

**Complaint to the European Parliament and European Commission's Joint Transparency Register Secretariat re. shale gas lobby event in the EP and the involvement of PGNiG**



**Submitted on 29 April 2013**

**Organisation being complained about:** PGNiG

(Polskie Gornictwo Naftowe i Gazownictwo SA - Polish Oil and Gas Company)

Identification number in the register: 70816716119-36

**Complaints about breaches of the code of conduct**

Clause(s) you think has/have been breached:

In their relations with the EU institutions and their Members, officials and other staff, registrants shall:

a) always identify themselves by name and by the entity or entities they work for or represent; declare the interests, objectives or aims promoted and, where applicable, specify the clients or members whom they represent;

b) not obtain or try to obtain information, or any decision, dishonestly, or by use of undue pressure or inappropriate behaviour;...

d) ensure that, to the best of their knowledge, information which they provide upon registration and subsequently in the framework of their activities within the scope of the register is complete, up-to-date and not misleading;

PGNiG has been using a “citizens coalition” as a front group (see additional point 1) to lobby on behalf of its interests. PGNiG, alongside two other (unregistered) companies, funds the Coalition of Citizens towards Responsible Energy (CC-RE). CC-RE's website says “Substantial and financial support is offered by PGNiG, KGHM and LOTOS. We believe that together we will be able to exploit the chance created by the potential excavation of natural gas from non-conventional sources to our advantage” (<http://cc-re.eu/en/about-us>). PGNiG, Poland's biggest oil and gas company thus funds a front group that aims to influence EU policy-making in its favour, and which has put on prominent lobby events inside the European Parliament (EP) designed to convince MEPs that shale gas has no environmental risks and needs no further regulation.

PGNiG has violated the code of conduct in several ways, via its use of CC-RE, an unregistered lobby group representing PGNiG's interests.

**PGNiG violates point d)** of the code (to ensure its entry is complete, up-to-date and not misleading), because it does not list (see additional point 2) their relationship with CC-RE, under “Information on (i) organisation's membership of any associations/federations/confederations or (ii) relationships to other bodies in formal or informal networks”, despite using CC-RE as a front group to lobby on behalf of their commercial interests, as documented below. The fact that PGNiG funds CC-RE for its lobby purposes is highly relevant information that should have been included in the transparency register. Failing to do so violates the code.

PGNiG used CC-RE to represent its interests at an event - an exhibition and reception entitled “How shale gas will transform Europe?” - on 20 November 2012. This event took place inside

the EP building in Strasbourg, directly outside the plenary room, on the day of a key plenary vote that had serious implications for the future of shale gas in Europe. The event was put on by PGNiG's front group CC-RE in cooperation with three MEPs (Herbert Reul, Alejo Vidal-Quadras and Jacek Protasiewicz). The promotional material and flyers advertising this event at the Parliament, whilst naming CC-RE (who are not in the transparency register), did not identify PGNiG (whose interests were being represented and who funds CC-RE). (Source: [http://corporateeurope.org/sites/default/files/styles/large/public/shalegas\\_transforms\\_europe.jpg?itok=uFzOn5gs](http://corporateeurope.org/sites/default/files/styles/large/public/shalegas_transforms_europe.jpg?itok=uFzOn5gs)). This means that for MEPs and Parliamentary staff passing by the exhibition or partaking in the reception, there was no clear identification of PGNiG. However, PGNiG is **bound by point a)** of the code of conduct to “always identify themselves by name and by the entity or entities they work for or represent; declare the interests, objectives or aims promoted ...”. PGNiG, as a company funding CC-RE, failed to identify themselves at the event (not merely somewhere on CC-RE's website, which casual attendees would be unlikely to examine), despite having their interests represented at the event by a group that they finance. This is another violation of the code.

We believe that PGNiG has also **violated point b)** of the code, not to obtain or try to obtain information, or any decision, dishonestly, or by use of undue pressure or inappropriate behaviour. PGNiG tried to obtain a decision (a favourable vote in plenary on the regulations) via dishonest and inappropriate behaviour, namely promoting its commercial interests in a dishonest and opaque way through a “citizens front group” - which according to the rules of the register, should have signed up - that PGNiG was funding to represent their interests. PGNiG thus circumvented the rules of the transparency register about client and financial disclosure by using an unregistered lobby group (CC-RE) to engage in lobbying activities on its behalf. It was furthermore inappropriate behaviour that CC-RE put on an event that possibly broke the EP rules (see additional point 3).

### **Additional point 1**

A front group is an organisation that purports to represent one agenda while in reality it serves some other party or interest whose sponsorship is hidden or rarely mentioned.

### **Additional point 2**

PGNiG entry in the transparency register, last updated 05/06/12,  
<http://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=70816716119-36>

### **Additional point 3**

The aforementioned event - “How shale gas will transform Europe?” - on 20 November 2012 - furthermore possibly broke the rules of the Parliament. Bureau decision of 14 March 2000, governing the use of Parliament's premises by outside bodies, as amended by the decision of 2 June 2003, states that exhibitions should “under no circumstances have a commercial purpose” or “serve to advertise and promote individual companies or for-profit organizations.” CC-RE's event served the commercial interests of the three companies that fund CC-RE, namely to avoid Europe-wide legislation of shale gas activities that could have an impact on the financial performance of these companies.