



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

SG/B – Better Regulation and Administration
The Director

Brussels, 05.03.2010
SG/B.4/DCB/JTB/ ARES(2010)

Mr Olivier Hoedeman
Corporate Europe Observatory
Rue d'Édimbourg, 26
B -1050 Bruxelles

Dear Mr Hoedeman,

I reply to your e-mail of 21.02.2010 (registered GESTDEM 2010/859) addressed to Ms Catherine Day, Secretary General of the European Commission.

As you rightly mention, post-office occupations of former Members of the European Commission envisaged during the first year after they have ceased to hold office must be authorized by the European Commission. This was the case as concerns Mrs Ferrero-Waldner's intention to join the Supervisory Board of Munich RE.

Mrs Ferrero-Waldner notified her intention to join the Supervisory Board of Munich RE by her letter to President Barroso dated 29.10.2009.

The Ad hoc Ethical Committee was asked to deliver its opinion on the compatibility of this occupation with article 245 of the TFUE by note of the Secretary General dated 21.12.2009.

Before delivering its opinion, the Ad hoc Ethical Committee sought confirmation that Mrs Ferrero-Waldner's envisaged occupation with Munich RE was a non-executive position. Such confirmation was provided.

The Ad hoc Ethical Committee delivered its opinion on 14.01.2010.

In line with the Committee's opinion, the Commission eventually decided, on 19.01.2010, that the envisaged occupation was compatible with the Treaty, without prejudice of Mrs Ferrero-Waldner's duty to ensure the confidentiality of the sensitive and confidential information acquired during her mandate, such as concerning political risks related to certain countries, should she come across subjects related to her previous functions as Commissioner.

Complying with your wish, I enclose the following requested documents, in which some passages have been blanked out :

- Mrs Ferrero-Waldner's letter to President Barroso of 29.10.2010
- The Ad hoc Ethical Committee's opinion of 14.01.2010
- President Barroso's memorandum to the Commission of 15.01.2010

With regard to Mrs Ferrero-Waldner's letter to President Barroso and to the Ad hoc Ethical Committee's opinion, the blanked out passages concern the amount of Mrs Ferrero-Waldner's expected remuneration. Mrs Ferrero-Waldner's assignment with Munich RE is not within the field of public office and the disclosure of her remuneration would undermine the protection of her privacy in the sense of article 4.1 b) of Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents.

As regards President Barroso's memorandum to the Commission, the blanked out passages concern the parts of this document which are outside the scope of your request.

The final decision of the Commission on Mrs Ferrero-Waldner's request was taken at its 1902nd meeting of 19.01.2010. You may obtain the minutes of the respective Commission meeting in Europa (please clic on <http://ec.europa.eu/transparency/regdoc/pvOverview.cfm?year=2010&cl=en>)

If you want this position to be reviewed, you should write to the Commission's Secretary-General at the address below. You have 15 working days in which to do so from receipt of this letter.

*The Secretary-General
European Commission
B-1049 BRUSSELS*

Finally, as concerns your considerations on a potential conflict of interests with relation to the DESERTEC project, I would like to stress that Mrs Ferrero-Waldner was in no way involved in any negotiation pertaining to this matter.

Yours sincerely,



Hubert Sztaszewski

Encl: 3 documents