

# Les différents visages de l'influence induite: le lobbying

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# Définition

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- Promesse d'embauche après mandat
- Informations, présenter son point de vue

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Diversité de moyens :

- Cadeaux & invitations, aide réélection = quid-pro-quo lobbying (contrepartie)
- Promesse d'embauche après mandat = pantouflage
- Informations, présenter son point de vue = **lobbying informationnel / plaidoyer**

# Pourquoi le lobbying ?

Les décisionnaires politiques n'ont **pas une connaissance parfaite**

↔ besoin d'être en contact avec les différentes parties prenantes des domaines à réguler, pour **acquérir de l'information**

- Académiques, associations de consommateurs/consommatrices, associations professionnelles, autorités locales, citoyen·nes, entreprises, ONG, syndicats

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Questions à se poser :

- ▶ Les informations fournies sont-elles correctes ?
  - Chantage à l'emploi ? à la délocalisation ?
- ▶ **L'information collectée est-elle complète ?**

Pouvoir fournir de l'information aux décideurs politiques requiert d'avoir un **accès**

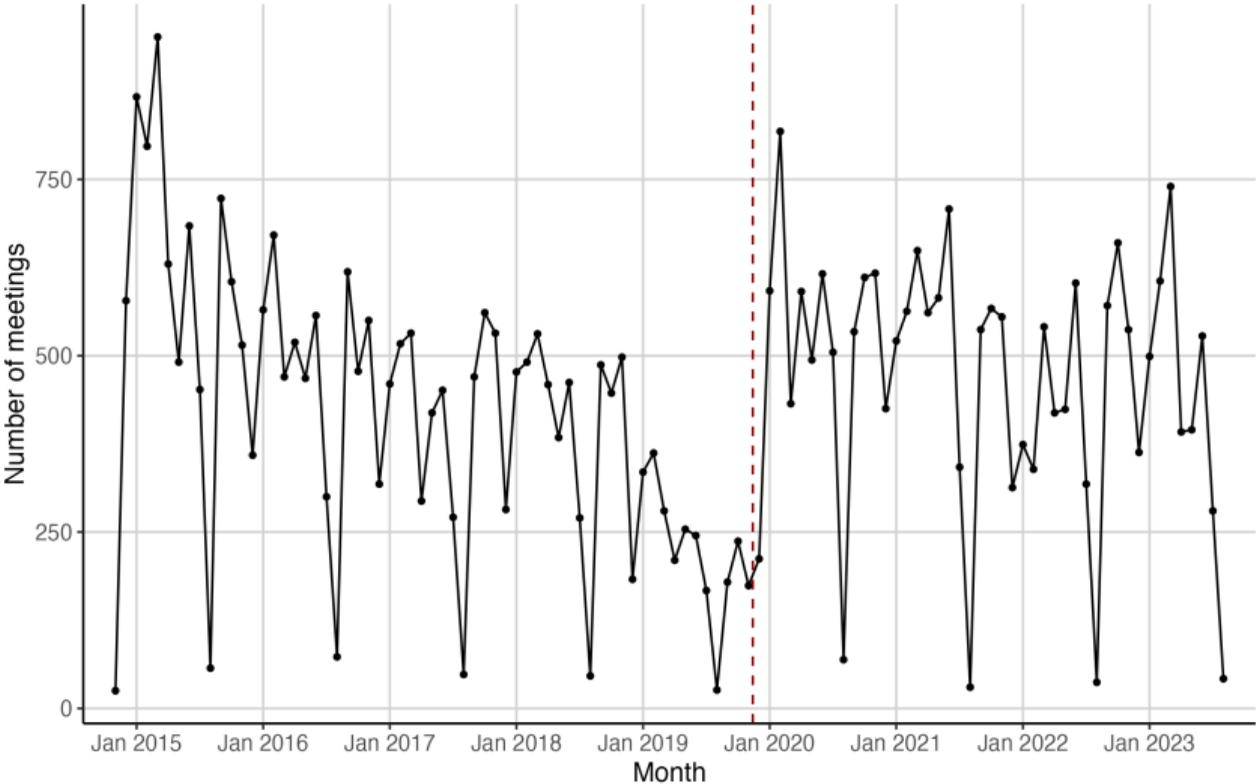
- Rencontres avec des politiques

↪ Coûteux !

⇒ Biais sur les parties prenantes rencontrées

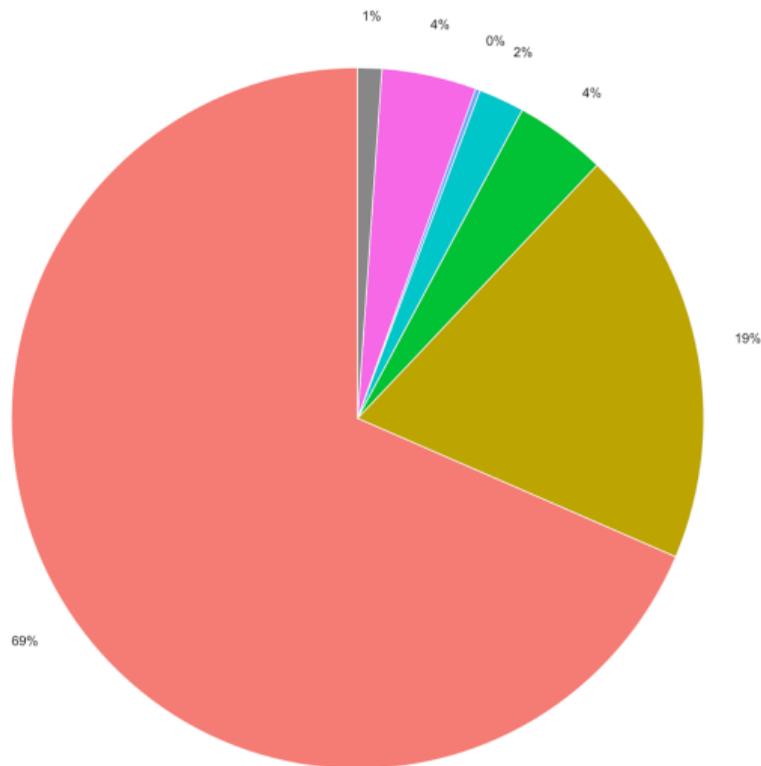
⇒ Biais sur l'information récoltée

# Nombre de rencontres des membres de la Commission Européenne





## Distribution de l'accès aux rendez-vous par type



### Type

- In-house lobbyists and trade/business/professional associations
- Non-governmental organisations
- Professional consultancies/law firms/self-employed consultants
- Public authorities
- Religious communities
- Think tanks, research and academic institutions
- NA

**L'industrie a davantage accès à la Commission Européenne que la société civile**

# Conséquences de cet accès privilégié I

## **Cet accès permet-il de modifier les textes législatifs et les règlements ?**

J'étudie 500 règlements européens, et 130 000 demandes de modification de ces textes

→ Avoir accès aux décisionnaires politiques permet d'augmenter ses chances d'influencer les textes officiels de 9 points de pourcentage.

# Règlement sur la consommation d'énergie des produits d'éclairage

## ANNEX III Exemptions

This Regulation shall not apply to light sources and separate control gears specifically tested and approved to operate:

- (a) in potentially explosive atmospheres, as defined in Directive 2014/34/EU of the European Parliament and of the Council <sup>3</sup> ;
- (b) for emergency use, as set out in Directive 2014/35/EU of the European Parliament and of the Council <sup>4</sup> ;
- (c) in radiological and nuclear medicine installations, as defined in Article 3 of Directive 2009/71/EURATOM <sup>5</sup> ;
- (d) in or on military or civil defence establishments, equipment, ground vehicles, marine equipment or aircraft, as set out in Member States' regulations or in documents issued by the European Defence Agency;
- (e) in or on motor vehicles, their trailers and systems, interchangeable towed equipment, components and separate technical units as set out in Regulation (EC) No 661/2009 of the European Parliament and of the Council <sup>6</sup> , Regulation (EU) No 167/2013 of the European Parliament and of the Council <sup>7</sup> and Regulation (EU) No 168/2013 of the European Parliament and of the Council <sup>8</sup> ;
- (f) in or on non-road mobile machinery as set out in Regulation (EU) 2016/1628 of the European Parliament and of the Council <sup>9</sup> ;
- (g) in or on civil aviation aircrafts, as set out in Commission Regulation (EU) No 748/2012 <sup>10</sup> ;
- (h) in railway vehicle lighting, as set out in Directive 2008/57/EC of the European Parliament and of the Council <sup>11</sup> ;
- (i) in marine equipment, as set out in Directive 2014/90/EU of the European Parliament and of the Council <sup>12</sup> ;
- (j) in medical devices, as set out in Council Directive 93/42/EEC <sup>13</sup> and in vitro medical devices as set out in Directive 98/79/EC of the European Parliament and of the Council <sup>14</sup> .

FIGURE – Projet de règlement

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- (f) in or on non-road mobile machinery as set out in Regulation (EU) 2016/1628 <sup>9</sup> and in or on their trailers;
- (g) in or on interchangeable equipment as set out in Directive 2006/42/EC <sup>10</sup> intended to be towed or to be mounted and fully raised from the ground or that cannot articulate around a vertical axis when the vehicle to which it is attached is in use on a road by vehicles as set out in Regulation (EU) No 167/2013 <sup>11</sup> ;
- (h) in or on civil aviation aircraft, as set out in Commission Regulation (EU) No 748/2012 <sup>12</sup> ;
- (i) in railway vehicle lighting, as set out in Directive 2008/57/EC <sup>13</sup> ;
- (j) in marine equipment, as set out in Directive 2014/90/EU <sup>14</sup> ;
- (k) in medical devices, as set out in Council Directive 93/42/EEC <sup>15</sup> or Regulation (EU) 2017/745 <sup>16</sup> and in vitro medical devices as set out in Directive 98/79/EC <sup>17</sup> .

FIGURE – Règlement adopté

# Demande de l'association européenne de l'industrie des machines agricoles

European Agricultural Machinery



## Exemption needed for lighting sources on mounted agricultural equipment

9 November 2018

CEMA, the European agricultural machinery industry association, would like to respond to the European Commission's draft regulation on ecodesign requirements for lighting sources (also called SURESS), in general. CEMA welcomes the initiative to improve the energy efficiency of light sources. Additionally, CEMA fully supports the exclusion of agricultural tractors, interchangeable towed equipment and non-road mobile machinery in the current draft. Light sources for these machines and vehicles are essential for road safety. It is important that high-quality lighting is available to ensure other road users can see the vehicles and machines on the road. Therefore, these machines and vehicles make use of the same lighting sources that are used in the automotive sector. Lighting for the automotive sector is excluded from the regulation and for the same reasons CEMA believes it is appropriate that light sources for the above-mentioned vehicles and machines are also excluded.

Next to the agricultural tractors, interchangeable towed equipment and non-road mobile machinery the same lighting sources are used on mounted agricultural equipment and trailers towed by non-road mobile machinery. This equipment is mounted on a tractor and used for example for soil preparation, spreading the fertilizer or spraying agricultural products and are led by a combine harvester enclosed as a trailer. This agricultural equipment can be rather large and might look like lighting of the tractor or machine. In these cases it is necessary that similar lighting is installed on the towed or mounted equipment for road safety reasons. This is important to make the whole vehicle visible when going on the public roads, particularly vehicles which can be wider or larger than most vehicles. Hence, it is essential that high-quality lighting is available for this equipment since it needs to be clearly visible for all road users.

The lighting sources for mounted agricultural equipment and non-road mobile machinery trailers are a niche market and at the moment the lighting from the automotive sector is used. Considering the small size of the market CEMA is convinced that with the current proposal the same high-quality lighting, that is essential for road safety, will not be available for this type of equipment on the automotive light sources cannot be used.

Therefore, CEMA calls for an exemption in the ecodesign legislation for lighting sources in an mounted equipment and trailers towed by non-road mobile machinery. In all cases it will need to be possible to install the high-quality automotive lighting on this equipment.

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To define this type of equipment CEMA suggests to add the following exemption as part of Annex III of the regulation:

## Annex III Exemptions

...

*(f) In or on non-road mobile machinery as set out in Regulation (EU) 2016/1628 of the European Parliament and their trailers*

*(..) In or on interchangeable equipment as set out in Directive 2006/42/EC intended to be towed or to be mounted and fully raised from the ground or that cannot articulate around a vertical axis when the vehicle to which it is attached is in use on a road by vehicles as set out in Regulation (EU) No 167/2013*

...

FIGURE – Page 1

FIGURE – Page 2

# Conclusion

→ Avoir accès aux décideurs politiques permet d'augmenter ses chances d'influencer les textes officiels de 9 points de pourcentage.

- L'industrie (entreprises et associations professionnelles) est à l'origine ce résultat
- La société civile (notamment les ONG) est moins susceptible d'influencer les textes, et avoir un accès direct aux décideurs ne leur est pas bénéfique
- Ce résultat ne s'explique pas uniquement par les rendez-vous appuyant les modifications de textes demandées, mais également par les rendez-vous antérieurs

↔ La réputation et les connections héritées de ces rendez-vous antérieurs permet aux entreprises et aux associations professionnelles d'influencer davantage les textes officiels.