

Brussels, 8.4.2020 C(2020) 9011 final

DECISION OF THE EUROPEAN COMMISSION

on former President Jean-Claude Juncker's post term of office professional activity as Honorary President of the Foundation AME ('La Verticale Africa-Med-Europa')

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DECISION OF THE EUROPEAN COMMISSION

on former President Jean-Claude Juncker's post term of office professional activity as Honorary President of the Foundation 'La Verticale – Afrique – Mediterranée - Europe' (AME)

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.
- 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, notably as concerns honorary appointments (lit. (f)).
- 4) Former President Jean-Claude Juncker informed the Commission by letter of 11 March 2020 about his intention to serve as Honorary President of the Foundation 'La Verticale Afrique Mediterranée Europe' (AME).

- The Foundation was created in 2019 as a foundation of public interest under Belgian law ('fondation d'utilité publique') with a philantropic character. It aims at promoting regional cooperation between Africa, the Mediterranean and Europe. It wants to serve as a platform to bring together existing networks of experts, entrepreneurs and politicians in order to raise awareness of the need for economic and environmental cooperation; to anticipate developments and work on long-term solutions to foster closer links between both continents; to bring together members of institutions, entrepreneurs, politicians, experts, and civil society; to guide public and private strategies to accelerate the economic transition in the countries of the south and to accelerate economic integration between both continents; and to prepare concrete projects and measures.
- The President of the Foundation is Ms Elisabeth Guigou, a former Member of the European Parliament, former Member of the French National Assembly and former Minister of the French Government. The Foundation has been created under the aegis of the Mediterranean World Economic Foresight Institute (IPEMED Institut de Prospective Economique du Monde Méditerranéen).
- 7) IPEMED was founded in 2006 by Jean-Louis Guigou, currently chairman of its Strategic Committee. IPEMED presents itself as a think-tank which aims at integrating the countries to the North and South of the Mediterranean via economic means. Financed through private companies, founding members of IPEMED, and private persons, IPEMED declares to adhere to the principles of political independence and North-South parity in its governance and operations.
- 8) Former President Juncker's envisaged activity is an honorary assignment, such as provided for in Article 11(3), second subparagraph, lit. (f), of the Code of Conduct for the Members of the Commission. A consultation of the Independent Ethical Committee is therefore not necessary.
- 9) The Commission notes the commitment of the former President that he expressed in his letter to the President of the Commission, to respect the obligations established 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) Former President Juncker'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, provided the former President respects the duties imposed on him by the Code of Conduct for the Members of the Commission, namely as concerns the respect of collegiality and discretion as well as the duty to refrain from lobbying in favour of the Foundation, of IPEMED or other entities related to the Foundation.

HAS DECIDED AS FOLLOWS:

Article 1

Former President Jean-Claude Juncker's envisaged activity as Honorary President of the Foundation 'La Verticale Africa-Med-Europa' (AME) 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 Article 11 of the Code, in conjunction with Article 5,

as concerns the protection of confidentiality of sensitive information, the protection of collegiality and discretion with respect to the Commission's decisions and activities during his term of office and the prohibition of lobbying Members of the Commission or their staff during a period of three years after his term of office on behalf of the Foundation, of IPEMED or other entities related to the Foundation.

Done at Brussels, on 8 April 2020.

The President Ursula von der Leyen