

PRACTICAL ARRANGEMENTS GOVERNING WORKING RELATIONS BETWEEN COMMISSIONER GENTILONI, HIS CABINET AND EUROSTAT

Member of the Commission: Commissioner for Economy – Mr Paolo Gentiloni

Directorate-General: Director General – Eurostat – Ms Mariana Kotzeva

INTRODUCTION

Eurostat is a Directorate-General of the European Commission and the statistical authority of the Union. It provides independent, credible and high-quality European statistics that are essential for the work of the Commission as well as to everyone for the purposes of decision-making, research and public debate.

These practical arrangements define in more detail the implementation of the principles laid down by the President of the Commission on the working methods of the European Commission. They are also based on Regulation (EC) No 223/2009 on European statistics, the Commission Decision (2012/504/EU) on Eurostat and the European Statistics Code of Practice.

These arrangements represent the Commissioner's own commitment to ensure that Eurostat remains the independent and trusted point of reference for statistics and data in Europe and that it operates in full respect of its professional independence in relation to statistical activities, also considering the independent overview of the European Statistical System as provided by the European Statistical Governance Advisory Board as regards the implementation of the European Statistics Code of Practice.

1. PRINCIPLES OF CO-OPERATION AND RESPECTIVE ROLES

1.1. Principles

The relations between the Commissioner, his Cabinet and Eurostat are based on trust, transparency and efficiency as well as on respect of professional independence with regard to statistical activities.

The Commissioner, his Cabinet and Eurostat are collectively responsible to ensure that Eurostat will continue to develop, produce and disseminate relevant, trustworthy and timely European statistics, as well as put forward the related legal and other statistical initiatives necessary for the Union activities and the implementation of six Headline Ambitions defined by President von der Leyen for the period 2019-2024.

1.2. Roles and tasks of the Director General of Eurostat with regard to statistical activities and of the Commissioner

The Commissioner determines the general policy line and related information needs within the Commission's overall policy framework and assumes full political responsibility.

The Director General of Eurostat is responsible for the statistical activities of Eurostat.

In accordance with the principle of professional independence as set out in the European Statistics Code of Practice, Regulation (EC) No 223/2009 on European statistics and the Commission Decision (2012/504/EU) on Eurostat, the Director General of Eurostat acts in an independent manner and does not seek or take instructions when carrying out statistical tasks.

The Director General of Eurostat has the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for all statistics produced by Eurostat.

The Director General of Eurostat may comment publicly on statistical issues, including criticisms and misuses of statistics as far as considered appropriate.

As Chief Statistician, the Director General of Eurostat is also responsible for the coordination of the development and production of statistics by other Commission services in line with the Commission Decision (2012/504/EU) on Eurostat.

The Director General of Eurostat timely informs the Commissioner and the Cabinet of all issues of possible political sensitivity. In particular, the Commissioner and his Cabinet are kept informed of contacts of possible political sensitivity with the Council, European Parliament, European Central Bank, Parliaments and Governments of Member States and Governments of third countries, as well as international organisations.

The Director General of Eurostat advises the Commissioner and the Cabinet on the files relating to his portfolio. The Director General is fully responsible for the management of the services under her authority. She is accountable to Commissioner Gentiloni and the College for proper implementation of Eurostat's Annual Management Plans and Annual Statistical Programmes.

The Director General of Eurostat keeps the Cabinet regularly informed of progress on the files and activities of its services, including on external relations and inter-institutional issues.

The Cabinet informs Eurostat of the College's work, especially when it has direct implications on Eurostat's activities, and of the decisions taken by the Commission. The Cabinet does not involve itself in the direct management of Eurostat, which is the exclusive responsibility of the Director General of Eurostat.

1.3. Points of contact for relations between the Cabinet and Eurostat

Gentiloni Cabinet

Commissioner – Mr Paolo Gentiloni

Head of Cabinet – Mr Marco Buti

Deputy Head of Cabinet – Mr Jakob Friis

Member of Cabinet responsible for Eurostat – Ms Roberta Torre

Communication Adviser – Mr Simon O’Connor

Eurostat

Director General of Eurostat – Ms Mariana Kotzeva

Deputy Director General of Eurostat – Mr Gallo Gueye

Assistant to the Director General of Eurostat – Mr Ioannis Xirouchakis

Head of Unit of External and interinstitutional relations; Communication (DG01) of Eurostat – Mr Lukasz Augustyniak

1.4. Persons authorised to represent the Commissioner and Eurostat in the daily work

For political, internal control and human resources matters: Director General of Eurostat and Head of Cabinet.

For routine management matters: Assistant to the Director General of Eurostat and the Member of Cabinet responsible for Eurostat.

For communication matters: Head of Unit External and interinstitutional relations; Communication (DG01) in Eurostat and Communication Adviser to the Commissioner.

The Cabinet of Mr Gentiloni will be informed of all relevant contacts with other Cabinets including those of the Executive Vice-Presidents.

2. STRATEGY MEETINGS ON POLICY PRIORITIES (BETWEEN THE DIRECTOR GENERAL, THE COMMISSIONER AND HIS CABINET)

The interaction between the Commissioner, the Cabinet and Eurostat will be preferably in digital format to harness opportunities offered by digital technologies and to further green the Commission. In addition, ‘Jour Fixe’ meetings shall be the primary means to discuss matters related to the launch and progress of key legislative and other initiatives aimed at meeting evolving needs for evidence-based decision-making and informed public debates at the EU level.

At these meetings, the Commissioner will inform the Director General about his political priorities and strategy, and present information needs related to the design, monitoring and implementation of EU policies. The meetings can also be used to prepare the Commissioner's participation in inter-institutional meetings, events and missions that involve Eurostat data or Eurostat-related matters. The Director General will inform the Commissioner about on-going statistical initiatives and will discuss the launching of new key initiatives. When the Director General is absent, she will be replaced by the Deputy Director General. In addition to the Director General and the Deputy Director General, a Director, a Head of Unit and – where appropriate – relevant staff dealing with the specific topic discussed, can participate in the ‘Jour Fixe’ meetings.

On request from the Cabinet, Eurostat will prepare a short note as basis for discussion at the ‘Jour Fixe’ meetings. A draft report of the substantial issues discussed, as well as operational

conclusions of the meeting, will be prepared by the Assistant to the Director General attending the 'Jour Fixe' meeting and sent by e-mail to the Member of Cabinet responsible for Eurostat, within one week. The Cabinet will provide its comments or agreement on the report within one week. For the avoidance of doubt, no tacit Cabinet agreement shall be assumed. For the sake of transparency and accountability, the report will be registered in the Commission's document management system ARES.

Twice a year, the Director General and the Commissioner shall discuss Eurostat's Annual Management Plan and internal control issues. Every year, one of these exchanges will serve to discuss the Annual Activity Report (AAR) prepared by Eurostat.

The Director General and the Head of Cabinet will meet on a regular basis to discuss ongoing policy and management matters.

In principle, communication from the Cabinet to Eurostat will be in writing, directly by the Head of Cabinet, his Deputy, or the Member of Cabinet responsible for Eurostat to the Director General and her assistant on behalf of Commissioner Gentiloni. If, in exceptional cases, the Cabinet has to communicate directly with Eurostat staff, it will inform the Director General thereof via her assistant.

3. FORMULATION AND IMPLEMENTATION OF POLICY

3.1. Planning and proposing legislative statistical acts and other statistical initiatives

The Commission has the right of initiative, namely to plan, develop and propose new European legislation. In the area of European statistics, Eurostat is responsible within the Commission to propose and draft new legal acts, as well as to run consultations with other Commission services and stakeholders outside the Commission, under the Better Regulation Agenda.

Interservice consultations initiated by Eurostat

For statistical initiatives with political implications or expected impact on the administrative burden, Eurostat will inform the Commissioner and will obtain his prior agreement to launch Interservice Consultations (ISC) within the Commission. Eurostat will send the relevant documents to be submitted to ISC via an ARES e-signatory to the Member of Cabinet responsible for Eurostat and the Head of Cabinet, with an associated task to the Cabinet(s) of the responsible Executive Vice-President(s) to secure their agreement. The documents shall include a brief explanation of the content and objective(s) of the initiative. Where appropriate, the file will have been previously discussed at 'Jour Fixe' meetings.

For technical statistical initiatives and reports that are not politically sensitive, the Director General of Eurostat has full responsibility from planning to adoption, as well as to ensure delivery of the results.

Eurostat will inform the Cabinet about the outcome of the ISC (see point 3.2). Where substantial issues emerge during the ISC, Eurostat will seek to address them at the adequate level. If this includes political implications, Eurostat will discuss and secure prior agreement of the changes needed in the draft proposals with the Cabinet.

Interservice consultations initiated by other Commission services

Eurostat will put in copy the Member of Cabinet responsible for Eurostat of the replies it provides to interservice consultations launched by another Directorate General in the Commission. When the latter cover politically sensitive subjects, Eurostat will examine the matter with the Member of Cabinet responsible for Eurostat before finalising its reply.

The agreement of the Cabinet has to be secured, in case Eurostat intends to give a "negative opinion" to an interservice consultation launched by another Directorate General in the Commission.

To ensure transparency and traceability, all acts and reports will be entered into the Commission's IT tool Decide at the planning stage.

3.2. Approval by the Commission (Written and oral procedures)

Before requesting the launching of an adoption procedure by the Commission, Eurostat will ensure that the initiative is prepared as far upstream as possible with no open issues remaining at Eurostat level.

Eurostat will ensure appropriate information to the Commissioner before launching a procedure for adoption by the College in Decide Decision tool. For that purpose, a file with the final text following the ISC and an explanatory note on the outcome of the ISC will be provided, via ARES e-signatory, to the Commissioner.

Eurostat will provide assistance to the Cabinet up until adoption by the College (e.g. preparation of and possible attendance at Hebdo and special chefs meetings, briefings, explanatory notes).

3.3. Infringement procedures

Eurostat ensures a regular and permanent monitoring of how national statistical authorities in the Member States comply with the EU legislation with regard to the production, development and dissemination of European statistics. For that purpose, Eurostat has established an internal process and guidelines. The annual compliance monitoring exercise, based on declarations from the respective Directors to the Director General, with subsequent decision by the senior management of Eurostat on the coordinated actions to take, is complemented by potential ad hoc actions when need arises. In both strands of action, Eurostat proactively follows up on non-compliance issues linked to the transmission deadlines, completeness of data, methodology, and data quality of the statistical data provided by the national statistical authorities. Appropriate action is taken, including at Director-General level, to solve potential outstanding issues directly between Eurostat and the National Statistical Institutes. When those compliance monitoring actions at service level have turned to be unsuccessful, Eurostat considers if formal action at Commission level should be initiated.

Before launching any new infringement case, in EU Pilot or any new step in an ongoing infringement case, Eurostat requests the Commissioner's agreement. In this case, Eurostat shall timely provide the Commissioner with a case note, which summarises the facts, legal issue(s) at stake and the contacts that have taken place with the Member State concerned. The note should also indicate briefly whether the case is politically sensitive and whether it raises novel issues

and/or represents a new approach in light of possible similar precedents. The note shall be submitted at least 5 working days before the Commissioner's agreement is due in the context of the monthly infringement cycles. The Cabinet shall respond within the deadline in order to enable Eurostat to submit the proposals on time to the Secretariat General. The agreement can be requested and given by email.

Eurostat's contribution to the "Annual report on monitoring the application of EU law" will be approved by the Cabinet before transmission to the Secretariat General, when infringement cases relate to statistical legislation.

4. RELATIONS WITH THE OTHER INSTITUTIONS

4.1. European Parliament

Each year, the Director General of Eurostat appears before the relevant Committee of the European Parliament to discuss matters pertaining to statistical governance, methodology and statistical innovation.

If a Eurostat official is invited to appear before a national Parliament committee, prior approval from the Cabinet should be requested.

Written and Oral Questions put forward to the Commission by Members of the European Parliament for which Eurostat has been assigned the role of *chef de file*: Eurostat prepares a draft reply, which is submitted for Cabinet's approval via Decide Replies.

4.2. Preparation of the Group des Relations Inter-institutionnelles (GRI) meetings

Eurostat will prepare and require the agreement of the Cabinet on the fiches "GRI" used as inputs for the GRI meetings.

Eurostat representative participating in the preparatory GRI meeting will, when relevant, provide written report on the discussions and decisions of the meeting on the same day, and will share it with the Member of Cabinet responsible for Eurostat and the Deputy Head of Cabinet.

In case there are files, which Eurostat considers should be discussed at the level of the GRI, it should inform the Cabinet in due time before the pre-GRI and get its agreement before the pre-GRI meeting in so far as the documents are made available. The Cabinet should also inform the DG in due time before the pre-GRI of its intention to keep a point open after the pre-GRI. In case the documents are circulated later and are under the scrutiny reserve procedure, both Eurostat and the Cabinet should liaise if it is considered that the document needs to be amended, in so far as it concerns a Eurostat policy area.

5. SPEECHES, BRIEFINGS AND CORRESPONDENCE

5.1. Briefings and speeches

Briefing requests shall be sent to Eurostat as early as possible, notably the preliminary planning of the Commissioner's agenda items shall indicate where Eurostat's input will be needed. The general principle shall be that, whenever possible, Eurostat will have 10 working days to deliver and that the material shall be delivered to the Cabinet at the latest five working days before the day of the event. For meetings at short notice, these deadlines shall be shortened proportionally.

The Cabinet shall submit requests through the Commission IT tool BASIS, and Eurostat shall transmit the material through the same tool. Requests shall be as specific as possible, identifying particular questions to be answered and the length of the document, etc. The request shall also indicate whether presence from Eurostat for a meeting is required.

Eurostat will ensure proper managerial oversight and quality control of the briefings and in particular, pay attention that the information provided is up-to-date and the length of the briefing is appropriate.

The Cabinet gives feedback on the quality and usefulness of the briefings provided, and uploads in BASIS the final briefing material provided to the Commissioner. The Cabinet will provide Eurostat with the final version of the speech as altered by the Cabinet and provide feedback as appropriate.

Briefings and speeches should be prepared in English, unless specified otherwise.

5.2. Commissioner's correspondence

Any correspondence received by the Cabinet should in principle be answered at an appropriate level within 15 working days. For correspondence from MEPs, the objective should be to reply within 10 working days.

Where Eurostat expertise is required for the reply, the Member of Cabinet responsible for Eurostat sends a request to Eurostat for a draft reply via ARES document management system. The request may be for a:

1. draft for signature by the Commissioner;
2. draft for signature by the Head of Cabinet;
3. direct reply by Eurostat at the appropriate level;
4. follow-up (the Cabinet will give further explanation/specific guidance on each case);
5. for information (no reply needed).

The draft answer for signature of Commissioner or the Head of Cabinet will be sent to the Cabinet for approval and follow-up at the latest three days before the deadline for answering the correspondence. If its draft reply is likely to be delayed, Eurostat will inform the Member of Cabinet responsible for Eurostat, so that a holding reply can be sent in time.

Eurostat and the Cabinet inform each other via ARES document management system of signed correspondence.

Eurostat provides the reply in the language of the correspondence received.

Letters on statistical matters addressed to Prime Ministers or a Minister of a Member State or of a third country will be signed by the Commissioner and accompanied by a note from the Head of Cabinet addressing the Head of the Commission Representation or the Head of the EU Delegation of the respective Member State or third country.

5.3. Events and other communication issues

Unit DG01, directly attached to the Director General, will serve as the main contact point for the Cabinet and the Communication Adviser on coordination of public events and communication issues related to Eurostat.

Participation at high-level events will be co-ordinated between the Commissioner, Cabinet and Director General through weekly Cabinet calendar meetings where Eurostat provides written contribution.

The Commissioner will participate in one annual meeting with the staff of Eurostat (“General Assembly of Eurostat”).

6. MANAGEMENT OF RESOURCES AND PROCESSING OF SENSITIVE INFORMATION

The Director General will inform the Commissioner through the regular management cycle and related “Jour Fixe” meetings, as well as on an ad hoc basis if there is a major problem, on the matters of the management of financial or human resources or if an issue arises that might engage the Commissioner's political responsibility.

The Commissioner will be informed of any substantial change concerning the organisation of Eurostat or concerning Eurostat internal financial systems and verifying procedures.

On human resources matters the Cabinet will answer within five working days.

The Director General will immediately forward to the Commissioner any sensitive information, which may engage his political responsibility or that of the College. Such notification will be carried out by means of the formal referral procedure foreseen in the Commission working methods.

7. WORKING ARRANGEMENTS ON STATISTICAL RELEASES AS LAID DOWN BY MUTUAL AGREEMENT BETWEEN THE CABINET AND EUROSTAT

The Member of Cabinet responsible for Eurostat and the Communication Adviser to the Commissioner will receive each Friday, for information, the final calendar that contains statistical releases (i.e. euro indicators, other first time data releases, key dissemination products and events) for the following week. This release calendar is also publicly available on Eurostat's website.

The preparation of all Eurostat statistical releases is the responsibility of Eurostat. In accordance with the principle of professional independence as set out in Regulation (EC) No 223/2009 on European statistics and the Commission Decision (2012/504/EU) on Eurostat, the Director General has the sole responsibility for deciding on the content and timing of statistical releases produced by Eurostat. Dates and times are pre-announced in the release calendar available on Eurostat's website, on an annual and weekly basis. Statistical releases are objective and nonpartisan; they are clearly distinguished and issued separately from policy statements.

In order to ensure compliance with the European Statistics Code of Practice, euro indicators and other first time data releases will be only transmitted, under embargo and for information, to the Member of Cabinet responsible for Eurostat and the Communication Adviser after 16.00 (CET) the working day before their dissemination to the press. This information should not be further released or commented upon or described prior to the official Eurostat release. Eurostat will be informed immediately in case of any accidental or wrongful release. The sole purpose is to allow the Commissioner to respond fully when questions arise at the time of release.

For three euro indicator releases identified as market-sensitive, the monthly flash estimate of inflation and the two quarterly flash estimates of GDP, the transmission to the Member of Cabinet responsible for Eurostat and the Communication Adviser will take place the morning of their release using encrypted email.

Eurostat will inform the Member of Cabinet responsible for Eurostat and the Communication Adviser to the Commissioner of all significant contacts with the media, in particular planned interviews and press conferences.

Date:

Approved by:

Member of the Commission



Paolo Gentiloni

Director General



Mariana Kotzeva

Annexes:

- Annex 1: Practical Modalities for the organisation of the jour fixe meetings

ANNEX 1 – PRACTICAL MODALITIES FOR THE ORGANISATION OF THE JOUR FIXE MEETING

Organisation of the Jour Fixe meetings:

- The agenda will have A points for discussion and B points for information only (without discussion);
- Agenda is drafted by Eurostat and proposed to the Member of Cabinet responsible for Eurostat for agreement; the final agenda is confirmed 1 week before the meeting, taking into account the strategy briefing notes received;
- Each agenda point is prepared by a written strategy note from Eurostat. The notes should be circulated, together with the supporting documents where appropriate, at the latest 1 week before the day of the meeting;
- The strategy notes should contain options, pros and cons of each option and a clear indication of which option(s) is recommended;
- The notes should be kept in clear and non-technical language and any abbreviations should be first fully spelled out;
- Where relevant, draft legal or policy texts should be annexed to the note;
- Minutes of the meeting will be drafted by Eurostat and submitted for approval to the Cabinet. The minutes should summarize the substantive points discussed and reflect the operational conclusions.

Template for the briefing of the Jour Fixe:

0. Cover page

Contains: text "Note to Commissioner Gentiloni", subject title, date of the jour fixe, main contact person with phone number

1. Introduction

This section contains the history of the file and aims at contextualising the issue for the Commissioner

2. Problem identification (issues to be discussed)

Explains the problem and the state of play e.g. vis à vis other DGs/institutions/Member States, including political positions. This section identifies the specific issue to which to draw the attention of the Commissioner.

3. Options for decision

This section highlights the various options for action clearly identifying the pros and cons of each option. It indicates the preferred option by Eurostat and explains why it has been chosen.

4. Communication

This section highlights if there are any communication issues to address and proposes an appropriate communication actions.