



EUROPEAN
COMMISSION

Brussels, 26.11.2019
C(2019) 9003 final

DECISION OF THE EUROPEAN COMMISSION

**on Commissioner Carlos Moedas' 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) Commissioner Carlos Moedas informed the Commission on 18 November 2019 about his intention to accept the invitation addressed to him by the President of 'Notre Europe / Institut Jacques Delors' to be member of the Board of Directors (*Conseil d'Administration*) of this body.
- 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) 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 body as from November 2004, and current President Emeritus) and former Vice-President Joaquin Almunia (who became member of its Advisory Committee in February 2015). The Commission considered the nature of Commissioner Moedas' envisaged post term of office activity in the light of these precedents.
- 7) While 'Notre Europe/Institut Jacques Delors' is a regular recipient of limited amounts of EU funding, this concerns primarily the area of the 'Europe for Citizens' – Programme which did not fall within Commissioner Moedas' portfolio.
- 8) Therefore, the activity does not present any risk of incompatibility with his former function as Member of the Commission or with the interests of the institution. In any event, the general duties set out in Article 11(1) and (4) of the Code of Conduct apply.

HAS DECIDED AS FOLLOWS:

Article 1

Commissioner Carlos Moedas' envisaged activity as member of the Board of Directors (*Conseil d'Administration*) of 'Notre Europe/Institut Jacques Delors', to be taken up after his term of office, is compatible with Article 245(2) of the Treaty on the Functioning of the European Union, subject to the general duties set out in Articles 11(1) and (4) of the Code of Conduct.

Done at Brussels, on 26 November 2019.

The President
Jean-Claude Juncker