

## Barroso & Kroes cases

### Edito

*In all institutions and agencies, many of you expressed your appreciation with respect to the steps we have taken on these cases.*

*You asked us a detailed inventory that would allow staff to be informed about the evolution of these initiatives, our analysis of the latest events and the upcoming deadlines.*

*You will be able to find the requested information hereafter.*

*We will keep on following this case with the upmost determination and remain at the staff disposal for further information. We will keep you posted on any upcoming news.*

*Thank you again for your support and encouragement!*

**Cristiano Sebastiani**  
President

# Background

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## **R&D immediately denounced the Barroso and Kroes cases...**

*Ever since the announcement of the appointment of Mr Barroso with the investment bank Goldman Sachs, R&D immediately denounced this incredible change of career, these so not insignificant revolving doors, and asked President Juncker to take the steps needed to defend the credibility of institutions and, beyond, that of the European project ([12 July](#), [4 August](#), [9](#) and [14 September](#))!*

*Simultaneously, we also personally addressed Mr Barroso, inviting him to give up his contract signed with the investment bank, in order to avoid disastrous effects for the credibility of institutions and the European project, which have never been so in danger ([12 July](#)). We still waiting for his answer.*

*Similarly, we immediately denounced the deal "Bahamas Papers" concerning the situation of former Vice-President Mrs Neelie Kroes ([23 September](#)).*

*On the same time, we welcomed the steps initiated by the **European Ombudsman** who reacted strongly to these cases. She had already found, in her [decision of 30 June 2016](#), a clear case of maladministration on how the Barroso Commission had treated the returning to work of another former commissioner.*

## **R&D immediately asked for a deep amendment of the Code of Conduct**

In addition to the requests to get to the bottom of these cases, faced with the inadequacy of rules that are supposed to prevent them, and with the insufficient controls that should detect them, we have invited the Commission to reform in depth the Code of Conduct applicable

to the members of the College and to implement the appropriate measures to guarantee respect of the code, whatever the case.

***Meanwhile, within the greatest respect for the autonomy of the collective of colleagues who are responsible for the [PETITION "NOT IN OUR NAME"](#), R&D immediately supported this petition which eventually collected more than 152,000 signatures!***

## **A lethargic Commission**

Despite all these efforts, despite all the political reactions to the highest level in all Member States, we have to regret the lack of reaction from the Commission, the initial non-reassuring statements made by the spokesman service... In short, the flagrant underestimation of the political and media consequences of such cases.

Our institution has therefore given the impression to foster the illusion that its inaction and obviously inadequate reactions would have allowed the cases to fade away.

As a consequence, the situation became more and more unsustainable, giving the impression that the Juncker Commission condoned the unfortunate actions underlying these cases. Under these circumstances, President Juncker taking insufficient distance pretty lately, the decision to refer the matter to the ad hoc ethics committee and Mr Moscovici statements before the EP... appeared to the outside world as being first of all the result of the external reactions to the cases, to which it had become impossible to resist.

**R&D welcomes the conclusions of the debate on these cases that took place in the European Parliament on 4 October with Commissioner Moscovici ...**

In particular, as stated in the press release issued after the audition: **"Members of European Parliament called for a significant strengthening of the Code of Conduct for Commissioners, but also that the 'cooling-off period' applying to former commissioners wishing to join the private sector is extended, that sanctions and clear penalties should be introduced in cases of obvious infringement of the rules and that**

**Commission's ad hoc ethics committee becomes an independent body able to make final decisions on adequate functions for former commissioners."**

**Éviter les conflits d'intérêts des membres, anciens ou actuels, de la Commission - "Bahamas..."**

17:15 / 18:50 - 04-10-2016



Sujet en cours

Liste des thèmes

Orateur intervenant sur le thème

- 17:15 Gáll-Pelcz, Ildikó
- 17:16 Moscovici, Pierre
- 17:23 Gáll-Pelcz, Ildikó
- 17:23 Zwiefka, Tadeusz

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European Parliament News

MEPs call for Commissioners' code of conduct to be tightened up

Press release - Institutions / Ombudsman - 04-10-2016 - 18:51

The code of conduct for European Commissioners needs to be thoroughly tightened up, in order to prevent conflicts of interest for Commission members, and to help restore the faith of European citizens in today's political institutions. This was the key message agreed by most MEPs during Tuesday evening's debate with EU economic affairs Commissioner Pierre Moscovici, on the business ties of past and present Commissioners and the recent "Bahamas" leaks.

"The Commission wants all EU citizens to be assured that its Commissioners act exclusively in the interests of Europe. Any conflict of interest therefore needs to be avoided, and there are very strict rules for this already in place. But the rules should also go hand in hand with personal responsibility. The Commission is therefore looking into whether these issues can be addressed further", said Mr Moscovici.

Many MEPs pointed out that the recent "Bahamas" leaks, which showed that former Dutch competition Commissioner Neelie Kroes did not declare her directorship of an offshore firm in the Bahamas while serving in Brussels, came as a serious blow to EU citizens, who are already coping with the "political elites and institutions".

They called for a radical tightening up of the code of conduct for EU Commissioners, but also for the "cooling off period" before former Commissioners may join the private sector to be prolonged, clear penalties and sanctions to

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**R&D recognizes that the observations made by Commissioner Moscovici during the debate in the EP, though still far below to what could be expected considering the seriousness of the situation, are finally taking the right direction**

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In particular, Mr Moscovici indicated that **acting as a role model and being transparent / exemplarity and transparency** are the first priorities of the Juncker Commission, in order to meet the expectations of the European citizens. (choisir le terme préféré!!)

**Facta et non verba** : let us notice that the positions taken by the Commission within the frame of these cases don't necessarily seem to match its declarations.

As a matter of fact, despite all the unanimous requests going in that direction, coming from all actors and environments, the Juncker

Commission refuses to change even slightly the Code of Conduct and thus seems to be the only institution in the world to keep on believing that it is not necessary to reform these rules and procedures. This position was confirmed by Mr Moscovici before the EP.

To realise the completely inadequate nature of the rules concerning in particular the length of the cooling-off period, you just have to remember that these rules are less stringent than those applying to each staff member.

In other words, the Commission seems to keep on denying the seriousness of these cases, while, as stated by the EP, such cases **"are actually a real slap in the face of European citizens who have lost faith in the political elites and in the institutions."**

*On 13 October, in the greatest respect for their independence, we were alongside the collective of colleagues at the presentation of the petition - with signatures being duly anonymized - ,to the three institutions and under the scrutiny of the media*

**At the Commission**, we regretted that President Juncker did not find the time to receive the delegation responsible for the handover of the petition. Nevertheless, we appreciated the welcome and attentiveness of the Secretary-

General who received the petition on behalf of our institution

**At the Council**, the signatures were received by the Head of Protocol.



**Remise de la pétition au Secrétaire général de la Commission**

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### Remise de la pétition à M. Schulz, Président du Parlement européen

**At the European Parliament**, the meeting with President Schulz was fully satisfactory and encouraging. In particular, President Schulz confirmed with admirable clarity to have been shocked by this succession of cases regarding former members of the Barroso Commission and that he had been very sensitive to the elements at the origin of the petition.

President Schulz reported on the outcome of the abovementioned debate of 4 October, and on the determination of EP to take all the necessary steps aiming at the urgent and in-depth reform of the Code of Conduct by the Commission, by confirming in particular the absolute inadequacy of the cooling-off period.

Especially in connection with the Kroes case and the personal liability of college members also on the occasion of their appointment, Mr. Schultz mentioned the ongoing reflection in the EP regarding the establishment of a procedure of a **EP individual vote of confidence** for each Commissioner. This proposal would exclude applicants who do not offer all the necessary guarantees, without forcing the EP to be compelled to refuse the whole nomination package of the new Commission, thus generating a major political crisis.

### *For once, citizens and press stand together with the staff*

Through its various contacts with the press, **R&D** released [our "Barroso-Kroes" file](#), illustrating all our initiatives and we have been honoured by the quality of the reception that was given to it.

In the same way, during the handover of the petition, it has been extremely gratifying to see the extent of the media coverage as well as the extremely positive remarks from journalists towards the staff of the institutions.

For once, it was not about doubting our Staff Regulations, our wages and our working con-

ditions, but about appreciating the commitment and courage of colleagues at the origin of this initiative ([press review](#))

The citizens' reactions published on the newspapers' websites also showed a very positive feedback to the institutions' staff.

This clearly demonstrates that, despite what the institution thinks that every time it refuses to react to the attacks of the press against its staff, it is not true that the press is always against us, whatever the initiative.

# Next steps

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*The Petitions Committee of the European Parliament is seized of the file and there will be a public hearing...*

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We welcome this decision that was confirmed by President Schultz at our meeting and we will keep on working in perfect harmony and supporting the collective behind the petition in the greatest respect for their autonomy.

*We await the decision of the ad hoc Ethics Committee...*

We expect the decision to be made shortly by the Commission's ad hoc Ethics Committee, before which President Juncker brought both Barroso and Kroes cases.



**R&D** always ready to listen to you and at your service