

Open Letter to the Commissioner for Consumer Affairs, Meglena Kuneva



Subject: Concerns about potential conflicts of interest of Special Adviser Pat Cox

Sender: Corporate Europe Observatory, Brussels

CC: Vice President Kallas

Date: 29 May 2009

Dear Commissioner Kuneva,

We are writing to you to express our concern about the potential conflicts of interest of Mr Pat Cox, who acts as your Special Adviser on “Communication and Strategy for Consumers on citizens”.

In 2007, Commissioner Kallas introduced new rules for Special Advisers to the European Commission in response to public concerns about conflicts of interest. This includes the obligation to sign a pledge (available online on the Commission website) and to provide relevant background information. In the case of Mr Pat Cox, however, the documents provided on the Commission website fail to reassure us.

In addition to being your special adviser, Mr Cox is on the advisory boards of at least three corporations with a strong interest in influencing EU consumer policies (Microsoft, Pfizer and Michelin). Mr. Cox is moreover a senior counselor for lobby consultancy giant APCO [1]. Cox also runs his own lobby firm, European Integration Solutions (EIS).

On the Commission website, Mr Cox is said to advise you on “Communication and Strategy for Consumers on citizens”. It is unclear what exactly this means. Assessing the risk of conflicts of interest is only possible with a far more precise description of the issues on which Mr Cox is advising and whether some issues have been agreed as off-limits. APCO has in the past refused to clarify what exactly the role of Mr Cox is within the company's EU lobbying activities for corporate clients (phone call September 2008).

According to its report in the [Commission's Register of Interest Representatives](#), APCO is lobbying the EU institutions on behalf of Unilever, Intel, Novartis, Coca-Cola, the European Federation of Pharmaceutical Industries and Associations, the European Food Information Council and other corporate players eager to influence EU consumer policies.

Mr Cox's own lobby firm European Integration Solutions (EIS) is also lobbying the EU on consumer issues, for example on behalf of the European Information and Communications Technology Industry Association (EICTA) [2]. As the former President of the European Parliament, one would assume that Mr Cox is committed to high standards of transparency. EIS, however, does not fulfill even the most basic transparency characteristics:

- The company has not joined the Commission's Register of Interest Representatives.
- It does not even have a website
- Searching the internet, one can find the EIS address in Brussels as well as a Cyprus phone number [3]. The address seems not to be an office with staff, but a private apartment.

As long as Mr Cox lobbying activities for APCO, EIS, Microsoft, Pfizer and Michelin as well as his tasks as a Special Adviser to the Consumers Commissioner remain undisclosed, it is impossible to determine the degree of conflict of interest.

We note with concern that Mr Cox' CV displayed on the Commission's Special Advisers website is far from complete. The CV does not mention his involvement in APCO, nor his work for Pfizer and Microsoft.

In the 'declaration on the honour of no conflicts of interests', Mr Cox makes the following pledge:

'in performing the duties of Special Adviser not deal with any matter in which, directly or indirectly, he has any personal interest such as to impair his independence, in particular family and financial interests, and, should such a situation arise, inform the appointing authority immediately in writing'

This pledge is not enough to reassure us that his paid work as a lobbyist and lobbying adviser for APCO, EIS, Microsoft, Pfizer and Michelin does not impact the advice he is giving you.

According to the rules on special advisers 'when appointing an adviser, each Member of the Commission must ensure that there is no conflict of interest between the future duties of his or her special adviser and any outside activities they may have' [4] However a ["Statement of assurance from \[Commission President / Commissioner\] of non-conflict of interest with a view to the appointment of Mr. Pat Cox as a special adviser to the European Commission"](#) is not publicly available on the Commission's Special Advisers website. Considering Mr Cox' numerous commercial lobbying roles when hired by the Commission, a 'Declaration of activities in view of applying to the function of Special Adviser to the European Commission' should also be available. [5]

We urge the Commission to publish all the above-mentioned documents which should exist according to the Rules on Special Advisers and which might provide clarity about the (absence of) conflicts of interest of Mr Cox.

If such clarification and reassurance cannot be provided, we remain of the opinion that the risk of conflicts of interest is too serious for Mr Cox to act as a Special Adviser. The logical conclusion would be that Mr Cox's contract as a Special Adviser should be terminated.

With kind regards,



Yiorgos Vassalos,
Corporate Europe Observatory

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1. Former European Parliament President Pat Cox Joins APCO - http://www.apcoworldwide.com/uk/content/newsroom/press_releases/07_05_06.cfm
 2. Software bill better off in bin, Pat Cox says, Spinwatch 8 July, 2005 - <http://www.spinwatch.org.uk/latest-news-mainmenu-10/159-eu-politics/1453-software-bill-better-off-in-bin-pat-cox-says>
 3. Geneva Group International - <http://www.geneva-group.net/index.php5?companyID=800&id=3&level=1>
 4. Rules on Special Advisers to the Commission - http://ec.europa.eu/civil_service/docs/special_advisers/comm_c_2007_6655_1_en.pdf
 5. None of these documents is available in the Commission's Special Advisers webpage - http://ec.europa.eu/civil_service/about/who/sa_en.htm