

EU Commission's Secretive Tobacco Lobby Breaches UN Rules, Ombudsman

By [Corporate Europe Observatory](#)

Region: [Europe](#)

Global Research, October 06, 2015

[Corporate Europe Observatory](#) 5 October 2015

The EU Ombudsman has [upheld a complaint](#) by Corporate Europe Observatory (CEO) against the Commission over its failure to implement UN tobacco lobby rules.

Deeming the Commission's failure to comply with the World Health Organisation's (WHO) *Framework Convention on Tobacco Control* as 'maladministration', Ombudsman Emily O'Reilly has urged the Commission to publish details of all meetings with tobacco lobbyists online. O'Reilly also asked the Commission for an update on its promise to introduce a mandatory transparency register for lobbyists.

The EU is a signatory to Article 5.3 of the WHO's Framework Convention on Tobacco Control, which is intended to protect decision-making "from commercial and other vested interests of the tobacco industry". It thus obliges governments to limit interactions with the tobacco industry and ensures the transparency of those interactions that do occur. In May 2014, CEO submitted a [complaint](#) about the Commission's failure to properly implement these rules. The [resulting Ombudsman probe](#) involved an inspection of official files and staff agendas at the Commission's HQ, the Berlaymont, to identify possible meetings with tobacco lobbyists.

The Ombudsman's investigation found that a top official from the Commission's legal service had declared no meetings with tobacco industry representatives despite having meetings with a lawyer working for tobacco giant Philip Morris. The Commission's contacts with the tobacco industry attracted major controversy following revelations of heavy lobbying pressure during the 2012-2014 revision of the EU's tobacco products directive, including the 'Dalligate' scandal, which involved the forced resignation of then EU health commissioner John Dalli in October 2013¹.

This ruling is a significant victory for the fight against the sinister scheming of this lethal industry," said CEO's research and campaigns coordinator Olivier Hoedeman. "The Commission's complacency and secrecy over its contacts with the tobacco industry are deeply regrettable - but part of a pattern. We hope it will finally get the message that it must fulfil its UN obligations and take strong measures to prevent the undue influence of tobacco lobbyists. The Commission must now implement WHO Convention rules across all departments, publish details and minutes of all meetings with tobacco industry representatives and introduce a mandatory lobby transparency register to ensure that tobacco industry lobbyists are forced to disclose information about their lobbying.

The new ruling follows other, recent Ombudsman rulings on several other CEO complaints about secrecy and conflicts of interests emerging from the Commission's relations with tobacco industry. In December 2013, the Ombudsman slammed the Commission for its failure to act against Michel Petite, a lawyer at law firm Clifford Chance whose clients include Philip Morris, and who was simultaneously acting as head of the committee which advises on whether the Commission should authorise the new professional activities of ex-commissioners.

Link to ruling:

<http://www.ombudsman.europa.eu/cases/draftrecommendation.faces/en/61021/html.bookmark>

Background links:

<http://corporateeurope.org/power-lobbies/2014/07/ombudsman-investigates-eu-commission-s-failure-implement-un-tobacco-lobby-rules>

http://corporateeurope.org/sites/default/files/attachments/complaint_about_failure_to_implementation_who_rules_re_tobacco_lobbying.pdf

<http://corporateeurope.org/power-lobbies/2014/10/will-barroso-provide-answers-about-tobacco-industry-contacts-leaving>

<http://corporateeurope.org/news/commission-shabby-implementation-un-rules-tobacco-lobbying>

<http://corporateeurope.org/pressreleases/2013/12/ngos-welcome-replacement-controversial-michel-petite-commission-needs-far>

Contacts:

Olivier Hoedeman: 0032 474486545 / 0032 28930930

The original source of this article is [Corporate Europe Observatory](#)

Copyright © [Corporate Europe Observatory](#), [Corporate Europe Observatory](#), 2015

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: **[Corporate Europe Observatory](#)**

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in

print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca