



Brussels, 30.9.2020  
C(2020) 9039 final

**DECISION OF THE EUROPEAN COMMISSION**

**on Former Commissioner Elżbieta Bieńkowska's post term of office professional activity  
as member of the External Advisory Board and of the Quality Assurance Board of Una  
Europa**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the Commission Decision of 31 January 2018 (C(2018) 700 final) on a Code of Conduct for the Members of the European Commission, and in particular Article 11(3) thereof,

Whereas:

- 1) According to Article 245(2) of the Treaty on the Functioning of the European Union, the Members of the Commission, when entering upon their duties, shall give a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom and, in particular, their duty to behave with integrity and discretion as regards the acceptance, after they have ceased to hold office, of certain appointments or benefits.
- 2) Article 339 of the Treaty on the Functioning of the European Union provides that the Members of the institutions of the Union shall be required, even after their duties have ceased, not to disclose information of any kind covered by the obligation of professional secrecy, in particular information about undertakings, their business relations or their cost components.
- 3) Article 11 of the Code of Conduct for the Members of the European Commission establishes a specific procedure for the assessment of planned professional activities which the Members or former Members of the Commission intend to take up after they have ceased to hold office. The Commission shall examine the information provided in order to determine whether the nature of the planned activity is compatible with Article 245 of the Treaty on the Functioning of the European Union. If the planned activity is related to the portfolio of the Member or former Member, the Commission shall decide only after having consulted the Independent Ethical Committee unless the planned activity falls within the exceptions foreseen in paragraph 3, second subparagraph, lit. (a) to (f).
- 4) By email of 3 August 2020, Former Commissioner Elżbieta Bieńkowska informed the the Commission about her intention to accept an invitation addressed to her by the Chair of the Board of Directors of ‘Una Europa’ to become member of the External Advisory Board and Quality Assurance Board of ‘Una Europa’.
- 5) According to the information provided by Former Commissioner Bieńkowska with her notification, ‘Una Europa’ is an alliance of eight leading European research

universities established in 2019 with the purpose of drawing on their collective strengths to create a truly European inter-university environment for collaboration in education, research and innovation. 'Una Europa's partner universities are : the 'Freie Universität Berlin', the Alma Mater Studiorum Università of Bologna, the University of Edinburgh, the Helsingin Yliopisto/ Helsingfors Universitet, the University Jagielloński of Krakow, the Katholieke Universiteit Leuven, the Universidad Complutense of Madrid and the Université Paris 1 Panthéon-Sorbonne. 'Una Europa' partner universities came together under 'Una Europa's 'Manifesto on the University of the Future'. 'Una Europa' and its partner universities are committed to 'driving European leadership by creating a 'University of the Future' as an international, value-driven, innovative community of researchers, students and professional services that is open and inclusive'.

- 6) 'Una Europa' envisions, by 2030, to develop 'Una Europa' from an incubator to an international campus. To achieve this goal, 'Una Europa' will reportedly establish and consolidate a common value-driven community of management, researchers and support services that continuously works across all missions to achieve the following common goals of: (a) combining collective interdisciplinary strengths in education, research and innovation to produce impact at a scale and quality that they would be unable to achieve alone; (b) responding to current and future global challenges, pushing the boundaries of basic knowledge to respond to globalisation, climate change, digital transformation, demographic change and the need for high quality expertise; (c) enhancing collaboration and mobility that is open and inclusive at all levels and pooling their infrastructure, knowledge, resources, local communities and non-academic partners; (d) empowering researchers and support staff to lead on initiatives responding to Europe's needs; (e) developing and implementing a vision and transformational processes for the 'sustainable university' as an institution that systematically develops communities, opportunities, spaces and projects to meet global environmental challenges across all missions; (f) putting forward new standards of excellence in education and research, leading to new pathways in technological, social and cultural innovation; (g) generating new concepts and transformational models for the University of the Future integrating them into the policies and strategies of 'Una Europa' and each partner university; (h) piloting and implementing these concepts and models, ensuring scalable solutions that are transferable to other institutions and alliances; (i) contributing to governmental and European policies to promote a more united, cooperative, attractive and competitive European Higher Education Area and European Research Area; (j) setting a global standard for international collaboration across the globe, with a focus on Africa.
- 7) 'Una Europa's partners have decided to launch their collaboration within the five following priority focus areas which have been chosen in line with 'Una Europa's mission and values: European Studies, Sustainability, Cultural Heritage, Data Science and Artificial Intelligence as well as One Health. These focus areas will each 'foster

multi-disciplinarity and include many of the studies on offer at [their] partner universities.’

- 8) ‘Una Europa’ was formally established on 1 February 2019 as a non-profit association under Belgian law. Its governance structure is composed of a General Assembly, an Executive Committee and a Board of Directors. The General Assembly is composed of the eight partner universities and eight university-related members represented by their Rectors or Presidents. It is the highest decision-making body for ‘Una Europa’.
- 9) The External Advisory Board will advise ‘Una Europa’ on its strategic orientations. Its (at least six) members are designated by the General Assembly and shall include ‘representatives from the socio-economic and academic world selected in light of their intellectual, societal or scientific influence or merits’. The External Advisory Board will meet at least once a year. At the invitation of the General Assembly, it may have additional meetings. According to the information provided, the members of the External Advisory Board will have space to define how they would like to engage with ‘Una Europa’ but they are in any case requested to participate in the Board’s annual meeting.
- 10) The Quality Assurance Board has been established to monitor progress, output and the quality of activities carried out, including processes and developments. Progressive evaluation of process quality is expected from the Quality Assurance Board, notably as concerns ‘Una Europa’'s ‘1Europe pilot’ project, financed by the European Union and the first main project to be carried out under ‘Una Europa’.
- 11) Ms Bieńkowska’s responsibilities will not include a direct role in the management of ‘Una Europa’ or in any of the Universities which form part of ‘Una Europa’. Nonetheless, it is appropriate to set the same restriction as regards lobbying as in previous decisions regarding other Former Commissioners’ post term of office professional activities in the management of academic institutions, in order to rule out any possible contact concerning future decisions of the Commission on the allocation of funds.
- 12) Without prejudice to the restriction stated above, the envisaged activity does not present any risk of incompatibility with Former Commissioner Bieńkowska’s former role as Member of the Commission or with the interests of the institution, provided that Ms Bieńkowska abides by the relevant provisions of the Treaty on the Functioning of the European Union, notably Article 339, and of the Code of Conduct for the Members of the Commission, namely Article 11(1), in conjunction with Article 5, and Article 11(4) as concerns the protection of confidentiality of sensitive information, the protection of collegiality and discretion and the prohibition of lobbying during a period of two years after her term of office.

HAS DECIDED AS FOLLOWS:

Article 1

Former Commissioner Elżbieta Bieńkowska's envisaged activity as member of the External Advisory Board and of the Quality Assurance Board of 'Una Europa' is compatible with Article 245(2) of the Treaty on the Functioning of the European Union, subject to the following conditions and restrictions :

- In accordance with Article 11(4) of the Code of Conduct for the Members of the Commission, during a period of two years following her term of office, Former Commissioner Bieńkowska shall refrain from lobbying the Members of the Commission or their staff on behalf of 'Una Europa' or of any of the Universities which are part of 'Una Europa', on matters for which she was responsible within her portfolio, in particular as concerns future decisions of the Commission on the allocation of funds.
- In accordance with Article 339 of the Treaty on the Functioning of the European Union, Former Commissioner Bieńkowska shall refrain from participating in any activity or decision-making procedure within 'Una Europa' which might involve using information of the kind covered by the obligation of professional secrecy regarding, in particular, undertakings, their business relations or their cost components.
- In line with Article 11(1), in conjunction with Article 5, of the Code of Conduct for the Members of the Commission, Former Commissioner Bieńkowska remains bound by the duties of collegiality and discretion, with respect to the Commission's decisions and activities during her term of office.

Done at Brussels, on 30 September 2020.

*The President*  
*Ursula von der Leyen*