

(English version)

**Question for written answer E-001510/25
to the Commission
Auke Zijlstra (PFE), Marieke Ehlers (PFE), Ton Diepeveen (PFE)
(11 April 2025)**

Subject: Follow-up question on the cooling-off period for former Commissioners

I refer to the Commission's answer to Question E-000229/2025 ⁽¹⁾ of 4 April 2024.

1. In its first answer, the Commission seems to suggest that a cooling-off period — generally defined as the period during which a given person is not allowed to carry out certain functions — lapses when a former Commissioner complies with the obligation to notify. Does the Commission agree then that this is not a cooling-off period at all, but a mere obligation to notify a new employment relationship?
2. In its second answer, the Commission admits that an advisory role may include lobbying, even though the whole point of the cooling-off period is to make lobbying impossible during that period. In view of this, how does the Commission justify the distinction between an advisory role and lobbying?
3. In its third answer, the Commission refers to self-assessment on the part of former Commissioners. Accordingly, a Commissioner is supposed to judge for him or herself whether the performance of an advisory role in certain cases borders on lobbying. Does the Commission understand that the principle of self-assessment opens the door to abuse, especially since the Commission itself admits that an advisory role may include lobbying?

Submitted: 11.4.2025

**Answer given by Mr Šefčovič on behalf of the European Commission
(26 June 2025)**

1. The phrase 'cooling-off period' refers to the two- or three-year period mentioned in Article 11(2) of the Code of Conduct for the Members of the European Commission ⁽¹⁾. In line with Article 11(3) of the Code of Conduct, the Commission adopts the appropriate decisions on the notified post term of office activities, often imposing the conditions and/or limitations necessary to ensure the respect of the principles of integrity and discretion enshrined in Article 245 of the Treaty on the Functioning of the European Union and in the Code of Conduct.
2. The Commission's decisions are based on the assessment of each individual activity, considering all the relevant elements. It is indeed exactly because advisory activities often do include lobbying that the Code of Conduct prohibits lobbying for the cooling-off period and that the post term of office decisions recall these obligations.
3. The former Members of the Commission are bound to thoroughly and scrupulously respect their obligations resulting from the Treaties, the Code of Conduct and, where applicable, any decisions adopted by the Commission on notified post term of office activities. These decisions are made public ⁽²⁾. The applicable rules provide for a robust enforcement mechanism. In particular, in accordance with the Code of Conduct, former Members shall inform the President in a timely manner if they have doubts with regard to the application of this Code before acting on the matter relating to which the doubts arise. The primary responsibility of the former Members does not rule out the Commission's duties and prerogatives deriving from Article 11 of the Code of Conduct.

¹ https://www.europarl.europa.eu/doceo/document/E-10-2025-000229-ASW_EN.html

⁽¹⁾ [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32018D0221\(02\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32018D0221(02)).

⁽²⁾ https://commission.europa.eu/about/service-standards-and-principles/ethics-and-good-administration/commissioners-and-ethics/former-european-commissioners-authorized-occupations_en.