

From: Kenneth Haar
Sent: Tuesday 14 February 2012 14:12
To: Press Office (Email)
Subject: To the Executive Board of the ECB, complaint
To the Executive Board of the European Central Bank
Concerning the President's membership of the Group of Thirty.

This letter is to complain about the about the European Central Bank's response to my letter (on behalf of Corporate Europe Observatory) about ECB President Draghi's membership of the Group of Thirty which failed to adequately address the concerns I raised.

In my letter to President Draghi of 28 November 2011 (see below), I highlighted the conflicts between the President's responsibilities as head of the European Central Bank and his membership of the Group of Thirty. Basically, Corporate Europe Observatory feels there is a strong risk of conflicts-of-interest and a threat to the reputation and the independence of the President, as well of that of the Bank, if the President insists on remaining a member of that group.

The response from the Press & Information division, dated 22 December (see below), states that it is "part of the President's tasks to represent the ECB in international conferences, fora and groups to exchange views on international economic and financial issues and to communicate the ECB's positions and policies. When representing the ECB in such conferences, fora or groups, the President of the ECB acts in accordance with the principle of independence and integrity."

This response is unsatisfactory because firstly, it does not address the specificities of the Group of Thirty; and while it claims rightly or wrongly that the President adheres to the principles of independence and integrity, it does not provide any insight on the checks and balances provided by the rules of the Bank to uphold these values.

The letter, in other words, does not address our concerns in any meaningful way, and as a result we have explored whether membership of a group like the Group of Thirty is reconcilable with the rules that employees of the European Central Bank are bound by.

Our conclusion is that President Draghi appears to be violating the Code of Conduct for the Members of the Governing Council, and the Supplementary Code of Ethics Criteria for the members of the Executive Board of the European Central Bank. This assessment is based on the information available on the Group of Thirty and what we know of the President's involvement in the group's work.

1. The Code of Conduct for the Members of the Governing Council:

Quote: "3.4. Members of the Governing Council shall ensure that non-ESCB activities, if any, whether remunerated or not, have no negative impact on their obligations and will not damage the image of the ECB."

We believe the membership of the Group of Thirty damages the image of the European Central Bank.

Quote: "3.5. Relations with interest groups shall be based upon an approach that is compatible with their independence as members of the Governing Council and the principle of integrity".

We believe the President's membership of the group is not compatible with his independence.

Quote: "4.1. The members of the Governing Council shall avoid any situation liable to give rise to a conflict of interests. A conflict of interests arises where the members of the Governing Council have private or personal interests, which may influence or appear to influence the impartial and objective performance of their duties."

His membership may influence or appear to influence the impartial and objective performance of his duties and is conducive to conflicts-of-interest.

2. The Supplementary Code of Ethics Criteria for the members of the Executive Board:

Quote: "3. Acceptance of invitations

Members of the Executive Board, while keeping in mind their obligation to respect the principle of independence and avoid conflicts of interest, may accept invitations to conferences, receptions or cultural events and connected entertainment, including appropriate hospitality, if their participation in the event is compatible with the fulfillment of their duties or is in the ECB's interest. [...] In particular, members of the Executive Board may accept invitations to widely attended events, while they should observe particular prudence with regard to individual invitations."

This conflicts with participation at the meetings of the members of the Group of Thirty.

We look forward to your response to our conclusion that Mr. Draghi is violating the rules governing the

European Central Bank. To supplement your response, we would like to see available documents on any advice given by the ECB's ethics adviser, including written guidance provided to the Governing Council or to the President on the matter at hand. Also, we would like to see any written communication on the matter to and from the ethics officer of the ECB. Finally, we would like to receive the list of external mandates of the President as provided for in article 3.6 of the Code of Conduct for Members of the Governing Council.

Yours faithfully

Kenneth Haar
Researcher
Corporate Europe Observatory
Rue d'Édimbourg 26
Brussels

Subject: RE: To Mr. Draghi on his membership of the Group of Thirty
Date: Thu, 22 Dec 2011 15:15:55 +0100
From: <info@ecb.int>
To: Kenneth Haar

Dear Mr Haar,

In reply to your request of 28 November 2011 in which you raise concerns regarding the participation of the President of the ECB in The Group of Thirty, please be informed that it is part of the President's tasks to represent the ECB in international conferences, fora and groups to exchange views on international economic and financial issues and to communicate the ECB's positions and policies. When representing the ECB in such conferences, fora or groups, the President of the ECB acts in accordance with the principle of independence and integrity.

With kind regards,
EUROPEAN CENTRAL BANK
Directorate Communications
Press and Information Division
Kaiserstraße 29
D-60311 Frankfurt am Main
Tel: +49 69 13 44 74 55
Fax: +49 69 13 44 74 04
E-mail: info@ecb.europa.eu