Subject: Complaint for alleged breach of the Code of conduct of interest representatives against Royal Dutch Shell (Shell)

Dear Ms Cingotti,

I would like to inform you of the conclusions reached by the European Commission about your complaint 2010.07 submitted against Royal Dutch Shell (registered under no. 69545381134-55).

Having examined the elements submitted by the complainant and heard representatives of Royal Dutch Shell, the European Commission concludes that, based on the available evidence, a violation by Royal Dutch Shell of the Code of conduct for interest representatives has not taken place.

Comparisons with the declared financial estimates of similar companies, with the declared lobbying expenditure by Shell in the United States and references to its revenue or presence in Brussels do not establish that the information provided by Shell in the Register is false. The Commission considers that the US lobby registration system is not comparable to its Register of interest representatives system.

The European Commission's Register requires registrants to provide an estimate of their costs directly related to interest representation vis-à-vis the EU institutions. This declaration must be made in good faith and be based on a clear methodology. It is however clear that the method of calculation by individual registrants is not necessarily identical between registrants. Shell has provided the European Commission with its methodology of calculating its estimated costs which are directly related to activities falling into the scope of the Register. This methodology is clear and in conformity with all guidance material offered by the European Commission to registrants.

The European Commission has already identified the need for improvements regarding more specific guidelines in order to specify which activities fall within the scope of the
Register, how to treat different forms of activities, including the treatment of memberships and payments to other organizations and to define some basic principles for the methodology to be respected by a registrant for its financial estimates.

The joint register currently under preparation by the European Commission and the European Parliament will include such new elements.

Yours sincerely,

Gérard Legris
Head of Unit