

On 07/30/2013 03:36 PM, Poppy Kalesi wrote:

Hello Rachel,

I saw your e-mail yesterday and you required a response before that hence the silence. I will gladly help you with your research and if you decide to quote me on anything you intend to publish I expect a copy for review prior to publication.

Overall, I support full transparency and always try to observe the highest ethical standards in my professional conduct. I do not have my Commission contract at hand now but I remember a non-disclosure clause two years after end of service. Even if it's not there, this is what I assume is pretty standard in all employment contracts and this is the standard expectation of all my employers including Statoil who, as you may be aware, have a zero tolerance policy on these matters: <http://www.statoil.com/en/environment/society/sustainabilitymain/ethicsandtransparency/pages/default.aspx> and topped Transparency International's 2012 list of the 105 largest publicly listed multinational companies on corporate reporting and anticorruption measures: http://www.transparency.org/whatwedo/pub/transparency_in_corporate_reporting_assessing_the_worlds_largest_companies

I also consider it extremely important to be able to offer excellent service from whichever position I choose to serve. This is only possible if I have a deep understanding of all aspects of the subject I work on and the positions of stakeholders involved. Energy and climate are vast areas. Through my Brussels experience I believe I have developed great policy knowledge and skills and through my roles in Statoil I am developing more operational commercial and business strategy knowledge and skills – I cannot imagine how anyone develops in the same role. If I choose one day to move to a decision making role in industry or in the public sector I consider a well- rounded knowledge of the subject an asset. At least for non-decision making positions I believe the world needs more migration between public and private, not less. Especially regarding such complex issues that require multi-disciplinary solutions. I consider the UK Civil Service system of secondments to private companies as best practice in this context.

These are my thoughts by way of background.

The link you provide below refers to Jörgen Holmquist, I do not know what case you refer to regarding my employment by the Commission. Until I see the Commission's response regarding me, my LinkedIn profile is fairly up to date so I suggest you cross-check information and let me know if something is unclear, I will be happy to explain.

On your first question, I believe it becomes clear from my LinkedIn profile that the nature of my area of work in the Commission and that in Statoil is different. The overlap - in the larger scheme of things - is that they are both in the broader energy and climate policy area which as I explained before are pretty vast areas with a myriad of stakeholders. It is also important to understand that both the Commission and Statoil are big organisations of about 25,000 people. Although I do think I'm a good professional, my influence should not be overestimated.

On your second question, in my previous role as regulatory affairs advisor I have had some contacts with DG CLIMA officials whom I've never met before and contacted for clarification and policy timelines. Otherwise, as you can tell by my LinkedIn profile, my focus has been on implementation into national law in France and in Belgium and on learning how the natural gas business is run and my relevant stakeholders have mostly been Statoil internal.

I believe your third question is answered above. Please note that my previous role was on CCS, not gas and oil. The CCS programme was organised in the former Coal & Oil unit but had nothing to do with either. For non-decision making roles at least on such complex matters I believe the world needs more civil servants who have understanding of business and more business people who understand public policy. On the contrary, the world doesn't need more overtly prescriptive, stringent rules that may prevent conflict of interest but may also have the unintended consequence of stifling innovation and good service for citizens...there is a very fine balance.

I don't remember what information I received but I can't imagine why a person who would run to share confidential information would have been employed by the Commission in the first place. I believe most Commission officials I have met have very high ethical standards and integrity and the same goes for most business people in my line of business.

I hope this is helpful but if you need more information, I will be in the office until 9 August when I am off again.

Best wishes,

Poppy

Poppy Kalesi

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From: Rachel Tansey [<mailto:rachel@corporateeurope.org>]
Sent: 30. juli 2013 14:02
To: Poppy Kalesi
Subject: Fwd: RE: Out of Office: Questions about your move from DG Energy to Statoil

Dear Ms Kalesi,

I tried to get in touch with you a couple of weeks ago, but after receiving an out of office response, got in touch with your colleague Richard Sagli, who informed me you are on holiday until Monday or Tuesday next week.

I therefore copy the content of my original email to you below, and would be grateful if you could respond by Friday 9th August:

I work for an NGO called Corporate Europe Observatory, which is based in Brussels. CEO is a research and campaign group concerned with the access and influence enjoyed by corporations and their lobby groups in EU policy making. CEO is also a member of the steering committee of the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU).

I would like to ask you several questions about your move from the European Commission's DG Energy to work for Norwegian oil company Statoil, in 2010. These questions are part of ongoing research and future potential publication. It would be very useful to understand more from you about your current activities, as well as your views on this issue, as relating to the prevention of actual or apparent conflicts of interest. The rules governing EU Staff (the EU Staff Regulations), in particular Article 16 on post-employment activities, are intended to screen staff for risk of conflicts of interest when they take up new jobs.

I enclose a link to our recent access to documents request on the Commission's implementation of Article 16 of the Staff Regulations with relation to your case:
http://www.asktheeu.org/en/request/article_16_staff_regulations_pop/new. The Commission has informed us that you were “employed as a contract agent from 01/06/2008 - 31/08/2010 and did not have access to sensitive documents/information during her assignment. Therefore, and according to the provisions in place (Article 21 of the Commission Decision on outside activities and assignments) she is/was not obliged to request the explicit authorisation of the Appointing Authority (AIPN) for her to be able to accept her current employment.”

It is therefore very clear that you were exempted from the rules in the Article 16 of the Staff Regulations because you were a contract agent. I wish to emphasise that we are in no way suggesting you did not act in accordance with the rules, as this is clearly not the case. Rather, CEO is interested in examining both how the European Commission implements its own rules and in what we consider to be loopholes in these rules. Our interest at CEO is in whether the existing rules are strong enough to prevent undue access and influence of lobby groups, through improperly managed revolving door type conflicts of interest. Please consider the following in this light.

Firstly, what overlap, if any, is there between your previous work areas at the Commission and the areas that you work on at Statoil?

Secondly, what contacts, if any, do you have or expect to have with the Commission and other EU institutions as part of your work activities with Statoil, including but not limited to your old colleagues?

Thirdly, how do you respond to concerns that your move to Statoil, which is one of the biggest oil and gas companies in the world, given your previous role in oil and gas related public policy for the European Commission could provoke the risk, perception or actuality of conflicts of interest?

Fourthly, upon leaving the Commission, did you receive any ethics information or reminders about not acting in a way that would undermine the interests of the institutions?

Finally, can you provide any additional information about your work for Statoil? Are there any other comments you wish to make on these issues?

In the interests of accuracy, I would also like to ask you to confirm (and if possible, to give more details about) the dates and job titles that the Commission supplied to us and those you provide e.g on LinkedIn:

- Programme Manager, 01/06/2008 - 31/08/2010, European Commission (DG Energy)

- 'EU Regulatory Affairs Advisor' and/or 'Senior Consultant, Innovation Strategy', Statoil, 2010 – Present

As noted above, I would appreciate receiving a response from you as soon as possible and by Friday 9th August at the latest.

Thank you for your time.

Yours sincerely,

Rachel Tansey

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Rachel Tansey - Lobbyocracy Campaigner

Corporate Europe Observatory (CEO)