



16 September 2015

Alexander Italianer
Secretary General
European Commission
Rue de la Loi 200
1049 Bruxelles, Belgium

Dear Mr Italianer,

Ms Nathalie Tocci and the Commission's conflicts of interest assessment

I am writing to make a complaint about the Commission's handling of the possible conflicts of interests of Commission Vice President Mogherini's special adviser Nathalie Tocci.

As you will know, the Commission should examine any special adviser candidacy for any “personal interest such as to impair his independence or any other conflict of interest”.

I note that the statement of assurance relating to Ms Tocci's appointment as a Commission special adviser reflects her role at the Istituto Affari Internazionali and the fact that the European Commission has made a funding decision related to this organisation.

However, I was very surprised that this declaration of assurance does not also reflect upon the Ms Tocci's membership of the board of Edison, which she declares in both her CV and the declaration of activities.

Edison describes itself as “Europe's oldest energy company, and one of the industry leaders in Italy and Europe”. It operates in two key areas of business: electric power and hydrocarbons exploration and production (natural gas and crude oil).

<http://www.edison.it/en/profile>

Edison is a significant EU lobbying organisation, reporting a 2014 lobby spend of €300,000 -€399,999. <http://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=401111262-07> Edison has an office in Brussels and it has been active and successful in securing meetings with the top echelons of the Commission. Since December 2014, it has held at least five lobby meetings, including one with the External Action Service, namely Arianna Vannini from Vice-President Mogherini's cabinet <http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=b6c0bf49-dbd0-4884-af38-d0da75bc6395&d-6679426-p=6> The meeting was held in January 2015 and was on the topic of “the importance of the Juncker Investment plan for the energy sector”.

Edison is now part of the EDF group. EDF is also a prolific lobbyist, with a 2014 lobby spend of €2,500,000–€2,999,999; it has secured at least seven lobby meetings with the Commission since December 2014.

It is clear that there is a significant overlap between the interests of Edison and the work of Vice-President Mogherini and her team. There are clear links between foreign and security policy; climate change; and energy policies, including the EU's energy union. Energy security is recognised as part of the overall EU security agenda, and Vice-President Mogherini leads the Commission's project team "[Europe in the World](#)" which includes the commissioner for climate action and energy.

In our view, a conflict of interest is not necessarily a person's actual behaviour, but instead a situation in which the public official has private-capacity interests which could improperly influence the performance of his official duties and responsibilities. Ms Tocci's special adviser role is described as "HR/VP outreach to think tanks and coordination of work on a new European Security Strategy, beginning with the 2015 Strategic Review". Consideration of energy issues including energy security is likely part of this agenda. Furthermore, the role of special adviser undoubtedly gives Ms Tocci direct and unfettered access to the Commissioner, her Cabinet, and other parts of the Commission, while at the same time she is a member of the board of a major EU corporation. Yet the Commission has not sought to put in place any specific restrictions to prevent the risk of possible conflicts of interest.

The Commission has a responsibility to be vigilant and to guard against possible conflicts of interest arising when appointing new officials, including special advisers. I consider that the Commission should have reflected upon Ms Tocci's board membership of Edison and should have put in place restrictions to prevent any possible risk of conflicts of interest from arising. There should have been consideration as to whether it was even appropriate for a board member of a major EU corporation to be a special adviser to a commissioner. Not to do so constitutes maladministration and I look forward to hearing from you on this matter.

Yours sincerely,



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