



Brussels, 1 December 2019

President Charles Michel
European Council

Dear President Michel,

Congratulations on your appointment as President of the European Council.

We are a group of civil society organisations united in our demands for full lobby transparency, maximum legislative and decision-making transparency, and the highest standards of ethics within all EU institutions, including the European Council.

We are aware of the "[New strategic agenda 2019-2024](#)" as agreed by the European Council in June 2019 which includes the following commitments:

"Our Institutions will work in accordance with the spirit and the letter of the Treaties. They will respect the principles of democracy, rule of law, transparency and equality between citizens and between Member States. Good governance also depends on the rigorous implementation and enforcement of agreed policies and rules, which must be closely monitored. Each institution should revisit its working methods and reflect on the best way to fulfil its role under the Treaties."

In the light of this, we would like to request your response to the following ten questions:

Enforcing Rule of Law

1. There are significant concerns about the erosion of democracy and the rule of law in several countries in the EU including Hungary, Poland, and the Czech Republic. This is threatening to increase corruption and is having a negative impact on media freedom and civic space. In several countries [abuse of EU subsidies](#) is contributing to the erosion of democracy. What will you do to tackle these issues and hold these governments to account?

Avoiding corporate capture

2. [Research](#) shows that major corporations and their lobby groups target the European Council's decision-making as they have the reach, capacity, and networks to be able to do so. As President, how will you ensure that citizens' interests are prioritised over corporate interests in the agenda and decision-making of the European Council?

3. The EU is a signatory to Article 5.3 of the World Health Organisation's Framework Convention on Tobacco Control. Will you ensure the full implementation by the Council's General Secretariat of the [recommendation by the European Ombudsman](#) that all dealings with tobacco lobbyists should be kept to a minimum and that all contacts should be fully transparent, in an effort to ensure the EU's full compliance with the treaty and its accompanying guidelines?

4. There are other corporate sectors, alongside tobacco, which are in a direct conflict of interest with the public interest of EU citizens such as the [fossil fuel industry](#), due to the necessity of leaving the vast majority of known coal, oil, and gas reserves in the ground so as to tackle the climate crisis. Other industries, for example [finance](#), [tax avoidance](#), chemicals, pharmaceuticals, and the arms trade, have been repeatedly shown to be too close to decision-makers leading to a corresponding weakening of regulations and policy-making. Will you hold a debate in the European Council with member state leaders about how to reduce the influence of these industries on both EU and national policy-making?

Securing full lobby transparency

5. Will you commit to proactively publishing, in full, a list of the meetings that you and your Cabinet hold with lobbyists, to include: the name of the organisation, the name of the lobbyists, the date, the venue, and details on the topics covered, in line with the recent [suggestions of the European Ombudsman](#)?

6. Will you and your Cabinet commit to not meet with, nor attend events organised by, unregistered lobbyists?

7. Will you and your Cabinet adopt the [Juncker Commission guideline](#) to "seek to ensure an appropriate balance and representativeness in the stakeholders they meet" by ensuring that there is balance between the number of meetings with corporate interest representatives and those with non-profit entities (including NGOs, trade unions, academic institutions)?

8. Will you work to ensure that the European Council supports the establishment of a strong and legally-binding EU lobby transparency register across the EU institutions?

Boosting ethics

9. The Code of Conduct for the European Council President is substantially weaker than the Code of Conduct for Commissioners. For example, the Commission President must abide by a three-year notification period and lobby ban for post-office activities, which compares unfavourably with the 18 months stipulated for your role. Additionally, the notification period does not explicitly require approval of the European Council President's new roles; this represents a major loophole. Will you ensure that the President's Code of Conduct is at least brought into line with that of the European Commission President so that the rules apply for three years and formal approval is required for any new roles with a link to the activities of the EU?

10. Do you support the idea of an independent ethics body working across the EU institutions, will you ensure the European Council and your office is included in its remit, and what would be your recommendations to ensure that it is truly independent?

We look forward to hearing from you. Please direct any reply to Vicky Cann
vicky@corporateeurope.org

Yours sincerely,

ALTER-EU steering committee:

Helen Darbishire (Access Info Europe)
Olivier Hoedeman (Corporate Europe Observatory)
Paul de Clerck (Friends of the Earth Europe)
Jorgo Riss (Greenpeace European Unit)
Nina Katzemich (LobbyControl)
William Dinan (SpinWatch)

And the following civil society organisations:

Aitec
Attac France
Austrian Federal Chamber of Labour
BUKO Pharma-Kampagne, Germany
Change Finance
Common Weal
Democracy Forum Vasudhaiva Kutumbakam
European Federation of Public Service Unions
European Network Against Arms Trade
Food and Water Europe
Foodwatch International
Friends of the Earth Finland
Global Health Advocates
Human Rights Institute, Slovakia
International Society of Drug Bulletins
Kairos Europe WB
Levegő Munkacsoport
Observatoire des multinationales
Sherpa
Stop Fuelling War
Stop Wapenhandel
Transnational Institute
Transport & Environment
War on Want