



EUROPEAN MEDICINES AGENCY  
SCIENCE MEDICINES HEALTH

EMA/394879/2024  
Executive Director

## Decision of the Executive Director

### On transparency measures for senior staff<sup>1</sup> leaving the Agency

THE EXECUTIVE DIRECTOR

HAVING REGARD to Article 64 and Article 75 of the European Parliament and Council Regulation (EC) No 726/2004 which places responsibility with the Executive Director for all daily matters at the Agency and the implementation of the Staff Regulations,

HAVING REGARD to the procedure governed by Article 16 of the Staff Regulations of Officials of the European Union, applicable by analogy to temporary staff and contract staff of the Agency;

HAVING REGARD to Article 17 of the Staff Regulations;

HAVING REGARD to the EMA's Code of Conduct and in particular, the continuous duty of confidentiality and the obligation for EMA staff to behave with the highest degree of professional independence and integrity;

HAVING REGARD to the Agency's duty of transparency and openness towards EU citizens and its endeavour to ensure that its staff do not have any interests that could affect their impartiality and the specific policies that the Agency has put in place to deal with any potential conflicts of interests;

HAVING REGARD to Opinion 27/2020 of the Joint Committee of 4/11/2020 (EMA/504095/2020) on Criteria and restrictions;

WHEREAS the Agency aims to balance the needs of the individual senior staff member's right to confidentiality with regards to their future role and employer while still in service, with the Agency's duty to publish EMA decisions to ensure full transparency towards the public;

HAS DECIDED

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<sup>1</sup> As defined in Opinion 27/2020 of the Joint Committee of 4/11/2020 (EMA/504095/2020) on criteria and restrictions for senior staff applying for occupational activities within two years after leaving the Agency



## Article 1

1. Pursuant to Article 16(4) of the Staff Regulations, the Agency will publish a specific register for senior staff leaving the Agency on its corporate website.
2. The register will be updated as soon as the relevant decision has been issued following the assessment of their application and the staff member has left the Agency. The entire case or specific measures should be removed from the website two years after the staff member has left EMA<sup>2</sup>.
3. Published information per case will include<sup>3</sup>:
  - Name of senior staff member concerned;
  - Date of departure;
  - Type of post held at the Agency, and a brief description of the duties carried out during the last three years of service;
  - Name of the intended future employer and the job title; alternatively, a brief description of the intended self-employed activities;
  - Date of decision and restrictions applied to senior staff;
4. The Agency will contact the relevant EU bodies in order to inform them of the restrictions imposed on the staff member, as relevant;
5. The Agency will communicate with new employer ensuring they are aware of restrictions imposed and are putting in place measures to facilitate compliance;

## Article 2

This decision takes effect on the day of its signature and replaces the previous decision on transparency measures for senior staff leaving the Agency (Ref. EMA/553569/2020) of 12 November 2020.

*[signature on file]*

Emer Cooke  
Executive Director

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<sup>2</sup> In accordance with the recommendations of the European Data Protection Supervisor (EDPS) stated in their *Non-Prior-checking Opinion regarding a procedure for avoiding conflicts of interest at the European Ombudsman (EDPS case 2017-1064)*, 18 July 2019, available here: [https://edps.europa.eu/sites/edp/files/publication/18-07-19\\_opinion-letter\\_o\\_reilly\\_case-2017-1064\\_en.pdf](https://edps.europa.eu/sites/edp/files/publication/18-07-19_opinion-letter_o_reilly_case-2017-1064_en.pdf)

<sup>3</sup> In a case where exceptional and compelling privacy reasons would prevent publication, the Agency might reach out to the European Data Protection Supervisor for a review of the case.