



EUROPEAN MEDICINES AGENCY  
SCIENCE MEDICINES HEALTH

Ms V Cann,  
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Belgium

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Ms K. Perehudoff  
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10 January 2012  
EMA/25057/2012  
Executive Director

Dear Ms Cann, Ms Chailleu and Ms Perehudoff

Subject: Employees who take part in an outside activity, intend to leave or leave the service at EMA

You wrote to me about this issue in your letter of 19 December 2011 and I have read your report on lobbying that you also sent to me. The EMA is committed to transparency and to take appropriate action to prevent conflicts of interests. To this end, the Agency has adopted revised conflict of interest rules for members of its scientific committees as well as experts and in addition revised conflict of interest procedures for staff. Revised conflict of interest rules for the Management Board of the Agency are being addressed and will be discussed with the Management Board in 2012.

All staff, while serving at the Agency, are instructed of the requirement in line with Art 12b of the Staff Regulations to apply in advance regarding any external activity they propose to undertake and staff do follow this procedure. Only activities that do not represent a conflict of interest could be accepted. Staff who wish to take part in an external activity, whether paid or unpaid, have to apply in advance and explain the nature of the activity, the amount of time it will take, the body with whom they would be interacting or working. This application is reviewed internally and provided the external activity does not represent a conflict of interest it would be approved for one year at a time. If the staff member wished to continue with the activity he/she has to re-apply again in advance and the nature of the activity is re-considered from scratch.

The Management Board, which is the ultimate authority to deal with issues concerning the former Executive Director, has taken the issue very seriously and decided upon a route of action to take. The provisions of the Staff Regulations are being applied in this case. EMA was informed in 2011 of Mr. Lönngrén's activities with NDA following the Agency's request that he supply details of his activities following his retirement. No declaration to the Agency was made by Mr. Lönngrén prior to his departure. Conditions have been placed on Mr Lönngrén's activities and these activities have been



closely scrutinized and do not present a conflict of interest for the Agency's activities. Mr Lönngren was the Executive Director at the EMA and to refer to this position as part of his past career is not inaccurate.

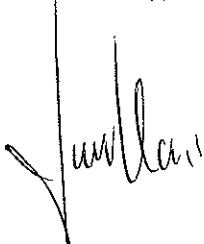
Staff retiring or resigning or upon expiry of contract are reminded in writing in advance of departure of their obligations under the Staff Regulations and their obligations under Arts 16 and 17 of the Staff Regulations. Staff are asked to return one copy of this letter with their signature in acknowledgment of their understanding and acceptance of their obligations. Staff are also asked to complete a form to explain and to set out the details of any planned activity, whether paid or unpaid, following their employment with the EMA. Where there is a planned activity declare prior to departure to be taken up after departure the nature of the activity is reviewed carefully involving the Joint Committee as needed in this review. Conditions are applied if needed and where there is no conflict of interest approval can be given. Staff who enter into an activity at a time for two years after they have left the Agency know that they have to notify the Agency and staff do follow this procedure so that the activity can be reviewed in line with Art 16 of the Staff Regulations. The Joint Committee is available and does meet as required to review any applications relevant to activity post employment or other post Agency activities.

It is important to note here that staff do have a legal right to pursue employment after leaving the Agency and that the EMA has no right to prevent staff from taking up employment. EMA can and does impose conditions on such employment where there could be a conflict of interest. Where a full ban would be applied on staff leaving the Agency for a full period of two years afterwards in the area of employment where they have professional skills and experience then additional costs would be involved+ as staff would have to continue to be paid for this two year period.

Staff involvement in meetings or other conferences that may form part of a network from the Executive Director downwards is considered case by case and the issue of any conflict of interest is an important point when deciding on involvement or not. For Mr Lönngren during his term as Executive Director he would only have participated at meetings, networks or conferences suitable in his then capacity.

The Staff Regulations are applied in full at EMA. The Staff Regulations are adopted or changed by Council and the European Parliament on a proposal from the European Commission. The EMA is not in a position to revise or strengthen such rules, which fall under the sole responsibility of the Commission and the European legislator.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Guido Rasi', written over a vertical line that extends from the 'Yours sincerely,' text above.

Guido Rasi  
Executive Director