

Mr Kenneth Haar
Researcher
Corporate Europe Observatory
Overgaden oven Vandet 12
1415 Copenhagen K
Denmark
kenneth@corporateeurope.org

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Request for access to documents concerning the ECB and the G30

Dear Mr Haar,

On 8 October 2015 you requested access to documents regarding the participation of ECB staff in the Group of Thirty (G30). You also made a reference to the Code of Conduct for the members of the Governing Council¹ as well as the Supplementary Code of Ethics Criteria for the members of the Executive Board² in this regard. You then specifically requested a list of the cases on which the Ethics Officer, the Ethics Adviser, and the Ethics Committee have passed decisions since January 2002. On 4 November 2015, in line with Article 7(3) of Decision ECB/2004/3,³ the ECB extended the stipulated time limit by which it was to reply to your request by an additional 20 working days, due to a temporary overload of incoming requests.

With regard to your questions on (1) whether the participation of ECB staff in the activities of the G30 has been addressed in any way by persons charged with the task to ensure compliance with ethics rules, and (2) whether the recently established Ethics Committee has addressed any issues concerning the participation of ECB staff in activities of the G30 (including the ECB President and a Member of the Supervisory Board, Ms Julie Dickson), please be informed that no such document exists. We would like to clarify that members of the ECB decision-making bodies are not assimilated to the ECB staff. To the best of our knowledge, members of the ECB staff do not participate in the G30.

¹ OJ C 123, 24.5.2002, p. 9, as amended by OJ C 10, 16.1.2007, p. 6.

² OJ C 230, 23.9.2006, p. 46.

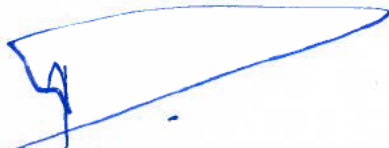
³ OJ L 80, 18.3.2004, p. 42, as last amended by OJ L 84, 28.3.2015, p. 64.

With regard to your request to obtain access to a list of cases on which the Ethics Officer, the Ethics Adviser and the Ethics Committee have passed decisions since January 2002, please note that the advice given by the ECB's Ethics Adviser and the ECB's Ethics Officer does not exist as a list of cases. Still, with a view to be helpful, we have undertaken the effort to create a document which presents the categories of advice that was provided from 2001 to 2014 (see annex). However, please note that the approach of the Ethics Adviser differed from that of the Ethics Officer. While the Ethics Adviser created a new case for each instance of consultation, the Ethics Officer opted for establishing landmark cases only to which he referred to in his practice later on. As a result, the table below does not reflect all pieces of advice given by the Ethics Officer, but only the landmark decisions that at the time were accessible in the ECB's intranet.⁴

As of the date of your request, the Ethics Committee had issued its advice on two occasions⁵; in both cases the matter concerned activities undertaken in a personal capacity.

For the sake of good order, we draw your attention to Article 10 of ECB Decision ECB/2004/3, which provides that "[D]ocuments released shall not be reproduced or exploited for commercial purposes without the ECB's prior specific authorisation. The ECB may withhold such authorisation without stating reasons."

Yours sincerely,



Pierre van der Haegen
Director General Secretariat



Roman Schremser
Chief Compliance and Governance Officer

Encl.

⁴ According to our information, the ECB's Ethics Officer had 131 requests in 2010, 84 requests in 2011, 87 requests in 2013 and 136 requests in 2014. The annexed table for the ECB's Ethics Officer contains 53 cases for the period of 1 April 2010 and 1 October 2012.

⁵ On 20 May 2015 and on 24 June 2015, respectively.

ANNEX**Advice by the ECB's Ethics Adviser**

	Category
<i>Ethical Advice 1-2001</i>	acceptance of private external activities
<i>Ethical Advice 2-2001</i>	acceptance of private external activities
<i>Ethical Advice 3-2001</i>	general issues/other matters
<i>Ethical Advice 4-2001</i>	compliance with Insider Trading Rules
<i>Ethical Advice 5-2001</i>	acceptance of private external activities
<i>Ethical Advice 6-2001</i>	acceptance of gifts or other benefits
<i>Ethical Advice 7-2001</i>	acceptance of gifts or other benefits
<i>Ethical Advice 8-2001</i>	acceptance of private external activities
<i>Ethical Advice 1-2002</i>	acceptance of invitations
<i>Ethical Advice 2-2002</i>	acceptance of private external activities
<i>Ethical Advice 3-2002</i>	acceptance of invitations
<i>Ethical Advice 4-2002</i>	acceptance of private external activities
<i>Ethical Advice 5-2002</i>	compliance with Insider Trading Rules
<i>Ethical Advice 6-2002</i>	compliance with Insider Trading Rules
<i>Ethical Advice 1-2003</i>	acceptance of invitations
<i>Ethical Advice 2-2003</i>	acceptance of invitations
<i>Ethical Advice 3-2003</i>	acceptance of invitations
<i>Ethical Advice 4-2003</i>	acceptance of invitations
<i>Ethical Advice 5-2003</i>	general issues/other matters
<i>Ethical Advice 6-2003</i>	acceptance of gifts or other benefits
<i>Ethical Advice 7-2003</i>	acceptance of invitations
<i>Ethical Advice 1-2004</i>	compliance with Insider Trading Rules

<i>Ethical Advice 2-2004</i>	acceptance of gifts or other benefits
<i>Ethical Advice 3-2004</i>	acceptance of invitations
<i>Ethical Advice 4-2004</i>	acceptance of invitations/ acceptance of private external activities
<i>Ethical Advice 5-2004</i>	acceptance of private external activities
<i>Ethical Advice 6-2004</i>	acceptance of private external activities
<i>Ethical Advice 7-2004</i>	acceptance of private external activities
<i>Ethical Advice 8-2004</i>	acceptance of private external activities
<i>Ethical Advice 9-2004</i>	acceptance of invitations
<i>Ethical Advice 10-2004</i>	acceptance of private external activities
<i>Ethical Advice 11-2004</i>	general issues/other matters
<i>Ethical Advice 12-2004</i>	acceptance of private external activities
<i>Ethical Advice 13-2004</i>	acceptance of private external activities
<i>Ethical Advice 1-2005</i>	compliance with Insider Trading Rules
<i>Ethical Advice 2 - 2005</i>	acceptance of private external activities/compliance with Insider Trading Rules
<i>Ethical Advice 3-2005</i>	acceptance of gifts or other benefits/ acceptance of private external activities
<i>Ethical Advice 4 - 2005</i>	acceptance of private external activities/compliance with Insider Trading Rules
<i>Ethical Advice 5 - 2005</i>	acceptance of invitations
<i>Ethical Advice 6 - 2005</i>	acceptance of invitations
<i>Ethical Advice 7 - 2005</i>	acceptance of gifts or other benefits
<i>Ethical Advice 8 - 2005</i>	acceptance of gifts or other benefits
<i>Ethical Advice 9 - 2005</i>	acceptance of invitations
<i>Ethical Advice 10 - 2005</i>	compliance with Insider Trading Rules
<i>Ethical Advice 1- 2006</i>	general issues/other matters
<i>Ethical Advice 2 - 2006</i>	compliance with Insider Trading Rules
<i>Ethical Advice 3 - 2006</i>	compliance with Insider Trading Rules
<i>Ethical Advice 4 - 2006</i>	compliance with Insider Trading Rules

<i>Ethical Advice 5 - 2006</i>	compliance with Insider Trading Rules
<i>Ethical Advice 1 – 2007</i>	general issues/other matters
<i>Ethical Advice 2 – 2007</i>	acceptance of gifts or other benefits.
<i>Ethical Advice 3 – 2007</i>	compliance with Insider Trading Rules
<i>Ethical Advice 4 – 2007</i>	acceptance of gifts or other benefits
<i>Ethical Advice 5 – 2007</i>	general issues/other matters
<i>Ethical Advice 6 – 2007</i>	acceptance of invitations
<i>Ethical Advice 7 – 2007</i>	acceptance of private external activities
<i>Ethical Advice 8 – 2007</i>	acceptance of gifts or other benefits
<i>Ethical Advice 1 – 2008</i>	acceptance of gifts or other benefits
<i>Ethical Advice 2 – 2008</i>	acceptance of private external activities
<i>Ethical Advice 3 – 2008</i>	acceptance of gifts or other benefits
<i>Ethical Advice 4 – 2008</i>	acceptance of invitations
<i>Ethical Advice 5 – 2008</i>	acceptance of invitations
<i>Ethical Advice 6 – 2008</i>	acceptance of invitations
<i>Ethical Advice 1 – 2009</i>	general issues/other matters
<i>Ethical Advice 2 – 2009</i>	acceptance of invitations/ acceptance of gifts or other benefits

Advice by the ECB's Ethics Officer

	Category
01/04/2010	general issues/other matters
02/04/2010	giving and accepting gifts/hospitality
03/04/2010	giving and accepting gifts/hospitality
04/04/2010	giving and accepting gifts/hospitality
05/04/2010	giving and accepting gifts/hospitality
07/04/2010	giving and accepting gifts/hospitality
08/04/2010	giving and accepting gifts/hospitality
09/04/2010	giving and accepting gifts/hospitality
10/04/2010	giving and accepting gifts/hospitality
11/04/2010	giving and accepting gifts/hospitality
12/04/2010	giving and accepting gifts/hospitality
13/04/2010	compliance with insider trading rules
14/04/2010	compliance with insider trading rules
15/04/2010	compliance with insider trading rules
16/04/2010	compliance with insider trading rules
17/04/2010	giving and accepting gifts/hospitality
18/04/2010	giving and accepting gifts/hospitality
19/04/2010	compliance with insider trading rules
01/05/2010	professional secrecy
02/05/2010	giving and accepting gifts/hospitality
03/05/2010	giving and accepting gifts/hospitality
04/05/2010	compliance with insider trading rules
05/05/2010	compliance with insider trading rules
06/05/2010	private activities (remunerated/unremunerated)

01/06/2010	giving and accepting gifts/hospitality
02/06/2010	giving and accepting gifts/hospitality
03/06/2010	giving and accepting gifts/hospitality
04/06/2010	giving and accepting gifts/hospitality
05/06/2010	giving and accepting gifts/hospitality
06/06/2010	compliance with insider trading rules
07/06/2010	compliance with insider trading rules
08/06/2010	compliance with insider trading rules
09/06/2010	compliance with insider trading rules
10/06/2010	compliance with insider trading rules
11/06/2010	compliance with insider trading rules
12/06/2010	compliance with insider trading rules
13/06/2010	compliance with insider trading rules
14/06/2010	compliance with insider trading rules
01/07/2010	compliance with insider trading rules
02/07/2010	compliance with insider trading rules
03/07/2010	compliance with insider trading rules
04/07/2010	compliance with insider trading rules
05/07/2010	conflicts of interest
06/07/2010	private activities (remunerated/unremunerated)
07/07/2010	compliance with insider trading rules
08/07/2010	giving and accepting gifts/hospitality
01/02/2011	compliance with insider trading rules
01/04/2011	general issues/other matters
02/04/2011	compliance with insider trading rules
01/09/2011	compliance with insider trading rules

01/12/2011	giving and accepting gifts/hospitality
01/03/2012	external activities on subjects relating to the ECB
01/10/2012	compliance with insider trading rules
2013	During 2013 the Ethics Officer referred to earlier published advice.
2014	During 2014 the Ethics Officer referred to earlier published advice.