

Mr Martin Schulz  
President of the European Parliament  
PHS 9B11, Brussels



Brussels, Monday 22 November 2013

Dear President Schulz,

We are writing to you to express our deep concerns about the facts revealed in the documentary program 'Privacy for sale' that was broadcasted on Flemish television yesterday which has generated significant debate in the Belgian media.<sup>[1]</sup> In the documentary it is revealed that MEP Louis Michel submitted 229 amendments to the EU's Data Protection Directive, a large part of which were drafted by industry lobby groups. In the documentary and in media interviews afterwards, MEP Michel claims that he was not aware of these amendments (most of which were intended to weaken citizens' privacy rights) and this was done by his assistant while MEP Michel was traveling in Africa. The assistant has admitted that the amendments were the result of industry lobbying. Louis Michel has announced that he has now withdrawn 80-90 of the amendments and the assistant has in the meantime resigned, but the question remains whether MEP Michel was really unaware of the amendments. In any case he is politically responsible for amendments submitted in his name. According to the parliaments rules, amendments can be submitted electronically, but they also need to be submitted on paper, signed by the MEP. If Louis Michel signed 229 amendments, then he was clearly aware. If he did not sign the amendments then this appears to be a violation of the rules.

There is reason to believe that Louis Michel may have breached the Code of Conduct for MEPs, which states that "in exercising their duties, Members of the European Parliament: (a) are guided by and observe the following general principles of conduct: disinterest, integrity, openness, diligence, honesty, accountability and respect for Parliament's reputation". We are complaining about MEP Michel's behaviour with regards to the amendments submitted to the EU's Data Protection Directive. Submitting such large numbers of amendments drafted by industry lobbyists or failing to prevent an assistant from doing so in the name of the MEP may cause serious reputational damage for the European Parliament.

We encourage you to refer the matter to the Advisory Committee on the Conduct of Members in order for it to examine the circumstances of the breach of the Code of Conduct. The case is not only important in itself, but also more generally because the practice of submitting amendments written by industry lobbyists appears to be widespread among MEPs. We believe this is a problematic practice which raises questions about the independence of MEPs and their ability to defend the public interest. We would therefore argue that this practice needs to be critically assessed and that steps need to be taken to protect the Parliament's decision-making from undue influence.

Yours sincerely,

Olivier Hoedeman  
Corporate Europe Observatory (CEO)

#### Notes

- 1: 'Privacy for Sale', broadcasted by the VRT on 21 November 2013;  
<http://www.canvas.be/programmas/panorama/2343750a-a0fc-4755-b796-71fe436bbf16>