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**DECISION OF THE EUROPEAN COMMISSION**

**on Former Commissioner Elisa Ferreira's post term of office professional activity with  
the European Spatial Planning Observation Network (ESPON EGTC)**

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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 the second paragraph of Article 245 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 set out in Article 11(3), second subparagraph.
- 4) Former Commissioner Ferreira informed the Commission, on 14 November 2025, of her intention to accept an assignment offered to her by the ESPON EGTC to chair its upcoming panel of experts related to the Territorial Futures Forum. The information attached to Former Commissioner Ferreira's notification provided additional elements on the activity envisaged.

- 5) The European Spatial Planning Observation Network (ESPON) is a European Union initiative started in 2002, aimed at strengthening the knowledge base for spatial planning and territorial development across Europe by providing data, analysis, and research regarding spatial and territorial development trends. It was established as part of the European Union's Cohesion Policy to support the European Spatial Development Perspective, in order to encourage and facilitate cooperation in spatial planning and development across EU Member States <sup>(1)</sup> <sup>(2)</sup>.
- 6) ESPON primarily strives to contribute to balanced and sustainable territorial development, ensuring cohesion among regions and cities in Europe. Its insights are intended to inform and improve policies for spatial planning and territorial development at the EU, national, and regional levels. Additionally, ESPON encourages cooperation and knowledge exchange among territorial stakeholders, including policymakers, researchers, and practitioners.
- 7) ESPON is funded by the European Regional Development Fund and involves collaboration among EU Member States and other participating countries (Iceland, Liechtenstein, Norway and Switzerland). For the 2021–2027 programming period, ESPON operates with a budget of €60 million, 80% funded by the EU and 20% by the Member States, supplemented by contributions from the partner countries mentioned above.
- 8) In order to improve the efficiency and quality delivery of ESPON, a European Grouping on Territorial Cooperation (EGTC) was established in 2006 to act as a single beneficiary for the ESPON programme.
- 9) Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 establishes the 'European Grouping of Territorial Cooperation' (EGTC), to which legal personality is recognised and whose objective consists of facilitating and promoting cross-border, transnational, and/or interregional cooperation. ESPON EGTC is specifically mentioned in the official list of European Groupings of Territorial Cooperation ('EGTC Register') managed by the Committee of the Regions. In line with Article 5(2) of Regulation 1082/2006, its revised statutes were published in the Official Journal of the European Union (OJEU C 413/6 of 12.12.2015).

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<sup>(1)</sup> The ESPON Programme was launched after the preparation of the European Spatial Development Perspective (ESDP), adopted by the Ministers responsible for Spatial Planning of the EU in May 1999 in Potsdam (Germany) calling for a better balanced and polycentric development of the European territory. The programme is implemented in the framework of the Community Initiative INTERREG III. Under the overall control of Luxembourg, the EU Member States have elaborated a joint application with the title "The ESPON 2006 Programme – Research on the Spatial Development of an Enlarging European Union". The European Commission adopted the programme on 3 June 2002.

<sup>(2)</sup> Cf. Statement by the Commission on ESPON in chapter VII of its Communication to the Member States of 28 April 2000 'laying down guidelines for a Community initiative concerning trans-European cooperation intended to encourage harmonious and balanced development of the European territory — Interreg II' (OJEC C 143/6 of 23.05.2000)

- 10) ESPON EGTC is housed at the Luxembourg Ministry of Housing and Spatial Planning, in line with the formal requirements mentioned in aforementioned Regulation 1082/2006, it was established by Luxembourg together with the three Belgian regions of Flanders, Wallonia, and Brussels-Capital, which are its official ‘members’. This being said, and contrary to the other EGTCs mentioned in the official list of EGTCs, ESPON EGTC is entrusted with responsibilities at global EU level as the entity selected to manage the ESPON instrument.
- 11) ESPON EGTC is engaged in the creation of evidence and knowledge, undertaking studies for the needs of European public authorities at all levels, including local, regional, and national authorities, as well as EU institutions. The subjects covered in these studies correspond to the needs identified by authorities, who may become ESPON stakeholders by notifying the organisation of their requirements. The analyses conducted by ESPON EGTC are tailored to the specific needs and characteristics of the territories in question. Within the framework of the ESPON 2030 Programme, the studies and events carried out by ESPON EGTC are organised around Thematic Action Plans aligned with the European Union's priorities and policy agendas. This alignment enables ESPON EGTC to provide research and analysis relevant to the EU's territorial development goals. The outcomes of these studies are utilised in a variety of ways, including informing policy debates at the EU, national, regional, and local levels, enhancing the effectiveness of key EU policies, namely Cohesion Policy, and supporting the implementation of the Territorial Agenda of the EU 2030. Furthermore, ESPON EGTC's research is designed to support the priorities of EU presidencies, inspire policy dialogues, and trigger policy transformation. ESPON EGTC's work aims at enabling citizens and policymakers to gain a deeper understanding of the performance of their local areas in comparison to other European regions, whilst providing analyses on topics of high relevance to the European agenda <sup>(3)</sup>.
- 12) To provide the evidence base for the territorial development vision, the Member States have mandated ESPON EGTC to organise a foresight study aiming to analyse the risks of territorially blind policies and illustrate their potential consequences if spatial considerations are not adequately integrated into the EU policymaking. In this context, during the meeting held in Copenhagen on 6 November 2025, the Directors-General for Territorial Cohesion endorsed an ESPON EGTC proposal to set up the so-called ‘Territorial Futures Forum’.
- 13) ESPON EGTC’s upcoming Territorial Futures Forum is expected to become a meeting place between the Member States, the Commission, associated organisations and a panel (whose chair is offered to Former Commissioner Ferreira) of high-level European experts dedicated to a joint reflection on the conditions and territorial impacts of policies designed to address the global challenges identified in the Joint Declaration signed in Warsaw on 21 May 2025 by the Ministers responsible for Cohesion Policy, Territorial Cohesion and Urban Matters.

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<sup>(3)</sup> <https://www.espon.eu/about>

- 14) Fed by strategic analyses, forward-looking scenarios, and experts' opinions, the Territorial Futures Forum is expected to be convened twice a year, under the auspices of the rotating Council presidencies and in conjunction with the Directors-General for Territorial Cohesion/Directors-General for Urban Matters meetings. Its inauguration is envisaged to take place during the Cypriot presidency in the first half of 2026, and final conclusions during the Luxembourgish presidency in the first half of 2029.
- 15) Former Commissioner Ferreira's envisaged position as chair of the panel of experts related to the Territorial Futures Forum is deemed crucial to link the foresight work with the development of a territorial development vision and with the possible renewal of the Territorial Agenda 2030 of the European Union. As chair of the panel of experts, Former Commissioner Ferreira is expected to: (1) prepare a roadmap for meetings of the Territorial Futures Forum; (2) coordinate the drafting of discussion papers and any other inputs expected from the panel of experts and (3) help draw conclusions for further steps.
- 16) The nature of the notified activity is related to Former Commissioner Ferreira's former responsibilities as Commissioner in charge for 'Cohesion and Reforms'. Against this framework, and as a point of departure, an opinion from the Independent Ethical Committee could be considered necessary, in line with Article 11(3) of the Code of Conduct for the Members of the European Commission.
- 17) However, given that the notified activity concerns a body (the ESPON EGTC) to which legal personality is recognised at EU level and which was established with the purpose of managing the European Spatial Planning Observation Network, an initiative involving all 27 Member States, the Independent Ethical Committee was requested, on 8 December 2025, in line with Article 12(1) of the Code of Conduct for the Members of the European Commission, to provide its opinion on whether the exception laid down in Article 11(3), second subparagraph, letter (a) could be used, by analogy, in the context of a post term of office activity with a body such as the ESPON EGTC. The Committee was addressed a second question in case its reply to the abovementioned question were negative: based upon Article 11(3) of the Code of Conduct for the Members of the European Commission, this second question was about the compatibility of Former Commissioner Ferreira's envisaged activity with Article 245 of the Treaty on the Functioning of the European Union.
- 18) The Committee delivered its opinion on 14 January 2026. The Committee addressed the first question raised by the Commission on whether, in the present case, its opinion on the compatibility of Former Commissioner Ferreira's envisaged activity for ESPON EGTC was necessary under Article 11(3) of the Code of Conduct.
- 19) The Committee considered (1) the nature and scope of the precise activity envisaged by Former Commissioner Ferreira as chair of the upcoming panel of experts related to the Territorial Futures Forum to be set by ESPON EGTC, (2) the nature of ESPON EGTC and (3) its link with the overall ESPON initiative started in 2002 and drew its

conclusion on the first question raised by the Commission against the legal context applicable.

- 20) The Committee first noted that in Former Commissioner Ferreira's case under assessment, an activity for the panel of experts of the Territorial Futures Forum to be set by the ESPON EGTC is an activity for the ESPON EGTC itself.
- 21) The Committee subsequently underlined that the most relevant issue was to determine whether the ESPON EGTC presents characteristics that are equivalent to those of an EU institution or body, which would make a consultation of the Committee not compulsory, even when the activity has a link with the portfolio responsibilities of the former Member of the Commission. Based on its factual assessment of the envisaged activity and of ESPON EGTC, the Committee considered that while formally not an EU institution or an EU body, the ESPON EGTC is deeply embedded in the EU architecture and directly fulfils objectives that were set by EU institutions. On this basis, the Committee considered that for the purpose of Article 11(3), second subparagraph, letter (a), of the Code of Conduct for the Members of the European Commission, the ESPON EGTC should be treated in the same way as EU institutions or bodies.
- 22) The Committee also underlined that for the application of Article 11(3), second subparagraph, letter (a), of the Code of Conduct, it is required that the former Members of the European Commission continue to serve the European interest through their envisaged activities.
- 23) On the basis of the considerations above, the Committee came to the conclusion that the consultation of the Committee is therefore not necessary when a former Member of the European Commission requests authorisation from the Commission to conduct an activity in an entity such as the ESPON EGTC, as long as he or she continues to serve the European interest through this activity.
- 24) Therefore, and as concerns Former Commissioner Ferreira's envisaged activity, the Committee concluded that the exception laid down in Article 11(3), second subparagraph, letter (a) can be used, by analogy, since her envisaged activity is fully embedded in the work of the ESPON EGTC, which serves the European interest.
- 25) Echoing the second question formulated in the Commission's consultation, and although its opinion was not necessary in the present case, the Committee noted that it had not identified any risk in the context of Former Commissioner Ferreira's envisaged activity that should lead the Commission to impose specific obligations in addition to the overall respect of the Treaties and of the Code of Conduct for the Members of the European Commission.
- 26) The Commission takes note of the Independent Ethical Committee's opinion on the applicability of Article 11(3), second subparagraph, letter (a) to the assessment of

Former Commissioner Ferreira's envisaged activity as chair of the panel of experts related to the Territorial Futures Forum to be set up in the framework of the ESPON EGTC. Furthermore, on the substance, the Commission considers that the notified activity does not present any risk of incompatibility with Former Commissioner Ferreira's former functions as Member of the Commission or with the interests of the Commission, provided Former Commissioner Ferreira abides by all the relevant provisions of the Treaty on the Functioning of the European Union, namely Article 339, and of the Code of Conduct for the Members of the Commission, in particular the duties of collegiality and discretion with respect to the Commission's decisions and activities during her term of office, as provided for by Article 11(1) of the Code in conjunction with Article 5.

HAS DECIDED AS FOLLOWS:

*Article 1*

Former Commissioner Elisa Ferreira's envisaged post term of office activity as chair of the panel of experts related to the Territorial Futures Forum to be set up in the framework of the ESPON EGTC (European Spatial Planning Observation Network – European Grouping of Territorial Cooperation) is compatible with Article 245 of the Treaty on the Functioning of the European Union, subject to the respect of the conditions and restrictions set out in Article 2.

*Article 2*

- 1) In accordance with Article 339 of the Treaty on the Functioning of the European Union, Former Commissioner Ferreira shall refrain from disclosing or using information of the kind covered by the obligation of professional secrecy that she obtained as Member of the Commission, in particular information about undertakings, their business relations or their cost components;
- 2) In line with Article 11(1) of the Code of Conduct for the Members of the Commission, in conjunction with Article 5 of the Code, Former Commissioner Ferreira remains bound by the duties of collegiality and discretion, with respect to the Commission's decisions and activities during her term of office. She shall not disclose what was said at meetings of the Commission and shall apply a high sense of discretion with regard to the use of information and insights that she obtained during her mandate in relation to the performance of her portfolio obligations and, in general, in relation to her duties as Member of the Commission;
- 3) In line with Article 13(2) of the Code of Conduct for the Members of the Commission, Former Commissioner Ferreira shall inform the President of the Commission, in a timely manner, if and when she has a doubt with regard to the application of the

present Decision or the Code of Conduct in general before acting on the matter in relation to which the doubt arises.

Done at Strasbourg, on 5 February 2026.

*The President*  
*Ursula von der Leyen*