



EUROPEAN COMMISSION
EUROSTAT

Directorate F: Social statistics

Doc. Eurostat/F/13/DSS/01/3.1 EN

Item 3.1

FUTURE ROLE OF THE DIRECTORS' GROUP

MEETING OF THE EUROPEAN DIRECTORS OF SOCIAL STATISTICS

LUXEMBOURG, 4 – 5 MARCH 2013

BECH BUILDING, ROOM AMPERE

1. RULES OF PROCEDURE

In the framework of the implementation of the streamlined ESS structure, the ESS Committee stressed in May 2012 that the Directors Groups should operate under harmonised rules of procedure (RoP). Eurostat proposed a template for RoP of Directors Groups on the basis of the standard RoP approved by the Commission for expert groups. During its meeting in June, the Partnership Group (PG) made several suggestions for changes aiming, in particular, at clarifying the competences of NSIs and imposing stricter rules on the functioning of Directors Groups. Some of the suggested changes also aimed at aligning these RoP further with the ESSC ones.

Subsequently, the Directors Groups were asked to discuss the new template and provide comments and proposals for potential modifications, which would again be discussed with the PG before presentation to the ESSC for adoption in May 2013. The DSS had a first look to the draft at its meeting in September 2012, and the main comments referred to voting procedures and the attendance of third parties during voting.

In addition to the comments from DSS Eurostat received comments from the BSDG, the ITDG, the DMES and the DIMESA, which contributed to a revised template of the RoP which was presented to the December 2012 PG meeting.

The revised RoP for Directors Groups are attached in annex, including the modifications agreed by the PG.

The main changes agreed are the following:

1. A reference to the reimbursement of travel expenses, using the same sentence as the one included in the ESSC rules of procedure, has been added to Article 6.
2. Article 8(3) has been re-drafted to avoid 'diplomatic incidents' regarding the obligation to leave the room. It now reads: "...representatives of third countries or organisations could be asked to withdraw...".
3. The title of Article 15 "Confidentiality of deliberations" has been re-drafted for the sake of harmonisation: the word "deliberations" is now used everywhere.
4. Article 15(2) has been modified so that a unanimity of the members becomes necessary to open the group's discussions to the public.

There were other comments sent by the above-mentioned Directors Groups which were not accepted by the Partnership Group. They can be summarised as follows:

1. Proposal to have documents sent to the group members 28 calendar days prior to the meeting instead of the 21 calendar days currently foreseen in Article 4(2). The 21 calendar days had been agreed with the Partnership Group in June 2012.
2. Proposal to add "...and in duly justified cases" to Article 4(3) dealing with urgent cases. The PG considered that there was no need to add such an element because it is quite obvious that the urgency clause will be used only in exceptional cases and when duly justified.

3. Proposal to replace "calendar days" by "working days" or by "Commission working days" in several instances of the RoP. It was judged that, due to different holidays across the ESS, the formulation "calendar days" is the only one which is clear enough for everyone.
4. Proposal to delete the reference to voting. The choice to move to a vote is entirely up to the Chairperson of the Directors Group and this option should be kept (it should be noted that we are not talking about the same voting procedure used at the ESSC, which retains the final responsibility for legal acts).
5. Proposal to vote by qualified majority (instead of a simple majority) for legal dossiers. The PG considered that the current setting should be kept: comitology committees (= ESSC) vote by qualified majority to mirror the voting procedure in the Council, but experts groups (= Directors Groups) vote by simple majority
6. Proposal to allow one member to terminate a written consultation. The Commission's standard RoP for expert groups refer to a simple majority of members, which for Eurostat Directors Groups would mean 14 delegations; a more flexible approach is already suggested by proposing a third of the members (9 delegations). Allowing one delegation to terminate the written consultation implies the risk that one member blocks and delays a procedure that the others would like to see progressing

The DSS is asked to endorse the Rules of Procedure as provided in the annex.

2. BOARD OF THE DSS

It is proposed to reconvene the former Strategic Development Group, which could meet maximum twice per year. This group would help to give impetus to the modernisation strategy for social statistics at senior level. In order to ensure that the strategic discussion will be held at the DSS, and that the main role of this group is to assist the DSS chair, this body would simply be called "Board". It would be composed of 8-10 members ensuring an adequate representation, as it is done in similar groups.

The Board could also be in charge of the preparation of topics where the discussion at DSS might be enlightened by short presentations from the NSIs in order to facilitate debate and the exchange of experiences and practices, for example at DSS seminars.

It could also follow up on the discussion and exchange of views at DSS meetings. This could be appropriate if a debate shows to be important (but taking more time than possible at a specific meeting) or if the discussion moves into gridlock (to ask the Board to prepare well a new debate including background material for a coming DSS meeting).

The Board might help to improve interaction and improved dialogue between NSIs and Eurostat on topics like exchange of views, the role of social statistics in the development of the ESS, or facilitating debate e.g. by conducting more interactive seminars providing quick feedback from participants.

The DSS is asked to provide their views on the creation of this body. If this is positive, the DSS Chair will contact possible members, will ask for DSS written approval before the summer break, and organise the first meeting of the Board in the second half of the year.

RULES OF PROCEDURE

OF THE DIRECTORS OF SOCIAL STATISTICS (DSS)

as adopted in the meeting on 7 March 2013

THE Directors of Social Statistics (DSS), hereafter also called "The group"

Having regard to the standard rules of procedure of expert groups¹,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Article 1

Chairmanship and convening a meeting

1. The group shall be chaired by a representative of the Commission
2. A group meeting is convened by the Chairperson, either on his or her own initiative, or at the request of a simple majority of group members.
3. Joint meetings of the group with other groups may be convened to discuss issues coming within their respective areas of responsibility.

Article 2

Mandate

1. Being part of the governance system of the European Statistical System, the group shall be responsible for thoroughly preparing all dossiers in the area of social Europe, prior to the decisions to be taken in the European Statistical System Committee.
2. The DSS shall be consulted in regard to the issues specified in its respective mandate.
3. For the execution of this task, the calendar of meetings of the group shall be aligned as necessary with the calendar of the ESS Committee.

¹ SEC(2010) 1360 final.

Article 3

Agenda

1. The Chairperson shall draw up the agenda and submit it to the group.
2. The agenda shall make a distinction between:
 - a) the preparation of legislative proposals and policy initiatives (Commission's right of initiative);
 - b) the preparation of delegated acts, as referred in the Communication on the implementation of article 290 of the Treaty on the Functioning of the European Union²;
 - c) the implementation of existing EU legislation, programmes and policies, as well as the coordination and cooperation with Member States in that regard;
 - d) other issues put to the group for consultation or for discussion, either on the Chairperson's initiative or at the written request of a group member.

Article 4

Documentation to be sent to group members

1. The Chairperson shall send the invitation to the meeting and the agenda to the group members, as a general rule, no later than 28 calendar days before the date of the meeting.
2. The Chairperson shall send documents on which the group is consulted to the group members no later than 21 calendar days before the date of the meeting.
3. In urgent cases, the Chairperson may, at the request of a group member or on his or her own initiative, shorten the period laid down in the above paragraph to 5 calendar days before the date of the meeting.
4. In cases of extreme urgency, the Chairperson may depart from the periods laid down in paragraphs 1 and 2 above. If the placing of another point onto the agenda is requested during the course of a meeting, the approval of a simple majority of group members is required.

Article 5

Opinion of the group

1. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus. An electronic Exchange of Views shall be launched prior to each meeting allowing to better prepare these opinions or recommendations.
2. In the event of a vote, the outcome of the vote shall be decided by a simple majority of the members. If more than one representative from a Member State is present, the

² COM(2009) 673 final, point 4.2.

relevant national statistical institute of the Member State is responsible for designating the head of the respective delegation allowed to vote.

Article 6

Representation

1. Each Member State delegation is considered to be one group member. Each delegation is composed of experts appointed by the national statistical institute of the Member State. Representative(s) shall be designated at sufficiently high level and guaranteed an adequate representation mandate.
2. The Chairperson has to be informed about the designation in advance of a meeting.
3. The reimbursement of travel expenses by the Commission shall be paid in accordance with the applicable rules, subject to budgetary funds provided for this purpose.

Article 7

Sub-groups

1. The group may create sub-groups, chaired by a representative of the Commission to examine particular issues or serve as a bureau to the group. A temporary (but renewable) mandate for the sub-group shall be agreed by the group.
2. The sub-groups must report back to the group. To this end, they may appoint a *rapporteur*.

Article 8

Admission of third parties

1. The Chairperson may decide to invite experts to talk on particular matters, at the request of a member or on his or her own initiative.
2. EEA/EFTA States participate fully in the group meetings on all EEA-relevant matters. For the matters which are only EU-relevant, they have the status of observers. Switzerland participates fully in the group meetings on all Swiss/EU-relevant matters. For the matters which are only EU-relevant, it has the status of observer.
3. With the exception of the EEA/EFTA States and Switzerland, experts and representatives of third countries or organisations could be asked to withdraw when the group forms an opinion.

Article 9

Written procedure

1. If necessary and justified, the group's opinion on items previously discussed by the group can be obtained by a written procedure. To this end, the Chairperson shall send to the heads of delegation the documents on which the group is being consulted. Any group member who does not express his or her position before the deadline laid down in the letter is considered to have given his or her tacit agreement to what is proposed; the response period must not be less than 14 calendar days.

In cases of urgency, the deadlines stated in Article 4(3) shall apply.

2. However, if one third of group members ask for the question to be examined at a meeting of the group, the written procedure shall be terminated without result and the Chairperson shall convene a meeting of the group as soon as possible.
3. The Chairperson shall inform the group members of the results of the written procedure within 14 calendar days after the expiry of the deadline laid down in the letter referred to in paragraph 1 of this Article.

Article 10

Secretarial support

The Commission shall provide secretarial support for the group and, if necessary, the sub-groups created in accordance with Article 7 above.

Article 11

Summary minutes of the meeting

1. The minutes of each meeting shall be drawn up under the auspices of the Chairperson. These minutes shall not mention the individual position of the members during the group's deliberations. The text of the group's opinions shall be given in a separate annex and shall be approved before the end of each meeting.
2. The minutes shall be sent to the members of the group within 15 working days in English.
3. The group members shall send any written comments they may have on the minutes to the Chairperson. The group shall be informed of this - if there are any disagreements, the proposed amendment shall be discussed by the group. If the disagreement persists, the proposed amendment shall be annexed to the minutes.

Article 12

Attendance list

1. At each meeting, the Chairperson shall draw up an attendance list specifying the authorities or bodies to which the persons appointed by the Member States to represent them belong.
2. At the beginning of every meeting, any group member whose participation in the work of the group would constitute a conflict of interest with regard to a particular agenda point must inform the Chairperson of this situation.

Members of delegations who do not belong to a particular authority or organisation of a Member State must sign a declaration stating that their participation does not raise any conflict of interest.

In the event of such a conflict of interest, the member concerned must withdraw his or her participation whilst the relevant agenda points are being dealt with, at the request of the Chairperson.

Article 13

Correspondence

1. Correspondence relating to the group shall be addressed to the Commission, for the attention of the group Chairperson.
2. Correspondence for group members shall be sent to the [e-mail] address which they provide for that purpose.

Article 14

Access to documents

At the end of each meeting, the Chairperson, with the assistance of the group, shall decide which documents are to be made public.

Applications for access to documents held by the group will be handled in accordance with Regulation (EC) No 1049/2001³ and detailed rules for its application⁴.

³ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

⁴ Commission Decision 2001/937 of 5.12.2001. OJ L 345 of 29.12.2001, p. 94.

Article 15

Confidentiality of deliberations

1. The group's deliberations shall be confidential.
2. In agreement with the Commission's services, the group may, by unanimity of its members, decide to open its deliberations to the public.

Article 16

Protection of personal data

All processing of personal data for the purposes of these rules of procedure shall be in accordance with Regulation (EC) No 45/2001⁵.

⁵ Regulation (EC) 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. (OJ L 8, 12.1.2001, p. 1).