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Ombudsman: Commission should improve its rules on conflicts of interest of Special Advisers

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The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration.

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The European Ombudsman, **P. Nikiforos Diamandouros**, has criticised the European Commission's rules for the handling of possible conflicts of interest involving the tasks of Special Advisers and their outside activities. The Ombudsman also advised the Commission on how to improve the rules. The Commission has six months in which to inform the Ombudsman of the follow-up it has given to these remarks. The Ombudsman's intervention followed his investigation into a complaint by an NGO that the Commission failed adequately to follow its existing procedures before it appointed a former President of the European Parliament as Special Adviser to a Commissioner. The Ombudsman said "I hope that the Commission will take rapid action to address the general problems concerning its procedures governing this matter, which my inquiry has revealed".

NGO complained about Special Adviser to former Commissioner Kuneva

From 2007 to 2010, the former President of the European Parliament, Mr Pat Cox, acted as an unpaid Special Adviser to Meglena Kuneva, who was at the time the European Commissioner for Health and Consumer Policy.

In February 2010, the NGO Corporate Europe Observatory turned to the Ombudsman, alleging that the Commission had failed adequately to address the issue of a possible conflict of interest between the Special Adviser's tasks and his remunerated activities for multinational companies, as well as lobbying firms.

In its opinion, the Commission stated that there had been no conflict of interest, since Mr Cox advised Ms Kuneva in the field of political

communication on consumer issues and not on policy definition.

After his investigation of the case, the Ombudsman concluded that, because the Commission failed adequately to follow its own procedural rules, it was impossible for him adequately to examine the issue of a possible conflict of interest in this case. The Ombudsman therefore criticised the Commission for failing to adhere to the procedural obligations required by its own rules on Special Advisers, as regards the appointment of Mr Cox in 2007 and 2009. In addition, the Ombudsman called on the Commission to improve its rules for handling possible conflicts of interest involving the tasks of Special Advisers and their outside activities.

The full text of the Ombudsman's decision is available at:

<http://www.ombudsman.europa.eu/en/cases/decision.faces/en/10719/html.bookmark>