

EUROPEAN PARLIAMENT

PETITION CALLING FOR THE COLLECTIVE RESIGNATION OF ALL MEMBERS OF THE EUROPEAN COMMISSION

For serious and repeated breaches of their "duties of independence, honesty, dignity, loyalty, discretion and observance of the highest ethical standards", as set out in article 2 of the Code of Conduct for Members of the European Commission.

The French association BonSens.org brings together tens of thousands of people who have decided, as part of a civic initiative, to take action to tackle health and environmental challenges.

BonSens.org initiated legal proceedings in France in January 2022, to have the contracts for the purchase of Covid-19 vaccines concluded by the European Union (EU) and the Member States with PFIZER Inc declared null and void, and in the USA in December 2022 to obtain the production of the messages exchanged during the negotiation of the said contracts between Mr BOURLA, CEO of PFIZER, and Ms von der LEYEN, President of the European Commission (EC). Although these proceedings have not yet been concluded, Mrs von der LEYEN is now the target of a criminal complaint with civil action filed in Belgium by a Belgian lobbyist, Frédéric Baldan, who accuses her of having directly and secretly negotiated the contracts at issue, which involve several billion doses and euros, in place of the governments of the Member States, who are normally the only ones entitled to represent them in such negotiations, without any mandate having been conferred on her by the Member States of the EU or the treaties governing its operation. Mrs von der Leyen has thus manifestly and gravely disregarded the limits imposed on the Commission's powers, thereby engaging the legal responsibility of the European Union towards its citizens. The complaint also accuses her of destroying the electronic correspondence she had with Mr BOURLA, even though these are public documents normally accessible to citizens under the Right to Transparency provided for in Article 41 of the Charter of Fundamental Rights of the EU (CFREU). Finally, she is accused of illegal taking of interest and corruption, as PFIZER holds nearly 80% of the market for vaccines against COVID-19 in Europe...

These facts are confirmed:

- 1) an article in the New York Times on 29 April 2021 entitled "How Europe sealed a Pfizer vaccine deal with texts and calls",
- 2) the report by the European Ombudsman, Mrs Emily O'Reilly, dated 14 July 2022,
- 3) by the report of the European Court of Auditors dated 13 September 2022.

On 16 March 1999, the European Commission chaired by Jacques Santer resigned collectively, not having been forced to do so by a vote of no confidence, but following the publication of a report by a comitée of independent experts which listed several categories of unacceptable behaviour by certain commissioners.

(https://multimedia.europarl.europa.eu/fr/video/history-fall-of-the-santer-commission_V001-0004).

In the wake of this scandal, and with the aim of ensuring that such incidents do not happen again, a Code of Conduct for Members of the European Commission (CCMCE) was adopted and published in the EU Official Journal, giving it binding force, so that these rules of conduct can be invoked by litigants against members of the European Commission.

Article 2.2 of the CCME provides that: "***Members shall regulate their conduct and exercise their functions with full respect for their duties of independence, honesty, dignity, loyalty and delicacy They observe the highest ethical standards***".

Mrs von der LEYEN's behaviour and actions have unquestionably violated all of these principles. Moreover, she continues to do so by stubbornly refusing to disclose the disputed contracts and SMS messages.

These facts offend public morality and shatter the legitimate confidence that citizens must be able to have in the members of the European civil service. It is clear that Ms von der LEYEN is no longer in a position to perform her duties, so that her continued appointment is contrary to the principle of good administration laid down in Article 41 of the EU Charter.)

There is an urgent need to find a solution to this situation.

As article 2.4 of the CCME provides that "the members shall act in a collegial manner and assume collective responsibility for any decision taken by the Commission", **the present petition calls for the collective resignation of all the members of the European Commission and its President, all of whom have the legal and moral responsibility to scrupulously apply the rules of the Code of Conduct to which they voluntarily submitted themselves on taking office.**