



**Kristalina GEORGIEVA**  
Vice-President of the European Commission

Rue de la Loi, 200  
B-1049 Brussels

Brussels, 28 October 2016  
Ares (2016)

Dear President, dear Jean-Claude,

I am writing to you to confirm that I have been asked to take a new responsibility as Chief Executive Officer of the World Bank (IBRD/IDA) as of 2 January.

As discussed with you, I hereby present my resignation as Member of the Commission, which will take effect at midnight on 31 December 2016, or at any other date you consider appropriate.

I assure you that during the time until the end of my mandate, I will fulfill my role as Member of the Commission with full commitment and determination, in the European interest and in line with the highest ethical standards. I will also work closely with the person you will choose as my successor in order to ensure a smooth transition.

Yours sincerely,

Thank you for the privilege  
to work with you!  
With all my deepest  
respect and friendship,  
Kristalina

Mr Jean-Claude JUNCKER  
President

## DOCUMENT 2

Ref. Ares(2016)6336596 - 09/11/2016

**From:** (SJ)  
**Sent:** Friday 4 November 2016 10:10  
**To:** (SG)  
**Cc:** (SJ); (SJ); (SG); (SG); (SG); (SJ); ROMERO REQUENA Luis (SJ)  
**Subject:** FW: URGENT: OJ 2188- Projet de Décision de la Commission sur l'activité après cessation de fonctions de Mme Georgieva en tant que "Chief Executive Officer" de la Banque Mondiale  
**Attachments:** Draft Décision Ms Georgieva World Bank.doc; Letter Georgieva 28.10.2016.pdf

ok, voir mes suggestions en track changes.

D'accord sur le fond avec le para en jaune, mais je propose d'affirmer plus directement que, puisque la WorldBank a été créé par les états souverains qui sont les membres de cette organisation internationale, son job sera 'public office'.

Je propose aussi de rester aussi près que possible du texte de la lettre de résignation de Mme Georgieva. Mais pour ce qui est le dispositif point 1, je ne répèterais pas qu'elle a donné au Président la possibilité de fixer une autre date de prise d'effet de sa résignation. Comme, il me semble, le Président n'entend pas utiliser cette possibilité, on n'a pas besoin que le Collège prend note de cette possibilité (qui ne sera pas utilisée)

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**From:** (SG)  
**Sent:** Thursday, November 03, 2016 7:18 PM  
**To:** (SJ)  
**Cc:** (SJ); (SG); (SG); (SG); (SG)  
**Subject:** URGENT: OJ 2188- Projet de Décision de la Commission sur l'activité après cessation de fonctions de Mme Georgieva en tant que "Chief Executive Officer" de la Banque Mondiale

Je te prie de bien vouloir trouver ci-joint un projet de décision de la Commission relatif à l'activité envisagée par Mme Georgieva en tant que Chief Executive Officer de la Banque Mondiale.

<http://www.worldbank.org/en/news/press-release/2016/10/28/kristalina-georgieva-appointed-chief-executive-officer-of-ibrd-ida>

Nous n'avons pas de précédent sur le fait de considérer une activité au sein d'un organisme international comme relevant de la notion de "charge publique" ("public office"). Cependant, le code de conduite des commissaires ne distingue pas entre une charge publique au niveau national et une charge publique au niveau international. Il serait dès lors contraire aux principes d'interprétation de considérer l'activité de Mme Georgieva comme ne relevant pas de la notion de charge publique?

Le Cabinet du Président souhaiterait inscrire ce projet de décision à la prochaine réunion de la Commission (2188ème réunion), le 9 novembre.

**Je dois dès lors te demander de nous faire part de l'avis du SJ pour demain matin, vendredi 4 novembre, 11 heures. (tu verras en particulier le paragraphe surligné).**

Cette consultation sera également envoyée via ARES.

Je joins également la lettre de Mme Georgieva au Président du 28 octobre 2016.

Merci d'avance de ta collaboration

## 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.

On 28 September 2016, Vice-President Kristalina Georgieva wrote to the President of the Commission to present her resignation as member of the Commission in order to become, as from 2 January 2017, Chief Executive Officer of the World Bank.

Ms Georgieva tendered her resignation with effect at midnight on 31 December 2016, unless otherwise decided by the President of the Commission.

Ms Georgieva stated her intention to fulfil her role until the end of her mandate with full commitment and determination, in the European interest and in line with the highest ethical standards.

Ms Georgieva's envisaged assignment is linked to her Commission portfolio as Vice-President in charge of Budget and Human Resources. However, in view of the institutional set-up of the World Bank and of the nature of her future function, the latter is to be considered as pertaining to the notion of "public office" such as foreseen in section 1.2 of the Code of Conduct for Commissioners. For this reason the Commission must not seek the Ad hoc Ethical Committee's opinion on the compatibility of Ms Georgieva's envisaged occupation with article 245 of the TFEU.

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The Commission is invited:

- (1) to take note of Vice-President Kristalina's Georgieva's resignation from the Commission, with effect - unless if otherwise decided by the president of the Commission - as from 1 January 2017;
- (2) to take note of her post mandate occupation as Chief Executive Officer of the World Bank, as from 2 January 2017;
- (3) to draw Ms Georgieva's attention to her obligations deriving from article 245 of the TFEU and from the Code of Conduct for Commissioners, and notably the protection of the confidentiality and the collegiality of the matters dealt with by the Commission during her two mandates.

## 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.

On 28 October 2016, Vice-President Kristalina Georgieva wrote to the President of the Commission to present her resignation as member of the Commission in order to become, as from 2 January 2017, Chief Executive Officer of the World Bank (IBRD/IBA).

Ms Georgieva tendered her resignation with effect at midnight on 31 December 2016, or at any other date the President of the Commission considers appropriate.

Ms Georgieva stated her intention to fulfil her role until the end of her mandate with full commitment and determination, in the European interest and in line with the highest ethical standards.

In view of the fact that the World Bank is an international financial institution, established by sovereign states who are the members of this international organization, her envisaged function is to be considered as pertaining to the notion of "public office" as foreseen in section 1.2 of the Code of Conduct for Commissioners. For this reason, the Commission must not seek the Ad Hoc Ethical Committee's opinion on the compatibility of Ms Georgieva's envisaged occupation with article 245 TFEU, even though Ms Georgieva's envisaged assignment could present a link to her Commission portfolio as Vice-President in charge of Budget and Human Resources.

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The Commission is invited:

- (1) to take note of Vice-President Kristalina's Georgieva's resignation from the Commission, with effect from 1 January 2017;
- (2) to take note of her envisaged post mandate occupation as Chief Executive Officer of the World Bank (IBRD/IBA), as from 2 January 2017;
- (3) to draw Ms Georgieva's attention to her obligations deriving from articles 245 and 339 TFEU and from the Code of Conduct for Commissioners, and notably the protection of the confidentiality and the collegiality of the matters dealt with by the Commission during her two mandates.

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**COMMISSION EUROPÉENNE**

**SECRÉTARIAT GÉNÉRAL**

**Bruxelles, le 9 novembre 2016**

**C(2016) 7196**

**COMMISSION INTERNE**

**OJ 2188**

**ACTIVITES D'UN MEMBRE DE LA COMMISSION  
APRES CESSATION DE SES FONCTIONS**

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**Communication de M. le PRESIDENT**

Cette question est inscrite à l'ordre du jour de la 2188<sup>ème</sup> réunion de la Commission le 9 novembre 2016.

**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.

On 28 October 2016, Vice-President Kristalina Georgieva wrote to the President of the Commission to present her resignation as member of the Commission in order to become, as from 2 January 2017, Chief Executive Officer of the World Bank [International Bank for Reconstruction and Development (IBRD) and the International Development Association (IBA)].

Ms Georgieva tendered her resignation with effect at midnight on 31 December 2016, or at any other date the President of the Commission considers appropriate. She also stated her intention to fulfil her role until the end of her mandate with full commitment and determination, in the European interest and in line with the highest ethical standards. In this light, given the fact that the World Bank has significant contractual relations with the EU and in order to avoid any possible appearance of conflict of interests between Vice-President Georgieva's current responsibilities and her future role with the World Bank, it is appropriate that Ms Georgieva is not involved during the remainder of her mandate in any file related to the relations between the Commission and the World Bank.

In view of the fact that the World Bank is an international financial institution, established by sovereign states who are the members of this international organization, her envisaged function is to be considered as pertaining to the notion of "public office" as foreseen in section 1.2 of the Code of Conduct for Commissioners. For this reason, the Commission does not need to seek the Ad Hoc Ethical Committee's opinion on the compatibility of Ms Georgieva's envisaged occupation with article 245 TFEU, even though Ms Georgieva's envisaged assignment could present a link to her Commission portfolio as Vice-President in charge of Budget and Human Resources.

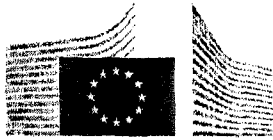
Nevertheless, after having left the Commission, Ms Georgieva's will have to continue to respect her obligations deriving from articles 245 and 339 of the TFEU and from the Code of Conduct for Commissioners, and notably the protection of the confidentiality and the collegiality of the matters dealt with by the Commission during her two mandates.

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The Commission is invited:

- (1) to take note of the exchange of letters between Vice-President Kristalina Georgieva and the President regarding Vice-President Georgieva's resignation that will take effect at the latest at midnight on 31 December 2016;
- (2) to take note of her envisaged post mandate occupation as Chief Executive Officer of the World Bank (IBRD/IBA), as from 2 January 2017;
- (3) to request Vice-President Georgieva to refrain from being involved during the remainder of her mandate in any file related to the relations between the Commission and the World Bank;
- (4) to remind Vice-President Georgieva of her obligations deriving from articles 245 and 339 of the TFEU and from the Code of Conduct for Commissioners, and notably the protection of the confidentiality and the collegiality of the matters dealt with by the Commission during her two mandates.





**EUROPEAN COMMISSION**  
**SECRETARIAT-GENERAL**

The Secretary General

Brussels,  
SG/B3 Ares(2016)

Vice-President  
Kristalina Georgieva

Dear Vice-President Georgieva,

I am pleased to inform you that the Commission, during its 2188<sup>th</sup> meeting of 9 November 2016:

- (1) took note of the exchange of letters of 28 October 2016 between yourself and the President regarding your resignation, that will take effect at the latest at midnight on 31 December 2016;
- (2) took note of your envisaged post-mandate occupation as Chief Executive Officer of the World Bank (IBRD/IBA), as from 2 January 2017;
- (3) requested you to refrain from being involved, during the remainder of your mandate, in any file related to the relations between the Commission and the World Bank;
- (4) reminded you of your obligations deriving from articles 245 and 339 of the TFEU and from the Code of Conduct for Commissioners, and notably the protection of the confidentiality and the collegiality of the matters dealt with by the Commission during your two mandates.

Please find enclosed Commission Decision C(2016) 7196.

Yours sincerely,

Alexander Italianer

Encl: Commission Decision C(2016) 7196

Cc: Mr Selmayr (Head of Cabinet of President Juncker)