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ACTIVITES APRES CESSATION DE FONCTION  
D'UN MEMBRE DE LA COMMISSION

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Communication de M. le PRESIDENT

Cette question est inscrite à l'ordre du jour de la 1946<sup>ème</sup> réunion de la Commission le 2 février 2011.

Destinataires : Membres de la Commission  
Directeurs généraux et chefs de service

## MEMORANDUM FROM THE PRESIDENT TO THE COMMISSION

According to Article 245(2) of the Treaty on the Functioning of the European Union, the members of the Commission, when taking up 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.

Further to this Treaty provision, the Code of Conduct for Commissioners adopted on 24 November 2004 (SEC (2004) 1487/2) enacted a specific procedure for the assessment of the activities to be performed by former Commissioners. Under the Code, when Commissioners intend to engage in an occupation during the year after they have ceased to hold office, whether at the end of their term or upon resignation, they shall inform the Commission in good time. The Commission shall, then, examine the nature of the planned occupation and if the activity is related to the content of the Commissioner's portfolio during his or her full term of office, it shall seek the opinion of an ad hoc ethical committee.

In her letter to President Barroso dated 24 January 2011, Mrs Meglena Kuneva informed the Commission about her intention to accept a non-remunerated position, and without management responsibilities, as member of the 'European Group' within the Trilateral Commission.

The Trilateral Commission is a non-governmental, policy-oriented discussion group composed of personalities from Europe, North America, and Pacific Asia. It was formed in 1973 to foster closer cooperation among these areas of the world. Its members do not hold posts in their national administrations. Its 'European Group' continues to widen in line with the enlargement of the EU. Former Commissioner Mario Monti is the current 'European Chairman' and thus member of the Trilateral Commission's Executive Committee. The 'European Group' gathers many high-level European personalities, including five other former Commissioners (Lord Brittan of Spennithorne, Yves-Thibault de Silguy, Lord Patten of Barnes, Peter Sutherland and Lord Mandelson).

Further to the consultation of the competent Commission services, it has been concluded that Mrs Kuneva's membership of the Trilateral Commission does not appear to present any risk of conflict of interests with her former portfolio and does not entail any incompatibility with article 245(2) of the TFEU.

The Commission is requested to endorse this view.