



EPACA's statement concerning the Commission's response to EPACA's complaint about Corporate Europe Observatory's untransparent lobbying

EPACA notes the Commission's decision not to review further the complaint made by EPACA about CEO's untransparent lobbying. The explanation sent by the European Commission contains several useful clarifications for which we are grateful:

1. **The Commission has explicitly refused to judge whether or not CEO's behavior is ethical.** This of course is not a qualification of that behavior, but is rather a decision based on process and scope as it does not concern CEO's interaction with the European Institutions.
2. **The Commission has provided additional clarity on its definition of lobbying.** The European Commission has stated clearly in its letter to EPACA that its Code of Conduct sets "a number of basic rules to be respected by registrants **in the context of their interaction with the European Institutions**" (emphasis added). Given that the Commission has until now defined lobbying, for the purposes of financial disclosure in the Register, as all "actions initiated with the aim of influencing European policy formulation or decision-making processes, irrespective of the communication channel or medium it is using," this clarification of the definition is useful.

Now that the Commission has defined lobbying for the purposes of its Code of Conduct as limited to "interaction with the European Institutions," EPACA will seek additional clarification on the relationship between the two definitions to determine if the Commission believes there is activity subject to financial disclosure in the register but not to the principles in the Code of Conduct.

3. **The Commission has decided that our question about whether or not an organisation which fails to identify any members can declare itself as an interest representative in the NGO category of the register is a question "worth some further analysis".** We look forward to the result of the Commission's reflection on this point.

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