



Brussels, July 12th, 2022

President von der Leyen
European Commission
(delivered by email only to
ec-president-vdl@ec.europa.eu)

Subject: Breach of obligation by former commissioner Neelie Kroes

Dear President von der Leyen,

A publication from international media outlets revealed that Ms. Kroes, former Commissioner for Competition and Vice President for the Digital Agenda, has defied guidance from the European Commission for her lobbying activities on behalf of Uber after leaving office. Even after failing to obtain the requested and necessary permission by then Commission President Jean-Claude Juncker to start acting on behalf of Uber, Ms. Kroes helped Uber with lobbying, by helping to draft a letter to her successor in the Commission and by lobbying on behalf of Uber in the Netherlands.

According to Article 11 of the Code of Conduct for Members of the European Commission, former Commissioners are bound to ask the Commission during a cooling-off period whether any professional activity is compatible with their obligations under Article 245 of the Treaty on the Functioning of the European Union (TFEU). Ms Kroes asked for permission but withdrew the request after the Commission indicated activities for Uber would not be compatible with Article 245. Article 247 TFEU allows for the Court of Justice, on application by the Commission, to deprive former Commissioners of their rights to a pension or other benefits in case of breaches of their obligations.

In view of this breach of professional obligations, and considering your assurances in your political guidelines that the Union's "institutions should be open and beyond reproach on ethics, transparency and integrity", we request that you open a formal investigation into the conduct of Ms. Kroes during her time after leaving office. Since this would be the second time Ms. Kroes fails to live up to the standards of integrity, we have the view that a reprimand will not suffice and ask you to consider financial sanctions, in case the investigation finds obligations have indeed been broken. Besides, the European institutions should then declare her persona non grata and refuse to have contacts with her.

To uphold the Code of Conduct firmly, is essential to protect the public confidence in the European institutions and in politics in general.

Yours sincerely,

Members of the European Parliament

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Rasmus Andresen (Greens/EFA)
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