

THE INQUIRY AND THE QUESTION ASKED BY THE EUROPEAN OMBUDSMAN

The strategic initiative was opened by the European Ombudsman on 7 February 2024. It concerns the obligation of Members of the Commission in relation to post-term of office activities and refers to public allegations, made in 2022, of a possible breach of the related rules by Former Commission Vice-President Kroes between 2014 and 2016. In 2022 and 2023, these allegations have been investigated by the European Anti-Fraud Office (OLAF). Among others, OLAF's tasks include the independent investigation of serious allegations linked to the performance of professional activities which may constitute a breach of obligations by Members of the Commission. This investigation concluded in 2023. Based on the evidence collected, OLAF's investigation did not confirm the allegations of wrongdoing by Ms Kroes in her relations with Uber during her mandate at the European Commission and/or during her cooling off period. In response to requests for access to documents, OLAF has given access to a redacted version of its final report.

The European Ombudsman's strategic inquiry SI/1/2024/KR asks the following question:

‘Could the Commission please set out any improvements it has introduced to its rules and how it applies those rules so that publicly damaging allegations such as those referred to above are avoided for this outgoing Commission? In particular, has the Commission considered changing its practice of encouraging (former) commissioners to withdraw requests that have been subject to a negative ethics opinion, given the transparency deficit that results?’

THE REPLY BY THE EUROPEAN COMMISSION

- ***The ethical obligations of former Members of the Commission beyond their term of office***

Former Members of the Commission have the right to engage in work and to pursue a freely chosen or accepted occupation and have the freedom to seek employment, to work, to exercise the right of establishment and to provide services in any Member State as recognised by Article 15(1) and (2) of the Charter of Fundamental Rights of the European Union.

The exercise of this right after the end of their term of office is limited by Article 245 of the Treaty on the Functioning of the European Union (TFEU) which provides:

‘The Members of the Commission shall refrain from any action incompatible with their duties. Member States shall respect their independence and shall not seek to influence them in the performance of their tasks.

The Members of the Commission may not, during their term of office, engage in any other occupation, whether gainful or not. When entering upon their duties they 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. In the event of any breach of these obligations, the Court of Justice may, on application by the Council acting by a simple majority or the Commission, rule that the Member concerned be, according to the circumstances, either compulsorily retired in accordance with Article 247 or deprived of his right to a pension or other benefits in its stead.’

The Commission has clarified these obligations in more detail in a Code of Conduct for the Members of the European Commission (‘the Code’). Since the first such code put in place in 1999¹, the Code has been regularly revised in order to take account of the experience gained in its application and be up to the highest ethical standards that are expected by Members of the Commission. The first revision took place in 2004², and then in 2011³ (that version applied in the period covered by the investigation conducted by OLAF). The Code has been entirely overhauled in 2018 and the rules and procedure concerning post term of office activities have been significantly strengthened and made more transparent⁴.

Article 11 of the Code establishes the new procedure and more detailed rules for post term of office activities. Article 11(1) of the Code recalls general obligations which are not limited in time:

‘After ceasing to hold office, former Members shall continue to be bound by their duty of integrity and discretion pursuant to Article 245 of the Treaty on the Functioning of the European Union. They shall continue to be bound by the duties of collegiality and discretion, as laid down in Article 5, with respect to the Commission's decisions and activities during their term of office.’

Article 11(2) of the Code provides that former Members shall inform the Commission with a minimum of two months' notice of their intention to engage in a professional activity during a period of two years after they have ceased to hold office (three years for a former President of the Commission). This period used to be 18 months before.

Article 11(3) of the Code provides that 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 former Member, it shall decide only after having consulted the Independent Ethical Committee of the Commission, which was established in 2018 to replace the Ad hoc Ethical Committee and which is composed exclusively of external members⁵.

Article 11(7) of the Code provides that decisions taken under Article 11(3) of the Code determining the compatibility with Article 245 of the Treaty on the Functioning of the European Union and the related opinions of the Independent Ethical Committee shall be made public with due consideration to the protection of personal data.

¹ SEC(1999) 1479.

² SEC(2004) 1487/2.

³ C(2011) 2904 final.

⁴ OJ C 65, 21.2.2018, p. 7.

⁵ https://commission.europa.eu/about-european-commission/service-standards-and-principles/ethics-and-good-administration/commissioners-and-ethics/independent-ethical-committee_en.

All Commission decisions and related opinions of the Independent Ethical Committee since 2018 have therefore been made public⁶.

These rules and procedures provide a sound and robust framework to protect the general interest of the European Union and limit individual rights and freedoms in a proportionate manner.

- ***Information and support for Members of the Commission regarding their post term of office obligations***

The Members of the Commission are chosen on the ground of their general competence and European commitment from persons whose independence is beyond doubt (Article 17(3) of the Treaty on European Union). They are suggested by the Member States, proposed by the Council of the European Union, subject as a collegial body to a vote of consent by the European Parliament, and finally appointed by the European Council (Article 17(7) of the Treaty on European Union).

When entering upon their duties, they 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 (Article 245 of the Treaty on the Functioning of the European Union).

Beyond these general assurances, the Commission informs new Members of the Commission, and their cabinet staff, about the ethical obligations of Members of the Commission when they enter into office, and provides continuous support and information throughout the mandate. Since 2019, Members of the Commission have to designate a staff member in their Cabinet as Ethics and Transparency Contact Point who serve as interlocutor for the administration in such matters and relay information to the respective Cabinet staff and Member of the Commission.

Towards the end of the mandate, the Commission provides specific information about post term of office obligations to all Members of the Commission.

In 2019, the Commission provided information in writing, but also offered individual meetings to each Member. This approach has been continued throughout the mandate when a Member of the Commission left the Commission.

In 2024, the Commission has already provided practical information to Members to remind them as early as possible about the rules regarding post term of office activities (letter of the Secretary-General of 15 February 2024 to the Members of the College). Further written information and ‘off-boarding’ meetings are planned towards the end of the mandate.

⁶ https://commission.europa.eu/about-european-commission/service-standards-and-principles/ethics-and-good-administration/commissioners-and-ethics/former-european-commissioners-authorised-occupations_en.

- ***Withdrawal of notified envisaged post term of office activities***

In 2014, when the allegations investigated by OLAF took place, post term of office activities were governed by the Code of 2011.⁷ The rules have been further detailed and strengthened in 2018 as set out above.

Article 12(3) of the Code now provides that Members or former Members shall have the possibility to be heard if the Independent Ethical Committee considers issuing a negative opinion.

As the Commission has explained in its annual reports on the application of the Code since 2019⁸, the possibility to be heard has led in a number of cases to a decision of former Members not to pursue the notification and the envisaged activity. Such a withdrawal leads logically to a closure of the procedure without any opinion of the Committee and any decision of the Commission on the envisaged activity as the file and the procedure are not complete and devoid of purpose.

The situation is the same if the Committee issues a negative opinion after hearing the former Member concerned, and the Member decides to withdraw the notification following the negative opinion and before a decision is adopted by the Commission. Here as well, the procedure has not been completed and become devoid of purpose.

Authorisation or refusal decisions taken by the Commission on notified post term of office activities and the related opinions of the Independent Ethical Committee are made public and transparency is ensured⁹.

By contrast, a notification is not public. There is normally no reason to provide information on an envisaged notified activity when the notification has been withdrawn by a former Member of the Commission, whether or not the withdrawal is due to a negative assessment by the Independent Ethical Committee or to other reasons. In such a case, the activity has not materialised and the private intention to engage in new work is not an actual intention anymore.

The decision to withdraw a notification or not is a right of the former Member who notifies an envisaged post term of office activity. This is without prejudice to the possibility of current Members of the Commission or of the administration to share their views with a former Member in relation to the possible compliance of an envisaged activity with the relevant obligations and in relation to a possible negative impact of an envisaged new activity on the public image of the Commission or of the former Member concerned.

⁷ Point 1.2 of the Code of 2011 applicable at that time.

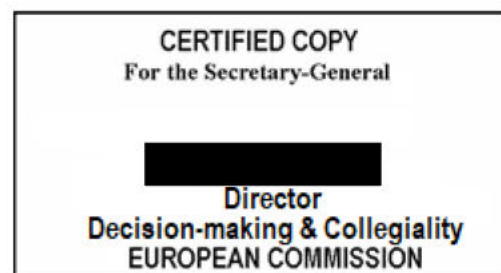
⁸ https://commission.europa.eu/about-european-commission/service-standards-and-principles/ethics-and-good-administration/commissioners-and-ethics/code-conduct-members-european-commission_en#annual-reports.

⁹ https://commission.europa.eu/about-european-commission/service-standards-and-principles/ethics-and-good-administration/commissioners-and-ethics/former-european-commissioners-authorised-occupations_en.

CONCLUSION

The Commission considers that the Treaties and the Commission's rules and procedures, in particular the Code of Conduct for the Members of the Commission, provide a sound and robust framework to protect the general interest of the European Union in the area of post term of office activities of former Members of the Commission and ensure an appropriate level of transparency.

For the Commission
Ursula VON DER LEYEN
The President



Enclosure

Note from the Secretary-General of the Commission to the Members of the Commission of 15 February 2024 (Ares(2024) 1152103)



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary-General

Brussels,
SG/IJ

**NOTE FOR THE ATTENTION OF
THE MEMBERS OF THE COMMISSION**

**Subject: Activities of Members of the Commission after the end of their term
of office: practical orientations**

According to Article 245 of the Treaty on the Functioning of the European Union, the Members of the Commission have a duty to behave with integrity and discretion as regards the acceptance of certain appointments or benefits after they cease to hold office.

At the same time, former Members have a right to engage in work and pursue new occupations after the end of their mandate.

The Code of Conduct for the Members of the Commission set out detailed rules in this regard (Article 11 of the Code).

The purpose of this note is to provide general guidance with regard to possible new activities and their compliance with the obligations of the Treaty and the Code of Conduct for the Members of the Commission. It includes an overview of types of activities that were generally accepted by the Commission in the past, yet often with conditions or restrictions to ensure compliance with the post-mandate obligations of the Treaty.

Since each activity has its own features, circumstances and context, the note is only indicative and cannot prejudice opinions of the Independent Ethical Committee of the Commission, or future decisions of the Commission.

Members can always seek individual confidential advice from the President or the Secretariat-General when they envisage taking into consideration a possible new occupation. Timely information and analysis have proven key to avoid a negative impact on the Commission or the Member concerned.

Finally, while being in office, it is of utmost importance to be cautious and avoid as much as possible exploratory contacts during the mandate concerning future activities, notably to avoid any perception of a conflict of interest or actual conflict in accordance

with Article 2(6) of the Code of Conduct.

Should such exploratory contacts be necessary, it is important to inform the President and seek advice from the Secretariat-General in a timely manner. This avoids negative legal or reputational repercussions for the Commission and the Member concerned, if necessary, by precautionary measures in line with Article 4 of the Code of Conduct.

The 'Ethics' Unit of the Secretariat General (SG/C/2) will serve as contact point for any relevant issue regarding the envisaged post term-of-office activities of the Members of the Commission (Head of Unit: [REDACTED]).

Ilze Juhansone

Enclosure: Code of Conduct for the Members of the European Commission
Overview of types of post-term-of-office activities

ANNEX

Overview of types of post term of office activities

Article 245 of the Treaty on the Functioning of the European Union (TFEU) provides that, **‘when entering upon their duties [the Members of the Commission] 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’**.

Article 15(1) of the Charter of Fundamental Rights of the European Union provides that ‘everyone has the right to engage in work and to pursue a freely chosen or accepted occupation’.

According to Council Regulation 2016/300 determining the emoluments of EU high-level public office holders, Members of the Commission are entitled to a transitional allowance after they cease to hold office.

After leaving office, for a period equal to the length of the period of service (but not less than 6 months or more than 2 years), former Commissioners are entitled to a monthly transitional allowance (expressed as a percentage of the basic salary), as follows:

- 40%, if the period in office is less than 2 years;
- 45%, if the period in office is equal to or more than 2 years but less than 3 years;
- 50%, if the period in office is equal to or more than 3 years but less than 5 years;
- 55%, if the period in office is equal to or more than 5 years but less than 10 years;
- 60%, if the period in office is equal to or more than 10 years but less than 15 years;
- 65%, if the period in office is equal to or more than 15 years.

The transitional allowance is subject to EU tax and to a rule against overlapping benefits. The transitional allowance is reduced if the amount which a former Member receives from any new gainful activity, together with the amount of the transitional allowance, exceeds the remuneration which he/she would receive if he/she were still a Member of the Commission. Former Members are therefore obliged to declare all income received from any other form of activity. Members will receive more detailed information about the conditions of the transitional allowance as well as other entitlements, notably other allowances, pension rights and sickness insurance cover.

Obligation to notify new activities during a period of two years after ceasing office

Article 11(2) of the Code of Conduct for the Members of the European Commission (‘Code of Conduct’) specifies that ‘[f]ormer Members shall inform the Commission with **a minimum of two months’ notice** of their intention to engage in a professional activity **during a period of two years after they have ceased to hold office. (...)’**.

The Commission examines the envisaged activities with regard to the notions of ‘integrity’ and ‘discretion’ enshrined in Article 245 of the TFEU.

Activities that start after the period of two years after the end of the mandate do not have to be notified to the Commission. As regards obligations that go beyond the two years’ period, see below.

For the President, the above-mentioned period is three years instead of two years.

What needs to be notified

‘Professional activity’ means **any professional activity, whether gainful or not**, other than any unpaid activity which has no link with the activities of the European Union and which does not give rise to lobbying or advocacy vis-à-vis the Commission and its services such as:

- a) charitable or humanitarian activities;
- b) activities deriving from political, trade unionist and/or philosophical or religious convictions;
- c) cultural activities;
- d) the mere management of assets or holdings or personal or family fortune, in a private capacity;
- e) or comparable activities.

Article 11(6) of the Code of Conduct exempts engagements in ‘public office’ from the obligation to inform the Commission. Public office is understood as a mandate as member in a European institution or in a government, parliament or similar institution at the national, regional or local level (e.g. member of parliament, minister, mayor). Employment or special tasks in a public body or administration, or in the civil service do not fall under the exemption.

The role of the Independent Ethical Committee

The Independent Ethical Committee assists the Commission in its assessment of a professional activity. The Committee provides opinions on the compatibility of the activities with Article 245 of the TFEU. The Committee is currently composed of Mr Allan Rosas, a former Judge of the Court of Justice of the EU, Ms Elisabeth Morin-Chartier, a former Member and Quaestor of the European Parliament and Mr Jerzy Plewa, a former Director-General of the Commission.

The Commission can consult the Committee on all activities. It has however an obligation to consult the Committee when the planned activity is related to the portfolio of the former Member. According to Article 11(3) of the Code of Conduct, except in cases of doubt, such a mandatory consultation of the Committee is not necessary when former Members intend to:

- a) continue to serve the European interest in an institution or body of the European Union;

- b) take up functions in the national civil service of a Member State (at national, regional or local level);
- c) engage with international organisations or other international bodies dealing with public interests and in which either the EU or one or several of its Member States are represented;
- d) engage in academic activities;
- e) engage in one-off activities for a short duration (1 or 2 working days);
- f) accept honorary appointments.

Elements taken into account in the assessment

The Commission and the Independent Ethical Committee will assess any new activity based on the merits of the specific case, its features, circumstances and general context. There are no fixed or written criteria. Based on experience, it is however likely that the following aspects and criteria will be taken into account:

- the scope and nature of the activity;
- its remunerated or non-remunerated character;
- the level of responsibility related to the new activity, such as the expected function in the structure of an organisation;
- whether the activity implies public representation and institutional contacts on behalf of the company/entity/organisation in its relations with the EU institutions or the media;
- the link with the former Member's portfolio; in case a Member had several portfolios the assessment will cover all portfolios since the obligations of Article 245 TFEU are not limited to a specific period or portfolio; the temporal proximity between the activity and previous portfolio responsibilities is also taken into account;
- the risk of casting doubt on the independent decision-making process of the institution during the term of office of the former Member in relation to links between the previous responsibilities as Member of the Commission and the new activity;
- the possibility to protect sensitive / confidential information and insights obtained during the term of office while performing the new activity;
- in view of possible risks for the decision-making process in the Commission in the future, the possibility to perform the new activity in compliance with the restrictions on lobbying and avoiding possible risks in relation to the use of contacts within the Commission;
- the need to ensure respect of the principles of collegiality and discretion with regard to decisions and activities of the Commission during the former Member's term of office.
- the potential political or reputational damage for the Commission or the EU, deriving from the activity.

It should be borne in mind that public perception plays an important role and criticism from some quarters may arise even in relation to activities, which were approved – with

or without conditions and/or restrictions.

Circumspection and prudence are therefore important, notably when considering the implications of accepting post term-of-office activities in relation to commercial interests or with regard to the reputation, track-record or transparency of an organisation.

In any case, according to Article 11(4) of the Code of Conduct, former Members must refrain from lobbying Members or staff of the Commission on behalf of their own business, that of their employer or client, on matters for which they were responsible within their portfolio for a period of two years after ceasing to hold office. This period is three years for the President.

The term ‘lobbying’ refers to the definition in the ‘Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register’. It covers:

- activities carried out by interest representatives with the objective of influencing the formulation or implementation of policy or legislation, or the decision-making processes of the signatory institutions or other Union institutions, bodies, offices and agencies (together referred to as ‘Union institutions’), and includes inter alia:
 - (a) organising or participating in meetings, conferences or events, as well as engaging in any similar contacts with Union institutions;
 - (b) contributing to or participating in consultations, hearings or other similar initiatives;
 - (c) organising communication campaigns, platforms, networks and grassroots initiatives;
 - (d) preparing or commissioning policy and position papers, amendments, opinion polls and surveys, open letters and other communication or information material, and commissioning and carrying out research.

Article 11(6) of the Code of Conduct clarifies that this prohibition of lobbying does not apply to public office.

When to expect a decision

Article 11(2) of the Code of Conduct provides that Members shall inform the Commission with a minimum of two months' notice before engaging in a professional activity. This implies that the Commission has to do its utmost to pursue all procedural steps like the consultation of the Independent Ethical Committee and the adoption of a decision within these two months. Legally, there is, however, no established deadline to take a decision. In complex cases, the Independent Ethical Committee may request additional information from the former Member.

If the Committee considers issuing a negative opinion, former Members have the possibility to be heard by the Committee. This implies that the procedure may take longer.

The decision of the Commission (College)

The Commission needs to determine whether the nature of the planned activities is compatible with Article 245 of the Treaty on the Functioning of the European Union. It will take into account the opinion of the Independent Ethical Committee, where applicable.

When the opinion of the Committee is negative, the former Member can decide not to take up the position and withdraw his/her request. In this case, a Commission decision will no longer be necessary.

In addition, when the Committee's opinion raises concerns, the former Member can propose to limit the scope of the envisaged activity or give certain assurances, which can contribute to alleviate the concerns and facilitate a positive decision by the Commission.

A decision of the Commission and the related opinion of the Independent Ethical Committee will be made public with due consideration to the protection of personal data in accordance with Article 11(7) of the Code of Conduct.

Exploratory contacts during the mandate

For any exploratory contacts during the mandate concerning future activities, it is of utmost importance to be cautious and avoid such contacts as much as possible, notably to avoid any perception of a conflict of interest or actual conflict in accordance with Article 2(6) of the Code of Conduct.

Should such exploratory contacts be necessary, it is important to inform the President and seek advice from the Secretariat-General in a timely manner. This avoids negative legal or reputational repercussions for the Commission and the Member concerned, if necessary, by precautionary measures in line with Article 4 of the Code of Conduct

Obligations after two years

During the so-called 'cooling-off period', the duty of integrity impeding upon former Members of the Commission is under particularly close supervision, by the Commission and by the public at large. This level of scrutiny is explained by the temporal proximity between the new activity and the mandate and, consequently, by the commercial or political value that the insights gained during the mandate can have for interested employers or clients.

According to a previous opinion of the former Ad Hoc Ethical Committee, the 'risks of conflicts of interest, of passing on or commercially exploiting experience and knowledge or of sharing networks' are particularly high immediately after the end of the mandate and whenever there is a link between the envisaged activity and the former Commission portfolio. The risks diminish however over time.'

The Commission has established a period of two years as a limit as of which activities do not have to be notified anymore and as of which an automatic prohibition of lobbying does not apply anymore. This period is three years for the President.

However, the general obligations with regard to integrity, discretion, confidentiality and collegiality continue to apply even after this period of two / three years (Article 11(1) and Article 5 of the Code of Conduct as well as Article 245 and Article 339 of the TFEU).

In their activities and statements, former Members need to be aware that the public continues to associate them with the Commission and the EU, and that public scrutiny remains high even after two years, as recent cases have shown.

The period of two years chosen by the Commission in 2018 corresponds to the period that Council Regulation (EU) 2016/300 of 29 February 2016 determining the emoluments of EU high-level public office holders set as the maximum period for the payment of a transitional allowance to former Members.

Types of activities

The following table contains an indicative, non-exhaustive list of types of post term of office activities, which generally gave rise to positive Commission decisions in the past, in most cases subject to conditions and restrictions.

A full list of authorised activities is available here:

[Former European Commissioners' authorised occupations - European Commission \(europa.eu\)](#) ⁽¹⁾

The table and the precedents do not and cannot warrant a positive opinion by the Independent Ethical Committee or a positive decision by the Commission on a specific post term-of-office activity in the future.

(1) https://commission.europa.eu/about-european-commission/service-standards-and-principles/ethics-and-good-administration/commissioners-and-ethics/former-european-commissioners-authorised-occupations_en

Types of activity based on former Members' previous post term-of-office activities

Activities	Remarks
PUBLIC SECTOR	
EU INSTITUTION, BODY, OFFICE OR AGENCY	
Mandate as Member of a European institution.	No need to notify.
Permanent or <i>ad-hoc</i> assignment within a European institution, body, office or agency.	Usually authorised. A risk of conflict of interest may exist in case a former Member of the Commission is or becomes Special Adviser to the Commission while having another post term of office activity.
INTERNATIONAL ORGANISATION / ASSIGNMENTS	
Permanent activity or <i>ad hoc</i> assignment for an international organisation or body and <i>ad hoc</i> assignments at international level.	Usually authorised.
NATIONAL/SUB-NATIONAL PUBLIC BODY LINKED TO THE PUBLIC INTEREST / CIVIL SERVICE	
Member of government, of parliament, of a constitutional court or similar public office	No need to notify.
Activity for a public authority at national/regional/local level (e.g.: agency, court or other administrative entities) or for a national civil service.	Usually authorised.
Permanent activity or <i>ad hoc</i> assignment for a public body, public enterprise or public fund closely linked to the government/administration and pursuing public objectives	The European Commission has generally assessed such activities in light of the potential conflicts of interest which they might entail, the possible alteration of the conditions of competition in a specific economic sector, etc. The Commission has subjected activities to: – prohibitions of lobbying, at least during a 'cooling off' period; – reminders of, or conditions related to, the need to respect the confidentiality of information or knowledge acquired during the mandate.
PRIVATE SECTOR	
PRIVATE ENTERPRISE OR TRADE/BUSINESS/PROFESSIONAL ORGANISATION	
Activity for a private entity with a commercial purpose (or a representative grouping or association of such entities), such as a company, holding, group, investment fund or trade, business or professional association (in an executive or non-executive oversight function such as member of the Board of Directors, Supervisory Committee, Advisory Committee or Board of Trustees, or non-executive Director...)	The Commission has generally subjected such activities to an in-depth assessment taking into account the elements on page 5. If the activity has been authorised, the Commission has subjected such activities to: – prohibitions of lobbying, at least during a 'cooling off period'; – reminders of the need to respect the

	confidentiality of information acquired during the mandate; – Conditions excluding specific categories of clients or files; – Condition narrowing the scope of the activity.
PROFESSIONAL CONSULTANCY/LAW FIRM/SELF-EMPLOYED CONSULTANT	
Activity as professional consultant on matters related to European affairs	These activities are particularly sensitive, and the perception of risks has evolved. If authorised, the Commission has generally subjected such activities in the past to: – prohibitions of lobbying, at least during the ‘cooling off’ period; – reminders of the obligation to respect the confidentiality of information acquired during the mandate; – Conditions excluding specific categories of clients or files; and – periodical reporting of the consulting contracts concluded, namely the clients involved and the purpose of the consulting activity undertaken.
NON-GOVERNMENTAL ORGANISATION	
Permanent activity or ad-hoc assignment in the governing or consultative bodies of a non-governmental organisation	If authorised, the European Commission has generally subjected such activities to: – prohibition of lobbying, at least during a ‘cooling off’ period; and – reminders of the need to respect the confidentiality of information acquired during the mandate.
THINK-TANK, RESEARCH AND ACADEMIC INSTITUTION	
Activity or ad-hoc assignment in a governing or consultative body of a think-tank	The European Commission has generally subjected such activities to: – prohibitions of lobbying, at least during a ‘cooling off’ period; and – reminders of the need to respect the confidentiality of information acquired during the mandate.
Research or academic activity, in particular: • recurrent teaching or research activity • executive and/or advisory function in the academic sector	Usually authorised - depending on the function and the research or academic body with conditions and restrictions.
SPEECHES / PARTICIPATION IN EVENTS / BOOKS AND PUBLICATIONS	
Such activities do not have to be notified except if they are part of a permanent link with an organisation (e.g. a framework contract with a speakers’ agency or a publisher). The general obligations with regard to integrity, discretion, confidentiality and collegiality continue to apply even after the two- or three-year period following the end of the mandate (Article 11(1) and Article 5 of the Code of Conduct as well as Article 245 and Article 339 of the TFEU). Moreover, the public will often continue to associate their statements and publications with the Commission and the EU. Therefore, the impact on the perception of the EU and the Commission can still be high.	