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THE ATTACHED TRANSCRIPT WAS TYPED FROM A RECORDING AND NOT COPIED FROM AN ORIGINAL SCRIPT. BECAUSE OF THE RISK OF MISHEARING AND THE DIFFICULTY IN SOME CASES OF IDENTIFYING INDIVIDUAL SPEAKERS, THE BBC CANNOT VOUCH FOR ITS COMPLETE ACCURACY.

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#### ACTUALITY AT EUROPEAN PARLIAMENT

SPILLER: The start of another day’s business in Brussels. And here at the European Parliament, a queue snakes past the politicians scurrying to their offices.

Lobbyists, waiting patiently for access to Europe’s decision makers. Because this place is not only the hub of political power – it’s fertile ground for over fifteen thousand lobbyists, and an industry that generates up to 90 million euros a year.

Advocacy – ensuring people, organisations, businesses are part of the political process, get their voices heard - is the stuff of democracy. But there’s growing concern here about the role lobbyists play in Europe’s institutions. Calls for regulation, measures to bring them into line. File on 4 lifts the lid on the lobbying world. The access they get. The tactics they use. And the hidden interests behind they messages they push.

#### SIGNATURE TUNE

#### ACTUALITY IN DOCTOR’S SURGERY

HEATH: Come in Mrs Whelan, have a seat. How’s the hip today?

WHELAN: It’s quite sore ...

SPILLER: Dr Iona Heath is a GP at a busy practice in London.

HEATH: Are you doing too much, trying to do too much?

WHELAN: I am really, yes, I did a lot today, more than I normally would.

HEATH: More than you should really?

WHELAN: Yes.

SPILLER: She's a strong advocate of patients' groups – the growing number of organisations aimed at giving patients a voice in policy-making. But as a former chairman of the Medical Ethics Committee for the Royal College of GPs, she's become increasingly concerned about how these pressure groups are funded.

HEATH: I am more and more concerned about the influence of pharmaceutical companies on patient groups, because I think it has the capacity to undermine an enormous amount of goodwill and commitment on the part of the patients who have created these groups.

SPILLER: Why – what's the evidence for that?

HEATH: Their track record really. They are not philanthropic organisations. They have a direct interest in pharmaceutical treatments for the illnesses of the organisations that they fund. So you can see all sorts of ways in which patient expectations might be manipulated.

SPILLER: Dr Heath's suspicions began when she attended a medical conference.

HEATH: We were given a very very flashy presentation, and it wasn't the sort of presentation you would get from an organisation run by patients for patients. And I just knew that there was a large amount of pharmaceutical sponsorship behind this. You

HEATH cont: could tell from the glossiness of the brochures that we were given, and the very flash Powerpoint presentation that we got. And I asked questions from the people who were presenting about the level of sponsorship they got, and they were extremely defensive. And they mentioned the European Patients Forum, and so then I started to look at the website of the European Patients Forum and it looks great, and they have a code of conduct, and it says that they should be completely transparent about where they get their funding from.

SPILLER: The European Patients Forum has 23 members – groups representing sufferers from a variety of conditions, from asthma to cancer, multiple sclerosis. And it's become an influential player in EU lobbying circles. But as a representative of doctors in Europe, Dr Heath was keen to learn more about who was funding the groups who were members of the organisation. It should have been easy enough. The Forum's code says their members must publish details of their sponsors, make their financial accounts available.

HEATH: I went to look at the websites of some the organisations, because it's in tiers. There's the European Patients Forum, then there's the European organisations, and then of course the national organisations are affiliated to those. So you go down each of these levels looking at their websites, and the code of practice is just not honoured. Some of them do list the names of the companies that give them money, some of them give you ball park figures, but it'll be something like say in between fifty and a hundred thousand euros – but not precisely how much. And very very few of these websites do have the properly audited accounts available. And while that code of practice is not being honoured, one has to be suspicious about why it's not being honoured. So it's all very regrettably murky, and while it's murky, someone like me feels suspicious about it.

SPILLER: In fact, different members of the lobbying organisation have different approaches to revealing who their industry sponsors are – and how much they give. For example, Alzheimer Europe is open about donations from the drug company Fizer, whilst others have either failed to name their sponsors or to say how much they contribute. We asked the head of the European Patients Forum, Anders Oulson, to clear up the confusion. Of your twenty-three groups, how many get money from drugs companies? How many publish this? And how many publish how much money they get?

OULSON: I don't know.

SPILLER: You don't know?

OULSON: No, I don't know how many members get funding from pharmaceutical companies and how much money they have. You'll have to ask them yourself. What I can say is that I trust our members.

SPILLER: Surely it's the sort of information that as head of this organisation you should know, if you are concerned about transparency?

OULSON: Yes but I am concerned about transparency. But I was under the influence that we should talk about lobbying the EU today.

SPILLER: That's exactly what we are talking about. And I am asking you, of your twenty-three members, I am asking you in terms of transparency, how many get money from drugs companies, how many publish that information and publish information about how much money they get – that goes to the heart of transparency, does it not?

OULSON: Yes I can serve you with that but I have to come back to that. I can't respond to that question today. You sounded like all patient organisations are just doing, they are paid by the pharmaceutical industry to do something only good for the industry. That is not my picture of patient organisation.

SPILLER: Mr Oulson has promised to put details on his website of how the lobbying activities of the European Patients Forum are funded, along with new guidelines. In the past, drugs companies have sponsored the Forum's conferences, and Mr Oulson has said that he hopes to attract more money from the industry in the future. For health researcher Jeremy Smith though, there are questions to be asked, if an organisation which lobbies on behalf of patients accepts pharmaceutical funding.

SMITH: The second side of pharmaceutical industry funding is the issue of conflict of interest, where I would believe that it's not possible for a patient group funded by a company which makes a product of relevance to the patients that they represent to provide impartial information about those products.

SPILLER: Aren't you being a bit unsophisticated? The mere act of receiving money does not necessarily mean that he who pays the piper calls the tune, does it?

SMITH: If I were a patient or the relative of a patient, I would want to feel confident if I was reading a leaflet or looking on a website produced by a patient group that that information that I was getting would be honest, independent and impartial. If I'm reading about a treatment and either that leaflet or in some other way the patient group is funded by the company making that treatment, then I'm going to feel quite worried about that.

SPILLER: Anders Oulson says that accepting drugs company money has no bearing on his work, representing patients in Europe.

Do you not see a fundamental conflict of interest? What would happen, for example, if as a patients' organisation you had to speak out against, for example, the side effects of a drug produced by one of the companies that sponsors your conferences? What would happen?

OULSON: I would have done it. I would have spoken out. I'm fighting for the patient. I have a record to be very outspoken when it comes to the patient, regardless of whom I am outspoken towards. At the end of the day you can judge me and you can judge European Patient Forum for what we have produced, what position papers have we done and what we have said when we have been at different conferences.

SPILLER: Have you ever said, have you ever said to industry, 'We don't approve of the activities you're getting up to,' to a drugs company, 'therefore we're not going to take your money.' Have you ever said that?

OULSON: No, because we haven't asked for money yet.

SPILLER: But you told us that industry is funding your conferences.

OULSON: Yes, but that is a different way. You're bending now, on the facts. You asked in the beginning if we have accepted and if they sponsor our running the organisation, and I said no, we haven't accept money for that, we haven't gained money from the pharma yet. And yet they want to sponsor the conferences we have attended to. There is a big difference in that.

SPILLER: But it's just these kind of concerns about transparency that have led to calls for regulation.

#### ACTUALITY AT PRESS CONFERENCE

MAN: What do you think? Is it likely that there will be an act of deregulation or not?

KALLAS: I think that there, I don't believe ....

SPILLER: A press conference two weeks ago, and Siim Kallas – Commissioner for Administration and Anti Fraud policy – reported on plans to open up the world of lobbying to public scrutiny.

KALLAS: Brussels is one place in Europe, one place in the world which is a most important field for lobbying, and what is my general concern is that in public opinion mostly, and also amongst the same lobbying circle, there is an impression that something is doubtful in all this area, that this is not very visible and nobody actually knows what's the background for decision making. So we have thought that certain clarification would be valuable and would bring added value to this overall picture of how the decisions are made in Brussels.

SPILLER: Commissioner Kallas is considering plans to introduce a voluntary register for lobbyists. His critics, though, say this proposal is a non-starter. They suggest lobbyists can't be trusted to regulate themselves. A compulsory, mandatory register should be put in place, with lobbyists forced to reveal their clients, forced to reveal how much money they get paid.

Will this be a voluntary register or a mandatory register?

KALLAS: Good question and the most debated question. We have a radical ring in this field. They insist that we must have an immediate and mandatory rules and regulations. I have supported so far the idea that if we can create this kind of common behaviour on the voluntary basis it would be more productive. Because if you go with a mandatory regulation, it will take enormous time.

SPILLER: But there is a danger, though, isn't there, that with a voluntary register, some lobbyists simply wouldn't sign up, and you're trying to restore trust here aren't you?

KALLAS: Yes, yes, that's a danger but also, in this kind of mandatory approaches that there is also holes.

#### ACTUALITY IN EUROPEAN PARLIAMENT

SPILLER: 10 o'clock in the European Parliament - and the queue of lobbyists has vanished, down padded corridors, into private offices. Lobbying is a legitimate part of the democratic system, and lobbyists can help bring important issues to the attention of those in power. But there are now concerns here about the influence lobbyists may have over European legislation.

#### ACTUALITY OF VOTE

SPILLER: A key vote a month ago. The climax of a bitterly contested battle over proposals aimed at tackling the effects of global warming. The issue - what to do about fluorinated gases, potent greenhouse gases used in fridges and air conditioning systems. On the table, proposals to introduce bans on the substances, phase out their use in EU countries. As a Rapporteur, Irish MEP Avril Doyle was responsible for steering the legislation through the European Parliament.

DOYLE: They're all around us. About four or five years ago they were used to replace gases that were causing ozone depletion problems in our air conditioning and air cooling systems, in refrigerance and all of those areas. There's thousands of uses of F-gases. And subsequently it was found that they were causing climate change problems. So now we have to reduce as far as possible the use of F-gases to protect our air quality and to reduce the emission of F-gases or fluorinated gases into the atmosphere, because they have a carbon dioxide-like effect in terms of global warming. Not to the same extent, but they are a problem, nonetheless.



**SPILLER:** The debate about F-gases began more than two years ago. And when regulation to control the substances looked likely, manufacturers whose products use the gases stepped up their PR offensive. Avril Doyle says her office came under siege from the industry lobby.

**DOYLE:** Literally we've had six months of constant lobbying, largely from German-based industry might I say. The Americans had a hand in it too. They'd contact industries in Ireland and try and get them to come back on me like the Irish refrigeration industry. The European bases of multinational companies contacted my office non-stop. It wasn't once or twice, it wasn't just email, it was phoning, writing, emailing, faxing, virtually spam lobbying at that stage.

**SPILLER:** Businesses involved in the F-gas industry lobby include leading names like Du Pont and Hitachi. And pressing the manufacturers' case was one of Brussels biggest PR Consultancies, Hill and Knowlton, a lobbying firm with 73 offices in 39 countries. File on 4 has obtained leaked internal memos which reveal the Hill and Knowlton strategy in the lead-up to the crucial MEP vote. Amongst the targets - the offices of commissioners, influential EU committees, and the MEP's themselves. The plan: that representatives from industry were to:

**READER IN STUDIO:** Go after constituency and any other link with MEPs – multiple contact should only reinforce the message to MEPs. For all your locations in Europe, to your local factory, sending of letter outlining positions. Follow up to get message through.

**SPILLER:** The author of the internal memos was Hill and Knowlton lobbyist, Mary B Walsh.

**WALSH:** I'm very comfortable with the work we undertook. I'm very comfortable with the dialogue that we had with MEPs, and I think from an industry perspective it was a very important issue. It's the premise of business and that people should have the right to voice their position, to explain their position with elected representatives.

**SPILLER:** Voice it quite so insistently, you think?

WALSH: On our side, I think we were strong and we were present in terms of our dialogue, but I don't think that we over-pressurised anyone, nor do I think that we bothered anyone in terms of our communication.

SPILLER: This was pretty intense lobbying over F-gases though, wasn't it?

WALSH: Yes.

SPILLER: Avril Doyle says it wasn't just her office that was deluged with calls. Her MEP colleagues were on the receiving end too. Manufacturers warning them of what might be at stake if the vote didn't go industry's way. Businesses put in jeopardy, job losses.

DOYLE: They trawled the corridors, particularly of colleagues where there was an important constituency issue here.

SPILLER: So what was so wrong? They're talking to MEPs about their constituencies, they're talking about perceived problems with job losses, with industry. They're informing the issues, aren't they?

DOYLE: Well, that's one way of looking at it, but quite frankly, on technical legislation, there would only have been a handful of us as MEPs who would actually have been engaged in the actual facts of it. And if you take the vast majority of MEPs who can't, because we've a huge amount of legislation, everyone has their own work to do here. If they have lobbyists, not just one, not just ten, but maybe dozens of letters from industries based in their constituencies, threatening them with job losses if they vote for this amendment or if they vote for that directive, are they going to go with voting for legislation that they actually know nothing about, or are they going to take the word of their industries based in their constituency where they have to face back into election maybe next year maybe two years time? It does get to people eventually if you get very heavy pressure from your back yard.

SPILLER: So you don't think it was a reasonable argument that these lobbyists were putting forward?

DOYLE: No no it wasn't. They over-gilded the lily, because this was scaremongering lobbying.

SPILLER: Was this legislation decided by lobbyists?

DOYLE: Decided by lobbyists - no, each MEP voted for themselves. Heavily influenced and directed by lobbyists - yes, without a doubt.

SPILLER: And in the end, when it came to the vote, MEPs rejected calls to impose bans on F-gases, opting instead for measures to contain their use. So what about the lobbyists' tactics in all this? We asked Mary B Walsh – was this about scaremongering? Companies told MEPs, didn't they, that there would be job losses in their constituencies if they didn't toe the industry line? I mean, what's the proof of that? Which manufacturers would have shut down in which places, and how many jobs would have been lost?

WALSH: I'd need to get the members to come back, can I come back to you on that question?

SPILLER: You don't know the answer to that?

WALSH: I don't know the answer. What I can do is I can check with some of the individual member companies, I can check and come back to you on that

SPILLER: Well, Avril Doyle has suggested that this was scaremongering tactics. She said that you were gilding the lily, you were exaggerating the case.

WALSH: I don't think I agree on the scaremongering, I think that the companies were worried in terms of what products they would be able to put on the market. It would have basically closed a lot of their operations and reduced their product ranges, so they took it upon themselves to contact their local elected representatives to explain the situation and what would be the outcome for their individual companies on this issue.

SPILLER: To your knowledge, was any research commissioned on job losses before industry representatives rang up these MEPs and suggested that there might be job losses? Was there research done on that very local level?

WALSH: Not to the best of my knowledge, I can check that and come back to you.

SPILLER: We're still waiting. But the lobbying on F-gases raises questions about the complexity of laying down rules on lobbyists' conduct. How do you decide when they're stepping over the line? Vigorous debate, strong dialogue, is after all what this kind of advocacy is all about. It's an issue Commissioner Kallas is grappling with as he ponders the idea of new regulations that might replace what he says are the ineffectual codes of conduct around at present. We asked him what he thought about the lobbying over F-gases. One Rapporteur has told us how industry targeted MEPs, warning them of possible job losses in their constituencies if they didn't support the industry, what she called scaremongering. Is this on or not?

KALLAS: It would be interesting to know more about this, but of course they use everything to influence and I don't know where is the ethical limit, but this is interesting.

SPILLER: But is not up to you to find the limit? I mean, isn't that what you're all about? Isn't it what your initiative is all about?

KALLAS: Yes, this is a matter of this code of conduct, which is in many cases is very correct, but of course I am always asked how many cases have you treated based on this code of conduct, and it's not too many of them.

SPILLER: It's not too many?

KALLAS: Not too many.

SPILLER: And what do you think about that?

KALLAS: This means that this code of conduct must be improved and must include also certain sanctions and requirements if these lines are not followed. But all these examples must be studied.

ACTUALITY OF DRINKS PARTY



**SPILLER:** Cocktail hour in Brussels. Informal gatherings all help to oil the process, put a word in the right ear, get to the movers and shakers in Europe's institutions. And when it comes to opening doors, getting to the people that matter, there's the key question of access. Who gets it and with whom?

At the European Commission, the powerful Directorate General Trade is responsible for conducting global negotiations on behalf of the EU's twenty-five member states. And to ensure all voices get heard in the debate about EU trade policy, the Commission has put in place something called a 'civil society dialogue'. The idea is to build a working relationship with DG Trade and a range of organisations – from big business to trade unions, and NGOs like Christian Aid, Friends of the Earth, the World Wildlife Fund. Roger Liddle has responsibility for this Civil Society dialogue. A former Downing Street advisor, he joined Commissioner Peter Mandelson's Trade Department last year.

**LIDDLE:** There is a structured arrangement at which there's lots of opportunity for all kinds of different members of what you call civil society to meet DG Trade officials. And then, of course, this is capped by regular meetings between the Commissioner and the group as a whole. And last week, for instance, Peter Mandelson, I think, came back from Geneva, and for getting on for two hours was questioned by about a hundred and fifty people in the room. So I think it's an extremely open and transparent process.

**SPILLER:** One of the key players in this civil society dialogue is an industry lobby group called the European Services Forum – the ESF. Multi-nationals like Barclays, Clifford Chance, Pricewaterhousecoopers, are amongst the eighty companies and federations who are members of the organisation, representing business interests from banking and tourism, to telecommunications and IT. The Managing Director of the ESF, Pascal Kernaze, told us he was more than happy when it came to access to DG Trade officials.

**KERNAZE:** The co-operation is rather good at all level of the Commission. We have regular emails with officials, we have telephone calls, we go to their meetings, they come to our meetings, we invite them, they invite us. I mean, that is regular business I would say here in the lobbying world in Brussels. I want my negotiators, I say my negotiators because I think they negotiate for us, to try to do the utmost to open up the trade services market all over the world. We are partner, we are discussing, we are doing business for the benefit of our companies and also, I dare say, for the benefit of the development of many countries. We are there to tell them what they need to do for our business.

**SPILLER:** File on 4 has obtained internal letters and emails which give an insight into the close relationship between this lobby group, the ESF, and EU Trade officials. One of the stories they tell – the involvement of the industry lobby when it came to drafting confidential documents over trade negotiations. Under the terms of the General Agreement on Trade and Services – or GATs - the EU asks other countries to open up their markets, and lower their barriers for trade. They draw up confidential documents called GATs requests. Prior to drafting the GATs requests, in the year 2000, officials asked the industry lobby group to canvass their company members. Trade officials wanted to know:

**READER IN STUDIO:** Which types of trade barriers relating to market access and or national treatment are most disturbing for their exports?

**SPILLER:** The ESF set about collecting the information – data that trade officials told the lobby group was important when it came to drafting the confidential GATs requests:

**READER IN STUDIO:** We would very much welcome industry's input to this exercise, both in terms of finding out where the problems currently lie and in making specific requests. Without ESF input the exercise risks becoming a purely intellectual one that may miss out on the important issues.

**SPILLER:** Three months later, and the deadline for finalizing the GATs requests, fast approaching, a trade official wrote to the industry group:

**READER IN STUDIO:** I would like with this letter to stress the importance to provide within the following days any input you may have, as we are currently finalising the draft requests that will be transmitted to member states very soon.

**SPILLER:** Pascal Kernaze confirmed the ESF's input in drafting the GATs requests.

**KERNAZE:** We have asked our members to draft a list of barriers that they're encountering in the major countries that they're doing business or want to do business in, and we have drafted that as a barrier trade list, we have forwarded that to the Commission.

SPILLER: And when trade officials ask the ESF for help for input in drafting specific GATs requests, what kind of input would that have been?

KERNAZE: Some requests will be very specific by some companies having very specific difficulties in one country. In others it would be, well, if you can do anything to open up more the market please do it.

SPILLER: And how much of an impact do you think you had when you helped on the GATs request process? How important was your input into that process?

KERNAZE: Given the way that the Commission decided to put its request to the different member states, it has been very broadly written, and therefore it was not really specific at that stage, and therefore they have covered nearly everything we wanted.

SPILLER: In addition to the industry lobby group, the NGO Christian Aid is also part of the civil society dialogue with the DG Trade. Andrew Pendelton is a lobbyist for the charity. We showed him the emails detailing contact between trade officials and the European Services Forum. He told us that whilst Christian Aid does get meetings with officials, has seen Trade Commissioner Peter Mandelson, his organisation didn't have nearly the same access to the nuts and bolts of the policy-making process.

PENDELTON: Christian Aid had a meeting with Peter Mandelson and with Roger Liddle three or four months ago. We spent forty-five minutes with the two of them in their office. I'm not saying we don't have access, I'm not saying occasionally we aren't invited to the top table to talk, that was at the Commission's invitation, at Mr Mandelson's invitation, not our own, although we'd pressed quite hard for such a meeting for a while. But what I'm saying is that when we get there I don't think we have this same level of dialogue and, in fact, in many respects my director and I came away from that meeting feeling rather frustrated, because we felt that actually we talked very generally talked around the issues for 45 minutes and hadn't been given the opportunity to get down to brass tacks. And what the emails between the European Services Forum and the officials within the Commission who are dealing with these issues on a day in day out basis shows that they get down to brass tacks all the time, and in fact there's a very regular flow of information between the two. In Christian Aid's view, it demonstrates privileged access, and I would challenge the Commission to show us more so that they can prove that this is not privileged access.



SPILLER: You would expect though, wouldn't you, the European Services Forum to be at the very heart of these service negotiations? It's about liberalising markets and it's about the kind of expertise they have as an organisation.

PENDELTON: You would certainly expect, I think, industry to have a role in, for instance, given its technical expertise, to say whether something is possible and whether something is not. And so some of that input I can clearly see is really really important. But again I go back to this point about one rule for one and one rule for another.

SPILLER: This year over a hundred NGOs and other organisations signed an open letter, calling for an end to what they claim is the privileged access given to corporate lobbyists, and in particular, the industry group, the European Services Forum. But Roger Liddle, in charge of the 'civil society dialogue', rejects the suggestion that the ESF has any kind of special status.

Does the European Services Forum have privileged access to DG Trade?

LIDDLE: Certainly not! Why should it have privileged access? Of course one listens to business opinion, of course business opinion is extremely important. You have to seek a balance of views. But in terms of promoting business interests in the sense of promoting market opportunities, in parts of the world where we actually think it's in the interests of those countries that they open up their markets. Of course the European Commission should consult business about how, what it sees as the problems. It's not the sole source that should guide its policy. But of course it's got to consult them. I just don't know what sort of world people think we are living in.

SPILLER: Christian Aid has told us that in their view the contact that ESF had amounted to privileged access that Christian Aid didn't have. What do you make of that?

LIDDLE: Well all I can tell you is that I spoke to Peter Mandelson before I came on this programme. Peter Mandelson has seen personally the directors of Oxfam, the directors of Christian Aid. He's seeing tonight the Make Poverty History people. And I said to him – what about this European Services Forum, and he said I can't even remember whether I've met them or not!

**SPILLER:** Peter Mandelson has. This year a deputation from the European Services Forum included industry leaders from Pricewaterhousecoopers, IBM Europe, Goldman Sachs International, BT, Clifford Chance and Telecom Italia. But the controversy over access to EU policy-making isn't restricted to DG Trade. It's now focused on the workings of an apparently secretive Brussels committee. The Article 133 Committee. Three weeks ago, back in the UK, in the House of Commons, an MP asked the Secretary of State for Trade and Industry for information about the body. The response:

**READER IN STUDIO:** Details of the persons attending meetings of the Article 133 Committee are not published, nor are there any formal minutes of the Article 133 Committee.

**SPILLER:** The 133 Committee is made up of officials and representatives from EU member states. It meets to discuss EU trade negotiations and is thought to be highly influential. But when some NGOs have tried to gain access to this group or get documents from it, they've come up against a brick wall. Lobbyist Elizabeth Drury investigated the group on behalf of the World Wildlife Fund.

**DRURY:** There are no public minutes of these meetings and until recently there were even no published agendas, so people who wanted to find out had to rely on talking to people off the record and getting documents along the grapevine, leaked copies of things. We now do have published agendas, we still do not have access to the documents that are being discussed there or to the records of how these decisions were taken. And what is even more worrying is that there are no rules of procedure to govern how decisions are taken. Decisions are not taken by the normal voted majority. They are taken by what is called a gentlemen's agreement, a consensus between those sitting around the table.

**SPILLER:** And some, it seems, are more welcome than others, when it comes to hob-nobbing with the anonymous participants in Committee 133. The internal emails and letters obtained by File on 4 detail the contacts between members of the 133 Committee and the industry lobby group, the European Services Forum. The ESF sets up informal meetings with the 133 Committee – draft agendas revealing what they term 'an exchange of views' on a range of issues. And afterwards:

**READER IN STUDIO:** ESF will have the pleasure of inviting all the participants to a cocktail....

SPILLER: Pascal Kernaze told us access to members of the 133 was very useful.

KERNAZE: We do value these meetings and these contacts. It's a meeting we have with our members, and we invite some of the members, and with the European Commission and the presidency and those who are willing to come come, so depending on the meeting some time we'll have four persons, sometimes we'll have thirty of them.

SPILLER: And the cocktails afterwards, are they enjoyable?

KERNAZE: They are indeed. That's the reason why we're saying informal meetings. In Brussels here we like the networking and it's important to meet people face to face in addition of having email or telephone contacts. And these kind of cocktail after meetings are indeed very important for us.

SPILLER: So why do you think NGOs say that the ESF has some kind of privileged access to the 133 Committee?

KERNAZE: I don't know why, maybe they don't know how the process is working here in Brussels.

SPILLER: Last year, Christian Aid, along with other NGOs wrote a letter to the then Trade Commissioner, Pascal Lamy, and to Peter Mandelson, asking that members of the 133 Committee be involved in a dialogue with civil society groups. Andrew Pendelton of Christian Aid says his organisation is still trying to get a meeting with members of the 133.

PENDELTON: We've asked, and I asked again just recently whether organisations like Christian Aid could have access to this committee to make a presentation, to make a deputation, to say something, to have some communication with them. We were told flatly no. And what we're told is that actually 133, the 133 Committee does not have any external relations contact, that was the specific phrase used. If that's the case then fine, but let's not then subsequently learn that elements of the business community do appear to have some level of regular contact with not just individual members of the 133 Committee, but with groups of or

PENDELTON cont: a number of members of the 133 Committee, so they're rubbing shoulders at cocktail parties and things like that.

SPILLER: Aren't you getting very aereated about all of this? There's nothing to suggest that anything involved in this 133 Committee and the European Services Forum is in any way remotely sinister. They are just talking about things like the GATs negotiations, WTO, and having what they term an exchange of views.

PENDELTON: It's absolutely legitimate for business to lobby. We lobby. What concerns us, and it's a particular concern with something like the 133 Committee, is that they're getting privileged access that other organisations and other parts of civil society are not getting.

SPILLER: Roger Liddle, with responsibility for the civil society dialogue, suggests that the reason some NGOs are dissatisfied with the process of getting their voices heard, is because they don't agree with EU policy on trade. And when it comes to Committee 133, he says that there are necessary limitations on what information can be made public, due to the confidential nature of the discussions, about EU negotiating tactics.

LIDDLE: If you are trying to keep your member states in touch with your negotiating tactics – in other words, what you are asking for, what your bottom lines are, there has to be an element, I would have thought any person of common sense would recognise that there has to be, and you can't tell the people you're negotiating with what your tactics are going to be, which would be in effect what you would be doing if you opened up the committee to anyone to come along.

SPILLER: Do you think details of these informal meetings that the European Services Forum has with Committee 133 should at least be made public or there should be some record of them.

LIDDLE: I have absolutely no idea what you are talking about.

SPILLER: I've told you. I'm talking about the European Services Forum meeting ...

LIDDLE: This idea that the European Services Forum has privileged access to the 133 Committee, in my view is nonsense! End of story. Nonsense.

SPILLER: Commissioner Siim Kallas hopes to present detailed proposals on his new measures to promote transparency this spring. Meanwhile he's welcoming what he calls a dialogue with all sides of this debate. And that can only mean one thing - more lobbying.

SIGNATURE TUNE