

# European Commission Reaction to the article published in Libération on 15 March 2019\*

The European Commission rejects the content of the [article](#) in the strongest possible terms. It is based on entirely wrong claims and anonymous “sources”. It makes unacceptable allegations that have nothing to do with the reality of what is a very sad personal story that – out of respect for the victim and her family – should have no place in the public domain.

The passing of our brilliant colleague, Director in the Legal Service, who is referred to in the article, was a shock to all of us who had the privilege and the chance to know her and work with her.

The Belgian police conducted an investigation and communicated to the European Commission’s Security Directorate on 17 December at 12:40h CET that it was suicide in a private context.

The Secretary-General of the European Commission barely knew the colleague in question. He had met her only twice – including as part of a bigger meeting. He did not have any contact with her beyond these two meetings; neither did he ever call her.

The claims and insinuations made in this article are unacceptable, malicious and disrespectful – in particular towards the victim and her family but also towards the European Commission as an institution, at a moment when the President and this House are in the middle of very delicate negotiations and processes of critical importance to our Union.

It is the European Commission as an institution that has taken all the decisions related to the appointment of its Secretary-General; it is the European Commission as an institution that has replied to the European Parliament; it is the European Commission as an institution that has replied to the Ombudsman. The decisions of the Commission in this respect are always prepared in cooperation with all the competent services and not by a single person; and they are always taken by the institution and not by a single person.

Using a personal tragedy in such a way is simply inhumane and beyond belief.

## **Point by Point**

*‘The European Commission was forced to defend the irregular appointment of Martin Selmayr, former Chief of Staff of Jean-Claude Juncker, as Secretary-General of the institution.’*

Laura Pignataro was Director for European Civil Service Law in the Legal Service and as such worked on questions relating to the EU Staff Regulations. This was simply her field of competence.

*'The problem is that the Legal Service was not consulted about Selmayr's appointment upstream, as it should have been [...], because they knew it would have opposed this scheming.'*

There is no obligation to consult the Legal Service on senior management appointments. The decision was proposed and adopted unanimously at the meeting of the College on 21 February 2018. The Director-General of the Legal Service was present at the meeting. Any Member of the College can request the opinion of the Legal Service during College meetings which the Director-General of the Legal Service always attends.

*'A meeting is called by Juncker's cabinet on 24 March 2018 at 14.30 to draft the replies. There are 10 people around the table, including, for the Legal Service, the Spaniard Luis Romero, Director-General, the German Bernd Martenczuk, his assistant, and Laura Pignataro. But, right in the middle of the meeting, Martin Selmayr, accompanied by his henchwoman Mina Andreeva from the Spokesperson's Service, enters the room. Romero immediately gets up and leaves the room.'*

The Director-General of the Legal Service did not leave the meeting. The two colleagues from the Legal Service who were present in the room worked all the time under the supervision of the Director-General of the Legal Service.

*'Because the arrival of the Secretary-General at a meeting intended to prepare his defence constitutes a major conflict of interest.'*

As stated above, Luis Romero did not leave the room and certainly not because of an alleged conflict of interest since there was no conflict of interest: the answers were drafted under the authority of the Commissioner for Budget and Human Resources with the support of the Directorate-General in charge of Human Resources and Security, the Commission's Legal Service and the Cabinet of the President. The Secretary-General contributed to correctly establish the replies relating to him in order to ensure that they are complete and exhaustive.

*"Rather than leaving, Romero should have made Selmayr leave the room, which he did not do. And Pignataro did not dare to follow him on her own initiative: 'Romero coldly dropped her. He left her on her own,' said a witness."*

As stated above, there was no conflict of interest. Second, at no point, Laura Pignataro was left alone. Luis Romero and his assistant, Bernd Martenczuk, were present at all times.

*'A lawyer himself, it is he who dictates the replies to be given on 24 March...'*

Martin Selmayr contributed to correctly establish the replies relating to him in order to ensure that these are complete and exhaustive. He certainly did not dictate answers.

*"The replies are prepared on 2 April 2018 by the same team and, like the first time, Selmayr turns up. 'Coming out of these meetings, Laura was in a*

*rage: she knew she had been party to an unlawful conflict of interest,' says a friend."*

2 April 2018 was Easter Monday. There were no meetings on this day. Laura Pignataro participated only in one meeting in which answers to the European Parliament questions were discussed: on 24 March 2018. There were no further such meetings in which she participated involving the team referred to.

*"'I cannot lie to her, it's impossible, I gave all the files to the Ombudsman,' she told me,' says a close friend."*

It was the Secretariat-General's Unit in charge of relations with the Ombudsman who was the interlocutor of the Ombudsman in the inquiry. It provided the European Ombudsman with approximately 11,000 pages of documentation. It was on that basis that the Ombudsman prepared her findings – to which the European Commission replied as well. At no point did Laura Pignataro pass emails to or engaged with the Ombudsman. This was all done through the aforementioned Secretariat-General's unit.

*'Selmayr then realises that Pignataro is the source of these leaks. He instructs her to answer the Ombudsman and forbids her to tell anybody about it. She is again forced to lie here. The Secretary-General sometimes calls her in the middle of the night to give instructions...'*

This is simply invented. The Secretary-General did not call Laura Pignataro. He met Laura Pignataro only twice: once in May 2016 when in his function as Head of Cabinet of the President and on the basis of a shortlist presented by the Director-General of the Legal Service, he recommended to the President to support the proposal from the Commissioner for Budget and Human Resources for the appointment of Laura Pignataro by the Commission as Director in the Legal Service. And then on 24 March 2018 as part of the large meeting working on the replies to the European Parliament questions. As stated, above, he never tasked her to work on the replies to the Ombudsman. He met her only twice, he never called her.

*'She seemed terrified by Selmayr's hostility'*

As explained above, the Secretary-General had only met Laura Pignataro twice and they had no contact at all beyond this.

*'The Eurocrats at the Legal Service discover the drama by a message published on their intranet and not on the general thread:'*

The announcement was published on my My IntraComm – the European Commission's intranet webpage which is accessible to all Commission colleagues.

*'Neither Martin Selmayr, nor Günther Oettinger, the Commissioner responsible for administration, nor Jean-Claude Juncker deemed it necessary to pass on their condolences to the family.'*

The Secretary-General did want to send a personal condolence letter to the family of the deceased but refrained from doing so following the explicit advice of the Director-General of the Legal Service who pointed to the

delicate private circumstances. Several members of the Commission staff were present, including members of the President's Cabinet.

*"However, 'that day, all officials received a message from Selmayr wishing us happy holidays. We were all shocked,' says one of Laura Pignataro's friends."*

The Secretary-General sent only one email to the entire Commission staff, namely on 1 March 2018, the day of taking up his new duties. The Christmas message was sent only to the staff of the Secretariat-General and other staff working directly with him.

*'Yet Selmayr knew Pignataro, as he had appointed her to her position and worked with her for twelve months.'*

As stated above, Martin Selmayr in 2016, as Head of Cabinet of the President had lent his support to appoint Laura Pignataro as Director in the Legal Service but the two never worked directly together.

*'As soon as news of her death is known, the Commission's security services seal her office. It is still sealed today.'*

Since January, Laura Pignataro's office is no longer sealed.

*'The EU executive refuses to reveal if internal investigations have been conducted into the reasons for this suicide: Burn-out? Psychological harassment? Personal problems?'*

The Belgian police conducted an investigation and communicated to the European Commission's Security Directorate on 17 December at 12:40h CET that it was suicide in a private context.

*'But nothing on the absence of condolence or any possible psychological harassment which Laura Pignataro might have suffered:'*

There was no harassment. The Secretary-General barely knew Laura Pignataro.

*'Could there be reasons other than professional ones to explain what she did?'*

The Belgian police conducted an investigation and communicated to the European Commission's Security Directorate on 17 December at 12:40h CET that it was suicide in a private context.

*'We already know that Selmayr is going to appoint one of his faithful, another German like him.'*

The post has been published but the selection procedure has not even started.

\*[Please note that the authentic version of the extracts from the Libération article quoted above is only in French.]