

From:  
ALTER-EU  
Alliance for Lobbying Transparency and Ethics Regulation  
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Concerns: Lessons from Dalli scandal – the European Commission needs stronger ethics and transparency rules around lobbying

Dear President of the European Parliament

Dear Members of the Conference of Presidents

We write to you to express our deep concerns about the many unanswered questions around the resignation of John Dalli, EU Commissioner for Health and Consumer Policy. The Commission has released so little information in the months that have passed since the scandal broke, that it has in effect raised more questions than it has provided answers.

An acquaintance of Mr. Dalli - operating as a lobby consultant but not registered in the voluntary Transparency Register - allegedly offered tobacco industry lobbies access to Dalli as well as influence over the EU Tobacco Products Directive; in return for a payment of up to €60 million. A second theory has also gained ground which argues that the tobacco industry may have filed the original complaint against Mr. Dalli with the intention of delaying and weakening the EU's Tobacco Products Directive. Based on the information that is currently in the public domain, neither theory can be verified, nor be ruled out.

Whatever emerges as the real reason for Mr. Dalli's resignation, the Dalli case shows that the Commission urgently needs more rigorous transparency and ethics rules to avoid undue influence. Instead of the current vaguely-worded Code of Conduct and Staff Regulation, the Commission needs clear rules around its contacts with lobbyists, for instance on matters like meetings set up by acquaintances acting as lobby consultants. There is also a need for stricter and mandatory ethics rules for lobbyists, replacing those laid out in the code of conduct connected to the voluntary Transparency Register.

The Dalli case moreover underlines the need for a high-quality, mandatory lobbying transparency register and pro-active transparency on meetings that Commission officials have with lobbyists. It has highlighted just how important it is for information about such meetings to be in the public domain. The review of the Transparency Register, scheduled to start in the coming weeks and months, provides the perfect opportunity to begin the transition from the current weak and voluntary register, towards a mandatory system with far more stringent disclosure requirements.

The Commission has repeatedly rejected calls from MEPs, media and NGOs to answer key questions around the Dalli case. The Commission, moreover, has rejected calls to initiate an overhaul of its current transparency and ethics rules.<sup>1</sup> The European

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<sup>1</sup> See for example ALTER-EU's letter of 5 November and Commission response 6 December 2012, <http://www.alter-eu.org/documents/2012/11/lessons-from-dalli-scandal-commission-answer>

Parliament's role is therefore crucial, both in clarifying the facts behind the Dalli resignation and also in ensuring that the Commission's transparency and ethics rules are improved. We wish to express our strong support for the proposal to establish a Special Parliamentary Committee to look into the Dalli case and to pick out the lessons learned for the future regulation of lobbying and for the prevention of undue influence.

Yours sincerely,

Koen Roovers

On behalf of the ALTER-EU Steering Committee:

Helen Darbishire (Access Info Europe);

Paul de Clerck (Friends of the Earth Europe);

William Dinan (University of the West of Scotland & SpinWatch);

Marc Gruber (European Federation of Journalists);

Nina Katzemich (LobbyControl);

Jorgo Riss (Greenpeace European Unit)

Erik Wesselius (Corporate Europe Observatory)