



Wednesday 28 June 2023

Dear President Metsola,

We are aware of the *Politico* article in March 2023 entitled “MEPs hold ethically slippery side jobs — but they’re perfectly legal”.<sup>1</sup> Further to our 4 April letter to you regarding Angelika Niebler MEP, we are now writing to raise our significant concerns regarding **Axel Voss MEP**’s outside interests, and his activities on the Corporate Sustainability and Due Diligence Directive (CSDDD), Artificial Intelligence (AI), and data protection. We urge you to undertake an urgent investigation into our concerns as set out below and to immediately refer these matters to the Advisory Committee on the Code of Conduct.

### **Mr Voss’ outside interests and background**

In September 2021 Axel Voss MEP (a CDU member of the EPP) declared a side-job in a German law firm called Bietmann Rechtsanwälte Steuerberater for which he reports receiving between €1001-€5000 each month. In his declaration, Mr Voss provides no further information regarding the work he does for the law firm such as his precise role, the topics he works on, nor the clients advised. He simply refers to working as a “Freier Mitarbeiter” or “freelancer”.<sup>2</sup>

However, the website of Bietmann Rechtsanwälte Steuerberater indicates that Mr Voss has a company email address, he is noted to be an MEP and his areas of expertise are listed as “European data protection (GDPR, e-call. PNR, TFTP etc.), European copyright, supply chains and the complex of artificial intelligence (AI)”. He is listed as being a member of two teams within the law firm namely “Data protection law” and “Copyright and media law”.<sup>3</sup>

Bietmann Rechtsanwälte Steuerberater law firm was set up by the former mayor of Cologne (1987-1991) and CDU-CSU German MP (2002-05) Prof. Dr. Rolf Bietmann<sup>4</sup>

1 <https://www.politico.eu/article/meps-hold-ethically-slippery-side-jobs-but-they-are-perfectly-legal/>

2 [https://www.europarl.europa.eu/mepdif/96761\\_DFI\\_LEG9\\_rev2\\_DE.pdf](https://www.europarl.europa.eu/mepdif/96761_DFI_LEG9_rev2_DE.pdf)

3 <https://www.bietmann.eu/team/axel-voss>

4 <https://www.rolfbietmann.de/politisch/>

who is now the Managing Partner of the law firm.<sup>5</sup> He is described as a “specialist in labour and commercial law” and his online biography also says that “Today, he uses the political and legal experience he has gained (thanks to his political career) as a legal Public Affairs Manager and business mediator for the benefit of German and international companies.”<sup>6</sup>

Rolf Bietmann also works for a PR company called B-Connect, officially presented as “our affiliated company” on the law firm's website.<sup>7</sup> According to German company documents, Rolf Bietmann is listed as Managing Director of B-Connect GmbH.<sup>8</sup>

Rolf Bietmann is listed as the only authorised representative of B-Connect on the German lobby register and the consultancy declared spending at least €230,000 on German lobbying in 2022.<sup>9</sup> According to the German lobby register<sup>10</sup>, B-Connect's clients in 2022 were:

- The China Chamber of Commerce in Germany (CHKD)
- Uniti - a German oil business association
- Bundesverband Bausysteme - a German manufacturing business association

Bietmann Rechtsanwälte Steuerberater is not registered in the German lobby register so no list of its clients is available there. However B-Connect GmbH and Bietmann Rechtsanwälte Steuerberater are both listed as “partners” in a CHKD brochure listing its consultant network in 2021 with Rolf Bietmann listed as a contact person for both the consultancy and the law firm.<sup>11</sup>

The evidence above indicates that there is a close relationship between B-Connect GmbH and Bietmann Rechtsanwälte Steuerberater.

Neither B-Connect nor Bietmann Rechtsanwälte Steuerberater are registered with the EU lobby transparency register.<sup>12</sup>

Additionally, Mr Voss declares that he is a member of the data protection advisory board for Deutsche Telekom, a position he has held since at least June 2019. He declares receiving €500 - €1000 a month for this work.<sup>13</sup>

5 <https://www.bietmann.eu/team>

6 <https://www.bietmann.eu/team/prof-dr-rolf-bietmann>

7 <https://www.bietmann.eu/verbun-dunternehmen>

8 <https://corporateeurope.org/sites/default/files/2023-03/Company%20document%20B-Connect.pdf>

9 [https://www.lobbyregister.bundestag.de/suche/R002898/19009?backUrl=%2Fsuche%3Fq%3DB-connect%26pageSize%3D10%26filter%255BactiveLobbyist%255D%255Btrue%255D%3Dtrue%26sort%3DRELEVANCE\\_DESC](https://www.lobbyregister.bundestag.de/suche/R002898/19009?backUrl=%2Fsuche%3Fq%3DB-connect%26pageSize%3D10%26filter%255BactiveLobbyist%255D%255Btrue%255D%3Dtrue%26sort%3DRELEVANCE_DESC)

10 [https://www.lobbyregister.bundestag.de/suche/R002898/8366?backUrl=%2Fsuche%3Fq%3Dbietmann%26pageSize%3D10%26filter%255BactiveLobbyist%255D%255Btrue%255D%3Dtrue%26sort%3DRELEVANCE\\_DESC](https://www.lobbyregister.bundestag.de/suche/R002898/8366?backUrl=%2Fsuche%3Fq%3Dbietmann%26pageSize%3D10%26filter%255BactiveLobbyist%255D%255Btrue%255D%3Dtrue%26sort%3DRELEVANCE_DESC)

11 <https://corporateeurope.org/sites/default/files/2023-03/CHKD%202021.pdf>

12 Checked 20 June 2023.

13 [https://www.europarl.europa.eu/mepdif/96761\\_DFI\\_LEG9\\_rev2\\_DE.pdf](https://www.europarl.europa.eu/mepdif/96761_DFI_LEG9_rev2_DE.pdf)

Deutsche Telekom is a major EU lobbyist declaring over €2 million on EU lobbying in 2022. In its EU lobby register entry, the huge telecomms company declares an interest in several EU files including: the DMA/DSA, e-privacy reform, data economy eg. Data Act, and artificial intelligence, among other topics.<sup>14</sup>

### **Mr Voss' work on artificial intelligence and data protection**

Mr Voss has several outside interests connected to data protection, including his side-job with Deutsche Telekom's data protection advisory board and being a member of the Bietmann Rechtsanwälte Steuerberater's data protection law team.<sup>15</sup>

When it was first presented, the Commission's proposal on Artificial Intelligence (AI) was celebrated as the first global attempt to establish a regulatory scheme for AI, a technology that will "have an enormous impact on the way people live and work in the coming decades".<sup>16</sup>

Mr Voss is rapporteur for the JURI Opinion on the Artificial Intelligence Act as well as a LIBE shadow rapporteur on the same proposal. Mr Voss' JURI Opinion makes additional references to data protection and proposes the President of the European Telecommunications Standards Institute as a "permanent observer" to the proposed European Artificial Intelligence Board.<sup>17</sup> The European Telecommunications Standards Institute is an organisation which includes Deutsche Telekom as a member.<sup>18</sup>

Mr Voss is very active on AI issues<sup>19</sup> and a Corporate Europe Observatory report on the AI Act entitled "The lobbying ghost in the machine" also explores the wider corporate lobbying on the file, and includes comments from Mr Voss about the role played by lobby groups.<sup>20</sup>

Previously Mr Voss was also rapporteur on the "Artificial Intelligence in a Digital Age" report (5 April 2022) as part of the European Parliament's Special Committee on Artificial Intelligence in a Digital Age.<sup>21</sup> This report also includes numerous references to data protection issues and in the context of this committee work, Mr Voss had previously reported two web meetings on data strategy with Deutsche Telekom on 30 August 2021 and on 29 November 2021.<sup>22</sup> However, these meetings have now

14 <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=60052162589-72>

15 <https://www.bietmann.eu/team/axel-voss>

16 <https://corporateeurope.org/en/2023/02/lobbying-ghost-machine>

17 [https://www.europarl.europa.eu/doceo/document/JURI-AD-719827\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/JURI-AD-719827_EN.pdf)

18 <https://www.etsi.org/membership>

19 [https://www.europarl.europa.eu/meps/en/96761/AXEL\\_VOSS/main-activities/plenary-speeches#detailedcardmep](https://www.europarl.europa.eu/meps/en/96761/AXEL_VOSS/main-activities/plenary-speeches#detailedcardmep)

20 <https://corporateeurope.org/en/2023/02/lobbying-ghost-machine>

21 [https://www.europarl.europa.eu/cmsdata/246872/A9-0088\\_2022\\_EN.pdf](https://www.europarl.europa.eu/cmsdata/246872/A9-0088_2022_EN.pdf)

22 [https://corporateeurope.org/sites/default/files/2023-03/Past%20meetings%20\\_%20Axel%20VOSS](https://corporateeurope.org/sites/default/files/2023-03/Past%20meetings%20_%20Axel%20VOSS)

disappeared from the online record of Mr Voss' meetings.<sup>23</sup> Mr Voss has also reported meetings on AI with ETNO, GSMA, and Bitkom, all industry lobby groups of which Deutsche Telekom declares itself a member.

Mr Voss has also been rapporteur on the JURI Opinion on a European strategy for data (28 January 2021)<sup>24</sup> and has made at least one plenary contribution on this topic (25 March 2021).<sup>25</sup> Both make reference to data protection issues. In October 2022, Mr Voss asked a written question to the Commission about data protection.<sup>26</sup>

From what we can see, looking at the online versions of the above mentioned Opinions, report, plenary contribution, and written question, none make clear that Mr Voss holds paid side-job(s) which are related to the content of these parliamentary activities.

### **Mr Voss' work on the CSDDD file**

Mr Voss is shadow rapporteur on the CSDDD file on behalf of the JURI committee.<sup>27</sup> The file is expected to have significant implications for particularly large European companies and their EU-and non-EU supply chains.

According to an initial declaration Mr Voss reported meeting B-Connect, the PR company affiliated to Mr Voss' law firm Bietmann Rechtsanwälte Steuerberater, on 13 September 2021 in Berlin to discuss the CSDDD file.<sup>28</sup> Subsequently, after media inquiries, this declaration was changed and the meeting is now listed as a phone call.<sup>29</sup>

### **Our conclusions**

We have numerous concerns about the risk of conflicts of interest outlined above:

1. Mr Voss' paid side-job with Deutsche Telekom as a member of its data protection advisory board, as well as (latterly) his role as part of the data protection team at the law firm Bietmann Rechtsanwälte Steuerberater, are directly relevant to his activities as an MEP formally active on artificial intelligence and data issues. By apparently granting

[%20MEP%2015.2.2023.pdf](#)

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[https://www.europarl.europa.eu/meps/en/96761/AXEL\\_VOSS/meetings/past#detailedcardmep](https://www.europarl.europa.eu/meps/en/96761/AXEL_VOSS/meetings/past#detailedcardmep)

24 [https://www.europarl.europa.eu/doceo/document/JURI-AD-660120\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/JURI-AD-660120_EN.pdf)

25 [https://www.europarl.europa.eu/doceo/document/CRE-9-2021-03-25-INT-2-046-0000\\_DE.html](https://www.europarl.europa.eu/doceo/document/CRE-9-2021-03-25-INT-2-046-0000_DE.html)

26 [https://www.europarl.europa.eu/doceo/document/E-9-2022-003488\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2022-003488_EN.html)

27 [https://www.europarl.europa.eu/meps/en/96761/AXEL\\_VOSS/main-activities/reports-shadow#detailedcardmep](https://www.europarl.europa.eu/meps/en/96761/AXEL_VOSS/main-activities/reports-shadow#detailedcardmep)

28 [https://corporateeurope.org/sites/default/files/2023-03/Past%20meetings%20\\_%20Axel%20VOSS%20MEP%2015.2.2023.pdf](https://corporateeurope.org/sites/default/files/2023-03/Past%20meetings%20_%20Axel%20VOSS%20MEP%2015.2.2023.pdf)

29 [https://corporateeurope.org/sites/default/files/2023-03/Past%20meetings%20\\_%20Axel%20VOSS%20MEP%2030.3.23.pdf](https://corporateeurope.org/sites/default/files/2023-03/Past%20meetings%20_%20Axel%20VOSS%20MEP%2030.3.23.pdf)

meetings to Deutsche Telekom lobbyists (we note again that these meetings have now been removed from Mr Voss' online meetings record) and by proposing an amendment which would boost the role of an organisation to which Deutsche Telekom is a member Mr Voss risks being in a position of conflict of interest.

2. Mr Voss' contact with B-Connect on the CSDDD risks being a conflict of interest considering his dual roles as CSDDD shadow rapporteur and as a paid "freelancer" for the law firm Bietmann Rechtsanwälte Steuerberater which is affiliated to B-Connect.

We could not find any evidence online that Mr Voss had recognised either 1 or 2 above-mentioned conflict of interest risks, let alone sought to address them.

3. We consider that these conflict of interest risks are greater than what is represented by direct lobby contact and the amendment. The CSDDD, AI, Data Act, and related files are very important and will have direct and indirect consequences for many companies across Europe. Considering the economic interests of Deutsche Telekom, the affiliation between B-Connect and Bietmann Rechtsanwälte Steuerberater, and the likely interests of the corporate clients of Bietmann Rechtsanwälte Steuerberater and B-Connect, we consider that Mr Voss' side-jobs with these companies represent a much wider conflict of interest risk with his work as an MEP.

4. We do not allege that Mr Voss specifically undertook the above parliamentary activities to benefit his side-job employers: we do not have such evidence. But his intentions are not relevant here: the situation of simultaneously being an MEP active on the CSDDD, AI, Data Act, and related files and holding these specific side-jobs are the relevant facts.

We have approached Mr Voss regarding these matters and did not receive a response.

5. We further note that, according to the rules of procedure of the European Parliament, "Members should adopt the systematic practice of only meeting interest representatives that have registered in the Transparency Register established by means of the Agreement between the European Parliament and the European Commission."<sup>30</sup> As stated above, B-Connect is not registered, although its website says that it is "present in Brussels, Berlin",<sup>31</sup> and had contact with Mr Voss on the CSDDD file in September 2021.

## **Proposed next steps**

This situation is of great concern to us. Both the AI Act and the CSDDD file are heavily lobbied by the corporate sector and it is vital to ensure that all MEPs are free from both conflicts of interest and the risk of such conflicts.

<sup>30</sup> [https://www.europarl.europa.eu/doceo/document/RULES-9-2019-07-02-RULE-011\\_EN.html](https://www.europarl.europa.eu/doceo/document/RULES-9-2019-07-02-RULE-011_EN.html) (Rule 11(2) - footnote omitted).

<sup>31</sup> <https://www.b-connect-gmbh.de/>

The Code of Conduct for MEPs<sup>32</sup> says the following *inter alia* [emphasis added]:

*“Any Member who finds that he or she has a conflict of interest shall immediately take the necessary steps to address it, in accordance with the principles and provisions of this Code of Conduct. If the Member is unable to resolve the conflict of interest, he or she shall report this to the President in writing. In cases of ambiguity, the Member may seek advice in confidence from the Advisory Committee on the Conduct of Members, established under Article 7.”*

*“Without prejudice to paragraph 2, Members shall disclose, before speaking or voting in plenary or in one of Parliament’s bodies, or if proposed as a rapporteur, any actual or potential conflict of interest in relation to the matter under consideration, where such conflict is not evident from the information declared pursuant to Article 4. Such disclosure shall be made in writing or orally to the chair during the parliamentary proceedings in question.”*

*“The declaration of financial interests shall contain the following information, which shall be provided in a precise manner: ...*

*(c) any regular remunerated activity which the Member undertakes alongside the exercise of his or her office, whether as an employee or as a self-employed person”*

As a result we ask that you request the Advisory Committee on the Code of Conduct to investigate the following:

- The exact circumstances of Mr Voss’ side-job with Bietmann Rechtsanwälte Steuerberater including clients, topics worked on, the month to month nature of the work, as well as the contract of work
- The exact circumstances of the contact between Mr Voss and B-Connect in September 2021 (and any other contacts)
- The exact circumstances of the contact between Mr Voss and Deutsche Telekom in Autumn 2021, including why two meetings were previously reported but are now no longer listed
- The clients and interests of Bietmann Rechtsanwälte Steuerberater and B-Connect, including any direct connection with the CSDDD, AI, Data Act, or any other EU files worked on by Mr Voss
- The extent to which Mr Voss has declared these conflict of interest risks or sought advice on them from European Parliament authorities
- The extent to which contacts with B-Connect and Deutsche Telekom, and the amendment which proposed a new role for an organisation to which Deutsche Telekom is a member, represent direct conflicts of interest
- The extent of the wider conflict of interest risk between Mr Voss’ work as an MEP and these paid side-jobs
- The extent to which B-Connect should be registered in the EU lobby transparency register; this matter could be referred to the register secretariat

32 [http://www.europarl.europa.eu/pdf/meps/Code%20of%20Conduct\\_01-2017\\_EN.pdf](http://www.europarl.europa.eu/pdf/meps/Code%20of%20Conduct_01-2017_EN.pdf)

If you find that Mr Voss is in a position of a conflict of interest we trust that you will address this immediately and levy all appropriate sanctions.

More generally, we urge you to fully implement the existing ban on MEPs simultaneously holding lobby side-jobs. In the light of Qatargate, the European Parliament is under pressure like never before to ensure that its ethics rules are as robust as possible and are enforced well. We trust that you will follow up on these matters urgently.

Yours sincerely,

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