



Letter to the Secretary-General of the Council of the European Union, Mr Jeppe Tranholm-Mikkelsen, concerning commercial sponsorship of Presidencies

Correspondence - 15/07/2019

Case 1069/2019/MIG - **Opened on** 15/07/2019 - **Recommendation on** 06/01/2020 -

Decision on 29/06/2020 - **Institution concerned** Council of the European Union (Recommendation agreed by the institution) |

Mr Jeppe Tranholm-Mikkelsen Secretary-General Council of the European Union

Strasbourg, 15/07/2019

Complaint 1069/2019/MIG

Subject: Commercial sponsorship of Presidencies of the Council of the European Union

Dear Mr Tranholm-Mikkelsen,

I have received a complaint from *foodwatch international* against the Council of the European Union. The complainant takes issue with the fact that the Council does not have in place guidelines when it comes to Council Presidencies being sponsored by private companies.

The Council has replied to the complainant that *"[t]he Council is not in a position to address or comment the merits of the matter. The organisation of the Presidency, including the seeking of sponsorship for elements of a Presidency, is, in principle, a matter for the member state authorities concerned, in this case Romania. It is not a matter falling within the power of decision of the Council."*

I note that, in the context of a previous inquiry conducted by my Office [1] , the Council took the view that *"the Presidency is functionally part of the Council"* . On this basis, it is difficult to see why the Council *" is not in a position to address or comment the merits of the matter"* .

In its Rules of Procedure and its Comments on its Rules of Procedure (Chapter I.4), the Council gives some guidance on how Presidencies of the Council are organised. The Council could consider amending this guidance to cover also the issue of sponsorship.

The issue of Presidency sponsorship was subject to an inquiry by this Office in 2005 [2] . However, given the positive steps that many EU institutions have taken in the meantime on



issues of transparency and lobbying, and given the increased citizen awareness and expectations around these issues, I have decided to open an inquiry into this complaint. [3]

As a first step in my inquiry, I consider that it would be useful to receive a written reply from the Council.

Please note that I am likely to send your reply and related enclosures to the complainant for comments. If you wish to submit documents or information that you consider to be confidential, and which should not be disclosed to the complainant, please mark them 'Confidential'. Such documents can be sent through secure channels, such as Ares, CIRCABC or equivalent applications. Please feel free to contact the case handler beforehand (Michaela Gehring, michaela.gehring@ombudsman.europa.eu , +32 2 28 33418).

I would be grateful to receive the Council's reply **by 13 September 2019** .

Yours sincerely,

Emily O'Reilly European Ombudsman

Enclosures:

- Complaint 1069/2019/MIG
- Letter to the President of the European Council

[1] Complaint 1487/2005/GG: <https://www.ombudsman.europa.eu/en/special-report/en/410>
.

[2] Complaint 2172/2005/MHZ: <https://www.ombudsman.europa.eu/en/decision/en/2952> .

[3] This inquiry is addressed only to the Council and not to the European Council or the Romanian authorities, which the complainant also refers to.