



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate SG/B – Better Regulation and Administrative Policies
The Director

Brussels, **04 FEV. 2011**
SG/B/4 DCB Ares (2011)

Mr Paul de Clerck
ALTER EU – Steering Committee
Mundo-B Building,
Rue d'Edimbourg, 26
1050 - Brussels

**Subject: Open letter to Vice-President Maros Šefčovič on Mr Verheugen's activity with "The European Experience Company"
Mrs Kuneva's activity with the Trilateral Commission**

Ref: Your letter to Vice President Maros Šefčovič dated 7 December 2010 and your request of access to documents GESTDEM 2010/4468

Dear Mr de Clerck,

Vice-President Šefčovič asked me to reply to your letter dated of 7 December 2010 and I am pleased to inform you that the Commission adopted, at its 1946th meeting of 2 February 2010, a decision on the compatibility of Mr Verheugen's activities with "The European Experience Company" with Article 245(2) of the TFEU.

Having taken account of the information provided by Mr Verheugen in his letter of 1 September 2010, of the Ad hoc Ethical Committee's opinion delivered on 2 November 2010, of the complementary elements brought forward by Mr Verheugen following the Committee's opinion, on 2 December 2010, of the potentially wide scope of the non-executive and honorary role of Mr Verheugen in his company, and bearing in mind that former Commissioners remain bound by article 245(2) and, as far as professional secrecy is concerned, by article 339 of the TFEU, the Commission decided that Mr. Verheugen's activities with "The European Experience Company" is compatible with article 245(2) of the TFEU subject to the following conditions:

- "The European Experience Company" will not have professional contacts with the Commission Services over which Mr. Verheugen had authority during his second Commission mandate for a period of 26 months as from the end of Mr. Verheugen's term of office (this period coincides with the limitation period imposed by the Commission as concerns the managing director of "The European Experience Company" and former Head of Cabinet of Mr. Verheugen);
- During this period, "The European Experience Company" will not provide its services to any company or person who has been the addressee or who has benefitted from individual decisions, grants or contracts prepared or handled by the Commission's Directorate General "Enterprise and Industry" during Mr. Verheugen's second Commission mandate.

Following my reply of 24 November to your request (for Friends of the Earth Europe) of 8 September 2010 (GESTDEM 2010/4468), I hereby forward you all Commission documents concerning the approval process of Mr Verheugen's implication with "The European Experience Company", namely:

- (1) Catherine Day's letter to Günter Verheugen dated 31.08.2010;
- (2) Günter Verheugen's fax to Catherine Day dated 01.09.2010;
- (3) Hubert Sztaszewski's note to the Ad hoc Ethical Committee dated 01.09.2010;
- (4) The Ad hoc Ethical Committee's opinion of 02.11.2010;
- (5) Catherine Day's letter to Günter Verheugen dated 11.11.2010;
- (6) Günter Verheugen's fax to Catherine Day dated 02.12.2010;
- (7) President Barroso's memorandum to the Commission dated 31.01.2010 (SEC(2011)158);
- (8) Extract of the minutes of Heads of Cabinet's weekly meeting held on 02.02.2011.

I take this opportunity to inform that the Commission also decided, at its meeting held on 2 February 2011 on an activity notified by Mrs Kuneva, as member of the 'European Group' within the Trilateral Commission. As indicated in my reply of 24 November 2010 to your request of 8 September 2010 (GESTDEM 2010/4468), you will also find enclosed the documents related to the approval process of this activity:

- (9) Meglena Kuneva's letter to President Barroso dated 24.01.2011;
- (10) President Barroso's memorandum to the Commission dated 31.01.2010 (SEC(2011)157);
- (11) Extract of the minutes of Heads of Cabinet's weekly meeting held on 02.02.2011.

As usual, you will have access to the official minutes of the Commission meeting by clicking on <http://ec.europa.eu/transparency/regdoc/pvOverview.cfm?CL=en>.

Yours sincerely,



Hubert Sztaszewski

Copy: Ms Day, Secretary General
Mr Nociar, Head of Cabinet of VP Šefčovič
Mr Laitenberger, Head of Cabinet of President Barroso