
From: Vicky Cann

Sent: Thursday 8 March 2018 12:15

To: contact

Subject: Questions regarding EBEPA, Pack2Go, Clean Europe Network

Dear Mr Bates

I work for an NGO called Corporate Europe Observatory which is a research and campaign group concerned with the access and influence enjoyed by corporations and their lobby groups in EU policy-making: <http://corporateeurope.org/>

I would like to ask you several questions about your work for Eamonn Bates Europe Public Affairs, Serving Europe, Pack2Go Europe, Clean Europe Network, and the European Litter Prevention Association. It would be very useful to understand more from your side before we consider publishing an article. I would appreciate receiving a response by 5pm, Thursday 15 March.

Kindly note that the European Litter Prevention Association asbl is the not-for-profit group under Belgian law that operates publicly as the Clean Europe Network. These are not two different organisations. There is a good practical reason for use of the "Clean Europe Network" name – it was realised after the association had been set up that the word "litter" does not translate in most EU languages, besides the connotation of a "clean" Europe is much more positive.

1. What is your current role in the European Litter Prevention Association? Please could you provide a current list of its board members.

- Eamonn Bates Europe is contracted by the Clean Europe Network/ELPA to provide secretariat services to support its work programmes, which are focused on information exchange between members, developing common approaches and methodologies where there is added value in a European approach and calling publicly for more action on litter prevention. In that context I act as part time Secretary General.

For your full information, kindly note that since the outset in 2013 when this company was asked to run the secretariat of the Clean Europe Network/ELPA, Eamonn Bates Europe s.a. has contributed a considerable amount of pro bono time to support the work of the Network and the litter prevention effort because we believe passionately in that objective.

- The Board consists of:

>Derek Robertson, CEO of Keep Scotland Beautiful (UK/SCO) – President of ELPA/Clean Europe Network

>Jean-François Molle, President, Gestes Propres (FR) – Vice-President of ELPA/Clean Europe Network

>Helen van Zutphen, CEO of Nederland Schoon (NL) - Treasurer of ELPA/Clean Europe Network

>Johanna Ragnartz, CEO of Hal Sverige Rent (S)

>Steven Boussemaere, Mooimakers/FostPlus (BE/VL)

>As secretary general, I participate in the meetings of the Board but have no vote, and write the reports.

2. Aside from the information on the EU lobby register which relates to 2016, I have not been able to find any public information about the current funding sources of the Clean Europe Network and the European Litter Prevention Association. For 2017, is there a list of funders?

The ELPA/ Clean Europe Network was/is funded in 2017 and 2018 by its full members and one associate member. These are listed on the website. In this regard, the association follows the model of (probably) the vast majority of not for profit associations in Brussels – paid for by members. We will clarify this on the website if it is not already there. This arrangement has been the case since 2013 when the association was created. In 2014 and 2016 we were also recipients of co-funding from the EU LIFE programme for our work, that is to say for clearly defined work programmes on information exchange and common methodologies. This funding supplemented but did not replace the membership contributions.

3. You have at least 5 roles involving Eamonn Bates Europe Public Affairs, Serving Europe, Pack2Go Europe, Clean Europe Network, and the European Litter Prevention Association. Some EBEP staff appear to also hold, or have held, multiple roles across at least some of these organisations too. How do you ensure when you lobby decision-makers, or when you attend official stakeholder events held by EU institutions, that third parties are aware of these multiple interests? I note that the EU lobby register's code of conduct says that: "interest representatives shall always identify themselves by name and, by registration number, if applicable, and by the entity or entities they work for or represent; declare the interests, objectives or aims they promote and, where applicable, specify the clients or members whom they represent".

I am the principal owner-operator of Eamonn Bates Europe sa and its managing director (one "role"). Eamonn Bates Europe is an EU public affairs company that provides, notably, association management services. In that context I am part time secretary general of the Clean Europe Network, Pack2Go Europe and Serving Europe (three "roles"). In case this is not clear for you, Associations that do not have the means to establish a fully-staffed office and facilities can engage the services of an association management organisation which provides shared services and facilities for a budget they can afford. This is the case with Eamonn Bates Europe and the three associations mentioned above. So, by my reckoning, that is four "roles" as you put it.

It is often the case that associations managed by an association management firm receive support from a team of people who may not all work in a dedicated way for one particular client one hundred percent of their time. Typically, we ask a different staff member to act as the lead support person for each association. In addition, the accountant would work for all of the groups; a meeting planner might work for all of the groups; a researcher might work for a number of groups. The associations we support can also share the meeting room facilities, the IT infrastructure and capabilities; the telephone central, etc..

When I and colleagues meet EU decision-makers etc. we always make clear which interests we are representing. I am not sure that I ever came across someone stating their registration number, when they meet EU officials or politicians or anyone else for that matter. But we could, of course, provide those numbers if requested. We have zero issue with transparency about who we work for. As you well know, the names of the associations that are headquartered in our office are clearly noted outside our front door. We aim to ensure that our declarations on the transparency register are complete – we are currently due to make the annual update for the company entry, I believe.

4. I note that the Clean Europe Network and the European Litter Prevention Association have previously been funded by the European Commission. I further note that NGOs funded by the EU

Life programme must be “independent ... from political or commercial interests”. Was the Commission made aware of the links between CEN/ ELPA, and Pack2Go and EBEPa when it applied for funds?

It is correct that the Clean Europe Network/ELPA has been beneficiary of two grants, in 2014 and in 2016. Kindly note, as already explained, the Clean Europe Network is the name that the ELPA operates as. The Clean Europe Network/ELPA is independent from political or commercial interests. It is comprised of its members (all clearly stated on the website), which are NGOs, charities and not-for-profit organisations with a litter prevention vocation, and its associate members (also mentioned on the website), which are organisations that support the objectives of the Clean Europe Network/ELPA. Associate members may attend information meetings/materials and receive best practice materials but have no voting rights and no right to a seat on the board. Pack2Go Europe is the only associate member and its total contribution annually is/has been €7,500. The Commission was aware of the links because Eamonn Bates Europe was identified as providing support services and Pack2Go Europe was/is an associate member of the Clean Europe Network/ELPA. The LIFE programme encourages the NGOs it supports to obtain business supporters/sponsors but the Network was never successful in attracting business supporters to the litter prevention objectives.

5. On what basis are you confident that there are no conflicts of interests between the different roles you and your staff hold, or do you consider that the public policy interests of these 5 organisations are effectively the same?

It is erroneous to refer to five organisations because, as already explained, the ELPA operates as the Clean Europe Network in practice.

- Eamonn Bates Europe sa provides services to third parties and has no public policy view of its own. That said, Eamonn Bates as owner of the company believes very strongly in litter prevention and, as a result, the company has contributed significant volumes of pro bono work to support the Clean Europe Network/ELPA work programme.

- The Clean Europe Network exists to exchange information between its NGO/Charity/Not-for-profit members on good practice, experience and expertise to enhance their own work programmes in their own territories; to develop common methods or approaches, where there is added value in a European approach; to follow and understand the evolution of EU policy that is relevant to litter and the prevention of littering. It does not have a lobbying vocation per se. Therefore, by definition, the Network does not lobby on behalf of any economic interest. However, it clearly and publicly calls for more and better litter prevention in Europe, notably supporting a shared responsibility approach that involves government, producers, civil society and citizens all playing their part to tackle a common challenge. The Network has always had this position and will continue to support it. In this context, the Network has underlined the fact that producers (i.e. convertors, importers, users) of products which often enter the litter stream do not do enough to address litter prevention. The Network has repeatedly called for extended producer responsibility to cover litter prevention activity (i.e. that producers should pay).

- This position has been supported publicly by Pack2Go Europe – which is logical as it is an associate member of the Network – if it did not support this view it would be fundamentally at odds with the vocation of the Network, of course, and could not continue as a member. Pack2Go Europe is working to integrate its products into the circular economy in Europe so that there is more and better collection and

recycling of used food & beverage service packaging. Success in this regard would almost certainly have a positive impact on litter and prevention of littering as a side effect. See www.collection4recycling.eu

- Serving Europe has no formal position on the matter of litter prevention. This may change. That said, some of its members are actively pursuing collection and recycling initiatives. All of them would agree that reduction of litter and prevention of littering is a top priority they would support, I believe.

- Both Serving Europe and Pack2Go Europe also follow a range of other topics that have nothing to do with litter or the prevention of littering, such as food law, product quality or health-related matters. Sometimes this involves putting a view to the EU institutions.

So, to sum up, there is clear formal consensus on the litter priority between the Network and Pack2Go Europe, and an enthusiastic informal endorsement by Eamonn Bates Europe. There is no formal view from Serving Europe, because it has been more concerned with other issues. I think it is rather clear that there are no conflicts of interest here.

6. Yesterday, during one of our regular 'lobby tours' around Brussels you encountered one of my colleagues who you accused of spreading lies. Please could you explain what you meant by this?

An article published by your organisation suggested that Eamonn Bates Europe's declarations to the joint register were not accurate and that Eamonn Bates Europe was being paid in other ways for lobbying. This is an outrageous allegation. The article also repeated, without verifying the facts, unfounded claims by an NGO that the Clean Europe Network was a "front organisation" for the packaging industry aiming to lobby against litter prevention policy. This is also an outrageous statement. You repeat someone else's opinion when, I submit, in the role you have appointed yourselves to, you should be putting forward fact. As you know, the world has a term for this today.

The NGO in question has its own specific viewpoint on how to achieve litter prevention, a viewpoint that was never opposed by the Clean Europe Network. It sought to discredit the Network's views because they had a different view, a complimentary view. Meanwhile, I understand that that organisation has been exposed for the fact that it is being financed by a corporate interest that has a direct interest in the agenda being promoted by that NGO (actually probably stands to be the single biggest financial beneficiary in the event Deposit Return Schemes are supported and implemented by policymakers). This certainly ought to be the source of some embarrassment for CEO.

7. Do you have any other comments to make about these issues?

Above you have received clear and fully transparent replies to your questions. I have no doubt that you can easily cast innuendo from this if you so wish and CEO's record suggests that that is probably what you will do. It's a pity because you are so wrong on this one. I note that at no point have you put forward any suggestion or evidence that anything inappropriate has actually occurred. Let me assure, it has not.

I look forward to hearing from you; thank you in advance for your time.

Yours sincerely,

Vicky Cann