



To: Commission President José Manuel Barroso
Commission Vice-President Siim Kallas
Subject: Transparency and rules with regards to special advisers to European Commissioners
Sender: Corporate Europe Observatory, Amsterdam
Date: 16 January 2007

Dear Commission President José Manuel Barroso,
Dear Commission Vice-President Siim Kallas,

Today Corporate Europe Observatory [1] has sent an open letter to Energy Commissioner Piebalgs asking for clarification on what appears to be a conflict of interests of Mr. Rolf Linkohr, one of Commissioner Piebalgs' special advisers (see the attached letter).

In the light of this particular case we would like to share our concern that there is currently a serious lack of transparency with regards to special advisers to individual Commissioners as well as a lack of clarity with regards to the rules applying to special advisers. In our opinion, these issues should urgently be dealt with in the context of the European Transparency Initiative.

With regards to transparency, the solution seems rather simple and straightforward: publish a list of names including information on the advisers' current and previous occupations. In this case the public interest of transparency clearly overrides any concerns about personal data protection. Moreover, there is already an example of best practice on the website of the Commission President, which lists Mr. Barroso's special advisers, including pictures and concise curriculae vitae. Unfortunately, very few other Commissioners have followed the President's example.

Beyond improved transparency; the rules currently applying to special advisers do not provide a clear framework regarding the limitations imposed to the advisors vis-à-vis their other professional activities. [2] This merits being included in the broader review of the Commission's overall approach to transparency and ethics rules as envisaged in the ETI Green Paper.

With kind regards,

Erik Wesselius
Corporate Europe Observatory

[1] Corporate Europe Observatory is an independent, non-profit research and campaign group based in Amsterdam. Founded in 1997, Corporate Europe Observatory aims to ensure that the political activities of corporations and their lobby groups do not harm democratic processes, social justice and the environment. See also: <http://www.corporateeurope.org/about.html>

[2] Articles 123 and 124 in Title VI of the Conditions of employment of other servants of the European Communities (1.05.2004) state that Articles 11 and 11a of the Staff Regulations apply "by analogy". As external advisers are a very different category it seems far from ideal to apply the same set of rules for Commission officials by analogy. In effect this means there are currently no clear rules about the rights and obligations of external advisers.