

# Complaint to the European Parliament and European Commission's Joint Transparency Register Secretariat re the European Privacy Association



Submitted on 15 May 2013

## Organisation being complained about:

The European Privacy Association (EPA)  
Identification number in the register: 97050032046-57

## 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;

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;

The European Privacy Association (EPA) has recently been highlighted as an example of an ['astroturf organisation'](#) (or front group) defending the interests of large IT corporations. The EU's Transparency Register (TR) was established to give citizens access to reliable information about who is lobbying and on whose behalf. The [European Privacy Association \(EPA\)](#) has signed up to the register, but the information disclosed by the EPA appears to be contradictory and incomplete – and therefore misleading. Concretely, we suspect that the EPA's failure to disclose its business members in its TR entry violates Article A and D of the [Code of Conduct](#).

The EPA states in its entry in the TR that it has a total budget of €75,000 (2011-12), but provides no information about who finances this budget, except that it is not EU or other government sources. The EPA mentions in its TR entry that it has 10 members that are 'natural persons' (individuals), no member organisations but also that it is represented in 18 countries (including the US).

The EPA until recently [published its membership fees on its website](#) (“fellow membership” of €100 and “business membership” of €10,000 per year), but these documents have since been removed (see attached documents from 2009 and 2012, retrieved via the [web.archive.org](#) search engine). These “EPA

membership fee information” documents are evidence that the EPA has undisclosed business members.

In addition to Article A and D of the Code of Conduct, the [“Transparency Register Compliance Guidelines”](#) (point 6) state that “all member organizations are to be listed in the declaration” or that a link to a website with a list of members must be included in the registration. EPA fails to provide this in their registration and there is also no list of members on the EPA website.

The EPA is registered in Section IV “Think tank, research and academic institutions”. This appears to be at odds with the Compliance Guidelines, which point out that registrants must select the section “that most accurately reflects the nature of their organization and work”. Section IV is for entities with research as a primary purpose and “which do not include any profit-making entities or associations of profit-making entities in its membership”. Because the EPA has profit-making entities as members (as we know from the EPA membership fee documents), it would appear the EPA should register in section II (lobby groups). Many of the EPA’s activities take place inside the European Parliament and the EPA has sent in a large number of submissions to European Commission consultations, with very specific recommendations for forthcoming EU legislation. This indicates that the EPA can most accurately be described as a lobby group.

In the category “Other financial information”, the EPA’s TR entry says “this is highly provisional as EPA is in the start-up phase. Membership fees may not equate to the total budget envelope currently states”. As EPA started in 2009, four years ago, it cannot use the ‘start-up phase’ as an excuse for failing to provide transparency about its membership and income sources.

Finally, there is evidence that the EPA has close relationships with two lobby consultancy firms, [Competere Geopolitical Management](#) and [DCI Group](#). The EPA’s Managing Director is Mr. Pietro Paganini, who also leads Competere Geopolitical Management (“a global communication firm based in Rome and branched in Brussels and Washington DC”, offering lobbying services on issues such as Intellectual Property and Privacy). In 2011, a consultant with a DCI Group email address was listed as [the EPA’s contact for “media inquiries”](#) (@dcigroup.com). It appears that EPA should have disclosed these relationships in its TR entry, in the box for “Information on (ii) relationships to other bodies in formal or informal networks”. Both Competere Geopolitical Management and DCI Group are involved in lobbying in Brussels, but are missing from the Transparency Register.