



Brussels, 26.2.2020  
C(2020) 9005 final

**DECISION OF THE EUROPEAN COMMISSION**

**on former Commissioner Tibor Navracsics' post term of office professional activity as  
High Commissioner responsible for Veszprém-Balaton European  
Capital of Culture 2023**

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), notably as concerns functions in the national civil service of a Member State, at national, regional or local level (Art. 11(3)(b)).

- 4) Commissioner Tibor Navracsics informed the Commission on 2 December 2019 about the assignment he received to become High Commissioner responsible for Veszprém-Balaton European Capital of Culture 2023. He explained that this position entails the organisation and preparation, in a coordinating role, for the town of Veszprém to fulfil its mandate as European Capital of Culture 2023.
- 5) On 23 December 2019, the acting Secretary General wrote to former Commissioner Navracsics noting that his notified activity is related to his former portfolio on 'Education, Culture, Youth and Sport'. The acting Secretary-General also noted that cities designated as European Capitals of Culture are submitted to a monitoring procedure, steered by the Commission and involving the assistance of a panel of experts, in which context monitoring meetings will take place in the next years. Mr Navracsics was therefore invited to provide additional information on the scope and responsibilities of his activity in order to allow the Commission to take the appropriate decision.
- 6) Mr Navracsics replied to the Commission on 8 January 2020. He explained that his appointment by the Hungarian Government as High Commissioner is a fully coordinative mandate for the implementation and execution of the European Capital of Culture tender. His duty is to represent the program at the national government level for its successful implementation, recognising its importance. He underlined that the municipalities and companies assigned to the implementation function were operating completely independently from him, and all decision-making and the implementation were carried out by them.
- 7) He indicated that the monitoring procedure mentioned above would be about the actions carried out at the level of the municipalities and companies concerned. He furthermore explained that the High Commissioner was not responsible for representing the European Capital of Culture program vis-à-vis the European institutions and bodies and that he would in any case refrain from doing so.
- 8) Former Commissioner Navracsics' notified post term of office activity is linked to his former portfolio, while covered by the exception foreseen in subparagraph 11(3)(b) of the Code of Conduct for the Members of the Commission, which lifts the obligation of consulting the Independent Ethical Committee in case the activity implies a function for the civil service at central, regional or local level.
- 9) As for the substance, former Commissioner Navracsics' notified activity does not present any risk of incompatibility with his former function as Member of the Commission or with the interests of the institution. Nevertheless, Mr Navracsics should not participate in contacts with the Commission and with Commission services in the context of the monitoring procedure of the project of Veszprém European Capital of Culture.

HAS DECIDED AS FOLLOWS:

*Article 1*

Former Commissioner Tibor Navracsics' notified activity as High Commissioner responsible for Veszprém-Balaton European Capital of Culture 2023 is compatible with Article 245(2) of the Treaty on the Functioning of the European Union on the condition that Mr Navracsics refrains from participating in any contacts with the Commission and Commission services in the context of the monitoring procedure set out in Decision No 445/2014/EU of the European Parliament and the Council.

In line with Article 11(1) of the Code of Conduct for the Members of the Commission, former Commissioner Navracsics remains bound by the duties of collegiality and discretion, as set out in Article 5 of the Code, with respect to the Commission's decisions and activities during his term of office.

Done at Brussels, on 26 February 2020.

*The President*  
*Ursula von der Leyen*