

List of documents–Vicky Cann Getsdem 2014/5422

Scope of the request: copies of all applications and accompanying materials made by President Barroso for new professional activities as authorised by the Commission in its meeting on 5 November 2014, and any other applications for authorisation which he has made for new professional activities under the commissioner code of conduct [...] any emails, correspondence and meeting notes which relate to these applications; all opinions from the ad hoc ethical committee on each case; and Commission decision C(2014) 8319.

Document	Description and references	Status
President Barroso		
1. Letter of 09.10.2014 Ref. Ares(2014) 3357734 - 10/10/2014	Letter of President Barroso to Ms Day of 09.10.2014 – Notification of post-mandate activities -World Economic Forum - Chair a forum on "The future of regional organisations" in Dubai on 9-11 November 2014 and report; and public lectures and seminars during November/December at the Université Catholique de Louvain and at the University of Geneva.	Extension of delay
2. Letter of 09.10.2014 Ref. Ares(2014)3358803 - 10/10/2014	Letter of President Barroso to Ms Day of 09.10.2014 – Notification of post-mandate activities-London and/or Washington Speakers Bureau	Extension of delay
3. Note of 17.10.2014 Ref. Ares(2014) 3441671 - 17.10.2014 and annex	Note to the Members of the Ad-Hoc Ethical Committee- Former President Barroso planned post-mandate occupation with the London and/or Washington Speakers bureau (letter of President Barroso of 09.10.2014 attached)	Full disclosure
4. E-mail of 27.10.2014 Ref. Ares(2014)3559522	Avis du Comite Ethique ad Hoc du 27.10.2014- Speaking arrangements with the London an/or Washington Speakers Bureau;	Full disclosure

5. Communication C(2014) 8319 of 03.11.2014	Activités après cessation de fonction d'un membre de la Commission- Communication de M le Président – OJ [2104] Commission Decision C(2014) 8319 of 03.11.2014;	Document disclosed to the public in the framework of a previous request under Regulation 1049/2001
6. PV (2014) 2104 final Decision of 5 November 2014	Commission minutes	Document public
7. Letter of Ms Day to former President. Barroso of 06.11.2014 Ref. Ares(2014)3687866	Letter to former President Barroso informing him of the adoption of the Commission decision on the requests for authorisation of post-mandate activities	Partial disclosure (address and e-mail deleted) Exception in Article 4(1) letter b))
8. Note of Ms Day to Members of the Ad-Hoc Ethical Committee of 06.11.2014 Ref. Ares(2014)3688436	Note to the Members of the Ad-Hoc Ethical Committee Commission decision on former President Barroso's envisaged post-mandate activities- Decision C(2014) 8319 of 05.11.2014;	Full disclosure
9. Letter of 26 November 2014 Ref. Ares(2014)3951511 – 26/11/2014	Letter of 26 November 2014 to President Mr Juncker-Notification of several post-mandate activities- Notification of post-mandate activities- International Council of the Opera of Madrid- Honorary chairmanship of the European Business Summit- member of the Honorary Council of the Jean Monnet foundation- Honorary professor at Macau Polytechnic Institute- Co-président d'honneur du Centre Européen pour la Culture, Genève and Member of the advisory board of Women in Parliament	Extension of delay
10. PV (2014) 2108 final Decision of 3 December 2014	Commission minutes PV (2014) 2108 final Decision of 3 December 2014	Document public
11. Communication C(2014) 9296 of	Activités après cessation de fonction d'un membre de la Commission- Communication de M le Président – OJ [2108]	Full disclosure

02.12.2014	Commission Decision C(2014) 9296 of 02.12.2014;	
12. Letter of Ms Day to former President. Barroso of 03.12.2014- Ref. (Ares(2014)4045775	Letter to former President Barroso informing him of the adoption of the Commission decision on the requests for authorisation of post-mandate activities	Partial Disclosure (address and e-mail deleted) Exception in Article 4(1) letter b))
13. Note of Ms Day to Members of the Ad-Hoc Ethical Committee of 03.12.2014 [Ref. Ares(2014)4052322];	Note to the Members of the Ad-Hoc Ethical Committee on the Commission decision on former President Barroso's envisaged post-mandate activities - Commission Decision C(2014) 8296 of 03.12.2014;	Partial Disclosure Exceptions in Article 4 (3) first subparagraph and Article 4(1) letter b)

REQUESTED DOCUMENT 3

Ref. Ares(2014)3441671 - 17/10/2014



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels, 17 OCT. 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: Envisaged post Commission-office activities of President Barroso

By letter dated 9 October 2014 (attached), President Barroso informed the Commission that, after the end of his mandate, he is considering an arrangement with the London and/or Washington Speakers bureau whereby they will represent him in arranging a number of one off speaking engagements. President Barroso would undertake the speaking engagements as an independent personality. Each speaking engagement will be a stand-alone event.

As you will see in his letter, the President clearly states his awareness of his obligations arising from the Treaties and from the Code of Conduct for Commissioners. He also underlines that he will be free to refuse any prospective engagement in order to exclude any possible conflict of interests.

Even if these activities do not seem to present a risk of incompatibility with the Treaties. I would like to request the opinion of the Ad hoc Ethical Committee on the compatibility of the envisaged speaking activities with the Code of Conduct for Commissioners.

Thank you in advance of your kind cooperation.

Best regards,

Catherine Day

Encl: President Barroso's letter of 9 October 2014

Opinion of the Ad hoc Ethical Committee concerning President Barroso:

"The Ad Hoc Ethical Committee has examined President Barroso's letter of 9 October 2014, announcing his intention to accept speaking engagements about the European Union as an independent personality after the termination of his Commission mandate. In the light of the formal commitments he expresses in this letter, the Committee concludes that the envisaged activity is in accordance with President Barroso's obligations under the articles 245 and 339 of the TFEU and under the Code of Conduct for Commissioners."



COMMISSION EUROPÉENNE

SECRETARIAT GÉNÉRAL

Bruxelles, le 3 novembre 2014

C(2014) 8319

COMMISSION INTERNE

OJ 2104

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 2104^{ème} réunion de la Commission le 5 novembre 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.

In a first letter of 9 October 2014, former President José Manuel Barroso informed the Commission of his intention to accept two different activities shortly after the end of his mandate as President of the Commission, namely with the World Economic Forum and with the Catholic University of Louvain and the University of Geneva.

In a second letter of 9 October 2014, President Barroso informed the Commission of his likely intention to enter into an arrangement with the London and/or Washington Speakers Bureau whereby they will represent him in arranging a number of one off speaking engagements.

In both his letters, President Barroso stated 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. He indicated 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 added that he will abide by his duty to behave with integrity and discretion and that he 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.

World Economic Forum Catholic University of Louvain and University of Geneva

The World Economic Forum has invited Mr Barroso to chair a forum on "The future of regional organisations" in Dubai on 9-11 November 2014. This activity essentially involves chairing the forum and presenting a report on it to the World Economic Forum in Davos in January 2015¹. This will be an unpaid assignment but President Barroso's expenses, and those of an assistant, will be paid by the organisers. President Barroso indicated that this activity will not involve lobbying or advocacy vis-à-vis the Commission.

¹ The World Economic Forum is a not-for-profit foundation committed to improving the state of the world through public-private cooperation. It engages political, business, academic and other leaders of society in collaborative efforts to shape global, regional and industry agendas. The World Economic Forum is independent and not tied to any special interests, working in close cooperation with all major international organizations.

As regards his academic activities, Mr Barroso also intends to give a number of public lectures and seminars during November and December 2014 at the Catholic University of Louvain and at the University of Geneva. These will be remunerated.

After consultation of the competent services, it has been considered that neither the chairmanship of the World Economic Forum conference, which is a one-off unpaid activity, nor Mr Barroso's intended academic activities present any risk of conflict of interest either with his former official responsibilities as President of the Commission or with the interests of the Institution. On this basis, together with the guarantees given by Mr Barroso in his letter, it was considered that the consultation of the Ad hoc Ethical Committee was not necessary for these cases.

Speaking engagements through the London and/or Washington Speakers Bureau

President Barroso informed the Commission that he would undertake the speaking engagements organized through London and/or Washington Speakers Bureau as an independent personality. Each speaking engagement will be a stand-alone event. President Barroso underlined that he would be free to refuse any prospective engagement in order to exclude any possible conflict of interests

In view of the large scope of the responsibilities and power held by the President of the European Commission and the wide range of subjects which former President Barroso might be called to speak about, the Commission requested the Ad hoc Ethical Committee's opinion on the compatibility of President Barroso's envisaged speaking activities with the Code of Conduct for Commissioners.

The Ad hoc Ethical Committee delivered its opinion on 27 October 2014. In light of the formal commitments expressed by President Barroso in his letter, the Committee concluded that the envisaged activity was in accordance with his obligations under articles 245(2) and 339 of the TFEU and under the Code of Conduct for Commissioners.

The Commission is invited:

- (1) to examine the nature of former President Barroso's envisaged activities and to take note of the commitments expressed by President Barroso as concerns the respect of the obligations arising from Article 245 and 339 of the TFEU, the protection of confidentiality on matters dealt by the Commission during his two terms as President and his determination to avoid any possible conflict with his obligations.
- (2) to decide that former President Barroso's envisaged activities with the World Economic Forum and with the Catholic University of Louvain and the University of Geneva are compatible with Article 245(2) of the TFEU.
- (3) to decide that former President Barroso's envisaged arrangements with the London and/or Washington Speakers Bureau are compatible with Article 245(2) of the TFEU in view of President Barroso's commitments above mentioned and his determination to refrain from accepting any speaking engagement which might conflict with his duty to behave with integrity and discretion.

REQUESTED DOCUMENT 6

23. SG – ACTIVITES APRES CESSATION DE FONCTION D'UN MEMBRE DE LA COMMISSION

La Commission a décidé que les activités envisagées par son ancien président, M. José Manuel DURAO BARROSO, sont compatibles avec l'article 245, paragraphe 2 du traité sur le fonctionnement de l'Union européenne.



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels, 06 NOV. 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 2104th meeting of 5 November 2014 on your authorisation requests of 9 October 2014 about your envisaged activities with the World Economic Forum, with the Catholic University of Louvain and with the University of Geneva and about your envisaged arrangements with the London and/or Washington Speakers Bureau.

I draw your attention to the conditions set out by the Commission in its enclosed Decision C(2014) 8319

Yours sincerely

Catherine Day

Encl: Commission Decision C(2014) 8319

DOCUMENT 8

Ref. Ares(2014)3688436 - 06/11/2014



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels, **06 NOV. 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: Commission Decisions on former President José Manuel Barroso's, former Vice-President Viviane Reding's and former Commissioner Ferdinando Nelli Feroci's envisaged post-office activities

Please find enclosed, for your information, Commission Decisions C(2014) 8230 C(2014) 8231 and C(2014) 8319 about former President José Manuel Barroso's, former Vice-President Viviane Reding's and former Commissioner Ferdinando Nelli Feroci's envisaged post-office activities.

The Commission had requested the Ad hoc Ethical Committee's opinions on Mr Barroso's envisaged speaking arrangements with the London and/or Washington Speakers Bureau, on Ms Reding's envisaged activity with the Bertelsmann Foundation and on Mr Nelli Feroci's envisaged activity with SIMEST.

A handwritten signature in black ink, appearing to read 'C Day', written in a cursive style.

Catherine Day

Encl: Commission Decision C(2014) 8230
Commission Decision C(2014) 8231
Commission Decision C(2014) 8319

4. SG – ACTIVITES APRES CESSATION DE FONCTION D'UN MEMBRE DE LA COMMISSION

La Commission a décidé que les activités non rémunérées relevant des domaines culturel ou politique telles qu'envisagées par son ancien président, M. José Manuel DURAO BARROSO, sont compatibles avec l'article 245, paragraphe 2 du traité sur le fonctionnement de l'Union européenne.

DOCUMENT 11



COMMISSION EUROPÉENNE

SECRÉTARIAT GÉNÉRAL

Bruxelles, le 2 décembre 2014

C(2014) 9296

COMMISSION INTERNE

OJ 2108

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 2108^{ème} réunion de la Commission le 3 décembre 2014.

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.

By letter of 26 November 2014, former President José Manuel Barroso informed the Commission about his intention to take up, pro bono, several further post mandate activities in addition to those already approved by the Commission.

The services of the Commission have examined some of the activities notified by Mr Barroso concerning Honorary Chairmanship of the Honorary Committee of the European Business Summit, Membership of the Honorary Council of the Jean Monnet Foundation for Europe, Honorary Professor at Macao Polytechnic Institute, *Co-Président d'honneur* of the *Centre Européen pour la Culture*, Membership of the International Council of the Opera of Madrid and Membership of the Advisory Board of Women, and have considered that these activities do not represent a professional occupation in the sense of the notification obligation foreseen in section 1.2 of the Code of Conduct for Commissioner or do not present any risk of incompatibility with the obligations of integrity and discretion foreseen under article 245(2) of the TFEU.

Other activities referred to in Mr Barroso's letter of 26 November 2014 will be the subject of subsequent decisions.

For this reason, they considered that:

- the Commission could take note of the following notified activities which are not considered as a professional occupation in view of their honorary and non-remunerated nature: the functions of Honorary Chairman of the Honorary Committee of the European Business Summit, Member of the Honorary Council of the Jean Monnet Foundation for Europe, Honorary Professor at Macao Polytechnic Institute and *Co-Président d'honneur* of the *Centre Européen pour la Culture*;
- the Commission could authorise the following notified activities in view of their non remunerated nature and their actual contents within the cultural or political sphere: the functions of Member of the International Council of the Opera of Madrid and of Member of the Advisory Board of Women in Parliament.

The Commission is invited:

- (1) to acknowledge former President José Manuel Barroso's letter of 26 November to the President of the Commission and to take note of the commitments expressed by Mr Barroso regarding the respect of his obligations arising from the Treaties (namely articles 245 and 339 of the TFEU) and from the Code of Conduct for Commissioners, the protection of the confidentiality of the matters dealt by the Commission during his two mandates and his determination to refuse any specific activity which might conflict with the respect of his obligations;
- (2) to take note of the honorary and non-remunerated functions which Mr Barroso intends to accept as Honorary Chairman of the Honorary Committee of the European Business Summit, as Member of the Honorary Council of the Jean Monnet Foundation for Europe, as Honorary Professor at Macao Polytechnic Institute and as *Co-Président d'honneur* of the *Centre Européen pour la Culture*;
- (3) to authorise Mr Barroso's non-remunerated envisaged activities as Member of the International Council of the Opera of Madrid and as Member of the Advisory Board of Women in Parliament which are in the cultural or political sphere and are clearly compatible with the requirements of integrity and discretion foreseen by Article 245(2) of the TFEU.



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels, 03 DEC. 2014
SG/B3 Ares(2014)

DOCUMENT 12

Mr José Manuel Barroso

By e-mail to:

Dear President Barroso,

I am pleased to inform you that the Commission decided during its 2108th meeting of 5 December 2014 about six of your envisaged post Commission-office activities notified with your letter of 26 November to President Juncker.

The Commission took note of the honorary and non-remunerated functions which you intend to accept as Honorary Chairman of the Honorary Committee of the European Business Summit, as Member of the Honorary Council of the Jean Monnet Foundation for Europe, as Honorary Professor at Macao Polytechnic Institute and as *Co-President d'honneur* of the Centre Européen pour la Culture.

Furthermore, the Commission authorised your non-remunerated envisaged activities as Member of the International Council of the Opera of Madrid and as Member of the Advisory Board of Women in Parliament.

The Ad hoc Ethical Committee has been requested to provide its opinions on the remaining five envisaged activities you notified with your letter of 26 November 2014.

Please find enclosed the text of Commission Decision C(2014) 9296.

Yours sincerely

Catherine Day

Encl: Commission Decision C(2014) 9296



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels,
SG/B3 Ares(2014)

DOCUMENT 13

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.

A handwritten signature in cursive script, appearing to read "C Day".

Catherine Day