

(English version)

**Question for written answer E-000229/25
to the Commission
Marieke Ehlers (P/E), Auke Zijlstra (P/E), Ton Diepeveen (P/E)
(20 January 2025)**

Subject: Alleged breach of cooling-off period rules for former Commissioners

The Commission has authorised former Commissioner Thierry Breton to join the US company Bank of America. This decision would appear to be at odds with the rules in force, which set a 2-year cooling-off period for former Commissioners, and with Article 245 of the Treaty on the Functioning of the European Union (TFEU).

The cooling-off period applies to relations that are susceptible to lobbying or a potential conflict of interests.

Mr Breton appears to demonstrate that his role on the bank's Global Advisory Council (GAC) will be purely advisory and unremunerated, but does not appear to rule out a conflict of interests.

1. Is an unremunerated job a valid reason for exempting a former Commissioner from the cooling-off period?
2. Does the Commission consider that a 'purely advisory role' by definition rules out lobbying?
3. How will the Commission verify whether Mr Breton is engaging in lobbying or not in the exercise of his duties on the GAC, and how will it monitor any conflicts of interest that may arise in the exercise of his duties on the GAC?

Submitted: 20.1.2025

**Answer given by Mr Šefčovič on behalf of the European Commission
(4 April 2025)**

1. Former Commissioner for the internal market, Mr Thierry Breton, was not exempted from notifying his envisaged post term of office activity with the Global Advisory Council of the Bank of America and he has complied with his obligation to notify the above-mentioned activity.
2. The answer is No.
3. The decision adopted by the Commission in reply to Mr Breton's notification ⁽¹⁾ contains the appropriate conditions and restrictions to ensure that Mr Breton's activity for the Bank of America complies with the principles of integrity, discretion, confidentiality and collegiality to which he remains submitted.

In particular, Article 2(3) rules out any Commission lobbying from Mr Breton, on behalf of the Bank of America, for a period of two years after ceasing to hold office.

Article 2(5) of the Commission Decision specifically recalls Mr Breton's obligation to inform the President of the Commission, in a timely manner, if and when he has a doubt with regard to the application of the Commission Decision or the Code of Conduct for the Members of the European Commission ⁽²⁾, before acting on the matter in relation to which the doubt may have arisen.

⁽¹⁾ Decision C(2025) 9000 of 15 January 2025, https://commission.europa.eu/about/service-standards-and-principles/ethics-and-good-administration/commissioners-and-ethics/former-european-commissioners-authorised-occupations_en
⁽²⁾ https://commission.europa.eu/about/service-standards-and-principles/ethics-and-good-administration/commissioners-and-ethics/code-conduct-members-european-commission_en