



EUROPEAN CENTRAL BANK
EUROSYSTEM

ECB-PUBLIC
COURTESY TRANSLATION

Christine LAGARDE
President

Ms Manon Aubry
Member of the European Parliament
European Parliament
60, rue Wiertz
B-1047 Brussels

Frankfurt am Main, 2 September 2020

L/CL/20/243

Re: Your letter (QZ-045)

Honourable Member of the European Parliament, dear Ms Aubry,

Thank you for your letter, which was passed on to me by Ms Irene Tinagli, Chair of the Committee on Economic and Monetary Affairs, accompanied by a cover letter dated 29 June 2020.

Let me start by emphasising that the ECB has specific ethics rules in place to address conflicts of interest arising from the future employment of staff members.¹ These rules range from the early notification of potential changes of employer to the need to respect cooling-off periods. More specifically, ECB staff members are obliged to act with integrity and discretion when negotiating future employment and to inform the ECB's Compliance and Governance Office prior to making any commitments if such future employment could lead to conflicts of interest.² If conflicts of interest are confirmed, mitigation measures such as reassigning the staff member to a different non-conflicting role and/or removing access rights to sensitive ECB information are implemented with immediate effect. In addition, the ethics framework of the ECB provides for cooling-off periods in specific circumstances³, for example in the event that staff members intend to move to financial corporations.

¹ See Article 0.2.8 of the ethics framework of the ECB, available at [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XB0620\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XB0620(01)&from=EN)

² See Article 0.2.8.1 of the ethics framework of the ECB, available at [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XB0620\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XB0620(01)&from=EN)

³ See Article 0.2.8.3 of the ethics framework of the ECB, available at [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XB0620\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015XB0620(01)&from=EN)

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Moreover, all staff members remain bound by the obligation to maintain professional secrecy after the end of their employment with the ECB. Given its importance, this obligation is even stipulated at the level of primary law in the Protocol on the Statute of the European System of Central Banks and of the European Central Bank⁴ and has also been duly transposed into the ECB Conditions of Employment⁵ and the ECB Staff Rules⁶.

As to your first question, the former Deputy Director General Monetary Policy submitted her resignation to the ECB on 7 May 2020, effective as of 30 June 2020. She also notified the ECB of her envisaged appointment to the Board of Directors of LVMH – a decision which was taken by LVMH on 30 June 2020.⁷

In response to your second and third questions, I can first of all confirm that the three-month cooling-off period before taking up a post with a financial corporation was applicable for her role in Tikehau Investment Management, but not for the one in LVMH, which is non-financial corporation.⁸ In this context, it is essential to clarify that the staff member had not been in active employment with the ECB since 1 January 2020. During this time, she had been released from all professional and managerial duties and all her access rights to sensitive information in the ECB's internal document and records management repository had been suspended with immediate effect. This means that the staff member had in fact effectively respected a cooling-off period of six months, instead of the required three months, from the date on which her work in the Directorate General Monetary Policy had ceased, i.e. 31 December 2019. As to the adequacy of cooling-off periods, let me inform you that the Executive Board will consider it as part of the upcoming regular review of the ethics framework of the ECB.

As to your remarks on the list of ECB managers that is available on the ECB's website, let me explain that, with a view to protecting staff members' personal data rights, this list does not reflect cases of temporary absence, such as unpaid leave on personal grounds or sick leave, if the position in question is not filled in the interim. However, acknowledging the risks of misinterpretation, the ECB will review its processes in this regard.

Yours sincerely,

[signed]

Christine Lagarde

⁴ See Article 37 of the Statute of the ESCB, available at https://eur-lex.europa.eu/eli/treaty/teu_2016/pro_4/oj

⁵ See Article 4 of the ECB Conditions of Employment, available at https://www.ecb.europa.eu/careers/pdf/conditions_of_employment.pdf

⁶ See Article 0.3.1 of the ECB Staff Rules, available at https://www.ecb.europa.eu/careers/pdf/staff_rules_fixedterm.pdf

⁷ See LVMH Combined Shareholders' Meeting of 30 June, 2020 – Detailed Vote of Resolutions, available at <https://r.lvmh-static.com/uploads/2019/12/lvmh-detailed-vote-of-resolutions.pdf>

⁸ It should be noted that LVMH is a non-financial corporation, and therefore the three-month cooling-off period does not apply.

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