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DECISION OF THE EUROPEAN COMMISSION

on Former Commissioner Christos Stylianides' post term of office envisaged professional activity as expert and advisor in the framework of a Review of the UNICEF's Supply Function

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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), notably as concerns activities with international organisations dealing with public interests (Article 11(3), second subparagraph, lit. (c)).
- 4) On 16 December 2020, Former Commissioner Christos Stylianides informed the Commission about his intention to accept a likely invitation from the Implement

Consulting Group for a remunerated assignment as expert and advisor in the field of humanitarian aid in the framework of a Review of Unicef's Supply Function. The invitation to Mr Stylianides to integrate the Implement Consulting Group's project team is conditional to this Organization's selection by UNICEF to carry out the above mentioned Review.

- 5) The Former Commissioner informed that this envisaged assignment would approximately entail ten days of work between January and June 2021. Mr Stylianides reaffirmed his full awareness of the obligations deriving from the Code of Conduct for the Members of the Commission and stated his determination to abstain from any lobbying with the European Commission in the context of this activity.
- 6) UNICEF, also known as the United Nations Children's Fund, is the United Nations agency responsible for providing humanitarian and developmental aid to children worldwide. Its Supply Division headquarters are located in Copenhagen. The Supply Function helps realize children's rights through ensuring access, availability and affordability of supplies and services and is thus at the core of UNICEF's mandate. This function ensures UNICEF's support to child survival and development programmes around the world. UNICEF-procured supplies are critical in providing for children's health, education and protecting them from abuse, exploitation, and neglect. According to UNICEF's website, UNICEF procures and supplies products to address the needs of children. In 2019, UNICEF procured \$3.826 billion worth of goods and services from all over the world, including life-saving commodities to improve the health, education, safety and well-being of children. As well as supporting UNICEF's ongoing programmatic activities, the Supply function provides rapid supply response to emergencies. UNICEF also procures and supplies essential commodities on behalf of governments and other partners in their efforts. These procurement services can also include in-country logistics, capacity building, and project management. Ensuring the global availability of essential supplies through influencing markets for lifesaving commodities such as vaccines, essential medicines and health products, and implementing a range of supply chain models to ensure these supplies are delivered to children, are two overarching focuses.
- 7) The Implement Consulting Group presents itself as a Nordic rooted European based consultancy engaged in creating sustainable change and transformation. It was created in 1996, involves more than 900 people and works globally in project teams. The organization's stated mission consists on helping leading organisations succeed with their most critical change initiatives by unleashing human engagement to unlock business potential. Its stated five areas of intervention are: (i) strategy and transformation; (ii) operations and efficiency; (iii) digitalisation and IT; (iv) leadership and change; (v) growth and innovation.
- 8) If the Implement Consulting Group is successful in the selection process, Former Commissioner Stylianides will be working in the framework of the review of UNICEF's Supply Function. The activity is related to Former Commissioner Stylianides portfolio on Humanitarian Aid and Crisis Management. Nevertheless, according to Article 11(3), second subparagraph, lit. (c) of the Code of Conduct for the Members of the Commission, the consultation of the Independent Ethical Committee is not necessary.

- 9) The activity does not present any risk of incompatibility either with Former Commissioner Stylianides' role as a Member of the Commission or with the interests of the institution as long as Mr Stylianides abides by the generally applicable provisions of the Treaty on the Functioning of the European Union (TFEU) and of the Code of Conduct for the Members of the Commission, namely Article 245 as concerns the general duties of integrity and discretion, and Article 339 TFEU as concerns the protection of confidentiality of sensitive information and Article 11(1), in conjunction with Article 5 of the Code , as concerns the duties of collegiality and discretion with respect to the Commission's decisions and activities during his term of office.
- 10) Mr Stylianides' role in the above mentioned review does not seem to involve any lobbying of the Commission and he also assured the Commission that he would not lobby the Commission for the Implement Consulting Group. The general duties of integrity and discretion mentioned above continue to apply.

HAS DECIDED AS FOLLOWS:

Sole Article

Former Commissioner Christos Stylianides envisaged activity as expert and advisor in the framework of a Review of Unicef's Supply Function is compatible with Article 245(2) of the Treaty on the Functioning of the European Union. The general obligations set out in Articles 245 and 339 of the Treaty on the Functioning of the European Union as well as in Article 11(1), in conjunction with Article 5, of the Code of Conduct for the Members of the Commission continue to apply.

Done at Brussels, on 3 February 2021.

The President
Ursula von der Leyen