



Brussels, 3.3.2021
C(2021) 9007 final

DECISION OF THE EUROPEAN COMMISSION

on Former Commissioner Carlos Moedas' post term of office professional activity as chairman of a 'Wise Men Group' in the context of the candidacy of Aveiro as European Capital of Culture 2027

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 Commission¹, 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 Article 11(3), second subparagraph, lit. (a) to (f), notably as concerns functions in the national civil service of a Member State, at national, regional or local level (lit. (b)).
- 4) Former Commissioner Carlos Moedas informed the Commission, on 9 February 2021, of his intention to accept an invitation from the Mayor of Aveiro to chair a ‘Wise Men Group’ established in the context of the candidacy of the above mentioned Portuguese city as European Capital of Culture 2027. According to his notification, the role is only ceremonial and he would not in any of his capacities contact anyone in the European Commission regarding this subject.
- 5) The envisaged activity is not linked with Former Commissioner Moedas’ portfolio on ‘Research, Science and Innovation’ and corresponds to the activities covered by the exception foreseen in Article 11(3), second subparagraph, lit. (b) of the Code of

¹ OJ C 65, 21.2.2018, p. 7.

Conduct for the Members of the Commission. The consultation of the Independent Ethical Committee is therefore not necessary.

- 6) According to the calendar set out in Decision 445/2014/EU of the European Parliament and the Council of 16 April 2014 on establishing a Union action for the European Capitals of Culture for the years 2020 to 2033², Portugal will designate a city to hold the title ‘European Capitals of Culture’ in 2027. The activity of the ‘Wise Men Group’ aims at promoting the candidacy of Aveiro in this regard. Former Commissioner Moedas informed the Commission that he would not contact anyone in the European Commission regarding this subject. In the light of this information, Former Commissioner Moedas’ envisaged activity does not present any risk of incompatibility with his former function as Member of the Commission or with the interests of the Institution.
- 7) On the 26 February 2020, the Commission already authorised an activity of another former Member of the Commission in a similar context (C(2020) 9005).

HAS DECIDED AS FOLLOWS:

Sole Article

Former Commissioner Moedas’ envisaged activity as chairman of a ‘Wise Men Group’ established in the context of the candidacy of Aveiro as European Capital of Culture 2027 is compatible with Article 245(2) of the Treaty on the Functioning of the European Union.

In line with Article 11(1), in conjunction with Article 5, of the Code of Conduct for the Members of the Commission, Former Commissioner Moedas remains bound by the duties of collegiality and discretion, with respect to the Commission’s decisions and activities during his term of office.

Done at Brussels, on 3 March 2021.

The President
Ursula von der Leyen

² OJ L 132, 3.5.2014, p. 1.