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Jean-Claude JUNCKER
President of the European Commission

Rue de la Loi, 200
B-1049 Brussels

Brussels, **09 SEP. 2016**
Ares (2016) 5609319

Dear Ms O'Reilly,

Thank you for your letter of 5 September 2016 on former President Barroso's appointment with Goldman Sachs, which was made public as an annex to your Press Release n° 10/2016 related to the same issue.

There is no doubt that, in the fulfilment of their duties, the Members of the Commission must work only in the interest of the Union. This is clearly foreseen by the Treaties and the Code of Conduct for Commissioners. There is also a clear duty, established by Article 245 of the Treaty on the Functioning of the European Union, "(...) to respect (...) in particular their duty to behave with integrity and discretion as regards the acceptance, after they have ceased to hold office, of certain appointments or benefits".

Concerning the questions raised in your letter, I would like to make the following points.

As of taking up his employment, Mr Barroso will be received in the Commission not as a former President but as an interest representative and will be submitted to the same rules as all other interest representatives as regards the Transparency Register; the Members of the Commission and all Commission Staff, when meeting with Mr Barroso, will have to comply with the existing rules as regards transparency and contacts with the representatives of interest groups.

As a rule, the Ad Hoc Ethical Committee is consulted on activities notified by former Commissioners related to their portfolio during the 18-month period foreseen in the Code of Conduct for Commissioners. This 18-month period is in line with the best

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Ms Emily O' REILLY
European Ombudsman
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existing standards. Mr Barroso's appointment at Goldman Sachs twenty months after his term of office was therefore not to be notified to the Commission.

Concerning the 18-month notification period, I would like to recall that it was initially of one year, and was extended to 18 months in 2011, in view to keeping the Commission's standards at the highest level. This period concerns the period during which the obligation to notify to the Commission applies. However, the analysis by the Commission on the full respect of the principles of discretion and integrity, as referred to in Article 245 TFEU, has no time-limit and is performed in all cases.

This is the reason why I am pleased to inform you that, although in my contacts with Mr Barroso, he confirmed his standing commitment to behave with integrity and discretion also within his new position with Goldman Sachs, I have asked that, in this specific case, because it involves a former President of the Commission, the Secretary-General sends him a letter asking him to provide clarifications on his new responsibilities and the terms of reference of his contract, on which I will seek the advice of the Ad Hoc Ethical Committee.

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a horizontal line.