



Brussels, 29.4.2020
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DECISION OF THE EUROPEAN COMMISSION

**on former Commissioner Cecilia Malmström's post term of office professional activity
as Visiting Professor at the University of Gothenburg**

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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 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 Article 11(3), second subparagraph, notably as concerns academic activities (Article 11(3), second subparagraph, lit. (d)).
- 4) Former Commissioner Cecilia Malmström informed the Commission on 28 February 2020, and provided further information on 18 March 2020, about a post-mandate professional activity in which she has engaged since 2020 as Visiting Professor at the School of Business, Economics and Law of the University of Gothenburg.
- 5) The Commission recalls that, according to Article 11(2) of the Code of Conduct, any new professional activity needs to be notified to the Commission with a minimum of two months' notice before engaging in the activity. In the present case, the activity is

an academic activity which, in accordance with Article 11(3), second subparagraph, lit. (d) of the Code of Conduct, does not entail the consultation of the Independent Ethical Committee and does usually not present any risk of incompatibility with the function of former Member of the Commission. The former Commissioner's concrete activity consists of giving lectures and advising students on European Politics and trade related matters as well as participating in discussions at the university. Ms Malmström explained that her activity is not part of any research programme funded by the European Commission and does not involve any formal contacts with the Commission.

- 6) Therefore, the activity fully complies with the obligations of former Commissioner Malmström after ceasing to hold office, provided she abides by the general provisions of the Treaty on the Functioning of the European Union, notably Article 339, and of the Code of Conduct for the Members of the Commission, namely Article 11, in conjunction with Article 5, as concerns the protection of confidentiality of sensitive information and the duties of collegiality and discretion with respect to the Commission's decisions and activities during her term of office.

HAS DECIDED AS FOLLOWS:

Article 1

Former Commissioner Cecilia Malmström's activity as Visiting Professor at the School of Business, Economics and Law of the University of Gothenburg is compatible with Article 245(2) of the Treaty on the Functioning of the European Union, subject to the respect of the duties set out in Article 339 of the Treaty on the Functioning of the European Union and in Article 11(1) of the Code of Conduct in conjunction with Article 5.

Done at Brussels, on 29 April 2020.

The President
Ursula von der Leyen