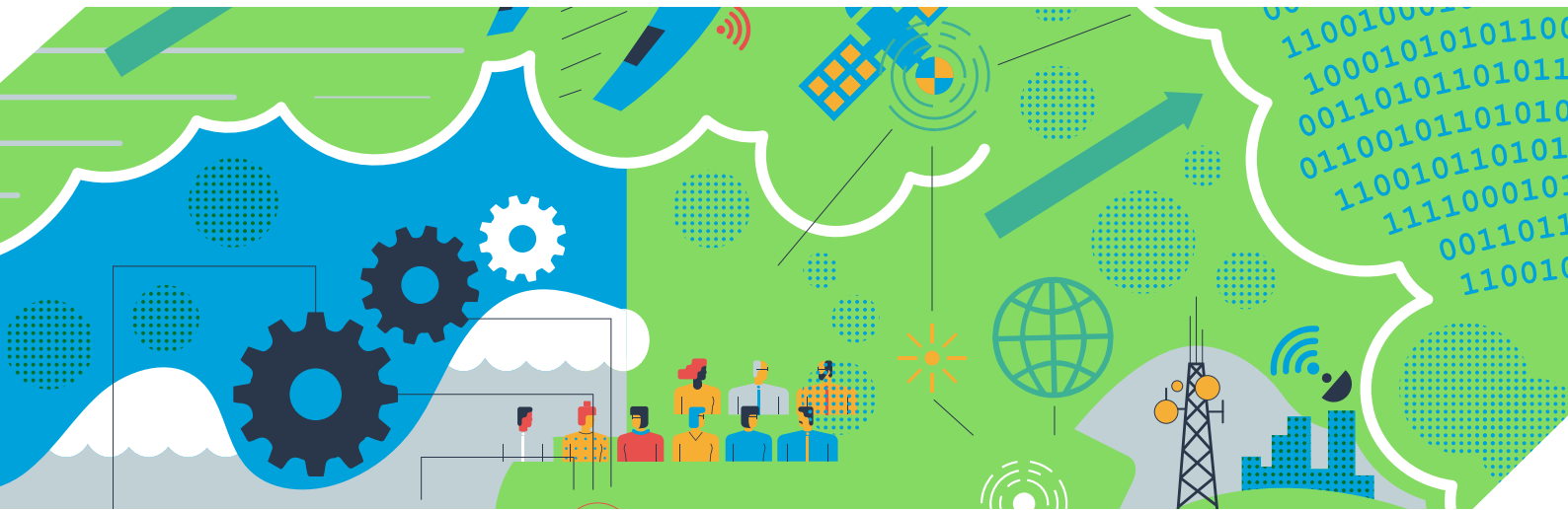




Understanding digital lobbying by EBMOs in the region.

Novel digital tools for lobbying

This case study is part of research carried out by the ILO's Bureau for Employers' Activities (ACT/EMP) when drafting the 2022 Regional Report "Where do Business Organisations Stand on the Road to Digitalisation?" A look at Latin America. The aim of these case studies is to help other employers' and business membership organisations (EBMOs) in their transition towards digitalisation. We would like to thank the ILO's South-South and Triangular Cooperation (SSTC) programme for its support in drafting this document, which will serve as a basis for an exchange of knowledge among EBMOs around the world.

► What is South-South and Triangular Cooperation?

South-South and Triangular Cooperation (SSTC) can be defined as collaboration between two or more developing countries, which frequently have the support of traditional partners, guided by the principles of solidarity and unconditionality, the aim of which is to put into practice inclusive and distributive development models governed by demand. SSTC complements North-South cooperation with joint action to encourage development opportunities. As can be seen from the Sustainable Development Programme 2030, SSTC has become an important means of international cooperation for development and an essential item in the United Nations toolbox.

► Digital advocacy: The legislative observatory and management system

Lobbying and social dialogue are essential to the work of EBMOs. These activities differentiate EBMOs from other organisations and are responsible for attracting and retaining members. Particularly so for the main or major organisations.

However, these activities require a great deal of time and political nous on the part of EBMO collaborators and involve reviewing and analysing proposed legislation and reaching agreed positions, meeting the appropriate officials, and balancing different interests. All of this must be done with limited personnel.

Despite the arduous nature of the work, it is often difficult to measure and thus to demonstrate its importance to members. For that reason, some business organisations in the region have sought digital solutions to improve their lobbying efforts and reduce the man-hours required. The following case study presents two digital solutions:

1. **Legislative observatories and**
2. **Lobbying management systems.**

The Observatory is the name given to a platform that uses web scraping technology to compile information of interest from the website or Congress (the legislative branch) automatically and repeatedly. This tool produces a clear and usable visualisation of relevant projects being debated by the legislature. As it also eliminates the work of manually downloading and cataloguing information (that can add up to thousands of pages), it releases more time for legal and impact analysis.

The management system enables monitoring of the lobbying efforts of the BO and its collaborators to defend the interests of its members and to report on the results with data. In countries where lobbying is regulated, it is a very useful tool for providing evidence that the EBMO has complied with the regulations and reporting.

► **Reasons for EBMOs to digitalise their lobbying**

Lobbying and social dialogue are fundamental aspects of the services provided by business organisations. Taking part in social dialogue and public policy is part of the reason why such organisations exist, particularly leading / third level organisations. Nevertheless, this considerable effort is often unnoticed by the members and BOs merely report its impact informally.

At the same time, efforts to regulate lobbying have increased in the region (e.g. in Chile, Colombia, Brazil and Mexico). Several of the legislative projects require the monitoring and registration of individuals and entities dedicated to lobbying. This means that business organisations must demand new functions and tasks of their lobbying departments.

Taking this context into account, this case study is a general examination of how some of the region's EBMOs have employed digital tools to improve and monitor their lobbying. The case study presents two commonly-implemented solutions.



I) Legislative observatories

The problem: It is common for business organisations, trade unions, and other civil society organisations to create "legislative observatories". These observatories monitor different legislative projects in their respective parliaments, concentrating on areas that affect the welfare of their stakeholders. As far as EMBOs and businesspeople in general are concerned, their priorities are usually employment, tax, transport, contracts and similar.

But there are various challenges to legislative monitoring, principally how to manage and monitor a large number of legislative proposals. Latin American parliaments tend to be prolific legislators, with thousands of projects and initiatives introduced every year (e.g. Argentina, Brazil and Colombia have thousands of pieces of draft legislation under scrutiny just in 2022). This means that BOs must spend a lot of time on merely downloading the information manually, as well as the actual work of analysing draft laws.

Solution: One EMBO decided to systematise information on these legislative projects to improve its own lobbying effort. With the help of the ILO's Bureau for Employers' Activities (ACT/EMP) and an external company, it created a digital platform that automatically downloads and organises specified information. This platform is known as **the Legislative Observatory**.

The tool uses web scraping technology. In other words, it automatically enters certain pages of the congressional website and extracts predetermined data of interest (e.g., name of the draft law, sponsor, commission, subject).

These data then pass in an organised manner to the digital platform developed to improve the visualisation and use of the information. The platform has three main modules for this purpose, as well as other support tools:

- **First:** Legislative projects. This module is a library where all legislative projects can be consulted and downloaded after they have been automatically extracted and updated by the web scraping tool. They are presented in an organised and user-friendly manner for easy consultation. Some of the fields included: title, project type, theme, sponsors, state

of progress through Congress. The EBMO has also added an estimate of the probability that the project will be approved using a traffic light-type scale. It should be noted that one of the main functions of the tool enables filtering and shows only those draft laws that may be relevant to the business sector. To do so, the tool uses key fields, sectors or themes (e.g. tax, transport, employment), commissions and others. In countries with a large number of draft laws, this function is essential to ensure clarity within the mass of information. Specific comments can be added to this module to enable other users to see part of the legal and legislative analysis carried out or planned by the organisation.

- **Second:** Congress member profile. The platform includes a module entitled "Congressman" which shows fields of interest and facilitates lobbying by the business organisation and its collaborators. For example, photo, political affiliation, contact, draft legislation submitted.
- **Third:** Commissions. This module contains information on the composition of the different commissions. The tool also updates the legislative agenda for known draft legislation in real time; in other words, whether the draft has progressed through the different stages of parliamentary scrutiny (parliamentary report completed, first reading or voting).
- **Supporting tools:** The platform enables users to create alerts, for example for new projects submitted on matters of interest by a particular party, or whether a project has changed its status in the legislative agenda. There is a data visualisation module by which draft legislation can be seen in graphic form and information of interest filtered out (by most active commission, subject matter, progress through the legislature or likelihood of being passed into law). This data visualisation tool was designed and adapted to the needs of the business organisation.

How was the legislative observatory financed?

The platform and web scraping tool are held on cloud servers provided by the developer. The cost of developing the platform was financed by ACT/EMP. The EBMO pays an annual fee for maintenance and use of the platform. This includes hosting and technical support.

II) Lobbying management systems

- **Problem:** Countries in the region such as Argentina, Chile, Colombia, Mexico, and Peru have specific legislation concerning lobbying, applicable either to all the different powers of the State or merely to the legislative branch. Other countries regulate by decree (e.g., Brazil) or through draft legislation (e.g., Guatemala). In general, such laws and regulations seek to create a register of persons/entities engaged in lobbying activities. In many cases information such as the dates of meetings, participants, reason for the meetings and the matters discussed must be provided. An entity can also be audited and required to submit proof of its lobbying activities. For EMBOs this implies additional work to monitor its own lobbying activities.

At the same time, there is a problem of visibility and measurement of the degree to which EBMOs carry out these activities. Although public policy tends to be influenced by many interest groups, the work and man-hours involved can still be proven. For that reason, we have a digital solution used by some EBMOs in the region, which we call a lobbying management system.

- **Solution:** The two EBMOs that have used it as a model solution had similar reasons for doing so. Both sought to improve the monitoring of their lobbying activities. For example, how many man-hours they employed, what subjects were discussed repeatedly, what action (e.g., position papers) did the organisation produce, who was responsible, which minister/secretary did they visit, among others. For these organisations, this information helped them to:

1. Show their members clear evidence of the work they do to represent them and defend their interests.
2. Have the evidence necessary to comply with existing or expected lobbying regulations.
3. Make their processes more efficient, monitor and hold to account their collaborators concerning the lobbying activities to be carried out.

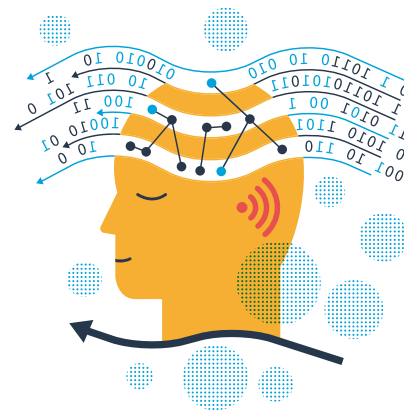


- **Platform development:** Both organisations developed a made-to-measure digital platform because there were specific areas of interest in the subject of lobbying in their respective countries. Moreover, both systems resemble customer relationship management (or CRM) systems but with extra capabilities. As far as development is concerned, both organisations contracted external suppliers. One of them made use of a member whose business is software development.
- **Platform operation:** In general, the platforms enable two principal actions: 1) Record lobbying activity and 2) Consult/edit these activities.

Records of the activities may vary depending on the needs and priorities of each BO, or on regulatory requirements. Some common fields on platforms of this type are:

- a) Name of activity or code.
- b) Department/person responsible.
- c) Minister/secretary visited.
- d) Subject and specific matter.
- e) Type of action (e.g., preparation, visit, official meeting).

It also enables comments to be made on the meeting and documents to be attached. This facilitates monitoring of a given lobbying activity by other collaborators.



Other functions can be added/developed. For example, one of the platforms enables subsequent steps/actions to be assigned to the collaborators: setting up a further meeting, writing, or reviewing a press release or an official position paper. Both platforms evaluated contain data intelligence modules with 'dashboards' to give users a more user-friendly view of the activities they need to address. Similarly, they create automatic alerts and notices of priority activities.

Finally, lessons learned from the process

It is important to understand the obstacles involved in both digital solutions and the lessons learned.

1. **Data quality** – Both the developer and the EB-MOs have seen that information on draft legislation is not always reliable. This is a common problem in the region. For that reason, the BO's team with administrator privileges needs to give manual approval before a draft can be seen on the platform by other users.
2. **Minimising opportunities for error:** Furthermore, collaborators may enter information wrongly in the management system. It is therefore important to minimise the opportunities for error. In this case option menus were created for many of the data fields so that collaborators can only choose one option.
3. **Fallible tools** – The tools sometimes fail and organise the information incorrectly. Digital tools are not infallible and frequently need to be complemented by human intervention to ensure that they function properly.

In general, the human factor is the key lesson learned from the above points. It can act as an obstacle, or it can improve the functioning and impact of a digital solution. This reality is something that business organisations must be aware of as they digitalise their processes.

4. **Not report/require** – Both systems can swamp the user in information. That is why the use of filters to define the information (e.g., laws on matters relevant to the business sector) or designs that take into account which fields collaborators are required to fill in can affect the success or failure of platforms of this type with a large amount of information.
5. **Champions and impact** – Both tools require an extensive process to decide which fields to use and to convince collaborators to use the platform. Two key lessons have emerged: 1) Having (a) champion(s) interested in the success of the platform, who can monitor their use and the obstacles encountered by their colleagues. 2) There needs to be an early demonstration with data of the impact the platform had on colleagues, management, and members. Particularly how a department/colleague has made important progress using the platform. This results in greater commitment by collaborators and loyalty among members.