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**DECISION OF THE EUROPEAN COMMISSION**

**on former High Representative / Vice-President Federica Mogherini's post term of office  
professional activity as Co-Chair of the United Nations High Level Panel on Internal  
Displacement**

## DECISION OF THE EUROPEAN COMMISSION

### **on former High Representative / Vice-President Federica Mogherini's post term of office professional activity as Co-Chair of the United Nations High Level Panel on Internal Displacement**

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 set out in paragraph 3, second subparagraph, notably as concerns activities with international organisations or other international bodies dealing with public interests and in which either the European Union or one or several of its Member States are represented.
- 4) Former High Representative/Vice-President Federica Mogherini informed the Commission, on 22 February 2020, about her appointment by the Secretary-General of

the United Nations as Co-Chair of the recently established High-Level Panel on Internal Displacement. Ms Mogherini indicated that this would be a non-remunerated activity for the duration of one year.

- 5) The initiative to establish a High-Level Panel on Internal Displacement builds on the Resolution adopted in 2017 by the United Nations' General Assembly on the protection of and assistance to internally displaced persons (A/RES/72/182), following a letter of 57 Member States of the United Nations in May 2019 calling for the establishment of such a High-Level Panel.
- 6) The Panel is expected to focus 'primarily on addressing protracted displacement and achieving durable solutions for persons displaced in the context of armed conflict, generalized violence, human rights violations, as well as disasters and the adverse effects of climate change. The Panel will support and build on ongoing efforts related to internal displacement by United Nations Member States and relevant stakeholders within the humanitarian, development and peace communities. The Panel's report is expected to identify innovative and concrete solutions for internally displaced persons and help trigger tangible changes on the ground.'
- 7) It should 'raise international attention to the issue of internal displacement and its impact and prepare a report to the UN Secretary-General with concrete and practical recommendations to Member States, the United Nations system, and other relevant stakeholders on how to better respond to internal displacement.'
- 8) The Panel is composed of 8 members appointed by the United Nations Secretary-General and is expected to submit its report with its findings and recommendations by early 2021.
- 9) The nature of the envisaged activity is related to Ms Mogherini's former responsibilities as High-Representative and Commission Vice-President for Foreign Affairs and Security Policy. However, the consultation of the Independent Ethical Committee is not necessary as the envisaged activity corresponds to the category mentioned in Article 11(3), second subparagraph, letter (c) of the Code of Conduct for the Members of the Commission as it concerns an engagement with international organisations or other international bodies dealing with public interests and in which either the European Union or one or several of its Member States are represented.
- 10) On substance, the envisaged activity does not present any risk of incompatibility with the former functions of the former High Representative and Vice-President or with the interests of the Institution.
- 11) The continued obligation to respect the duties of collegiality and discretion with respect to the Commission's decisions and activities during a former Member's term of office, as set out in Article 11(1) of the Code of Conduct for the Members of the Commission in conjunction with Article 5 of the Code, is fully applicable.

HAS DECIDED AS FOLLOWS:

*Article 1*

Former High Representative/Vice-President Federica Mogherini's envisaged activity as Co-Chair of the United Nations High-Level Panel on Internal Displacement is compatible with Article 245(2) of the Treaty on the Functioning of the European Union on the condition that Ms Mogherini abides by the obligations set out in Article 11(1) in conjunction with Article 5 of the Code of Conduct for the Members of the Commission.

Done at Brussels, on 8 April 2020.

*The President*  
*Ursula von der Leyen*