

THE ETHICS COMMITTEE

ECB-PUBLIC

[ECB/EC/22/8]

[TRANSMITTED ON 1 MARCH 2022]

To the ECB President

Subject: Opinion of the Ethics Committee on envisaged post-employment activity

Dear Madame President,

On 22 February 2022, Ms Jekaterina Govina, former member of the Supervisory Board, notified the Ethics Committee¹ of her intention to join the Lithuanian law firm “Response Legal” as partner starting on 1 March 2022. At the same time, Ms Govina confirmed that due to the one-year cooling-off period imposed by Lithuanian law² she will not be allowed to engage in any consulting activity for financial firms, licensed and/or supervised by Lietuvos bankas, the ECB or other financial supervisory authorities.

The Ethics Committee notes that Ms Govina will take up her position at the law firm five months after the end of her term with the Supervisory Board on 30 September 2021, while the Single Code (Article 17.1(c)) stipulates a cooling-off period of six months for post-employment activities that could contain an element of consultancy and/or advocacy for the ECB or for any significant or less significant institution. However, bearing in mind the restrictions imposed by Lithuanian law and Ms Govina’s assurance that she will not provide, nor be involved in providing, any consulting/counselling activity for financial firms, directly or indirectly supervised by the ECB for a period of one year, the Ethics Committee is of the view that the applicable six-month cooling-off period required by the ECB’s Single Code will be effectively observed.

Moreover, Ms Govina notified the Ethics Committee that she intends to occasionally publish articles on financial innovations and financial regulation for a local journal on investments; organise training courses for students and other participants on financial innovation and regulation; and advise start-ups (outside the financial sector) on their business development.

Regarding these activities, the Ethics Committee considers that the sporadic, non-systematic contribution to journals falls outside the scope of activities requiring notification as gainful occupational activity within the meaning of the Single Code, and that for the organisation of self-employed training courses to students, i.e. non-financial sector, as well as for the self-employed advising of start-ups (outside the financial sector) no cooling-off period is applicable.

¹ In line with Articles 17(1) and (3) of the Single Code

² Article 15 of the Law on the adjustment of public and private interests of the Republic of Lithuania

For the sake of completeness, the Ethics Committee deems it appropriate to remind Ms Govina of her duty of professional secrecy, which applies beyond her term as high-level ECB Official³, as well as of her duty to notify the ECB, prior to committing, of any potential new occupational activity for a period of two years from the end of her term as a member of the Supervisory Board.

Finally, in line with the transparency policy adopted by the Governing Council in July 2020⁴, it is recalled that opinions issued by the Ethics Committee on post-employment matters are published⁵ on the ECB website with a six-month delay.

With best regards,

The Chair of the ECB Ethics Committee (Patrick Honohan)

Cc: Mr A. Enria, Chair of the Supervisory Board

³ In line with Article 339 of the Treaty on the Functioning of the European Union, Article 37 of the Statute of the European System of Central Banks and of the European Central Bank and Article 4 of the Single Code.

⁴ See https://www.ecb.europa.eu/press/govcdec/otherdec/2020/html/ecb_gc200731~33d1f664a6.en.html

⁵ See https://www.ecb.europa.eu/ecb/access_to_documents/document/opinions_ethics_com/html/index.en.html