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TEXTE EN

Communication à la Commission relative aux méthodes de travail de la Commission

Communication de M. le PRESIDENT

Cette question est prévue à l'ordre du jour de la 2105^{ème} réunion de la Commission le mercredi 12 novembre 2014.

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EUROPEAN COMMISSION

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COMMUNICATION FROM THE PRESIDENT TO THE COMMISSION

The Working Methods of the European Commission 2014-2019

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INTRODUCTION

On 1 November 2014, a new European Commission took office. The new European Commission, its composition, its political orientation and its ambition, are the result of the European Parliament elections on 22-25 May 2014; and of the joint will of the Heads of State and Government of all 28 EU Member States to implement a “Strategic Agenda for the Union in Times of Change”, agreed by the European Council on 27 June 2014.

We took up this mission in the Political Guidelines of 15 July 2014, which underline the commitment of the new European Commission to a new start for Europe, and to an Agenda for Jobs, Growth, Fairness and Democratic Change with ten priorities. I was elected President on the basis of this Agenda; as a College, after parliamentary hearings, we got the consent of the European Parliament for this new Agenda; and the European Council appointed the new European Commission on this basis.

I want us all to show that we are open to change and ready to adapt to it. I want the Commission as a whole to be more than the sum of its parts. I therefore want us to work together as a strong team, cooperating across portfolios to produce integrated, well-grounded and well-explained initiatives that lead to clear results. I want us to overcome silo mentalities by working jointly on those areas where we can really make a difference.

We cannot and should not do everything; I want the Commission to be bigger and more ambitious on big things, and smaller and more modest on small things. I also want us to focus our energy and efforts on ensuring effective implementation and follow-up on the ground. I count on you to play your part in this new collaborative way of working.

To facilitate this, I have decided to organise the new Commission differently from its predecessors. I have entrusted a number of well-defined priority projects to the seven Vice-Presidents and asked them to steer and coordinate work across the Commission in the key areas of the Political Guidelines. These Vice-Presidents will help me exercise my presidential prerogatives. They are thus empowered to deliver on the priority projects outlined in the Political Guidelines: a new boost for jobs, growth and investment, notably by means of a € 300bn investment plan; a connected Digital Single Market; a resilient European Energy Union with a forward-looking climate change policy; a deeper and fairer Internal Market with a strengthened industrial base, including a Capital Markets Union and based on the principle that the same work at the same place should be remunerated in the same manner; a deeper and fairer Economic and Monetary Union in which social dialogue is given new importance; a reasonable and balanced free trade agreement with the United States; an area of justice and fundamental rights based on mutual trust; a new EU policy on migration; making the EU a stronger global actor; and bringing about a Union of democratic change.

In the new Commission, I want us to have a clear focus and a very close cooperation amongst Members of the College, with several Commissioners working closely together as teams, each led by one of the Vice-Presidents, in compositions that may change according to need and as new projects develop over time. I want the new European Commission to deliver concrete results efficiently on the ten policy priorities set out in the Political Guidelines, while leaving

other policy areas to the Member States where they are more legitimate or better equipped to give effective policy responses at national, regional or local level, in line with the principles of subsidiarity and proportionality.

We discussed how to achieve a more efficient way of working together at the informal seminar of the incoming Commission on 11/12 September, on the basis of the Mission Letters I had sent to each of you. In addition, at my request, our Heads of Cabinets dedicated a seminar on 7 November to discuss our working methods and your practical questions. There appears to be a broad consensus that our work as a College requires rules to be efficient and to avoid duplication of efforts, in particular in view of the changes brought about by the new structure of the Commission. This is why I have decided to issue rules on our working methods on the basis of Article 17(6) of the Treaty on European Union. These rules complement the Mission Letters, which, together with the Political Guidelines, are an integral part of our working methods.

However, let us make no mistake: rules cannot replace common sense and responsibility. Our cooperation will only function on the basis of mutual trust, collegiality, fairness, transparency and the required degree of flexibility to adapt to new challenges and new situations. I would also call on all of you to assume political responsibility for the results of our joint actions. And never forget: it is not structures and rules that make things happen in an organisation, but human beings. I would call on you to act with respect towards each other and towards the very talented, hardworking people in the Commission services without whom we cannot deliver.

I am looking forward to work together with you on this basis. There are tremendous challenges ahead of us, economic, social, geopolitical. We have no time to waste. Let's get to work.

Jean-Claude Juncker

1. The Collegial Decision-Making Process

All decisions taken by the Commission, during the meeting of the College or adopted through a written, empowerment, delegation or sub-delegation procedure, are Commission decisions for which the College assumes responsibility. All Commissioners are equal in the decision-making process and equally accountable for these decisions. Once a decision is taken, every Member of the College is responsible for respecting, promoting and defending it. A Commission decision is needed to amend a Commission decision.

The **weekly meetings of the College** are the primary means for the Members of the Commission to come together, to discuss politically and to take collective decisions, mainly on items of major policy importance and/or those that could not be agreed by written or empowerment procedures, as well as some administrative decisions.

It is part of the duties of Members of the Commission to be **present** at all meetings of the College. Only the President may decide to release Members from the obligation to be present, in duly justified cases and on the basis of a written request. Absence from the meetings of the College should be restricted to exceptional and justified circumstances such as inter-institutional obligations and the formal requirements of the external representation of the EU.

Decisions in the College are as a rule taken by consensus. A quorum of 15 Members is needed to take decisions¹ and, in cases where the decision is subject to a vote, 15 votes in favour are needed for any proposal to be adopted. Each Commissioner has one vote, and Commissioners can only vote in person.

The **agenda of College meetings** is adopted by the President².

The meetings of the College require careful **preparation**: this is the main purpose of the **weekly "Hebdo" meeting of Heads of Cabinet** and the **special meetings of Heads of Cabinet**, which may precede them. In all College preparatory meetings, Heads of Cabinet and Cabinet members speak on behalf of their respective Commissioner; it is therefore of crucial importance for the functioning of our decision-making process that Heads of Cabinet and Cabinet members are mandated by their Commissioner with a clear line to take. The purpose of the sequence of meetings is to reduce the number of outstanding questions at each stage, so that College meetings are devoted to debating the key political issues. Effective preparation of meetings requires that new issues are not raised at the later stages of the process, and that issues that were closed at an earlier stage of preparation are not reopened at a later stage.

To facilitate discussion, **documents** should be made available in good time³ and respect established deadlines. Clear, concise documents also help to ensure a focused debate. To protect the collegial nature of discussions in the Commission, Members, officials and other staff are required to respect the confidentiality of the meeting and of the decision-making process. The Secretary-General is mandated to enforce rigorously respect for a collegial decision-making process, including confidentiality. The political work of the Commission is not confined to discussions on specific policy documents and legislative proposals. **Orientation Debates** are used, from an early stage, to frame the political parameters within

¹ Articles 7 and 8 of the Commission's Rules of Procedure.

² Article 6 of the Commission's Rules of Procedure.

³ As a rule, two working days before the start of the weekly "Hebdo" meetings of Heads of Cabinet and special meetings of Heads of Cabinet, and four working days before the Commission meeting.

which services should develop a proposal, to discuss sensitive issues requiring the direct input of the College, or to develop a common approach to general political developments.

Orientation Debates should normally take place on the basis of an issues paper, prepared by the responsible Vice-President(s) and Commissioner(s) in agreement with the President. To the extent that the Orientation Debate relates to a specific initiative, the paper should include a description of the problem the initiative will address, who will be affected, its objectives, how subsidiarity is respected and an outline of possible high level policy options. Stakeholder views should be referred to when relevant. The paper should build on the roadmap for the initiative, taking into account ongoing or completed impact assessment work.

The President draws the conclusions of College meetings, including of Orientation Debates, which are recorded in the Minutes, drafted by the Secretary-General, and approved in one of the next meetings of the College. These conclusions should steer subsequent policy preparations and impact assessment work, concentrating on the development and impact analysis of remaining options that require further analysis and stakeholder consultation.

2. The Vice-Presidents and their Project Teams

In their areas of responsibility, the Vice-Presidents act on behalf of the President and help the President to exercise his rights and prerogatives. They are entrusted with well-defined priority projects and steer and coordinate work across the Commission in the key areas of the President's political guidelines.

In particular, Vice-Presidents are in charge of:

- Steering and coordinating work in their area of responsibility. This involves bringing together several Commissioners and different parts of the Commission to shape coherent policies and deliver results.
- Assessing how and whether proposed new initiatives fit with the focus of the Political Guidelines of the President of the Commission. As a rule, the President will not include a new initiative in the Commission Work Programme or place it on the agenda of the College unless this is recommended by one of the Vice-Presidents, on the basis of sound arguments and a clear narrative that is coherent with the priority projects of the Political Guidelines.
- Managing and organising the representation of the Commission in their area of responsibility in the European Parliament, the Council, national Parliaments and other institutional settings as well as at international level.
- Promoting a proactive and coordinated approach to the follow-up, implementation, and communication of the Commission's priority policies across the Union and internationally.

Annex 2 and Annex 3 set out the project teams at the beginning of the mandate; as well as the Vice-Presidents with whom Commissioners should, as a rule, liaise closely if they want to put an initiative on the agenda of the College.

In view of his particular responsibilities, the President will pay particular attention to the opinion of the **First Vice-President, in charge of Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights**, before including any new initiative in the Commission Work Programme or putting it on the agenda of the College. The First Vice-President is also entrusted with the regular monitoring of procedures linked to the preparation of delegated and implementing acts to ensure full political ownership.

Similarly, the President will pay particular attention to the opinion of the **Vice-President for Budget and Human Resources** as regards the impact of the Commission's activities on the human and financial resources of the European Commission.

With regard to the Union's external action, the President launched a **pragmatic partnership with the new High Representative of the Union for Foreign Affairs and Security Policy**, who, according to the Treaties, is one of the Vice-Presidents of the Commission. The new High Representative and the President have agreed that she will play her role as a Commission Vice-President to the full. She will notably steer and coordinate the work of all Commissioners with regard to external action through a Commissioners' Group on External Action to develop a joint approach. This Group will meet at least once a month in varying thematic and/or geographic formats, according to the needs identified by the High Representative/Vice-President or by the President. The High Representative/Vice-President will regularly report back to the President and the whole College about geopolitical developments. To liaise more effectively with the other Members of the College, the President agreed with the High Representative/Vice-President that she will have her Headquarters in the Berlaymont, and that the Commission will put a Cabinet of an appropriate size at her disposal, about half of which will be Commission officials. They also agreed that, whenever she sees the necessity to do so, she will ask the Commissioner for European Neighbourhood Policy and Enlargement Negotiations or other Commissioners to deputise in areas related to Commission competence.

Under the supervision of the President and his Cabinet, Vice-Presidents are supported by the **Secretariat-General** in their tasks. All requests from Vice-Presidents to Commissioners and to Commission services – in particular **briefing requests** and **requests for meetings** with several Commissioners and/or the services that report to them – should always be made via the Secretariat-General and in close consultation with the President's Cabinet to ensure effective delivery and to avoid duplication of work. Via the Secretariat-General, Vice-Presidents are able to draw on any service in the Commission whose work is relevant for their area of responsibility, in consultation with the relevant Commissioner and the President's Cabinet. The Secretariat-General will facilitate the cooperation between services necessary to deliver on the Vice-Presidents' instructions.

The Secretariat-General and the President's Cabinet will help ensure that Vice-Presidents always act with the support and in line with the mandate given to them by the President. They will be the guardians of fairness, objectivity and efficiency in the relationship between Vice-Presidents, between Vice-Presidents and Commissioners and between Commissioners. In the President's Cabinet, there will be dedicated contact points for each Vice-President.

The President will agree on **specific working arrangements** with his services (Secretariat-General, Legal Service, DG Communication and the European Political Strategy Centre) to set out in detail under which conditions Vice-Presidents can have access to these services to help them in completing their tasks.

3. The Commission Services and Inter-Service Consultations

Collegiality is the guiding principle of all the work of the Commission. **Responsibility for the coherence and quality of Commission proposals** is shared by all who work in the Commission. This must be reflected in the way of working from the earliest point in the development of policy initiatives.

While respecting clear reporting lines to the relevant Commissioner, the loyalty of the Commission services and of their senior management should be to the College. **Senior management appointments** are thus made by the College, on a proposal of the Vice-President for Budget and Human Resources in agreement with the President and after consultation of the Commissioner and Vice-President(s) concerned in their policy area⁴.

Commissioners should assume full political responsibility for the work done by the services that report to them. As a rule, a **weekly "Jour Fixe"** meeting between a Commissioner and the senior management of the services that report to him/her should be organised to ensure that policy planning and implementation are always steered by the political level. This weekly Jour Fixe should include a weekly update on interinstitutional relations and on all delegated and implementing acts prepared in the relevant service, to ensure political ownership at all stages of the decision-making process. This should also allow for an early warning of the First Vice-President, in charge of Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights, and of the College, where appropriate.

In addition to the weekly Jour Fixe, a **strategic "Jour Fixe"** should be organised at least once every two months between a Commissioner, the senior management of the services that report to him/her and the relevant Vice-President, on the basis of an agenda proposed by the Vice-President which should cover strategic political and interinstitutional questions. The Secretariat-General and the President's Cabinet shall be invited to these strategic "Jour Fixes".

To ensure collegial preparation of new initiatives based on evidence and expertise, and as provided for in Article 23(3) of the Commission's Rules of Procedure, **Inter-Service Consultations** precede, as a rule, the political decision-making process. Inter-Service Consultations can be launched on the initiative of a Commissioner in agreement with the Vice-President with whom, according to the relevant Mission Letter, a Commissioner is asked to liaise closely in his/her work. All services with a legitimate interest in the draft text need to be included in the Inter-Service Consultation.

For key initiatives of the Commission Work Programme, Inter-Service groups, chaired by the Secretariat-General, should be established in order to prepare drafts, including the relevant Impact Assessment.

All initiatives likely to have significant direct economic, social or environmental impacts should be accompanied by an **impact assessment** and a positive opinion from the Impact Assessment Board. This principle applies also to delegated and implementing acts expected to have significant impacts. Impact assessments should draw on the findings of ex-post evaluations looking at what can be learnt from experience to date.

To allow for planning and efficient work flows over time, Commission services should draw up a **Management Plan** to be updated annually. This Management Plan should set out objectives and performance indicators to measure achievements. The Secretariat-General will supervise the quality of the Management Plans.

The budgetary procedure should be aligned with Commission priorities and planning. Budgetary documents and in particular the programme statements should be synchronised with the planning documents. The Secretariat-General and DG Budget will organise Inter-Service meetings ("budget hearings") with individual services.

⁴ PV(2014) 2104 of 5 November 2014.

Human resources should be deployed in line with business priorities. Organisational changes should be motivated by such considerations and reviewed by the Secretariat-General. The Commission must be able to demonstrate and communicate the added value of its actions and to explain how the human and financial resources given to it are used effectively. This requires clear policy concepts with coherent intervention logics, focusing on objectives, not processes. To foster a true performance culture in the Commission and ensure a focus on results, Members of the Commission should give high priority to measurement and reporting on achievements in their respective portfolio areas. Structured performance measurement, monitoring and evaluation frameworks should be included in each significant Commission initiative and serve as a basis for result-oriented Management Plans and Annual Activity reports.

Draft **Annual Activity Reports** should be discussed by the Director-General and the Member of the Commission in order to enable the Member of the Commission to exercise his/her political authority over the service concerned and in particular to identify means of remedying any weaknesses identified. The Member of the Commission and the Director-General should meet at least twice a year to discuss internal control weaknesses and the plans identified to remedy them.

Central services are also responsible for ensuring that the budgetary and resource implications of proposals are consistent with the Commission's decisions and priorities.

The expertise and knowledge of the Commission's staff can best be deployed when the different parts of the Commission work in cooperation based on clear ground rules, designed to ensure that the political orientations of the President, Vice-Presidents and Commissioners are effectively translated into action by the services. The principles governing the relations between Commissioners and the services that report to them are set out in **Annex 4**, which also includes a template for the working arrangements to be concluded between Commissioners and the services that report to them.

4. Interinstitutional Responsibilities

An important aspect of collegiality is that all Members of the Commission fulfil their responsibilities in terms of attendance to the European Parliament and the Council, and meet obligations towards other institutions and bodies such as the European Economic and Social Committee, the Committee of the Regions and the European Ombudsman.

Members of the Commission are obliged to respect in full the Framework Agreement with the European Parliament⁵. Under the coordination of the Vice-Presidents, Members of the Commission must give priority in their diary planning to attendance of plenary sessions and relevant committee meetings. They must be available during the budgetary discharge procedure. Commissioners must also attend formal and informal Council meetings in their area of responsibility. As a "rule of thumb", Vice-Presidents should assume interinstitutional obligations which require a more senior representation of the Commission or are of a more cross-cutting interest and which could therefore also be assumed by the President himself (e.g. plenary sessions of the European Parliament, strategic Council meetings), while Commissioners should deal with the daily interinstitutional business in Parliament and Council (e.g. structural dialogue with parliamentary committees, sectoral Council sessions).

⁵ OJ L 304 of 20 November 2010.

Under the coordination of the First Vice-President, in charge of Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights, Members of the Commission are also expected to be politically active in the Member States and in dialogue with citizens, and to make themselves available to present and explain important proposals and initiatives in national Parliaments.

The Deputy Heads of Cabinet of the Members of the Commission form the **Interinstitutional Relations Group** ("GRI", Groupe des Relations Interinstitutionnelles). They meet, as a rule, once a week to prepare the collegial position to be taken in the interinstitutional process on behalf of the Members of the Commission. This meeting is chaired by the Deputy Head of Cabinet of the President; the secretariat of the GRI is provided by the Secretariat-General. Any position papers, statements, letters to other Institutions, etc. which may commit the Commission on legislative or other matters must be agreed by the Commission through the GRI before being presented or sent. Established Commission positions can only be changed by referring an issue back to the Commission through the GRI.

In order for the GRI to function effectively, documents for discussion by the GRI should, as a rule, be circulated by the secretariat a minimum of 2 days before a meeting of the GRI. The content of these fiches should be approved prior to circulation by the responsible Vice-President(s) and Commissioner(s). On important files, special meetings of Heads of Cabinet, chaired by the Cabinet of the President, may be convened to allow for more in-depth discussion of particular issues. Issues that cannot be resolved at the GRI will be discussed at the weekly meeting of Heads of Cabinet, and if necessary by the College. The College approves the final position to be taken in all files going through the GRI for decision, with or without discussion.

Responding in time and in an appropriate manner to **Parliamentary Questions** is part of the interinstitutional obligations of all Members of the Commission. They are answered by the competent Member of the Commission; a Commissioner, in case a sectoral matter is addressed; or a Vice-President, in case strategic or cross-cutting issues are the subject of a Parliamentary Question. The Secretariat-General will allocate the responsibility for answering Parliamentary Questions in line with these principles. The weekly GRI meeting will monitor that Parliamentary Questions are answered in time, and with the political ownership of the relevant Member of the College. The Spokesperson's Service must be informed of all incoming Parliamentary Questions and of all responses given to them.

5. Transparency / Contacts with stakeholders

A commitment to **transparency** should characterise the work of all the Members of the Commission and of their Cabinets. While contact with stakeholders is a natural and important part of the work of a Member of the Commission, all such contacts should be conducted with transparency and Members of the Commission should seek to ensure an appropriate balance and representativeness in the stakeholders they meet.

As a rule, Members of the Commission must not meet professional organisations or self-employed individuals which are not registered in the Transparency Register.

As of 1 December 2014, all Members of the Commission are expected to make public, on their respective web pages, all the contacts and meetings held in their capacity with professional organisations or self-employed individuals on any matter relating to EU policy-making and implementation, unless compelling reasons of public interest, such as those provided for in Article 4 of Regulation 1049/2001 (access to documents), require

confidentiality. Transparency is of particular importance where specific interests related to the Commission's work on legislative initiatives or financial matters are discussed with such organisations or individuals.

Access to documents is governed by Regulation 1049/2001. Members of the Commission and services should respect the deadlines set by this regulation at all times.

6. Communication

Communication can only be successful if the Commission speaks with one voice, reflecting the principle of collegiality. Communication should be oriented towards the political and strategic priorities of the Commission.

The Members of the Commission are the public faces of the institution and the best advocates and the best "spokespersons" of Commission policies. Their communication activities and the structures that support them are closely linked to their political role as Member of the Commission. Their success in terms of media and public perception depends on their ability to communicate convincingly on a large number of issues in all Member States and to be seen as a strong team contributing positively to the achievement of the key objectives and priorities of the Commission as a whole.

The **Spokesperson's Service (SPP)** is an integral part of DG Communication, placed under the authority of the President. The SPP is designed to support the President and Commissioners so they can communicate effectively – in the media and with citizens, more generally.

The SPP ensures political communication on behalf of the President and the entire Commission. It is the official voice of the Commission vis-à-vis the press. It also manages the daily press briefing of the European Commission at 12:00, the political content of the Commission's internet homepage and steers the central social media messages pushed out by DG COMM's Social Media Team. It organises regular press conferences and briefings for the media in the Commission's press room. It supports all Members of the Commission when addressing the media in different formats – and ensures that messages are distributed in many languages and on multimedia platforms. The SPP also consolidates the political line of the Commission for communicating with the media and supports the Members of the Commission with clear political messages and "**Lines to Take**" on the priorities of the Commission's work and key topics of public debate. Only members of the SPP are empowered to speak for the Commission on the record, off the record or on background basis.

Each Member of the College has a dedicated **Communication Adviser** to assist her/him in her/his communication activities, to prepare "Lines to Take", interviews, press points and press conferences. In all these activities, Communication Advisers shall keep informed, and where appropriate involved, the Spokesperson's Service. To ensure collegial preparation of and follow-up all to communication activities of the Commission, the European Commission Chief Spokesperson will chair a weekly meeting of the Communication Advisers. In addition, Press Officers in the SPP will ensure the daily effective liaison between Cabinets and Spokespeople; for this purpose, they shall be invited to attend all Cabinet meetings.

Once a day, at 11:45, the European Commission Chief Spokesperson will circulate all new "Lines to Take" to Heads of Cabinet, Deputy Heads of Cabinet and Communication Advisers for their information. The European Commission Chief Spokesperson will also make available a "Lines to Take" data base (updated regularly) that can be accessed by all Cabinets 24 hours/7 days per week to ensure collegial communication on all issues at all times.

Successful and collegial communication requires a degree of discipline and respect of the "Rules governing the composition of the Cabinets of the members of the Commission and of the Spokesperson's Service" from 1 November 2014, as well as the arrangements and principles put in place by the Spokesperson's Service, under the authority of the President. These are set out in **Annex 5**.

Article 17 TEU

1. *"The Commission shall promote the general interest of the Union and take appropriate initiatives to that end. It shall ensure the application of the Treaties, and of measures adopted by the institutions pursuant to them. It shall oversee the application of Union law under the control of the Court of Justice of the European Union. It shall execute the budget and manage programmes. It shall exercise coordinating, executive and management functions, as laid down in the Treaties. With the exception of the common foreign and security policy, and other cases provided for in the Treaties, it shall ensure the Union's external representation. It shall initiate the Union's annual and multiannual programming with a view to achieving interinstitutional agreements."*

.....

6. *"The President of the Commission shall:*
- (a) lay down guidelines within which the Commission is to work;*
 - (b) decide on the internal organisation of the Commission, ensuring that it acts consistently, efficiently and as a collegiate body;*
 - (c) appoint Vice-Presidents, other than the High Representative of the Union for Foreign Affairs and Security Policy, from among the members of the Commission.*

A member of the Commission shall resign if the President so requests. The High Representative of the Union for Foreign Affairs and Security Policy shall resign, in accordance with the procedure set out in Article 18(1), if the President so requests."

Article 248 TFEU

"Without prejudice to Article 18(4) of the Treaty on European Union, the responsibilities incumbent upon the Commission shall be structured and allocated among its members by its President, in accordance with Article 17(6) of that Treaty. The President may reshuffle the allocation of those responsibilities during the Commission's term of office. The Members of the Commission shall carry out the duties devolved upon them by the President under his authority."

ANNEX 2: VICE-PRESIDENTS AND THEIR PROJECT-TEAMS

| Vice-President for | Team leader for projects to which the following Commissioners contribute <u>in particular</u> |
|---|---|
| Better Regulation, Interinstitutional Relations, the Rule of Law and Charter of Fundamental Rights | <p><i>On Better Regulation and Interinstitutional Relations:</i></p> <ul style="list-style-type: none"> • All Commissioners <p><i>On the Rule of Law and the Charter of Fundamental Rights:</i></p> <ul style="list-style-type: none"> • Commissioner for Migration, Home Affairs and Citizenship • Commissioner for Justice, Consumers and Gender Equality |
| High Representative of the Union for Foreign Affairs and Security Policy / VP | <ul style="list-style-type: none"> • Commissioner for European Neighbourhood Policy and Enlargement Negotiations • Commissioner for Trade • Commissioner for International Cooperation and Development • Commissioner for Humanitarian Aid and Crisis Management • Commissioner for Migration, Home Affairs and Citizenship <p><i>On issues relevant for the Union External Action:</i></p> <ul style="list-style-type: none"> • All Commissioners |
| Budget and Human Resources | <ul style="list-style-type: none"> • All Commissioners |
| Digital Single Market | <ul style="list-style-type: none"> • Commissioner for Digital Economy and Society • Commissioner for Internal Market, Industry, Entrepreneurship and SMEs • Commissioner for Employment, Social Affairs, Skills and Labour Mobility • Commissioner for Justice, Consumers and Gender Equality • Commissioner for Economic and Financial Affairs, Taxation and Customs • Commissioner for Regional Policy • Commissioner for Agriculture and Rural Development • Commissioner for Competition • Commissioner for Education, Youth, Culture and Sport • Commissioner for Research, Science and Innovation |
| Energy Union | <ul style="list-style-type: none"> • Commissioner for Climate Action and Energy • Commissioner for Transport • Commissioner for Internal Market, Industry, Entrepreneurship and SMEs • Commissioner for Environment, Maritime Affairs and Fisheries • Commissioner for Regional Policy • Commissioner for Agriculture and Rural Development • Commissioner for Research, Science and Innovation • Commissioner for Competition • Commissioner for Transport |
| Euro and Social Dialogue | <ul style="list-style-type: none"> • Commissioner for Economic and Financial Affairs, Taxation and Customs • Commissioner for Employment, Social Affairs, Skills and Labour Mobility • Commissioner for Financial Stability, Financial Services and Capital |

| | |
|--|--|
| | <p>Markets Union</p> <ul style="list-style-type: none"> • Commissioner for Internal Market, Industry, Entrepreneurship and SMEs • Commissioner for Regional Policy • Commissioner for Justice, Consumers and Gender Equality • Commissioner for Education, Youth, Culture and Sport • Commissioner for Justice, Consumers and Gender Equality • Commissioner for Research, Science and Innovation |
| <p>Jobs, Growth, Investment and Competitiveness</p> | <ul style="list-style-type: none"> • Commissioner for Economic and Financial Affairs, Taxation and Customs • Commissioner for Employment, Social Affairs, Skills and Labour Mobility • Commissioner for Regional Policy • Commissioner for Internal Market, Industry, Entrepreneurship and SMEs • Commissioner for Financial Stability, Financial Services and Capital Markets Union • Commissioner for Digital Economy and Society • Commissioner for Climate Action and Energy • Commissioner for Transport • Commissioner for Agriculture and Rural Development • Commissioner for Competition • Commissioner for Education, Youth, Culture and Sport • Commissioner for Environment, Maritime Affairs and Fisheries • Commissioner for Health and Food Safety • Commissioner for Justice, Consumers and Gender Equality • Commissioner for Research, Science and Innovation • Commissioner for Trade |

ANNEX 3: COMMISSIONERS, THEIR PROJECTS AND THEIR VICE-PRESIDENTS OF LIAISON

| Commissioner for | Contribute <u>in particular</u> to the projects coordinated by | For initiatives requiring a decision of the Commission, the Commissioner will as a <u>rule</u> liaise closely with |
|---|--|---|
| Agriculture and Rural Development | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for Energy Union | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| Climate Action and Energy | <ul style="list-style-type: none"> • VP for Energy Union • VP for Jobs, Growth, Investment and Competitiveness | <ul style="list-style-type: none"> • VP for Energy Union |
| Competition⁶ | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for the Digital Single Market • VP for Energy Union | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| Digital Economy and Society | <ul style="list-style-type: none"> • VP for the Digital Single Market • VP for Jobs, Growth, Investment and Competitiveness | <ul style="list-style-type: none"> • VP for the Digital Single Market |
| Economic and Financial Affairs, Taxation and Customs^{7 8} | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for the Euro and Social Dialogue | <ul style="list-style-type: none"> • VP for the Euro and Social Dialogue |
| Education, Youth, Culture and Sport | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for the Euro and Social Dialogue • VP for the Digital Single Market | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| Employment, Social Affairs, Skills and Labour Mobility⁹ | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for the Euro and Social Dialogue | <ul style="list-style-type: none"> • VP for the Euro and Social Dialogue |

⁶ The Commissioner for Competition will liaise closely with the Vice-President for Jobs, Growth, Investment and Competitiveness only in defining the general lines of the Commission competition and state aid policies and the instruments of general scope related to them. She will act independently in all competition cases.

⁷ Under the guidance of the Vice-President for the Euro and Social Dialogue, the Commissioner for Economic and Financial Affairs, Taxation and Customs will work closely with the Commissioner for Employment, Social Affairs, Skills and Labour Mobility to drive the European Semester of economic policy coordination.

⁸ In the field of coordination and surveillance of the economic and budgetary policies of the Member States, in particular of the euro area, Commission decisions shall be prepared and submitted by the Vice-President for the Euro and Social Dialogue jointly with the Commissioner for Economic and Financial Affairs, Taxation and Customs.

⁹ Under the guidance of the Vice-President for the Euro and Social Dialogue, the Commissioner for Employment, Social Affairs, Skills and Labour Mobility will work closely with the Commissioner for

| Commissioner for | Contribute <u>in particular</u> to the projects coordinated by | For initiatives requiring a decision of the Commission, the Commissioner will <u>as a rule</u> liaise closely with |
|--|---|---|
| Environment, Maritime Affairs and Fisheries | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for Energy Union | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| European Neighbourhood Policy and Enlargement Negotiations | <ul style="list-style-type: none"> • High Representative of the European Union for Foreign Affairs and Security Policy / VP | <ul style="list-style-type: none"> • High Representative of the European Union for Foreign Affairs and Security Policy / VP |
| Financial Stability, Financial Services and Capital Markets Union | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for the Euro and Social Dialogue | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| Health and Food Safety | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| Humanitarian Aid and Crisis Management | <ul style="list-style-type: none"> • High Representative of the Union for Foreign Affairs and Security Policy / VP | <ul style="list-style-type: none"> • High Representative of the Union for Foreign Affairs and Security Policy / VP |
| Internal Market, Industry, Entrepreneurship and SMEs | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for the Euro and Social Dialogue • VP for the Digital Single Market • VP for Energy Union | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| International Cooperation and Development | <ul style="list-style-type: none"> • High Representative of the European Union for Foreign Affairs and Security Policy / VP | <ul style="list-style-type: none"> • High Representative of the European Union for Foreign Affairs and Security Policy / VP |
| Justice, Consumers and Gender Equality | <ul style="list-style-type: none"> • VP for Better Regulation, Interinstitutional Relations, Rule of Law and Charter of Fundamental Rights • VP for Jobs, Growth, Investment and Competitiveness • VP for the Euro and Social Dialogue | <ul style="list-style-type: none"> • VP for Better Regulation, Interinstitutional Relations, the Rule of Law and Charter of Fundamental Rights |
| Migration, Home Affairs and Citizenship | <ul style="list-style-type: none"> • VP for Better Regulation, Interinstitutional Relations, Rule of Law and Charter of Fundamental Rights • High Representative of the European Union for Foreign Affairs and Security Policy / VP | <ul style="list-style-type: none"> • VP for Better Regulation, Interinstitutional Relations, the Rule of Law and Charter of Fundamental Rights |

Economic and Financial Affairs, Taxation and Customs to drive the European Semester of economic policy coordination.

| Commissioner for | Contribute <u>in particular</u> to the projects coordinated by | For initiatives requiring a decision of the Commission, the Commissioner will <u>as a rule</u> liaise closely with |
|---|---|--|
| Regional Policy | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for Energy Union • VP for the Digital Single Market | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| Research, Science and Innovation | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for the Euro and Social Dialogue • VP for the Digital Single Market • VP for Energy Union | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| Trade | <ul style="list-style-type: none"> • High Representative of the European Union for Foreign Affairs and Security Policy / VP • VP for Jobs, Growth, Investment and Competitiveness | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness |
| Transport | <ul style="list-style-type: none"> • VP for Jobs, Growth, Investment and Competitiveness • VP for Energy Union | <ul style="list-style-type: none"> • VP for Energy Union |

ANNEX 4: PRINCIPLES GOVERNING WORKING RELATIONS BETWEEN THE MEMBERS OF THE COMMISSION, THEIR CABINETS AND THE SERVICES OF THE COMMISSION

Article 17 of the Treaty on the European Union states that "the President of the Commission shall decide on the internal organisation of the Commission, ensuring that it acts consistently, efficiently and as a collegiate body". This annex sets out the basic, compulsory principles for sound cooperation between the Members of the Commission, the Cabinets, the Directors-General and the Commission services¹⁰. It applies to relations within the same portfolio and covers other relations that are necessary for general coordination within the institution.

The principles set out below can be supplemented by practical arrangements indicated on the attached form. This annex must be filled in by common consent between the Member of the Commission and the Director-General¹¹ and sent for approval to the President's Cabinet and the Secretary-General at the latest by 1 December 2014.

1. PRINCIPLES OF COOPERATION AND RESPECTIVE ROLES

1.1. Principles of cooperation

Cooperation is established primarily between the Member of the Commission and the Director(s)-General reporting to him or her and must be supplemented by a close relationship between the Cabinet and the services.

The Members of the Commission, the Cabinets and the services are collectively responsible for working closely together in order to ensure effective implementation of the President's policy guidelines and the College's priorities. They establish working relations based on loyalty, trust, transparency and the mutual provision of information, in keeping with the principles set out in this document.

1.2. Vice-Presidents

In order to steer and coordinate work on priority projects, Vice-Presidents are entitled to draw, via the Secretariat-General, on any service in the Commission whose work is relevant for their area of responsibility, in consultation with the relevant Commissioner and the President's Cabinet.

Those Vice-Presidents with no services directly reporting to them are supported in their functions by the Secretariat-General. The role of the Secretariat-General includes both the provision of a range of direct services and the coordination of the work of other services so as to deliver policy input, briefings etc. for the Vice-Presidents. Requests from the Vice-Presidents or their Cabinets will therefore normally be addressed to the Secretariat-General.

Where Vice-Presidents convene coordination meetings bringing together Members of the Commission and the services, the Secretariat-General will organise these meetings, provide the minutes and coordinate the follow-up.

¹⁰ This designation also covers the Offices of the Commission.

¹¹ This designation also covers the directors of the Offices of the Commission.

In accordance with the rules set out in the President's decision on the Commissioners' Group on External Action, the High Representative for Foreign Affairs and Security Policy and Vice-President will, as a rule, chair a Commissioners' Group on External Action with a view to ensuring the consistency of external action. This Group will meet once a month in varying thematic and/or geographic formats, according to the needs identified by the High Representative / Vice-President and the President. The Secretariat-General, together with the European External Action Service, will provide the secretariat for this group.

1.3. Member of the Commission and Director-General

A close personal relationship based on trust and the mutual provision of information must be established between each Member of the Commission and the Director(s)-General concerned. The Member of the Commission issues general guidelines or gives instructions to the Director-General, in accordance with the College's priorities. The Director-General, for his/her part, advises the Member of the Commission on the files relating to his/her portfolio and informs him/her of any subjects of relevance to the implementation of the priorities or the management of his/her services. He/she is accountable to the Member of the Commission and the College for proper implementation.

The Member of the Commission sees to it that contacts are maintained with the staff of the services under his/her authority and organises at least one annual meeting with them.

1.4. Cooperation between Cabinet and services

In addition to the direct relationship between a Member of the Commission and the Director(s)-General concerned, there is daily cooperation between the Cabinet and the services. They work together in a spirit of loyalty and mutual assistance, in keeping with their respective powers.

As a matter of principle, the Cabinet is represented by the Head of Cabinet or the Deputy Head of Cabinet, and the Commission services are represented by the Director-General, a member of the senior management or his/her assistant. The assistant to the Director-General acts on behalf of the Director-General as the main interface between the Cabinet and the Commission services. The Cabinet and the Commission services establish by common accord (using the attached form) their respective points of contact and describe how any specific existing or new coordination or liaison structures function.

1.5. Responsibilities of Cabinets

A Cabinet is at the direct service of a Member of the Commission and works in the general interest of the institution. It plays an essential role in the proper functioning of the collegiate system. The Cabinet is actively involved in the process of preparing the meetings of the College, during which it expresses the points of view of the Member of the Commission on the various points on which decisions are to be taken.

As regards sound cooperation between Cabinets and services, it is important to stress that:

- the Cabinet draws as much as necessary on the assistance of the services under the authority of the Member of the Commission or, in the case of Vice-Presidents, on other services in consultation with the relevant Commissioner or Cabinet and with the support of the Secretariat-General and the President's Cabinet;

- the Cabinet informs the Commission services of the College's work, especially when it has a direct impact on their activities, and of the decisions taken by the Commission;
- the Cabinet may not represent the Member of the Commission in relation to the Member's formal institutional responsibilities. Apart from institutional events, whenever the Member of the Commission is unable to attend an event and he/she cannot be represented by a his/her Cabinet, he/she asks the Director-General or another senior Member of the service to represent him/her; exceptions to this rule require the prior agreement of the President's Cabinet;
- the Cabinet does not involve itself in the direct management of the services, which is the exclusive responsibility of the Director-General.

Where appropriate, the Member of the Commission or his/her Cabinet may ask the Secretariat-General, the Legal Service or the Spokesperson's Service to attend strategy or information meetings, especially when they consider topics relating to major and/or general policy, legal or communication issues.

1.6. Responsibilities of services

The services of the Commission are placed by the President under the authority of the Member of the Commission in charge of the portfolio concerned and work under her/his responsibility. The services are responsible for implementing the President's Political Guidelines and the priorities decided by the Commission and developed by the Member of the Commission and – to this end – are actively involved in drawing up the institution's policies and initiatives. The services have a responsibility to work together in good faith and, in consultation with the relevant Commissioner, to support the Vice-Presidents in their activities. The services are coordinated by the Secretariat-General on behalf of the President. To this end, the services apply the guidelines and instructions issued by the President, via his Cabinet or the Secretariat-General.

In this context, it is important to emphasise that:

- the Director-General is fully responsible for the management of the services under his/her authority, and for the effective implementation of the guidelines and decisions adopted by the Member of the Commission. He/she is accountable to the Member of the Commission and the College for his/her management;
- the services keep the Cabinet regularly informed of progress in the files and activities of its services;
- the services also inform the Member of the Commission of relevant documents, especially key reports drawn up by the various monitoring authorities (see point 5.2);
- in principle, the positions of the services are passed on to the Cabinet by the Director-General or his/her representative indicated in the annex. The services inform their Cabinet of any direct contact with other Cabinets.

1.7. Exchanges of information/communication

There must be a continuous, transparent and smooth exchange of information between the Member of the Commission and the services, on the basis of the following principles:

- exchanges and meetings on policy priorities, their implementation and the methods of cooperation between the Cabinet and the services are regularly organised between the

Member of the Commission and the Director-General. Good coordination between Cabinets and services is ensured by a weekly strategy meeting between the Head of Cabinet and the Director-General and/or their representatives indicated in the annex;

- in principle, instructions from the Cabinet to the services are sent directly by the Head of Cabinet or his/her deputy to the Director-General and his/her assistant. Instructions or positions sent by members of the Cabinet must be sent on behalf of the Member of the Commission. If, in exceptional cases, the Cabinet has to communicate directly with the services, it informs the Director-General thereof via his/her assistant;
- requests for input from services other than those reporting directly to the Member of the Commission in question must be sent through the responsible Cabinet, which informs the assistant of the Director-General of the service concerned;
- the positions of the services are sent to the Cabinet by the Director-General, or by a representative of the hierarchy or his/her assistant. Services ensure that any position sent to the Cabinet reflects the position of the Director-General or the service. Any information notified to the Cabinet by the services is deemed to have been provided to the Member of the Commission. Routine replies on a known and established position of the service may be provided directly by a head of unit or a director to the Member of the Cabinet responsible for the file, with a copy being sent to the Director-General's assistant for information purposes;
- replies that require the adoption of a new position or a change in position, and replies on sensitive topics, are sent by the Director-General to the Member of the Commission via his/her Head of Cabinet.
- Cabinets and services give priority to electronic communication tools for sending documents and messages. They may use written instructions, where appropriate, depending on the nature of the information.

The specific principles governing cooperation agreed by common accord between the services and the Cabinets are to be set out in Practical arrangements governing working relations between Members of the Commission, Cabinets and Services, to be agreed by the Members of the Commission and the Directors-General concerned (cf. the template attached to this Annex).

Requests from and information flows to and from the Vice-Presidents should be channelled through the Secretariat-General.

2. FORMULATION OF POLICY

2.1. Strategic planning cycle

The identification and delivery of the political priorities of the Commission are carried out in the context of the Activity-Based Management/Strategic Planning and Programming (ABM-SPP) cycles. Cabinets and services are jointly involved in drafting policy guidelines by advising the Member of the Commission and providing him/her with any necessary relevant information. The services are responsible for implementing the priorities adopted.

The Director-General organises and coordinates the work of the services concerning the priorities set by the Member of the Commission. He/she must obtain the prior agreement of the Member of the Commission and the relevant Vice-President(s) before launching any new initiative, except those relating to routine management.

Strategy meetings between the Director-General and the Member of the Commission on the coordination of action with a view to implementing the policy priorities established by the College must be held at regular intervals, at least once per month¹².

2.2. Coordination and Inter-Service consultations (ISC)

Implementation of the President's policy guidelines and the College's priorities implies close cooperation between the Cabinet of the Member of the Commission and the services reporting to him/her. It also requires a high degree of coordination with the other Cabinets and services in order to ensure that the Commission functions on a collegiate basis and that its proposals are relevant, coherent and of a high quality. In this area, Cabinets and lead services respectively are responsible for informing the other Cabinets and services concerned at their level in order to ensure that major initiatives are prepared as far upstream as possible, including through the convening of Inter-Service Groups. The Secretariat-General ensures that this principle is properly applied, under the authority of the President, and chairs the Inter-Service Groups for all major initiatives, including all those in the Work Programme. All such initiatives will already have received the relevant political authorisation.

For Inter-Service consultations, it should be remembered that:

- the Cabinet(s) concerned – including those of the relevant Vice-President(s) – are consulted before the launch of any Inter-Service consultation that concerns its / their policy area and involves a new policy initiative or a politically sensitive policy initiative. Services inform the Cabinet of the Inter-Service consultations that come under routine management (especially those of a financial nature) of the portfolio of the Member of the Commission. The practical details for Inter-Service consultations are described in the document containing the practical arrangements governing working relations between Members of the Commission, Cabinets and services;
- an Inter-Service consultation can only be launched with the agreement of the responsible Commissioner, the relevant Vice-President(s) and the First Vice-President in charge of Better Regulation, Interinstitutional Relations, the Rule of Law and Charter of Fundamental Rights;
- in addition, the services inform the Cabinet of any particularly important Inter-Service consultations launched at the initiative of other services. Negative opinions issued by the services, save those issued by the Legal Service, have to be agreed with the Cabinet of the Commission to whom they report;
- in any event, the Cabinet informs the services of the major changes introduced during discussion between Cabinets or in the College.

When the conditions for a fast-track procedure are met in accordance with the Implementing Rules to the Commission's Rules of Procedure, the Secretariat-General will convene and chair the Inter-Service meeting, record the outcome and ensure the appropriate follow-up. After the fast track meeting the lead Directorate-General resumes responsibility for the file.

¹² Meetings need not be held as frequently as this by certain services, especially the Offices.

3. *RELATIONS WITH THE OTHER INSTITUTIONS*

Commission's positions vis-à-vis the other institutions have to be agreed by the College through the coordination and preparation of the Group on Interinstitutional Relations (GRI). Members of this Group are the Deputies Head of Cabinet. The Pre-Group on Interinstitutional Relations (pre-GRI) at the level of the services prepares meetings of the GRI.

The Secretariat-General acts as an interface between the Commission and the other European Union institutions, the Member States' Parliaments and non-governmental bodies and organisations¹³. The Secretariat-General is responsible for the smooth coordination of the Commission's activity and positions vis-à-vis the other institutions. The Secretariat-General represents the Commission in Coreper I & II, it provides support to Vice-Presidents and Commissioners at all Council meetings (both formal and informal, including lunches), and participates in the Conference of Presidents and upon invitation in the Conference of Committee Chairs of the European Parliament.

In connection with this:

- Cabinets and the various services must exchange information concerning any formal or informal contact which they have with the other institutions and which has an impact on their own activities or on joint activities. The services must alert the Cabinets to important points of view expressed by Members of the European Parliament (MEPs) on matters relating to their portfolio, in particular sensitive oral or written questions.
- Cabinets and services must liaise in preparation for GRI meetings in order to ensure that the positions expressed within a given portfolio are consistent. The services must inform the Cabinets of the outcome of pre-GRI meetings.
- Correspondence sent by a Member of the Commission to the other institutions (or to their representatives) should be submitted to the GRI and the Secretariat-General for advance consultation before being sent.
- The services must also provide representation at the appropriate level (in principle, a service's senior management) in meetings with the other institutions (in particular the European Parliament, the Council and the Committees), without prejudice to the specific role played by the Secretariat-General on behalf of the President and the First Vice-President, in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights.
- The services must prepare answers to MEPs' oral and written questions, draw the relevant Cabinets' attention to questions on sensitive topics and prepare background documents for the EP's part-sessions and meetings of the Council.
- Whilst Commission proposals or other initiatives are being negotiated, Cabinets must be systematically informed by the services regarding the course of the discussions within the European Parliament's committees and Council working parties, and regarding the work of COREPER. Any change in position by comparison with the

¹³ However, the Legal Service is responsible for relations with the jurisdictions, in particular with the Court of Justice of the European Union but also with all national or international jurisdictions, including the WTO Dispute Settlement Body and the European Court of Human Rights. DG BUDG coordinates relations with the European Parliament's Committee on Budgets and Committee on Budgetary Control and relations with the Court of Auditors, with particular regard to the annual declaration of assurance.

established line must be discussed with the Cabinet and submitted to the GRI for approval.

- The services must prepare the Commission's position in advance of the plenary session on European Parliament amendments, and, as the case may be, in advance of meetings of the conciliation committees, as well as the Commission communications concerning the Council's common positions (legislative procedures).
- Services are required systematically to send reports on progress of negotiations in Council working parties (or equivalent committees) to their Cabinet and the Secretariat-General.

4. SPEECHES, BRIEFINGS AND CORRESPONDENCE

4.1. Speeches and briefings

A Cabinet may ask the services to provide briefings and elements for speeches for a Member of the Commission or his/her representative. High-quality documents delivered on time will ensure that the Member of the Commission is supported effectively by his/her Cabinet and services as he/she carries out his/her duties.

In the case of Vice-Presidents, briefing requests will be addressed to the Secretariat-General. The Secretariat-General will request input from the relevant services as necessary for contributions to these briefings.

The Cabinet's responsibilities

The Cabinet asks the service to ensure that contributions for the briefings and speeches to be prepared for the Member of the Commission or his/her representative are made available within a reasonable deadline (if possible, at least 10 working days before the event). A briefing request includes the essential information needed to ensure that the services properly understand the content and the salient points of the meeting, in particular any previous positions adopted by the President, Vice-President(s) or Commissioner(s) on the subject in question. It is sent to the Director-General via his/her assistant. Any specific arrangements are to be detailed in an annex to the Practical arrangements governing working relations between Members of the Commission, Cabinets and services (cf. template attached).

Where possible, a member of the services will be asked to attend the meeting or the event. The Cabinet gives the service feedback concerning the quality and the usefulness of the briefings provided (level of detail, length, etc.) and provides a report on the event. The member of the Cabinet responsible forwards the final version of the briefing or speech to the Member of the Commission (with a copy to the service).

Where the Member of the Commission or his/her representative goes away on mission, the briefing or a file containing the schedule and the main messages must be shared in advance with the Commission representation in the Member State or the EU delegation.

The service's responsibilities

The briefing/speech is produced by the services within the specified deadline, in accordance with the good practices and the examples given on the Commission's Intranet site for the President's briefings¹⁴. The draft briefing/speech is forwarded electronically to the member of

¹⁴ <https://myintracomm.ec.europa.eu/corp/sg/en/briefings/Pages/index.aspx>

the Cabinet responsible. The rules governing prior approval within the service are to be laid down in an annex to the Practical arrangements governing working relations between Members of the Commission, Cabinets and services.

Draft contributions to briefings/speeches prepared by the services, following requests from other Members of the Commission and received by the responsible Cabinet are sent to the Head of Cabinet, who forwards it to the requesting Cabinet.

Specific working arrangements may be devised in the case of cross-sector portfolios requiring the involvement of several services.

4.2. Dealing with correspondence

Pursuant to the Code of Good Administrative Practice, any correspondence received by a Cabinet must be answered at an appropriate level within 15 working days. The deadline set for the draft reply to be prepared by the service and forwarded to the Member of the Commission takes this requirement into account.

The relevant Cabinet is responsible for correspondence addressed to a Member of the Commission. Where the service's expertise is required for the draft reply, the Cabinet sends the correspondence to the Director-General's assistant.

If the correspondence is written in a language other than French, English or German and requires an urgent reply, the Cabinet has it translated into one of those languages before it is sent to the service for a reply to be drafted, and also has the draft reply translated.

Management of correspondence addressed to the Commission President and Vice-Presidents is covered by a special procedure under the responsibility of the Secretariat-General. Draft replies prepared by other services at the request of the Secretariat-General are validated by the Director-General of the lead Directorate-General and the corresponding Cabinet must be notified of the fact.

Multi-Commissioner correspondence

Correspondence addressed to more than one Member of the Commission is covered by a special procedure administered by the Secretariat-General and intended to ensure that correspondents receive a single, internally consistent reply from the Commission. The Secretariat-General consults the Cabinets in order to find out which of them have received it. It allocates it to the relevant Cabinet, so that a reply on behalf of all other addressees can be prepared. Any associated services are consulted regarding the draft reply. The letter is signed by a Member of the Commission or by the Director-General/the head of service or a member of the appropriate service. It explicitly states that the reply has been drawn up on behalf of all those to whom the correspondence is addressed. A copy of the reply is forwarded to the Cabinets concerned by the Secretariat-General. All addressees are informed by the lead Cabinet of the reply given.

5. RESOURCE MANAGEMENT AND THE HANDLING OF SENSITIVE INFORMATION

The Commission has introduced various mechanisms¹⁵ for planning its work, for optimum management of its resources and for ensuring that the relevant information reaches the people responsible in good time. Those mechanisms are operated by the services under the supervision of the appropriate general departments¹⁶. Both the services and the Cabinets must be familiar with those mechanisms and comply with the rules relating to them.

5.1. Human-resource management

Staff are recruited in accordance with the Staff Regulations applicable to officials and other servants of the European Communities and the specific procedures adopted by the Commission, in particular the Decision on the exercise of the powers conferred on the Appointing Authority (AA)¹⁷ and – for the Cabinets in particular – the Communication concerning the composition of the Cabinets of Members of the Commission¹⁸ and of Spokespersons.

The Appointing Authority for middle managers within the services is the Director-General/head of service. In the case of grades AD13 and AD14, the procedure calls for the prior agreement of the Commission President and of the Vice-President for Budget and Human Resources, after consultation of the Vice-Presidents and Members of the Commission concerned in their policy area¹⁹. In the case of grades AD9 to AD12, the Member of the Commission must be consulted.

The general management of human resources must take account of the 5% reduction in staff between 2013 and 2017 that applies to all institutions, bodies and agencies, as set out in the Interinstitutional Agreement on budgetary discipline, on cooperation in budgetary matters and on sound financial management, of 2 December 2013 as well as the objective to achieve 40% of female senior and middle management by the end of the mandate, as set by the President in his Mission Letter to the Vice-President for Budget and Human Resources.

5.2. Management of financial resources

It may be recalled that a Director-General is responsible for the smooth running of his/her service in accordance with the rules and standards laid down by the College. He/she accounts for his/her responsibility by means of his/her annual report to the Member of the Commission and to the College. Detailed information is called for in order to enable (in particular) the Member of the Commission to exercise his political authority over the service concerned and, where appropriate, to carry out monitoring as part of the budgetary-discharge procedure.

Accordingly:

¹⁵ The decision-making procedures, the Planning and Strategic Programming Cycle, the principles of activity-based management, Audit Progress Committee, etc.

¹⁶ In particular SG, SJ, HR, BUDG, IAS, OLAF, COMM, DIGIT, SCIC, DGT, OP, PMO, OIB, OIL, EPSO and ESTAT.

¹⁷ Currently: Commission Decision C(2007) 5730 of 30 November 2007, as amended by Commission Decision C(2009) 3074 of 29 April 2009.

¹⁸ C(2014)9002 of 1 November 2014.

¹⁹ PV (2014) 2104 of 5 November 2014..

- The Director-General and his/her services endeavour to identify and reduce management-related risks.
- Once the Member of the Commission has taken up office, the services provide him/her regularly with appropriate information concerning budgetary and financial matters. They draw his/her attention to any major problem in this area, relating to a previous, current or foreseeable state of affairs.
- In this connection and on the basis of the principle of sound cooperation, the services supply the Member of the Commission with the relevant documents which will enable him/her to assess the service's financial situation²⁰. The Member of the Commission is also informed of any substantial change concerning the Directorate-General's financial systems and the checking procedures.
- Prior to finalisation of the annual activity report, the Director-General discusses the draft with the Member(s) of the Commission. The purpose of the discussion is to inform the Member(s) of the Commission in view of his/her political responsibility and to decide on an action plan proposed by the Director-General for the purpose of remedying the weaknesses identified by means of the caveats expressed in the draft report. This action plan is set out in a written document and is covered by a specific follow-up procedure. The Director-General remains fully responsible for the content of his/her declaration of assurance and should not be instructed to modify the declaration.
- The Member of the Commission and the Director-General meet at least twice a year in order to discuss the internal-control weaknesses highlighted or the caveats expressed in the services' annual activity report and the action plans devised in order to remedy them.
- With regard to the management of the administrative appropriations for which the Cabinets have a specific budget, the Directorate-General and the Cabinet are kept entirely separate, particularly where mission and entertainment expenses are concerned.

5.3. Document management

Good document management is essential for the functioning of the Commission. Document management within the Commission must ensure that the institution is able, at any time, to quickly retrieve documentary records of the actions it has taken and for which it is accountable. Proper document management contributes to efficiency and effectiveness, facilitates the exchange and retrieval of information and allows the Commission to comply with the applicable regulations as regards, in particular, data protection, access to documents and information security.

In accordance with the Commission Decision on document management a document drawn up or received by the Cabinets and/or the services – including email – must be registered if it

²⁰ Examples of documents which may be forwarded: information relating to the financial management of the DG/service (problems, description of financial systems, internal-control mechanisms), Court of Auditors reports, records of parliamentary debates relating to the discharge, annual activity reports, reports/recommendations issued by the Internal Audit Service, DGs'/services' Internal Audit Capacities and related action plans, reports on the results of ex-post checks.

contains important information which is not short-lived and/or may involve action or follow-up by the Commission or one of its departments.

5.4 The handling of sensitive information

If the Cabinets and the services communicate to the outside world any information of an internal, confidential or classified nature, they will be liable to the disciplinary measures laid down in the legal provisions in force.

The Director-General immediately forwards to the Member of the Commission any sensitive information which may engage his/her responsibility and/or that of the College. Such notification is carried out by means of the following formal referral procedure:

- Written notification giving rise to a swift formal response on the part of the Member of the Commission in whatever form he/she judges most appropriate (personal interview, request for additional information, etc.).
- Drawing up of a documented action plan, the implementation of which is covered by specific monitoring arrangements agreed between the services and the Member of the Commission.

The Member of the Commission is also informed – as soon as he/she takes office – of serious situations which have come to light in the past and which have not been fully remedied, and also of any fraud or irregularity brought to the attention of the Director-General and likely to have a significant impact on the European Union's reputation and/or budget. The services convey to the Member of the Commission the reports or documents relating to the investigations carried out by OLAF which require special follow-up.

*** *** ***

Annex: Template detailing the working arrangement agreed by the Members of the Commission, the Cabinets and the services.

**PRACTICAL ARRANGEMENTS GOVERNING WORKING RELATIONS
BETWEEN MEMBERS OF THE COMMISSION, CABINETS AND SERVICES²¹**

Member of the Commission:

.....

DG/service:

Specific working arrangements have to be laid down by the Cabinets and services in this document. The aim of this Annex is to define in more detail the implementation of the principles laid down by the President of the Commission on the working relations between Members of the Commission. In any event, it cannot derogate from these principles.

1. Principles of co-operation and respective roles

Compulsory:

Points of contact for relations between the Cabinet and the services of the DG (name, hierarchical position and function)

.....

Persons authorised to represent the Member of the Commission (name, grade, area (if the representation is limited)):

.....

Optional:

Specific coordination or liaison structures between the Cabinets and services:

.....

Compulsory:

Strategy meetings on policy priorities (Member of the Commission/Director-General):

Planned frequency (at least 1 per month except for the offices):

.....

Planned day and time:

.....

²¹ As Vice-Presidents are assisting the President in the exercise of his tasks, they are covered by specific working arrangements which the President will agree with his services. An exception to this are the HRVP and the Vice-President for Budget and Human Resources, who have services which report to them.

Optional:

Agenda and minutes:

Other participants:

Miscellaneous:
.....

Meetings between Head of Cabinet and Director-General

Participants (name, hierarchical level and function):

.....
.....

Optional:

Drafting and dissemination of the agenda and documents for the meeting (persons responsible, deadlines):

.....

Drafting and dissemination of minutes (persons responsible, deadlines):

.....

Miscellaneous:
.....
.....

2. Formulation of policy

Compulsory:

Specific arrangements for consultation of Cabinet by the services before the launch of an Inter-Service consultation in the portfolio relating to a new policy initiative or a politically sensitive initiative:

.....
.....

3. Relations with the other institutions

Optional:

Specific arrangements for management of relations with the other institutions:

.....
.....

4. Speeches, briefings and correspondence

Compulsory:

Arrangements for briefing requests from Cabinets:

.....
.....
.....

Arrangements for the drafting and transmission of briefings by services (contact persons, approval, etc.):

.....
.....
.....

Optional:

Specific arrangements for briefings requiring the involvement of several services (horizontal portfolios).....

.....
.....

Compulsory:

Specific arrangements for dealing with mail:

.....

5. Management of resources and processing of sensitive information

Optional:

Specific arrangements laid down by the services and Cabinets by mutual agreement:

.....
.....

6. Other working arrangements laid down by mutual agreement between the Cabinets and services (optional)

Additional arrangements may be agreed. They must abide by the principles set out in the main document and the rules laid down in the area concerned.

.....

Date:

Approved by:

Member of the Commission

Director-General

INTRODUCTION

The external communication of the Commission delivers the political messages of the College of Commissioners to the public and its success is firmly anchored in the principle of collegiality under the leadership of the President. To be effective, it must be focused on the political and strategic priorities of the College as a whole. Communication should also focus on the role of the Commission as the political executive of the European Union.

The guidelines below relate to the interaction between the following factors:

- the political level (the President, the Vice-Presidents, the Commissioners and their Cabinets);
- the role of the Spokesperson's Service (SPP) and the work of Directorate-General Communication (DG COMM), including the Representations in the Member States;
- the communication activities of the Directorates-General (DGs).

The guidelines aim at improving the quality and coherence of the Commission's communication.

1. RELATIONS BETWEEN CABINETS, THE SPOKESPERSON'S SERVICE AND DG COMMUNICATION

Both DG COMM and the SPP are placed under the authority of the President.

The SPP is the official voice of the European Commission. It provides information about the priorities and decisions of the Commission to the media via the spokespersons. It ensures media coverage of the Commission through a pro-active strategy focused on the main political messages as defined by the College. It also manages the content of the political homepage of the Commission and steers the central social media messages pushed out by DG COMM's Social Media Team. The SPP is in charge of organising press conferences, briefings and other contacts with the media in Brussels as well as, as a general rule and in cooperation with the Representations of the Commission, in the countries visited by Members of the Commission. It issues press releases and other press material as well as speeches of all Members of the Commission. It provides internal and external strategic press planning tools.

On political communication matters, the European Commission Chief Spokesperson, who is the head of the SPP, reports directly to the President of the European Commission. He/she leads the overall activities of the Spokesperson's Service. For all other matters, he/she reports to the Director-General of DG COMM.

The European Commission Chief Spokesperson, his/her up to two Deputies and the up to two Coordinating Spokespersons represent the President of the Commission and the institution as a whole towards the media and liaise on this directly with the President's Cabinet. A team of up to 10 additional Commission Spokespersons and two Spokespersons for the High Representative of the Union for Foreign Affairs & Security Policy/Vice-President of the European Commission (HR/VP) report to the European Commission Chief Spokesperson and communicate effectively with the media on behalf of the Commission, under his authority. All Spokespersons serve the common interest of the Commission as a College. They are supported by a team of up to 30 Press Officers, specialising in specific policy areas and who work closely with the respective Commission services and Commissioners' Cabinets.

The Spokesperson's Service will organise the following types of press briefings:

- A daily press briefing;
- A regular weekly press briefing/conference after the College meeting: every Wednesday (respectively Tuesday during Parliament plenary sessions in Strasbourg), communication should centre on the College meeting. The President, Vice-Presidents or Commissioners present the main decisions of the day in the press room;
- Press conferences/statements, ideally by the Commissioners: these will be organised as often as necessary and at the best suitable time, whenever announcements or political events warrant it;
- Background briefings with political staff (Cabinet members/Cabinet Communication Advisers) and/or officials from the services to prepare important initiatives;
- Briefings on upcoming political issues, where appropriate, to set out the agenda and main topics for the days to come.

Every Commissioner will designate one member of his/her Cabinet to be in charge of communication. This Cabinet Communication Adviser plays a central role in shaping the communication profile of the Commissioner, in close and permanent cooperation with the SPP. To this end he/she:

- will be the contact point for relations between the Spokesperson's Service and the Commissioner;
- will take part in a weekly meeting chaired by the European Commission Chief Spokesperson and all other Cabinet Communication Advisers in order to establish a communication planning that reflects the political agenda of the College;
- can request support from the Spokesperson's Service for media activities of his/her Commissioner;
- will ensure that the Commissioner's web presence – which is managed by DG COMM and the SPP's Multimedia Editorial Unit – is always up to date, including the Commissioner's agenda;
- will be in charge of the speeches and social media activities of the Commissioner;
- will be called upon by the Spokesperson's Service for political input to "Lines To Take" (LTT) on matters under the portfolio of his/her Commissioner;
- should help adapting the main political messages of the Commission (provided by the Spokesperson's Service) to the political and national needs of his/her Commissioner;
- should accompany the Commissioner on missions with media impact to advise him/her, in coordination with the SPP and in close liaison with the Press Officers in the Representations or Delegations. Where appropriate, and in exceptional cases, the European Commission Chief Spokesperson may decide to provide human resources support to Cabinets by allowing a Spokesperson or Press Officer to accompany a mission;
- should chair weekly meetings between the Cabinet, the corresponding Press Officer(s) in the SPP – or where appropriate a Spokesperson – and the information and communication units in the portfolio DGs on devising and implementing the DGs' Communication Strategy in line with the Commission's Internal Control Standard 12

(see points 2 and 3 below on the communication by the Directorates-Generals and the Communication Steering Board);

- has no mandate to speak to the media on the record.

Press releases and other press material are prepared and issued by the SPP, in close cooperation with the Cabinet Communication Advisers. The planning for press material is established by the SPP in close cooperation with the Cabinet Communication Advisers, following the joint weekly meeting and the Cabinet Communication Advisers' weekly communication meeting with the respective services and the SPP. As a general rule, input for press material, media briefing files, or press speaking points will be requested by the Spokespersons and Press Officers from the services directly in order to be finalised by the SPP in close cooperation with the Cabinet Communication Advisers.

To ensure coherence and consistency between policy and media activities, the Secretariat-General will provide the necessary material to the SPP ahead of media activities involving the President and the Vice-Presidents.

In addition to the services of the SPP, DG COMM provides a number of other services to members of the Commission and Cabinets in order to strengthen the Commission's communication activities: daily press reviews and media analysis, AV studios for live and recorded messages, support for digital communication including social media and political reporting on developments in the Member States.

To benefit best from the work of DG COMM the Cabinets should:

- (i) plan the activities of their Commissioner in the Member States, especially the Commissioner's visits. The Cabinet should involve the Representations the Member States well in advance;
- (ii) respond to the information provided by DG COMM or the Representations and ensure that it is followed up;
- (iii) inform DG COMM and the Representation concerned about any initiative that could have media or political repercussions, particularly letters and declarations. Instructions should be given to DGs under the responsibility of the Cabinet to do the same for initiatives taken at the level of the DG.

The Representations of the Commission in the Member States should:

- (i) consult Cabinets about sensitive political issues as well as, at the same time, inform the Directorate for Political Communication and, where necessary, the DG concerned;
- (ii) in case of press-related queries, consult the two officers in charge of liaison with the Representations;
- (iii) following the request of the Spokespersons or Press Officers, contribute to briefing packs for members of the Commission for their use when speaking to regional and national media during their visit to the Member State;
- (iv) in agreement with the European Commission Chief Spokesperson, one of his/her Deputies or the two Coordinating Spokespersons, adapt LTT to the political and media situation in the Member States and, where necessary, propose Lines to Take on important national issues which might have consequences for European politics..

2. COMMUNICATION AND THE DIRECTORATES-GENERAL

As a general rule, the Spokespersons and the Representations of the Commission in the Member States are responsible for contacts with the media.

The information & communication unit of the DG is the key partner of DG COMM. In order to allow it to fulfil this central role:

- (i) the Cabinet Communication Adviser, the corresponding Press Officer(s) of the SPP – or where appropriate, a Spokesperson – and the information & communication unit of the services must be in regular contact through weekly communication meetings;
- (ii) the unit will be included in the management meetings of the DG;
- (iii) the unit will appoint a contact person in charge of relations with the SPP in order to ensure the quality and swift delivery of press material and draft LTTs. This member of the unit must have the skills required to draft, or coordinate the drafting, of Lines To Take and other quality press materials under short deadlines. The contact person of the unit must have a thorough understanding of online communication and interface with the DG's digital team;
- (iv) the unit will keep the SPP and the Cabinet Communication Advisers informed about any forthcoming announcement or event that will need proactive communication with the media or which may raise questions from journalists. The SPP will inform the DG in good time of its needs as regards the preparation of press material;
- (v) the unit will deal with requests from the SPP addressed to the DGs, including requests for Lines to Take for use in the press room. This procedure should be swift and documented in writing. It should guarantee that a quick and precise reply can be provided to questions from journalists and the public;
- (vi) the unit will prepare draft press releases, draft interview replies and articles, press packs, technical briefing notes and replies to the technical questions from the press for the SPP. Following the agreed procedure, DGs will send their draft by e-mail to the SPP, with a copy to Cabinet Communication Adviser. The Portfolio Press Officer or a Spokesperson will clear LTTs, press releases and any other press material and ensure that they are issued and transmitted to all the Representations of the Commission in the Member States. Draft press material relating to College files will have to be sent to the European Commission Chief Spokesperson or one of his/her Deputies after the Inter-Service Consultation and before Special Chefs;
- (vii) the unit will ensure that the DG's digital team thoroughly monitors online conversations and informs the SPP upfront of emerging online activity relevant to the Commissioner's portfolio. The DG will effectively advise and support DG COMM in crisis communication situations;
- (viii) the unit will prepare daily press reviews relevant for the portfolio Commissioner;
- (ix) the Head of the information and communication unit is a member of the External Communication Network and is responsible to his/her peers for ensuring transparent, coherent and coordinated planning of communication activities, whether corporate or sectoral/stakeholder.

DGs will communicate with interested parties and the general public in coordination with the SPP and DG COMM, on the basis of the communication priorities established by the Commission and always in accordance with the LTT established by the SPP. Communication activities should be part of the communication plan of the DG developed in consultation with

the Cabinet. DGs should provide the material for their external communication activities and keep, if the need arises, a team of ambassadors.

In terms of the media, as long as the request for information concerns a technical matter under the responsibility of the DG, the DG can reply to the request taking care to inform the aforementioned Communication and Information Unit and/or the person in charge of public relations in the DG as well as the corresponding press officer(s) in the SPP. The services must be particularly careful with any subject on which the Commission has not adopted an official position²².

²² An internal communication and staff engagement strategy for the European Commission (SEC(2007)912).

How to plan Commissioners' missions to Member States

Check-list

The purpose of this document is to give Cabinet members a clearer understanding of how the Commission Representations can assist them before and during working visits of Commissioner to the Member States.

Our Representations are our voice, ears and eyes in the Member States. We have one office in each capital city and eight regional offices²³ in which over 500 staff work. Representations are the ideal partner for preparing your Commissioner's missions. Whether your need to set up meetings with political leaders, interviews with key national media, working visits to projects or specific briefings, the Representations are there to help you.

The most important and first step is to contact the Head of Representation or his/her staff well in advance (but the representations have experience of delivering at short notice as well):

- Six weeks' notice is ideal
- Relevant information to share and/or discuss includes the objective of the visit, who will be part of the delegation, requests for briefings, meetings and deadlines and requests for logistical assistance
- You can find all the contact details and more here:
http://www.cc.cec/dgintranet/comm/reps_corner/index_en.htm

²³ The regional offices are located in Germany (Bonn, Munich), France (Marseille), Italy (Milan), Spain (Barcelona) and the United Kingdom (Cardiff, Belfast and Edinburgh)

Catalogue of Representations' services

| Catalogue of Representations' services | Contact | Deadline |
|---|---------|----------|
| <p>1. Setting up meetings with:</p> <ul style="list-style-type: none"> • Government, Parliament, Political Parties • Civil society, general public and/or other stakeholders | | |
| <p>2. Increasing the visibility and media coverage of your visit:</p> <ul style="list-style-type: none"> • Interviews and press conferences • Media monitoring of the visit | | |
| <p>3. Providing relevant contributions to your mission file:</p> <ul style="list-style-type: none"> • Advice on formulating the mission's programme • Background information on your Commissioner's interlocutors (relevant briefings) | | |
| <p>4. Your logistical needs:</p> <ul style="list-style-type: none"> • Protocol: <ul style="list-style-type: none"> – confirm arrangements for arrival / transit / departure – confirm any fees which Commissioners and delegations will have to pay – inform relevant national authorities and EU agencies about the visit • Security: <ul style="list-style-type: none"> – check whether national authorities require/offer extra protection - guards, motorcades, etc. • Transport <ul style="list-style-type: none"> – car for Commissioner: <ul style="list-style-type: none"> • Missions with official agenda of travel submitted beforehand : Representation car & driver under special provisions²⁴ • all other cases: car to be rented, with/without chauffeur. These costs will be charged to the Commissioner's mission allocation. – Representation to assist at arrival/departure/transit at the airport/rail station | | |

²⁴ See point 3 in 'Rules governing the use of car fleets of Commission Representations and their offices in the European Union', note D 21326, date 15/12/2008:
http://www.cc.cec/dgintranet/comm/documents/back_office/infrastructure/d21326-car_fleet_rules.pdf