



Brussels, 4 June 2019

For the attention of: **Donald Tusk, President of the Council of the European Union**
Vasilica Viorica Dăncilă head of the Romanian Presidency of the Council, Prime Minister of Romania

Subject: **Protection of the Financial Interests of the European Union - Conflict of Interests**

Dear Mr. President,

It is our sincere and strong belief that following the Opinion of the European Commission's Legal Service of 19 November 2018, the European Parliament Resolution of 13 December 2018 on conflicts of interest and the protection of the EU budget in the Czech Republic (2018/2975(RSP) and the European Commission's Draft Audit Report No. REGC414CZ0133 of 29 May 2019, related to the conflict of interests of the Czech Prime Minister Andrej Babiš, the situation must be handled with the utmost priority.

Although the Draft Audit Report is not yet final, the findings and conclusions on the irregularities of payments and the clear conflict of interests of Mr. Andrej Babiš, only prove the opinion of the Commission's Legal Service which found that: *"The situation of Mr. Babiš qualifies as a conflict of interests within the meaning of Article 61(3) of the new Financial regulation"*.

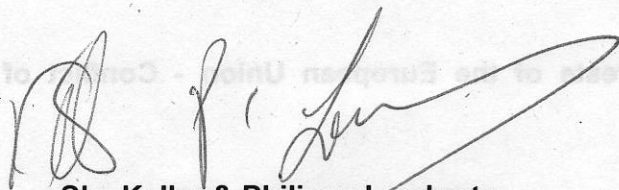
The European Parliament treated the question on Mr. Babis' potential conflict of interests with utmost of importance during the Commission's discharge procedure and also adopted a Resolution in December 2018 where it said that the Parliament is: *"Deeply concerned about the Czech Republic's non-compliance with Article 61(1) of the Financial Regulation regarding the conflict of interest of the Czech Prime Minister and his links to the Agrofert Group"* and *"calls on the Council to take all necessary and appropriate measures to prevent conflicts of interest in the context of the negotiations of the future EU budget and the next multiannual financial framework, in line with Article 61(1) of the Financial Regulation"*.

In line with the findings presented in the documents mentioned above, and with the protection of the financial interests of the EU in mind, we would urge you to explain to the European Parliament and EU citizens, what active measures have you implemented to prevent any decision on the current or future EU budgets by the Council being potentially influenced by the conflict of interests of one of the members of the Council. As all of Council's members decide on the MFF unanimously, the question is even more acute.

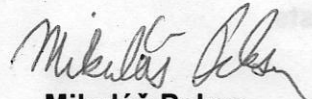
The audit report, in its final version, will most probably ask for a full (100%) financial correction of all expenditure declared for and paid to Agrofert Group, whereby the sole beneficial owner is Mr. Babis, and to verify all grants awarded after February 2017 for all concerned operational programs.

This is why it is our duty to all Czech and European citizen to make sure that a sitting Prime Minister, who owns companies receiving EU funds and who receives regular dividends from these companies, cannot be allowed to have a say on what the current and the future priorities of the EU budget will be.

Yours faithfully,



Ska Keller & Philippe Lamberts
Co-Presidents of the Greens/EFA
in the European Parliament



Mikuláš Peksa
Greens/EFA MEP
Member of the Czech Pirate Party