context, and develop accessible and clear guidance to explain compliance obligations for non-profit organisations.

Another key concern is the possibility of abusive or politicised use of sanctioning and monitoring powers against specific CSOs. Strong safeguards must be incorporated in any interest representation legislation, to prevent it being misused for political gain. These include legal clarity and predictability, and an independent monitoring and enforcement body. Sanctions should be calibrated to the seriousness of the offence and should be necessary and proportionate under freedom of association standards. They require especially careful design where an oversight body's independence is not sufficiently guaranteed and civic space risks are high.

The design of interest representation regulation should include consultation with diverse members of civil society, including small, grassroots and volunteer organisations engaged in advocacy across different issues (see Policy recommendations 2.2a and 2.2b). Such consultation should respect capacity constraints and limited specialist expertise among some parts of the sector. As noted above, authorities should also complete a fundamental rights assessment. As required by the EU Anti-Corruption Directive, a coherent and joined-up approach would place interest representation in the context of a national anti-corruption strategy, as well as any strategies to enhance democratic resilience, such as national civil society strategies or Open Government Partnership national action plans.

ENDNOTES

[1] The Economist Intelligence Unit, "Democracy Index 2025, Democracy stabilises after eight years of decline", 2026, pp.19-20, https://www.eiu.com/n/campaigns/democracy-index-2025/
[2] Varieties of Democracy Institute, "Democracy Report 2026. Unraveling the Democratic Era", 2026, https://www.v-dem.net/documents/75/V-Dem_Institute_Democracy_Report_2026_lowres.pdf, p.20. In this report, "Eastern Europe" refers to Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Czechia, Estonia, Georgia, Hungary, Kosovo, Latvia, Lithuania, Moldova, Montenegro, North Macedonia, Poland, Romania, Russia, Serbia, Slovakia, Slovenia and Ukraine.
[3] Vrushi J, Valladares J and Fraiha Granjo, A, "For the Common Good or Private Interests? People's views of political integrity in the European Union" (Working Paper), 2021, p.13. https://files.transparencycdn.org/images/2021_CommonGoodOrPrivateInterests_WorkingPaper_ENG.pdf.
[4] European Commission, Standard Eurobarometer 105, "Public opinion in the European Union", Spring 2026, p.61, https://europa.eu/eurobarometer/surveys/detail/3613; Organisation for Economic Co-operation and Development, "OECD Survey on Drivers of Trust in Public Institutions – 2024 Results", 2024, https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/07/oecd-survey-on-drivers-of-trust-in-public-institutions-2024-results_eeb36452/9a20554b-en.pdf
[5] This brief refers to "public integrity" as defined in the 2017 OECD Recommendation of the Council on Public Integrity, Section I: "Public integrity refers to the consistent alignment of, and adherence to, shared ethical values, principles and norms for upholding and prioritising the public interest over private interests in the public sector." See: https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0435. The brief refers to "public decision making" as defined in the 2024 OECD Recommendation of the Council on Transparency and Integrity in Lobbying and Influence, Section II: "Public decision-making process refers to the development, implementation, evaluation or modification of any public policy or of any public programme, at all levels of government (e.g. federal, national, regional or local) and branches of government (executive, legislative and judicial); the preparation or amendment of any law or regulation, including secondary legislation such as statutory instruments and by-laws; the award, modification or withdrawal of any grant, loan or other financial support, contract or other agreement, or of any licence or other authorisation involving public funds; and the nomination of key public officials." See: https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0379
[6] Transparency International, "Anti-corruption gaps are leaving democracy in Europe exposed", 2026, https://www.transparency.org/en/news/anti-corruption-gaps-leaving-democracy-europe-exposed
[7] "Revolving doors" refers to the movement of former or prospective public officials from employment with the public sector to employment with the private sector, and vice versa.
[8] Transparency International EU, "Three years since Qatargate: has the European Parliament learned its lesson?", 2025, https://transparency.eu/three-years-since-qatargate-has-the-european-parliament-learned-its-lesson/
[9] Transparency International, "Transparency International welcomes historic conviction in German court in Azerbaijani Laundromat bribery scheme", 2025, https://www.transparency.org/en/press/transparency-international-welcomes-historic-conviction-german-court-in-azerbaijani-laundromat-bribery-scheme
[10] Kergueno R, Schmoland I, Hinds S, Artibani F, Engelbrecht-Bogdanov and Marthe J, "By invitation only: Policy capture and the EU Omnibus I", https://transparency.eu/wp-content/uploads/2026/10/Policy-Capture-and-the-EU-Omnibus-I.pdf
[11] On political finance, Transparency International advocates the adoption of its "Standards for Integrity in Political Finance", 2024, https://www.transparency.org/en/publications/standards-for-integrity-in-political-finance-global-policy-position, and the 2025 UNCAC Conference of the States Parties, Resolution 11/7, https://track.unodc.org/track/en/track/resourcehub/2025/resolution_11-7/resolution_11-7.html. On Whistleblowing protection, see: A Best Practice Guide for Whistleblowing Legislation, 2018, and Internal Whistleblowing Systems: Best practice principles for public and private organisations, 2022
[12] CIVICUS Monitor, Europe and Central Asia, Findings, 2025, Europe and Central Asia - Civicus Monitor
[13] EU Agency for Fundamental Rights, https://fra.europa.eu/en/cooperation/civil-society/civil-society-space
[14] EU Agency for Fundamental Rights, https://fra.europa.eu/en/cooperation/civil-society/civil-society-space
[15] European Court of Justice, Judgement, 18 June 2020, C-78/18
[16] The European Network of Public Ethics (ENPE) brings together public integrity authorities from across 15 EU member states, and has noted that only in four countries in which it operates – France, Lithuania, Portugal and Romania – is there a single and general definition of "conflict of interest" in the law. For this reason, ENPE holds that "unifying the notion of conflict of interest within Member States with a single definition could be a way to improve the management of the phenomenon". See: ENPE, "Best practices from ENPE studies on Anti-Corruption Measures", 2025 pp.19-22, https://www.enpe-network.org/wp-content/uploads/2026/02/Paper_-ENPE_Good-practices_2025-2805-VF.pdf

[17] Council of Europe, Recommendation on Codes of Conduct for Public Officials, 2000, https://rm.coe.int/16806cc1ec
[18] OECD, Recommendation of the Council on OECD Guidelines for Managing Conflict of Interest in the Public Service, 2003, https://legalinstruments.oecd.org/public/doc/130/130.en.pdf, paragraphs 10, 12 and 13
[19] Directive (EU) 2026/1021 of the European Parliament and of the Council (EU Anti-Corruption Directive), Recital (5)
[20] Typical incompatible activities include certain types of secondary employment (such as interest representation), ownership stakes in state-regulated enterprises, participation in procurement decisions involving related entities, concurrent employment of close relatives, and gifts or hospitality exceeding defined thresholds.
[21] Article 20(5) of the EU Anti-Corruption Directive
[22] World Bank, OECD, UN Office on Drugs and Crime, "Preventing and Managing Conflicts of Interest in the Public Sector. Good Practices Guide", 2020, https://documents1.worldbank.org/curated/en/950091599837673013/pdf/Preventing-and-Managing-Conflicts-of-Interest-in-the-Public-Sector-Good-Practices-Guide.pdf, p.27
[23] OECD (2026) Anti-Corruption and Integrity Outlook 2026 (EN), Table 4.1, p. 64-65, https://www.oecd.org/content/dam/oecd/en/publications/reports/2026/03/anti-corruption-and-integrity-outlook-2026_d8f55b04/16708b78-en.pdf
[24] HATVP, La reconversion dans le secteur privé, section "Qui peut saisir la Haute Autorité ? Dans quels cas ?"; Law No. 2013-907, Article 23; General Public Service Code, Articles L124-4 and L124-5. This two-tier system was introduced in 2019 to reduce the caseload of the former Civil Service Ethics Commission (Commission de déontologie de la fonction publique), which had to be systematically consulted on moves from public service to the private sector. See the impact assessment accompanying the Public Service Transformation Bill.
[25] General Public Service Code, Article L124-12. See also HATVP, Le contrôle de la mobilité public/privé, section "Le contrôle opéré par la Haute Autorité".
[26] Law No. 2013-907, Article 23(I–II); General Public Service Code, Article L124-14 and Article L124-15
[27] French Penal Code, Article 432-13. See also HATVP, Opinion No. 2024-179 of 2 May 2024, para. 7
[28] HATVP, Activity Report, 2024, https://www.hatvp.fr/rapports_activite/rapport_2024/pdf/HATVP_RA_2024_web.pdf
[29] General Public Service Code, Article L124-20, version in force since 31 January 2026
[30] Marie Terracol, "How well do EU countries protect whistleblowers? Assessing the transposition of the EU Whistleblower Protection Directive", Transparency International, 2023, https://files.transparencycdn.org/images/2023_How-well-do-EU-countries-protect-whistleblowers_EN.pdf; Rebegea C and Terracol M, "How effective is whistleblower protection in the EU? Trends, gaps and emerging practices across member states", Transparency International, 2026
[31] Articles 13 and 14 of the Directive set out the liability for legal persons. The previous regulation was the "Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector", https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32003F0568
[32] "Business integrity: A toolkit for medium-sized enterprises" is currently being piloted in France, Spain, Turkey and the UK, https://www.transparency.org/en/publications/business-integrity-toolkit-for-medium-sized-enterprises
[33] Scherf AA, "How Do Online Conflict Disclosures Support Enforcement? Evidence from Personal Financial Disclosures and Public Corruption", *The Accounting Review*, 2024, 99(4), pp.455-487
[34] Vargas GA and Schlueter D, "Opening Public Officials' Coffers: A Quantitative Analysis of the Impact of Financial Disclosure Regulation on National Corruption Levels", *European Journal on Criminal Policy and Research*, 2016, 22(3), pp.439-475
[35] EU Anti-Corruption Directive, Article 20(5)
[36] Following a Constitutional Court decision in 2025, asset and interest declarations are no longer published online in Romania, although the obligation to submit them remains; see: https://legislatie.just.ro/Public/DetaliiDocumentAfis/298986.This was confirmed by the National Integrity Agency (ANI) in May 2026, https://agerpres.ro/comunicate/2026/05/11/comunicat-de-presa---agentia-nationala-de-integritate--1554789. Under Law No. 180/2026, the ANI is required to publish a separate public record of financial interests for selected categories of officials, containing more limited information than the original declarations.
[37] European Parliament Research Service, "A comparative analysis of financial disclosure obligations on members of parliaments", 2023, https://www.europarl.europa.eu/RegData/etudes/STUD/2023/747911/EPRS_STU(2023)747911_EN.pdf. In Estonia, declarations must include identifying information on spouses, registered partners and other close relatives, but do not require comprehensive disclosure of these persons' assets. The identification requirements were extended to registered partners on 1 January 2024. See Estonia's Anti-Corruption Act, sections 14(6)(3) and 14(8).
[38] EU Anti-Corruption Directive Art. 20(4): "Member States shall ensure that measures to prevent corruption in both the public and private sectors are available and tailored to the specific risks of an area of activity." Art. 20(5): "Member States shall, within appropriate intervals, perform an assessment to identify the sectors or occupations most at risk of corruption and develop measures to address the main risks in the sectors or occupations identified."
[39] Definition provided in Article 2 of the EU Anti-Corruption Directive: "(2) 'public official' means: (a) a Union official, or a national official of a Member State or of a third country; (b) any other person assigned and exercising a public service function, in accordance with national law, including those mandated by or under the authority of a public authority in Member States or third countries; (c) a person assigned and exercising a public service function for an international organisation or for an international court". National official is defined in the same article: "(3) 'national official' means any person holding an executive, administrative or judicial office at national, regional or local level, whether appointed or elected, or employed on the basis of a contract, whether

permanent or temporary, paid or unpaid, irrespective of that person's seniority. Any person holding a legislative office at national, regional or local level shall be assimilated to a national official, in accordance with national law." High-level official is also defined: "(9) 'high-level official' means a public official who is entrusted with key executive, administrative, legislative or judicial functions in accordance with national law; this may include: heads of central and regional government, members of central and regional government, deputy ministers, state secretaries, key political advisers, heads and members of a minister's private office or cabinet when such have been established, members of parliamentary chambers, members of constitutional and supreme courts, a prosecutor general, and members of supreme audit institutions, as well as members of the College of Commissioners of the European Commission and of the European Parliament."

[40] High-level officials are defined as per the EU Anti-Corruption Directive: "High-level officials should be understood as persons who exercise key executive, administrative, legislative or judicial functions. Such functions can include actively participating in the development or execution of governmental functions, determining and implementing policies, enforcing laws, proposing or implementing legislation, adopting and implementing by-laws or normative decrees, taking decisions on government expenditure and taking decisions on the appointment of individuals to key executive, administrative, legislative or judicial functions, as well as deciding on court cases. High-level officials can include national officials such as heads of central and regional government, members of central and regional government, deputy ministers, state secretaries, key political advisers, heads and members of a minister's private office or cabinet when such have been established, as well as members of parliamentary chambers, members of constitutional and supreme courts, the prosecutor general, and members of supreme audit institutions, as well as members of the College of Commissioners of the European Commission and the European Parliament."

[41] Transparency International, "Compilation of Recommendations on Political Integrity", 2020, Recommendation 2.1.1(2)

[42] Transparency International Ireland recommends declarations within one month of taking office, covering the preceding 12 months including the pre-election period, and post-departure declarations covering the following 12 months.

[43] Committee of Ministers of the Council of Europe, Article 17 of Recommendation No. R (2000)10, "On codes of conduct for public officials". This recommends that declarations must be made on appointment, at regular intervals and "whenever changes occur". However, the Organization for Co-operation and Security in Europe (OSCE) Office for Democratic Institutions and Human Rights has found in a recent examination of a bill to amend Serbia's Law on the Prevention of Corruption that the lack of clarity in defining the triggers for extraordinary declarations defeats its purpose, Opinion-Nr: CORR-SRB/585/2026, at § 75

[44] GRECO, Fifth Round Evaluation Report: Czechia, 2022, https://rm.coe.int/grecoeval5rep-2022-7-final-eng-evaluation-report-czech-republic-public/1680aeb6aa, § 134 and § 141

[45] World Bank, "Getting the Full Picture on Public Officials", 2016, https://documents.worldbank.org/en/publication/documents-reports/documentdetail/517361485509154642

[46] OECD, "Anti-Corruption and Integrity Outlook 2026", 2026

[47] Case C-184/20 at para. 39, *OT v. Vyriausioji tarnybinės etikos komisija*, 1 August 2022, Grand Chamber; for further details, see: Tilman Hoppe, "Anticorruption, privacy, and (gay) family – The ECJ rules on financial disclosure of public officials", *Vienna Journal on International Constitutional Law*, 2023, pp.433-446

[48] As per the definition provided in Article 2(1) of the EU Anti-Corruption Directive

[49] As per the definition provided in Article 2(1) of the EU Anti-Corruption Directive

[50] This is a commitment expressed in paragraph 7 of the UN General Assembly Resolution S-32/1: "Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation", 2021, https://docs.un.org/en/A/RES/S-32/1

[51] However, declarations of assets and income are still published as scanned PDF documents rather than as open data. The Congress of Deputies' First Open Parliament Plan (2025–2027) includes a commitment to publish these declarations in reusable formats (p. 10, measure III.5), which remained pending according to the implementation report of 15 June 2026, p. 52.

[52] European Parliament, "The Effectiveness of Conflicts of Interest Policies in the EU member states", 2020, p.109, https://www.europarl.europa.eu/RegData/etudes/STUD/2020/651697/IPOL_STU(2020)651697_EN.pdf

[53] ENPE, "Best Practices from ENPE Studies on Anticorruption Measures", 2025, p.18, https://www.enpe-network.org/wp-content/uploads/2026/02/Paper_-ENPE_Good-practices_2025-2805-VF.pdf

[54] Transparency International, "Combatting Corruption in the European Union. Analysis and Recommendations on the Proposed EU Directive", 2023, p.13, https://files.transparencycdn.org/images/Policy-position-Analysis-and-recommendations-on-the-proposed-EU-Anti-Corruption-Directive-August-2023.pdf

[55] OECD, "Anti-Corruption and Integrity Outlook 2026", 2026, Chapter 4, https://www.oecd.org/content/dam/oecd/en/publications/reports/2026/03/anti-corruption-and-integrity-outlook-2026_d8f55b04/16708b78-en.pdf, last accessed 20 October 2026.

[56] Such bodies may be a dedicated integrity agency or integrated into other oversight agencies, such as an independent anti-corruption agency or Ombudsman office.

[57] EU, Directive (EU) 2026/1021 of the European Parliament and of the Council (EU Anti-Corruption Directive), Recital (16)

[58] Kergueno R, "Lobby Transparency Across the EU," p.10, https://transparency.eu/wp-content/uploads/2024/02/Transparency-international-EU_briefing_Lobby-transparency-in-the-EU.pdf

[59] Transparency International Germany, "Political influence: Who is missing from the lobby register?", 2022, https://www.transparency.de/aktuelles/detail/article/politische-einflussnahme-wer-fehlt-im-lobbyregister?

[60] Lobby Control, "The lobby register is coming – Our analysis", 2021, https://www.lobbycontrol.de/lobbyregister/das-lobbyregister-kommt-86449/?
[61] OECD Legal Instruments, "Recommendation of the Council on Transparency and Integrity in Lobbying and Influence", 2024, https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0379
[62] EU, Regulation (EU) 2024/900 on Transparency and Targeting of Political Advertising, Art. 3.2(b).
[63] Civil Society Europe has provided a helpful template for a civic space impact assessment. See: https://civilsocietyeurope.eu/wp-content/uploads/2025/01/Guidance-Note-Impact-Assessment-Tool-Checklist-on-Civic-Space.pdf
[64] In 2024, the OECD explicitly expanded the scope of its Recommendation to address indirect influence, including interest representation through third parties, commissioned research and digital campaigns. This reflects a growing recognition that influence increasingly operates through channels that traditional definitions, focused on face-to-face meetings with officials, fail to capture.
[65] Transparency International, Access Info Europe, Sunlight Foundation and Open Knowledge, "International Standards for Lobbying Regulation, Regulatory Scope", 2015, https://lobbyingtransparency.net/
[66] Poland, Act of 7 July 2005 on Lobbying Activities in the Law-Making Process, Articles 2(1)–(2), 10(1) and 12.
[67] The register covers both entrepreneurs and natural persons who are not entrepreneurs but carry out professional lobbying activities under civil law contracts. See the Register of Entities Engaged in Professional Lobbying Activities.
[68] OECD Anti-Corruption and Integrity Outlook 2026, p.49, https://www.oecd.org/content/dam/oecd/en/publications/reports/2026/03/anti-corruption-and-integrity-outlook-2026_d8f55b04/16708b78-en.pdf
[69] Transparency International, Access Info Europe, Sunlight Foundation, and Open Knowledge, International Standards for Lobbying Regulation, 2015, https://lobbyingtransparency.net/
[70] Transparency International, Access Info Europe, Sunlight Foundation, and Open Knowledge, International Standards for Lobbying Regulation, 2015, p.6, https://lobbyingtransparency.net/
[71] Transparency International, Access Info Europe, Sunlight Foundation, and Open Knowledge, International Standards for Lobbying Regulation, 2015, p.5
[72] Other categories may include political advisors, parliamentary assistants, heads of regulatory agencies, heads of state-owned companies.
[73] OECD Anti-Corruption and Integrity Outlook, 2026, p.47, https://www.oecd.org/en/publications/anti-corruption-and-integrity-outlook-2026_16708b78-en.html
[74] For other, non-senior posts, the check is carried out by the recruiting administration itself, with optional referral to HATVP where serious doubts remain. HATVP assesses whether the person's former private interests are compatible with their new public duties, and may declare the appointment incompatible or attach conditions, typically requiring the official to recuse themselves from any matter involving their former employer. In 2024, HATVP issued 293 such opinions.
[75] German Interior Ministry, "General administrative regulation on the use of employees from outside the public service (external persons) in the federal administration of 17 July 2008", 2008, https://www.verwaltungsvorschriften-im-internet.de/bsvwvbund_17072008_O4013300111.htm.
[76] OECD, "Recommendation of the Council on Transparency and Integrity in Lobbying and Influence", Section VII, 2024
[77] Kergueno, Raphael, Transparency International EU, "Lobby Transparency Across the EU", 2024, p.8, https://transparency.eu/wp-content/uploads/2024/02/Transparency-international-EU_briefing_Lobby-transparency-in-the-EU.pdf
[78] Kergueno, Raphael, Transparency International EU, 2024, Lobby Transparency Across the EU, p.9. See also Transparency Register Management Board (2023), Annual Report on the Functioning of the Transparency Register 2022, p. 11.
[79] OECD, "Recommendation of the Council on Transparency and Integrity in Lobbying and Influence", 2024
[80] The scope of the Register of Lobbying is determined by the statutory definition of lobbying activities and therefore does not extend to all forms of interest representation. See Ireland's Regulation of Lobbying Act 2015, sections 5, 8 and 9.
[81] Standards in Public Office Commission (2026), Regulation of Lobbying Annual Report 2025, p. 11. https://www.lobbying.ie/media/nt4bilox/regulation-of-lobbying-annual-report-2025.pdf.
[82] OECD, OECD Guidelines for Citizen Participation Processes (EN), 2022; Council of Europe, Guidelines for civil participation in political decision making - Participatory democracy, 2017
[83] Verfassungsblog, The NGO's Guide to Authoritarianism, 2025
[84] Via Iuris, Constitutional Court to the Rescue (Zeitgeist 16.) - VIA IURIS, 2026
[85] Fundamental Rights Agency, p. 28, https://fra.europa.eu/sites/default/files/fra_uploads/report-key-findings-fra-civic-space-consultation-2024_en_0.pdf
[86] European Court of Human Rights (Grand Chambers), Gorzelik and Ors v. Poland, 17 February 2004, paras. 88, 92.
[87] For example, OSCE ODIHR, Venice Commission and Council of Europe, Guidelines on Freedom of Association, paras. 225-227, 168046de01; Committee of Ministers of the Council of Europe, Recommendation CM/Rec(2007)14, Legal status of non-governmental organisations in Europe, 16807096b7
[88] For commentary on these principles in relation to lobbying activities, see Venice Commission (2019), Report on Funding of Associations, Adopted at 118th Plenary Session, Study No. 895/2017, para. 97-106.
[89] FRA, Better legislation – Human rights impact assessments in lawmaking | European Union Agency for Fundamental Rights, 2025

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