



Brussels, 10 November 2014

Dear President Juncker,

Commissioner Miguel Arias Cañete

Corporate Europe Observatory (CEO) is a research and campaign group working to expose and challenge the privileged access and influence enjoyed by corporations and their lobby groups in EU policy-making.

As you will be aware, there was considerable concern expressed by MEPs during the recent confirmation hearing for Commissioner Miguel Arias Cañete. The concerns related to his financial interests, those of his family and whether all information regarding these interests had been fully and properly declared. In addition to the concerns of MEPs, nearly 600,000 EU citizens signed a petition asking MEPs to reject Mr Cañete; this represented an unprecedented public expression of concern on such matters. The whole controversy attracted significant media comment. Ultimately, according to press reportsⁱ, a deal was struck between yourself and senior MEPs which apparently addressed some (but not all) MEPs' concerns and we write to you urgently now about this matter.

Firstly we wish to ask several questions about the current situation relating to Commissioner Cañete:

- **Will you make public the deal between yourself and senior MEPs on Commissioner Cañete's which secured his European parliamentary approval?** This is essential for transparency and accountability purposes.
- **Who has oversight over Commissioner Cañete's declaration of interests to ensure that all aspects of the commissioners' code of conduct have been and are followed and what form will this oversight take?** Vice-President Timmermans' office has told CEO that such issues are likely rest with you or Vice-President Georgieva and this needs urgent clarification.
- **In line with article 1.6 of the commissioners' code of conduct, are there specific areas of his portfolio which Commissioner Cañete has already been relieved from dealing with?** If so, what are they, who will have responsibility for these areas now, what are the details of this arrangement (for example how long will it last), and how will this be monitored?

Secondly, we would like to propose some further action that you could take now to prevent

the further risk of conflicts of interest from arising regarding this commissioner:

- **Will you ensure that Commissioner Cañete fills in a revised declaration of interest form which includes not just his own interests and those of his wife, but also those of his immediate family including his sons and brother-in-law?** As you will know, article 1.6 of the code says that a commissioner cannot deal with matters with which he has a personal, family or financial interest. However, it is not possible to ascertain such interests if they are not declared and Commissioner Cañete's current declaration of interests does not include this information, even though it was the subject of much discussion by MEPs during the recent hearing. Of course, once you have received a revised declaration of interests it should be re-assessed and any action taken accordingly.
- **Will you ensure that the minutes of all Commissioner Cañete's lobby meetings are published (as well as the list of all such meetings already promised), as well as a list of all lobby meetings held by his cabinet members and the officials in his DG?** These are important steps to reassure the public that there is no risk of conflicts of interest or abuse of power in relation to the commissioner and his portfolio.

Finally, the recent commissioner hearings have exposed flaws in both the code of conduct and the declaration of interest form. I note that a recent report produced for the European Parliament says that the current code of conduct for commissioners has “fallen short of a comprehensive alignment with EU and international best practice.” It goes on to say that “...the CoC is characterised by its poor checks and balances, the absence of a coherent implementation system, and opacity surrounding its operation (e.g. with regard to the Ad Hoc Ethical Committee). Whilst other ethics systems contribute to enhance public trust in government, the EC's system appears tilted towards the Commissioners' political and career interests.”ⁱⁱ

- **What is the timetable for the Commission to review the code of conduct and who will lead this process?**

CEO is part of the Alliance for Lobbying Transparency and Ethics Regulation and ALTER-EU has separately written to you on this and other matters and this letter includes other proposals for Commission ethics reform.

I look forward to hearing from you promptly about all of these urgent and important matters.

Yours sincerely,



Olivier Hoedeman
Research and campaigns coordinator

- i <http://www.euractiv.com/sections/eu-priorities-2020/canete-safe-after-epp-socialist-deal-bratusek-out-309041>
- ii [http://www.europarl.europa.eu/RegData/etudes/STUD/2014/490697/IPOL_STU\(2014\)490697_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2014/490697/IPOL_STU(2014)490697_EN.pdf)