



Ombudsman asks Commission to reassess Barroso appointment

After a year-long inquiry based on three separate complaints, the European Ombudsman, **Emily O'Reilly**, has asked that former Commission President Barroso's employment with Goldman Sachs Bank be reassessed by its Ethics Committee in relation to its compatibility with the relevant Treaty obligations.

Ms O'Reilly made the Recommendation as the Ethics Committee's initial assessment reflected a commitment from Mr Barroso that he would not lobby the Commission. This has now been put in doubt by a meeting, which took place between Mr Barroso and a Commission Vice-President.

The meeting was registered as a meeting with the Goldman Sachs Bank and therefore had the appearances of a meeting for the purposes of lobbying. Mr Barroso and the Vice President subsequently said that the meeting was a private and personal meeting.

The Ombudsman has also asked that the Commission should consider requiring that its former President abstain from lobbying the Commission for a further number of years.

"Putting the matter to the Ethics Committee once more would demonstrate that the Commission has taken very seriously public concern over this affair and the damage done to the image of the EU institutions – despite the hard work and ethical behaviour of the vast majority of people who work in them," said Ms O'Reilly

"Ex-Commissioners have a right to post-office employment but as former public servants they must also ensure that their actions do not undermine citizens' trust in the EU. Mr Barroso's new post generated serious public disquiet, this should, at the very least, have raised concerns within the Commission about whether it complied with the duty of discretion.

"Much of the recent negative sentiment around this issue could have been avoided if the Commission had at the time taken a formal decision on Mr Barroso's employment with Goldman Sachs. Such a decision could at least have required the former President to refrain from lobbying the Commission on behalf of the Bank," said the Ombudsman .

Ethics Committee

The Ombudsman's inquiry also revealed systemic issues concerning the Commission's handling of such cases and concerning the role of the Ethics Committee. While the new Code of Conduct - in place since 1 February 2018 - contains some welcome and positive changes,



the Ombudsman has concluded that it needs to be further strengthened.

“While welcome, the revised Code of Conduct would not prevent a Barroso-like situation arising in the future,” noted Ms O’Reilly.

Ms O’Reilly suggests that the Ethics Committee should be extended in size, should be given the power to act on its own initiative, and that the period during which ex-Commissioners must notify any new roles to the Commission should be extended by several years.

The Ombudsman opened the inquiry in February 2017 following complaints by a group of former and current EU staff members, two law professors, and a civil society group.

During the course of the inquiry, the Ombudsman’s case-handlers examined how the Ethics Committee dealt with the Barroso file and, in order to get a broader idea of how the Committee operates, the files concerning six former Commissioners.

The Ombudsman’s Recommendation can be found [here](#) . The Commission has been asked to reply by 6 June 2018.