



Brussels, 19.2.2020
C(2020) 9004 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 Trustees of 'Friends of Europe'**

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 subparagraphs 3(a) to (f).
- 4) Former President Jean-Claude Juncker informed the Commission by letter of 6 February 2020 about his intention to become a member of the Board of Trustees of 'Friends of Europe'. 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) Friends of Europe is a Brussels-based, not-for-profit, think-tank, established in 1999, devoted to carry out analysis and promote debate on the European Union, its policies and challenges. The organisation presents itself as having no political or national allegiance and its current President is former Vice-President Etienne Davignon (Count

Davignon). At present, several other former Members of the Commission are also members of the Board of Trustees of 'Friends of Europe'.

- 6) The Commission has already taken several decisions authorising former Members to join the Board of Trustees of 'Friends of Europe' (former Vice-President Almunia in 2015, former Commissioners Monti in 2005, Andor in 2014, Piebalgs and Vassiliou in 2015 and Füle in 2016).
- 7) The Commission has considered the nature of former President Juncker's envisaged post term of office activity and noted the commitment expressed 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 Trustees of 'Friends of Europe' 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 19 February 2020.

The President
Ursula von der Leyen