

Friday 7 February 2025

Dear Honourable Members of the Advisory Committee,

As organisations dedicated to the transparency and ethics of the European Union, we are writing to raise our significant concerns regarding the outside interests of Stefan Köhler MEP. We urge you to take these concerns into consideration, and to open an investigation pursuant to Article 10 (5) of the MEP Code of Conduct.

Mr Köhler's side activity and background

Mr Köhler's declaration of private interests shows he performs a side job as a regional president for the Bavarian Farmers' Association. His monthly declared remuneration for this position is €2,770, amounting to €33,240 annually.

The Bavarian Farmers' Association is a [full member](#) of the German Farmers' Association (DBV), which describes itself an umbrella association for the regional associations. The German Farmers' Association is registered as an interest representative on the EU's [Transparency Register](#) and actively seeks to influence various political issues at Union level, as indicated in its entry.

One of the DBV's main purposes is to represent the interests of its members, as stated on its [website](#) (in German): "The DBV is in constant contact with political decision-makers, agricultural industry players, the media and social representatives in order to represent the interests of its members. Through its offices in Berlin and Brussels, the DBV is the central point of contact for all political parties, associations and public organisations at national and European level."

Mr Köhler's declaration further states his membership of the Agricultural Advisory Board of the Bavarian insurance company "Versicherungskammer Bayern", as well as his chairmanship of the Board of [Agrokraft](#), a company, which, according to its website, operates as a "project developer and service provider in rural areas". He also declares an annual income of €28,760 from "agricultural business" through a farm in his name.

Mr Köhler's work on agriculture and farming

Mr Köhler is a member of the European Parliamentary Committee on Agriculture and Rural Development (AGRI), as well as the Committee on the Environment, Climate and Food Safety (ENVI). Through his role as a member of these committees, Mr Köhler is evidently actively involved in agricultural legislation.

For instance, he is the [shadow rapporteur](#) for the *Opinion on the Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005*, as well as the [shadow rapporteur](#) for the *Monitoring framework for resilient European forests*.

Mr Köhler has also actively engaged in [plenary debates](#) on farming-related issues, contributing to discussions on agricultural policies and challenges. In addition, he has submitted written questions to the Commission, for example seeking clarification on the "[re-categorisation of sheep wool as a renewable raw material](#)".

In total, Mr Köhler has declared [62 meetings](#) with interest representatives since the beginning of the current mandate. Numerous of these took place with organisations active in the farming industry. This includes a meeting held with the European Forum of Farm Animal Breeders, which according to its [entry](#) in the EU's Transparency Register represents a diverse range of organisations involved in animal breeding and reproduction across Europe.

Our conclusions

According to Article 2(c) of the Code of Conduct, MEPs shall not engage in paid lobbying activities directly linked to the Union decision-making process.

In his capacity as the regional president for the Bavarian Farmers' Association, Mr Köhler holds a high-ranking position in an association whose primary purpose includes representing political interests in the farming sector. This in our view could constitute a paid lobbying position with a strong link to the Union decision-making process, and may be therefore in contravention of Article 2(c).

Further to the fact that the Code of Conduct forbids MEPs from engaging in paid lobbying activities directly linked to the Union decision-making process, we have numerous concerns about the risk of conflicts of interest outlined above.

Article 3(1) of the Code of Conduct stipulates that a conflict of interest arises when the exercise of a Member's mandate in the public interest may be improperly influenced by any economic or private interest. Likewise, according to the General Court in Case T-115/13, 'The concept of a conflict of interest relates to a situation in which the interest identified may, in the eyes of the public, appear to influence the impartial and objective performance of official duties'. We believe this may apply here. Receiving remuneration for an official role in the Farmers' Association means that Mr Köhler could be required to

represent the interests of this particular organisation and may appear partial and unobjective in the performance of his duties.

Mr Köhler participates in numerous decision-making processes that may directly or indirectly affect the interests of his employer. Any activity, including voting, in the AGRI and ENVI committees raises questions as to whether Mr Köhler is acting in the interests of the public, his constituency, or the association paying him a salary. In addition, he holds the active role of a shadow rapporteur in two files related to the environment and animal welfare, further emphasising his involvement in shaping such policies. Worryingly, following Mr. Köhler's election, the President of the Bavarian Farmers' Association specifically congratulated him, stating (translated from German): *"Both know the challenges and issues facing Bavarian farms and understand what farmers in Bavaria need. Together, they will give Bavarian agriculture and forestry a powerful voice in Brussels and Strasbourg. This is good and important news!"* This again raises important questions about who Mr. Köhler is truly representing in his role as an MEP.

Article 3(2) further requires Members to "immediately endeavour to resolve" any conflict of interest. To our knowledge, this has not been undertaken by Mr Köhler as of yet. To the contrary, in fact: on declarations of awareness of conflicts of interest pertaining to the above-mentioned reports he declares unawareness of having a conflict of interest – although it can reasonably be assumed that his positions are of interest to his employers and that he is aware of this.

Proposed actions

The Code of Conduct for MEPs states the following, inter alia:

"In exercising their duties, Members of the European Parliament shall not engage in paid lobbying activities directly linked to the Union decision-making Process".

"Members shall make every reasonable effort to detect conflicts of interest. A Member who becomes aware of having a conflict of interest shall immediately endeavour to resolve it. If unable to resolve it, the Member shall make sure that the private interest concerned is declared in accordance with Article 4."

"If the Member is aware of having such a conflict of interest, he or she shall describe the conflict in that declaration. In that case, he or she may only take up the office if the respective body decides that the conflict of interest does not prevent the Member from exercising his or her mandate in the public interest."

Given the above, we therefore ask you to investigate the following:

- The exact circumstances of Mr Köhler's side job as regional president for the Bavarian Farmers' Association.
- The interests of the Bavarian Farmers' Association.
- The extent to which Mr Köhler has declared these conflict-of-interest risks or sought advice on them from European Parliament administration.
- The extent of the wider conflict-of-interest risk between Mr Köhler's work as an MEP and his side-jobs.

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

We kindly ask you to keep us informed about the progress of our complaint in line with the recommendations of the Ombudsman in [complaint 2299/2023/MI](#). Indeed, it is essential that citizens are informed about how their complaint or signal will be addressed, including details on the process and whether, or how, the outcome will be communicated to them. We trust that due importance will be given to this recommendation.

We appreciate your consideration of this matter and look forward to your assessment.

Yours sincerely,

Corporate Europe Observatory

LobbyControl e.V.

The Good Lobby

Transparency International EU