



Brussels, 5.2.2020
C(2020) 9002 final

DECISION OF THE EUROPEAN COMMISSION

**on former President Jean-Claude Juncker's post term of office professional activity as
member of the Board of Directors of 'Notre Europe / Institut Jacques Delors'**

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,

Considering that:

- 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 subparagraphs 3 (a) to (f).
- 4) Former President Jean-Claude Juncker informed the Commission by letter of 30 January 2020 about his intention to become a member of the Board of Directors of 'Notre Europe / Institut Jacques Delors'. The Former President underlined his full awareness of his obligations arising from the treaties, namely Articles 245 and 339 of the Treaty on the Functioning of the European Union and from the Code of Conduct for the Members of the Commission.
- 5) Founded in 1996 by former Commission President Jacques Delors, 'Notre Europe/Institut Jacques Delors' is a well known and widely respected European think tank whose aim is to contribute to the debate on the European Union and to produce analyses and proposals targeting European decision-makers and a wider audience. 'Notre Europe/Institut Jacques Delors' concentrates on making Europe known and on

increasing awareness amongst the European citizens, on analysing the European current events to offer to decision makers innovative proposals and on disseminating the ideas of ‘Notre Europe/Institut Jacques Delors’ Founding President (former Commission President Jacques Delors).

- 6) The Commission has considered the fact that post term of office activities for ‘Europa Nostra/Institut Jacques Delors’ have been authorised in the past as regards former Commissioner Pascal Lamy (former President of this organisation as from November 2004, and current President Emeritus), former Vice-President Joaquin Almunia (who became member of its Advisory Committee in February 2015) and former Commissioner Carlos Moedas (who also became member of its Board of Directors in December 2019).
- 7) The Commission has also considered the nature of former President Juncker’s envisaged post term of office activity and noted the commitment he made in his letter to the President of the Commission to respect the obligations imposed on him by Articles 245 and 339 of the Treaty on the Functioning of the European Union and by the Code of Conduct for the Members of the Commission.
- 8) The Commission has come to the conclusion that the consultation of the Independent Ethical Committee was not necessary, in view of its previous decisions and of President Juncker’s commitments above mentioned.
- 9) The Commission has also concluded that the former President’s envisaged activity does not present any risk of incompatibility with his former function as President of the Commission or with the interests of the institution.

HAS DECIDED AS FOLLOWS:

Article 1

Former President Jean-Claude Juncker’s envisaged activity as member of the Board of Directors of ‘Notre Europe/Institut Jacques Delors’, is compatible with Article 245(2) of the Treaty on the Functioning of the European Union, subject to the respect by the former President of the obligations imposed on him by Articles 245 and 339 of the Treaty on the Functioning of the European Union and by the Code of Conduct for the Members of the Commission, in particular Articles 5 and 11(1) and (4).

Done at Brussels, on 5 February 2020.

The President
Ursula von der Leyen