



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

The Secretary-General

Brussels,

The Collective of EU Employees

Dear members of the Collective of EU Employees

Subject: Your letter of 12 October 2016 to the President of the Commission  
(and reminder of 17 November 2016)

I refer to your letter of 12 October 2016 to President Juncker accompanying your petition on former President José Manuel Barroso's assignment as Non-Executive Chairman and Advisor with Goldman Sachs, as well as your reminder of 17 November 2016. As you rightly mention, this petition was handed to me on 12 October 2016.

Former President Barroso joined Goldman Sachs twenty months after the end of his office as President of the European Commission and two months after the end of the eighteen-month period of compulsory notification of former Commissioners post-mandate activities. In spite of the fact that this activity had not been notified, but given the sensitivity of the issue which concerned a former President of the Institution, the Commission requested the Ad hoc Ethical Committee's opinion on its compatibility with the Treaty on the Functioning of the European Union (TFEU).

The Committee delivered its opinion on 26 October 2016<sup>1</sup>. It concluded that, on the basis of the Code of Conduct for Commissioners as it currently stands, there were not sufficient grounds to establish a violation of the duty of discretion and integrity set out in article 245 of the TFEU. Regarding the duration of the cooling-off period, the Committee observed that it was not its role to give its view on whether the Code is sufficiently strict in this respect.

Following the delivery of Ad hoc Ethical Committee's opinion, this issue was discussed by the Commission during its 2190<sup>th</sup> meeting of 22 November 2016. The President of the Commission considered that the recent controversies around the professional activities of former members of the Commission were evidence that the time was ripe for an amendment of the Code of Conduct for Commissioners and suggested to extend the

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<sup>1</sup> [http://ec.europa.eu/transparency/ethics-for-commissioners/pdf/opinion-comite-adhoc-2016-10-26\\_en.pdf](http://ec.europa.eu/transparency/ethics-for-commissioners/pdf/opinion-comite-adhoc-2016-10-26_en.pdf)

"cooling-off" period set out in the Code of Conduct for Commissioners to two years for Commissioners and three years for Commission Presidents.

On the basis of the Commission's discussion of 22 November, President Juncker wrote to the European Parliament on 23 November 2016, informing the President of the European Parliament of the Commission's intention to tighten the Code of Conduct for Commissioners extending the cooling-off period as proposed by the President.

The discussion held by the Commission on 22 November 2016 is accessible to the public<sup>2</sup>.

Yours sincerely,

Alexander Italianer

Copy: Mr Selmayr (Head of President Juncker's Cabinet)

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<sup>2</sup> <http://ec.europa.eu/transparency/regdoc/rep/10061/2016/EN/PV-2016-2190-F1-EN-MAIN.PDF>, pp 24-27.