



Paul de Clerck
Corporate Campaigner
Friends of the Earth Europe
Rue Blance 15
1050 Brussels

21 December 2006

Dear Mr de Clerck,

Subject: Complaint to EPACA.

I am writing to inform you of the EPACA response to your complaint of 30 November.

1. The complaint is that David Earnshaw
'by becoming a public health expert advising the ENVI Committee, Mr Earnshaw has violated the EPACA Code of Conduct and the EPACA Internal Regulations'
with regard to their provisions on conflict of interest and an appearance of conflict of interest
2. At a special meeting on 6 December 2006 and with the company complained against excluded from the discussions (as required by our rules), the Management Committee concluded that there is no case to answer, for the following reasons:
 - a. This complaint relates to a matter which has already been dealt with in response to a previous complaint (see letter to Kathy Sinnott MEP of 10 November on www.epaca.org).
 - b. No new elements have been presented which would justify reconsideration of the decision to reject that previous complaint.

The Management Committee therefore concluded that there was no basis for convening a Disciplinary Panel to review the complaint.

However, the Management Committee also noted, as on the previous occasion, that Parliament may wish to reflect on whether MEPs would prefer that fuller details of the background of authors are circulated with the reports of outside experts, to further limit scope for any complaint,



whether genuine or frivolous, that not enough was known about them. This is however a decision for Parliament.

The Management Committee further concluded that as this and another complaint both relate to the same issue – the handling of relations between consultants and EU institutions when the former are supplying services to those institutions – this is a matter which EPACA should seek as a priority to discuss with the relevant institutions. This relates not only to enhancements of transparency practices (such as the one mentioned above), but also to clearer ground rules on conflict of interest. Establishing such ground rules will both clarify for service suppliers any existing uncertainties on these matters, but also limit the scope for mischievous misrepresentation of the decisions of the institutions and their relationships with suppliers.

We are communicating this finding to you as complainant, to our Professional Practices Panel, to all our Members, and to [the President of Parliament, the Chair and Vice-Chairs of the Environment Committee,] the Secretary General of Parliament, the Head of Secretariat of the Environment Committee, and the European Commission.

We will shortly also place it on our website.

Yours sincerely,

John Houston
Chairman