

Mr Jean-Claude Juncker

President of the European Commission

José Manuel Durão Barroso

Brussels, 26 November 2014

NB: This letter modifies and replaces the one I sent on 18 November 2014

Dear President,

In accordance with section 1.2 the Code of Conduct for Commissioners I am writing to inform you of my intention to take up a number of post term-of-office activities. I believe that all of them are compatible with my obligations under the Code – in fact I know that several former Commissioners have been or are members of some of the organisations mentioned later in this letter.

All of the activities listed below will be pro bono. I will not be paid for them although some of the expenses I incur may be reimbursed. The activities are as follows:

- 1. Participation in the International Council of the Opera of Madrid. The Council is made up of international personalities and its objective is to support the Opera.*
- 2. Membership of the Institute of Public Policy in Belgrade.*
- 3. Membership of the Board of Trustees of the Europaeum, an association of 10 leading European Universities run from Oxford and designed to provide future scholars and leaders with the opportunity to share common learning and to confront common concerns together.*
- 4. Honorary chairmanship of the honorary committee of the European Business Summit, which is organised each year with the support of BusinessEurope and the Federation of Enterprises of Belgium.*
- 5. Membership of the Steering Group of the Bilderberg Conferences.*

6. *Membership of the Honorary Council of the Jean Monnet Foundation for Europe, Lausanne.*
7. *Member of the board of advisers at McDonough School of Business at Georgetown University, Washington, DC.*
8. *Honorary professor at Macao Polytechnic Institute.*
9. *Chairman of the UEFA foundation for Children.*
10. *Co-président d'honneur du Centre Européen pour la Culture, Genève.*
11. *Member of the advisory board of Women in Parliament.*

I am fully aware of my obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners. I will refrain from revealing any confidential information on matters dealt by the Commission during my two terms at the helm of the Institution. I will of course abide by my duty to behave with integrity and discretion and will refrain from engaging in any specific initiative in the course of the above-mentioned activities, which might conflict with the respect of my obligations.

I therefore ask the Commission to conclude that the activities set out above, are in conformity with the Code of Conduct for Commissioners.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'J' followed by a long horizontal stroke that ends in a small dot.

José Manuel Barroso

c.c. Ms C Day, Secretary General



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

DOCUMENT 2

Brussels,
SG/B3 Ares(2014)

Note to the Members of the Ad-Hoc Ethical Committee

Mr Nikolaus Van der Pas
Mr Rafael García-Valdecasas
Mr Terry Wynn

Subject: Envisaged post Commission-office activities of President Barroso

With his attached letter of 26 November 2011, Former President José Manuel Barroso informed the Commission about his intention to take up, pro bono, eleven additional post Commission-office activities.

In close co-operation with the Legal Service, the Secretariat General considered the different activities notified by Mr Barroso and came to the conclusion that four of these the activities are not a professional occupation in the sense of the notification obligation foreseen in section 1.2 of the Code of Conduct for Commissioners, in view of their honorary and non-remunerated natureⁱ. Furthermore, two other do not present any risk of incompatibility with the obligations of integrity and discretion foreseen under article 245(2) of the TFEU in view of their non-remunerated nature and their actual contents within the cultural or political sphereⁱⁱ.

The Commission will decide at its 2108th meeting of 3 December 2014 on those activities.

The remaining five activities are also non-remunerated and, at first sight, do not seem to present any risk of incompatibility with the Treaties. However, in view of the large scope of the responsibilities and powers held by the President of the European Commission, I hereby request the Ad hoc Ethical Committee's opinion on their compatibility with Article 245(2) of the TFEU and with the Code of Conduct for Commissioners. Those are, namely, Mr Barroso's envisaged activities as:

- Member of the Institute of Public Policy in Belgrade;
- Membership of the Board of Trustees of *Europaeum*;
- Membership of the Steering Group of the Bilderberg Conferences;

- Membership of the Board of Advisors at McDonough School of Business at Georgetown University (Washington);
- Chairman of the UEFA Foundation for Children.

As you will see, the former President clearly states in his letter his awareness of his obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners. Mr Barroso will refrain from revealing any confidential information on matters dealt by the Commission during his two mandates and committed to abide by his duty to behave with integrity and discretion. He will refuse any specific initiative which might conflict with the respect of his obligations.

You will find enclosed five information fiches prepared by the Secretariat General providing you with the useful information available through open sources on the envisaged assignments.

Thank you in advance of your kind cooperation.



Catherine Day

Encl: President Barroso's letter of 26 November 2014
Five information fiches to the Ad hoc Ethical Committee

Catherine DAY, Secretary General of the European Commission

DOCUMENT 3

cc.:

Subject: Request from the European Commission of 3 December 2014, Ares(2014)4052322, for an Opinion of the Ad-Hoc Ethical Committee regarding planned post-office activities of former Commission President José Manuel Barroso.

1. The Committee has examined the Commission's request mentioned above and the accompanying information provided by former President Barroso and by the Commission itself. The Commission's requests concerns five activities, which Mr Barroso intends to pursue:
 - Member of the Institute of Public Policy in Belgrade;
 - Member of the Board of Trustees of Europaeum;
 - Member of the Steering Group of the Bilderberg Conferences;
 - Member of the Board of Advisors at McDonough School of Business at Georgetown University (Washington);
 - Chairman of the UEFA Foundation for Children.
2. In its analysis of these notifications and the accompanying information provided by the Commission, the Committee notes that all intended activities seek to provide assistance to political think tanks (Institute of Public Policy in Belgrade), university education (Europaeum, McDonough School of Business), the dialogue between Europe and North America (Bilderberg Conference) and children in need (UEFA). None of these activities pursues commercial or gainful interests and some are clearly of a charitable nature. The Committee also notes that Mr Barroso will be called upon to support fund raising efforts, in particular in the two organizations related to university education.
3. The Committee concludes that none of the planned activities contain the risk of a conflict of interest with regard to Mr Barroso's former role as Commission President. This conclusion is further supported, in particular as regards the intended fund raising efforts, by the formal and explicit commitments expressed in Mr Barroso's letter of 26 November with regard to the respect of all "obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners."

Opinion:

The Ad-Hoc Ethical Committee is of the opinion that former President Barroso's acceptance of the invitations to become Member of the Institute of Public Policy in Belgrade, Member of the Board of Trustees of Europaeum, Member of the Steering Group of the Bilderberg Conferences, Member of the Board of Advisors at McDonough School of Business at Georgetown University (Washington), and Chairman of the UEFA Foundation for Children, is compatible with the second paragraph of Article 245 of the TFEU.

Nikolaus van der Pas

Rafael Garcia-Valdecasas

Terry Wynn

Date: 9 December 2014

DOCUMENT 4

ARES(2014)4151269

(SG)

From: (SG)
Sent: Wednesday 10 December 2014 16:48
To: (SG); (SJ)
Cc: (SG); (SG)
Subject: Projet de décision de la Commission concernant cinq activités après cessation de fonctions de l'Ancien Président Barroso
Attachments: Lettre President Barroso au President Juncker 26 Novembre 2014.pdf; C(2014) 9296 Activités honorifiques, Opera de Madrid, Women in Parliament.pdf; Note CD 03.12.2014 (texte) Consultation Cadhoc 5 activités Président Barroso.pdf; Note CD 03.12.2014 (annexes) Consultation Cadhoc 5 activités Président Barroso.pdf; Projet de Decision après avis Cadhoc 5 activités Pres Barroso notifiées 26.11.2014.doc; AHEC - Opinion Barroso 9 December 2014.docx

Chère

Après les trois premiers projets de décision déjà envoyés au SJ (Hedegaard/ Reding/ Andor) tu trouveras ci-joint, pour accord et/ou observations du SJ, un projet de Décision sur les 5 activités notifiées par le Président Barroso le 26 novembre au sujet desquelles le Comité éthique ad hoc a été consulté, à inscrire à l'OJ de la Commission du 16 décembre.

- *Lettre du Président Barroso au Président Juncker du 26 novembre notifiant 11 activités à la Commission*
- *Décision C(2014) 9296 du 3 décembre sur 6 des 11 activités notifiées le 26 novembre*
- *Note de la Secrétaire Générale au Comité éthique ad hoc demandant l'avis du Comité sur les 5 activités restantes (et annexes)*
- *Avis du Comité éthique ad hoc du 9 décembre 2014*
- *PROJET DE DECISION*

Cette consultation est également envoyée par ARES

Merci d'avance de ta coopération.

Fiche détail : sj.f(2014)4614455
Ares(2014)4190860

12/12/2014

12/12/2014

Date du document : 12/12/2014 Attachement(s) : 1 Type : Interne Sécurité : Restriction de traitement Avis du Service Juridique

Titre : **Avis du SJ - Projet de décision de la Commission concernant cinq activités après cessation de fonctions de l'Ancien Président Barroso**

Expéditeur(s) : (SJ.F)

Destinataire(s) : [To] (SG.DSG2.B.3); [Cc] (SG.DSG2.B.3)

Comment. : Accord du SJ sous réserve de deux petites modifications.

Attribution(s) :

Code	Attribuée à	Echéance	Attribuée par	Statut
Il n'y a aucune attribution.				

Dossier(s) :

Code	Code spécifique	Titre du dossier	Service responsable
Le document n'est pas encore classé dans un dossier.			

Lien(s) :

Titre Document	Lien	Date	N°enregistrement	N°sauvegarde
Projet de décision de la Commission concernant cinq	Requête	10/12/2014	Ares(2014)4151269	sg.dsg2.b.3(2014)4571598

Signé par:

MEMORANDUM FROM THE PRESIDENT TO THE COMMISSION

According to Article 245(2) of the Treaty on the Functioning of the European Union, the members of the Commission give a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom and, 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.

Further to this Treaty provision, the Code of Conduct for Commissioners (C (2011) 2904 final) establishes a specific procedure for the assessment of planned occupations which former Commissioners intend to take up during the eighteen months after they have ceased to hold office. The Commission shall examine the nature of the planned occupation and, if the activity is related to the content of the Commissioner's portfolio, it shall seek the opinion of the Ad hoc Ethical Committee.

With his letter of 26 November 2011, former President José Manuel Barroso informed the Commission about his intention to take up, pro bono, eleven post mandate activities. Mr Barroso stated in his letter his full awareness of his obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners. He added that he will refrain from revealing any confidential information on matters dealt by the Commission during his two terms as President of the Commission. He underlined that he will abide by his duty to behave with integrity and discretion and will refrain from engaging in any specific initiative in the course of the above mentioned activities, which might conflict with the respect of his obligations.

At its 2108th meeting of 3 December 2014, the Commission adopted a decision on six of these eleven activities, about which the Ad hoc Ethical Committee's opinion was not requested.

In view of the large scope of the responsibilities and powers held by the President of the European Commission, the opinion of the Ad hoc Ethical Committee was requested on 3 December 2014 on the remaining five activities notified by Mr Barroso on 26 November, namely:

- Membership of the Institute of Public Policy in Belgrade;
- Membership of the Board of Trustees of *Europaeum* ;
- Membership of the Steering Group of the Bilderberg Conferences;
- Membership of the Board of Advisors at McDonough School of Business at Georgetown University (Washington);
- Chairman of the UEFA Foundation for Children.

Membership of the Institute of Public Policy in Belgrade

The Belgrade Institute for Public Policy is a recently founded think-tank (February 2012) devoted to pursuing evidence-based approach to policy analysis in the Western Balkans region. It has emerged in response to the need for more scientific and methodologically rigorous analyses of determinants and effects of public policies, which serve as a basis for their further decision making.

The Institute is ideology-free and stays away from advocating specific values or interfering into political struggles.

Membership of the Board of Trustees of Europaeum (Association of Universities run from Oxford)

Europaeum is an association of 10 leading European Universities run from Oxford and designed to provide future scholars and leaders with the opportunity to share common learning and to confront common concerns together. Its Board of Trustees has been established to provide overall guidance to the organisation, to develop new initiatives, to focus fund-raising efforts and to provide added visibility.

Membership of the Steering Group of the Bilderberg Conferences

Founded in 1954, the Bilderberg conference is an annual three-day meeting designed to foster dialogue between Europe and North America. Every year, between 120-150 political leaders and experts from industry, finance, academia and the media are invited to take part in the conference. About two thirds of the participants come from Europe and the rest from North America; one third from politics and government and the rest from other fields. There is no detailed agenda, no resolutions are proposed, no votes are taken, and no policy statements are issued.

Bilderberg is governed by a Steering Committee which designates a Chairman. Members are elected for a term of four years and can be re-elected. There are no other members of the Bilderberg conference.

Membership of the Board of Advisors at McDonough School of Business at Georgetown University (Washington)

The McDonough School of Business is one of the four undergraduate and one of the five graduate schools of Georgetown University in Washington, D.C. Its Board of Advisors aims: to provide a forum for communication between the school and its key constituencies; to advise the faculty and administration on its competitive plans, programs, and research activities; to provide intellectual capital as the school refines its competitive academic program strategies by anticipating demographic, societal, technological, and corporate changes that will impact the business school; and to assist the dean in developing the financial resources to ensure the future development and academic strength of the school.

Chairman of the UEFA Foundation for Children

UEFA (Union of European Football Associations) is the administrative body for association football in Europe and part of Asia. It is one of six continental confederations of world football's governing body FIFA.

The decision to create the UEFA Children's foundation was taken by the UEFA Executive Committee in March 2014. This project aims at helping as many people as possible to benefit from football's role in society.

This foundation will finance programs helping children in need throughout Europe and around the world.

The Ad hoc Ethical Committee's opinion

The Ad hoc Ethical Committee delivered its opinion on the five activities above mentioned on 9 December 2014. The Committee noted that all envisaged activities seek to provide assistance to political think tanks (Institute of Public Policy in Belgrade), university education (Europaeum, McDonough School of Business), the dialogue between Europe and North America (Bilderberg Conference) and children in need (UEFA). None of these activities pursues commercial or gainful interests and some are clearly of a charitable nature. The Committee also noted that Mr Barroso will be called upon to support fund raising efforts, in particular in the two organizations related to university education.

The Committee considered that none of the planned activities contain the risk of a conflict of interest with regard to Mr Barroso's former role as Commission President. The Committee's conclusion was further supported, in particular as regards the intended fund raising efforts, by the formal and explicit commitments expressed in Mr Barroso's letter of 26 November with regard to the respect of all *"obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners."*

The Committee concluded therefore that all the five activities about which it had been consulted are compatible with Article 245(2) of the TFEU.

The Commission is invited:

- (1) to acknowledge former President José Manuel Barroso's statement, in his letter of 26 November 2014 to the President of the Commission, on his full awareness of his obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners, on his commitment to refrain from revealing any confidential information on matters dealt by the Commission during his two terms as President of the Commission, on his determination to abide by his duty to behave with integrity and discretion and to refrain from engaging in any specific initiative in the course of the five above mentioned activities which might conflict with the respect of his obligations.
- (2) to decide that former President Barroso's envisaged activities as Member of the Institute of Public Policy in Belgrade, as Member of the Board of Trustees of Europaeum, as Member of the Steering Group of the Bilderberg Conferences, as Member of the Board of Advisors at McDonough School of Business at Georgetown University (Washington), and Chairman of the UEFA Foundation for Children, are compatible with Article 245(2) of the TFEU.



COMMISSION EUROPÉENNE

SECRÉTARIAT GÉNÉRAL

DOCUMENT 5

Bruxelles, le 12 décembre 2014

C(2014) 9875

COMMISSION INTERNE

OJ 2110

**ACTIVITES APRES CESSATION DE FONCTION
D'UN MEMBRE DE LA COMMISSION**

Communication de M. le PRESIDENT

Cette question est inscrite à l'ordre du jour de la 2110^{ème} réunion de la Commission le 16 décembre 2014.

Destinataires : Membres de la Commission

MEMORANDUM FROM THE PRESIDENT TO THE COMMISSION

According to Article 245(2) of the Treaty on the Functioning of the European Union, the members of the Commission give a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom and, 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.

Further to this Treaty provision, the Code of Conduct for Commissioners (C (2011) 2904 final) establishes a specific procedure for the assessment of planned occupations which former Commissioners intend to take up during the eighteen months after they have ceased to hold office. The Commission shall examine the nature of the planned occupation and, if the activity is related to the content of the Commissioner's portfolio, it shall seek the opinion of the Ad hoc Ethical Committee.

With his letter of 26 November 2011, former President José Manuel Barroso informed the Commission about his intention to take up, pro bono, eleven post mandate activities. Mr Barroso stated in his letter his full awareness of his obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners. He added that he will refrain from revealing any confidential information on matters dealt by the Commission during his two terms as President of the Commission. He underlined that he will abide by his duty to behave with integrity and discretion and will refrain from engaging in any specific initiative in the course of the above mentioned activities, which might conflict with the respect of his obligations.

At its 2108th meeting of 3 December 2014, the Commission adopted a decision on six of these eleven activities, about which the Ad hoc Ethical Committee's opinion was not requested.

In view of the large scope of the responsibilities and powers held by the President of the European Commission, the opinion of the Ad hoc Ethical Committee was requested on 3 December 2014 on the remaining five activities notified by Mr Barroso on 26 November, namely:

- Membership of the Institute of Public Policy in Belgrade;
- Membership of the Board of Trustees of *Europaeum* ;
- Membership of the Steering Group of the Bilderberg Conferences;
- Membership of the Board of Advisors at McDonough School of Business at Georgetown University (Washington);
- Chairman of the UEFA Foundation for Children.

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Bilderberg is governed by a Steering Committee which designates a Chairman. Members are elected for a term of four years and can be re-elected. There are no other members of the Bilderberg conference.

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The decision to create the UEFA Children's foundation was taken by the UEFA Executive Committee in March 2014. This project aims at helping as many people as possible to benefit from football's role in society.

This foundation will finance programs helping children in need throughout Europe and around the world.

The Ad hoc Ethical Committee's opinion

The Ad hoc Ethical Committee delivered its opinion on the five activities above mentioned on 9 December 2014. The Committee noted that all envisaged activities seek to provide assistance to political think tanks (Institute of Public Policy in Belgrade), university education (Europaeum, McDonough School of Business), the dialogue between Europe and North America (Bilderberg Conference) and children in need (UEFA). None of these activities pursues commercial or gainful interests and some are clearly of a charitable nature. The Committee also noted that Mr Barroso will be called upon to support fund raising efforts, in particular in the two organizations related to university education.

The Committee considered that none of the planned activities contain the risk of a conflict of interest with regard to Mr Barroso's former role as Commission President. The Committee's conclusion was further supported, in particular as regards the intended fund raising efforts, by the formal and explicit commitments expressed in Mr Barroso's letter of 26 November with regard to the respect of all "*obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners.*"

The Committee concluded therefore that all the five activities about which it had been consulted are compatible with Article 245(2) of the TFEU.

The Commission is invited:

- (1) to acknowledge former President José Manuel Barroso's statement, in his letter of 26 November 2014 to the President of the Commission, on his full awareness of his obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners, on his commitment to refrain from revealing any confidential information on matters dealt by the Commission during his two terms as President of the Commission, on his determination to abide by his duty to behave with integrity and discretion and to refrain from engaging in any specific initiative in the course of the five above mentioned activities which might conflict with the respect of his obligations.
- (2) to decide that former President Barroso's envisaged activities as Member of the Institute of Public Policy in Belgrade, as Member of the Board of Trustees of Europaeum, as Member of the Steering Group of the Bilderberg Conferences, as Member of the Board of Advisors at McDonough School of Business at Georgetown University (Washington), and Chairman of the UEFA Foundation for Children, are compatible with Article 245(2) of the TFEU.



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

DOCUMENT 7

Brussels, 16 DEC. 2014
SG/B3 Ares(2014)

Mr José Manuel Barroso

By e-mail to:

Dear President Barroso,

I am pleased to inform you that the Commission decided, during its 2110th meeting of 16 December 2014, that your envisaged activities as Member of the Institute of Public Policy in Belgrade, as Member of the Board of Trustees of Europaeum, as Member of the Steering Group of the Bilderberg Conferences, as Member of the Board of Advisors at McDonough School of Business at Georgetown University (Washington) and as Chairman of the UEFA Foundation for Children, which had been notified with your letter of 26 November to the President of the Commission (Ares(2014 3860756), are compatible with Article 245(2) of the TFEU.

The Commission acknowledged your statement concerning your full awareness of your obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners, your commitment to refrain from revealing any confidential information on matters dealt by the Commission during your two terms as President of the Commission, your determination to abide by your duty to behave with integrity and discretion and to refrain from engaging in any specific initiative, in the course of the five above mentioned activities, which might conflict with the respect of your obligations.

Please find enclosed the text of Commission Decision C(2014) 9875.

Yours sincerely

Catherine Day

Encl: Commission Decision C(2014) 9875

Cc: President Juncker



COMMISSION EUROPÉENNE

SECRÉTARIAT GÉNÉRAL

Bruxelles, le 12 décembre 2014

C(2014) 9875

COMMISSION INTERNE

OJ 2110

ACTIVITES APRES CESSATION DE FONCTION D'UN MEMBRE DE LA COMMISSION

Communication de M. le PRESIDENT

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The Ad hoc Ethical Committee's opinion

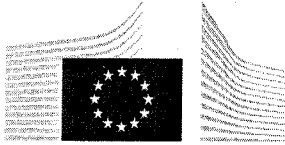
The Ad hoc Ethical Committee delivered its opinion on the five activities above mentioned on 9 December 2014. The Committee noted that all envisaged activities seek to provide assistance to political think tanks (Institute of Public Policy in Belgrade), university education (Europaeum, McDonough School of Business), the dialogue between Europe and North America (Bilderberg Conference) and children in need (UEFA). None of these activities pursues commercial or gainful interests and some are clearly of a charitable nature. The Committee also noted that Mr Barroso will be called upon to support fund raising efforts, in particular in the two organizations related to university education.

The Committee considered that none of the planned activities contain the risk of a conflict of interest with regard to Mr Barroso's former role as Commission President. The Committee's conclusion was further supported, in particular as regards the intended fund raising efforts, by the formal and explicit commitments expressed in Mr Barroso's letter of 26 November with regard to the respect of all "*obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners.*"

The Committee concluded therefore that all the five activities about which it had been consulted are compatible with Article 245(2) of the TFEU.

The Commission is invited:

- (1) to acknowledge former President José Manuel Barroso's statement, in his letter of 26 November 2014 to the President of the Commission, on his full awareness of his obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners, on his commitment to refrain from revealing any confidential information on matters dealt by the Commission during his two terms as President of the Commission, on his determination to abide by his duty to behave with integrity and discretion and to refrain from engaging in any specific initiative in the course of the five above mentioned activities which might conflict with the respect of his obligations.
- (2) to decide that former President Barroso's envisaged activities as Member of the Institute of Public Policy in Belgrade, as Member of the Board of Trustees of Europaeum, as Member of the Steering Group of the Bilderberg Conferences, as Member of the Board of Advisors at McDonough School of Business at Georgetown University (Washington), and Chairman of the UEFA Foundation for Children, are compatible with Article 245(2) of the TFEU.



Brussels, 17 DEC. 2014
SG/B3 Ares(2014)

Note to the Members of the Ad-Hoc Ethical Committee

Mr Nikolaus Van der Pas
Mr Rafael García-Valdecasas
Mr Terry Wynn

Subject: Five Commission Decisions on post-mandate activities of former members of the Barroso II Commission

Please find enclosed, for your information, Commission Decisions C(2014) 9875, adopted at its 2110th meeting of 16 December 2014, on former President Barroso's, envisaged post Commission-office activities.

The Commission decisions on Mr Barroso, take due account of the Ad hoc Ethical Committee's opinions.

Catherine Day

Encl:



COMMISSION EUROPÉENNE

SECRÉTARIAT GÉNÉRAL

Bruxelles, le 12 décembre 2014

C(2014) 9875

COMMISSION INTERNE

OJ 2110

ACTIVITES APRES CESSATION DE FONCTION D'UN MEMBRE DE LA COMMISSION

Communication de M. le PRESIDENT

Cette question est inscrite à l'ordre du jour de la 2110^{ème} réunion de la Commission le 16 décembre 2014.

Destinataires : Membres de la Commission

MEMORANDUM FROM THE PRESIDENT TO THE COMMISSION

According to Article 245(2) of the Treaty on the Functioning of the European Union, the members of the Commission give a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom and, 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.

Further to this Treaty provision, the Code of Conduct for Commissioners (C (2011) 2904 final) establishes a specific procedure for the assessment of planned occupations which former Commissioners intend to take up during the eighteen months after they have ceased to hold office. The Commission shall examine the nature of the planned occupation and, if the activity is related to the content of the Commissioner's portfolio, it shall seek the opinion of the Ad hoc Ethical Committee.

With his letter of 26 November 2011, former President José Manuel Barroso informed the Commission about his intention to take up, pro bono, eleven post mandate activities. Mr Barroso stated in his letter his full awareness of his obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners. He added that he will refrain from revealing any confidential information on matters dealt by the Commission during his two terms as President of the Commission. He underlined that he will abide by his duty to behave with integrity and discretion and will refrain from engaging in any specific initiative in the course of the above mentioned activities, which might conflict with the respect of his obligations.

At its 2108th meeting of 3 December 2014, the Commission adopted a decision on six of these eleven activities, about which the Ad hoc Ethical Committee's opinion was not requested.

In view of the large scope of the responsibilities and powers held by the President of the European Commission, the opinion of the Ad hoc Ethical Committee was requested on 3 December 2014 on the remaining five activities notified by Mr Barroso on 26 November, namely:

- Membership of the Institute of Public Policy in Belgrade;
- Membership of the Board of Trustees of *Europaeum* ;
- Membership of the Steering Group of the Bilderberg Conferences;
- Membership of the Board of Advisors at McDonough School of Business at Georgetown University (Washington);
- Chairman of the UEFA Foundation for Children.

Membership of the Institute of Public Policy in Belgrade

The Belgrade Institute for Public Policy is a recently founded think-tank (February 2012) devoted to pursuing evidence-based approach to policy analysis in the Western Balkans region. It has emerged in response to the need for more scientific and methodologically rigorous analyses of determinants and effects of public policies, which serve as a basis for their further decision making.

The Institute is ideology-free and stays away from advocating specific values or interfering into political struggles.

Membership of the Board of Trustees of Europaeum (Association of Universities run from Oxford)

Europaeum is an association of 10 leading European Universities run from Oxford and designed to provide future scholars and leaders with the opportunity to share common learning and to confront common concerns together. Its Board of Trustees has been established to provide overall guidance to the organisation, to develop new initiatives, to focus fund-raising efforts and to provide added visibility.

Membership of the Steering Group of the Bilderberg Conferences

Founded in 1954, the Bilderberg conference is an annual three-day meeting designed to foster dialogue between Europe and North America. Every year, between 120-150 political leaders and experts from industry, finance, academia and the media are invited to take part in the conference. About two thirds of the participants come from Europe and the rest from North America; one third from politics and government and the rest from other fields. There is no detailed agenda, no resolutions are proposed, no votes are taken, and no policy statements are issued.

Bilderberg is governed by a Steering Committee which designates a Chairman. Members are elected for a term of four years and can be re-elected. There are no other members of the Bilderberg conference.

Membership of the Board of Advisors at McDonough School of Business at Georgetown University (Washington)

The McDonough School of Business is one of the four undergraduate and one of the five graduate schools of Georgetown University in Washington, D.C. Its Board of Advisors aims: to provide a forum for communication between the school and its key constituencies; to advise the faculty and administration on its competitive plans, programs, and research activities; to provide intellectual capital as the school refines its competitive academic program strategies by anticipating demographic, societal, technological, and corporate changes that will impact the business school; and to assist the dean in developing the financial resources to ensure the future development and academic strength of the school.

Chairman of the UEFA Foundation for Children

UEFA (Union of European Football Associations) is the administrative body for association football in Europe and part of Asia. It is one of six continental confederations of world football's governing body FIFA.

The decision to create the UEFA Children's foundation was taken by the UEFA Executive Committee in March 2014. This project aims at helping as many people as possible to benefit from football's role in society.

This foundation will finance programs helping children in need throughout Europe and around the world.

The Ad hoc Ethical Committee's opinion

The Ad hoc Ethical Committee delivered its opinion on the five activities above mentioned on 9 December 2014. The Committee noted that all envisaged activities seek to provide assistance to political think tanks (Institute of Public Policy in Belgrade), university education (Europaeum, McDonough School of Business), the dialogue between Europe and North America (Bilderberg Conference) and children in need (UEFA). None of these activities pursues commercial or gainful interests and some are clearly of a charitable nature. The Committee also noted that Mr Barroso will be called upon to support fund raising efforts, in particular in the two organizations related to university education.

The Committee considered that none of the planned activities contain the risk of a conflict of interest with regard to Mr Barroso's former role as Commission President. The Committee's conclusion was further supported, in particular as regards the intended fund raising efforts, by the formal and explicit commitments expressed in Mr Barroso's letter of 26 November with regard to the respect of all "*obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners.*"

The Committee concluded therefore that all the five activities about which it had been consulted are compatible with Article 245(2) of the TFEU.

The Commission is invited:

- (1) to acknowledge former President José Manuel Barroso's statement, in his letter of 26 November 2014 to the President of the Commission, on his full awareness of his obligations arising from the Treaties, namely from articles 245 and 339 of the TFEU, and from the Code of Conduct for Commissioners, on his commitment to refrain from revealing any confidential information on matters dealt by the Commission during his two terms as President of the Commission, on his determination to abide by his duty to behave with integrity and discretion and to refrain from engaging in any specific initiative in the course of the five above mentioned activities which might conflict with the respect of his obligations.
- (2) to decide that former President Barroso's envisaged activities as Member of the Institute of Public Policy in Belgrade, as Member of the Board of Trustees of Europaeum, as Member of the Steering Group of the Bilderberg Conferences, as Member of the Board of Advisors at McDonough School of Business at Georgetown University (Washington), and Chairman of the UEFA Foundation for Children, are compatible with Article 245(2) of the TFEU.