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

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

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

INTRODUCTION

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

These practical arrangements define in more detail the implementation of the principles laid down by the President of the Commission on the working methods of the European Commission. They are also based on Regulation 223/2009 on European statistics, the Commission Decision (2012/504/EU) on Eurostat and the European Statistics Code of Practice.

These arrangements also represent the Commissioner’s own commitment to ensure that Eurostat remains the independent and trusted point of reference for statistics and data in Europe and that it operates in full respect of its professional independence in relation to statistical activities.

1. PRINCIPLES OF CO-OPERATION AND RESPECTIVE ROLES

1.1. General Principles

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

The Commissioner, his Cabinet and Eurostat are collectively responsible to ensure effective implementation of the President’s Political Guidelines.

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

The Commissioner determines the general policy line within the Commission’s overall policy framework and assumes full political responsibility.

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

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

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

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

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

The Director General of Eurostat advises the Commissioner and the Cabinet on the files relating to his portfolio. The Director General is fully responsible for the management of the services under her authority, and for the effective implementation of the guidelines and decisions adopted by the Commissioner. She is accountable to the Member of the Commission and the College for proper implementation.

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

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

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

Gentiloni Cabinet

Commissioner – Mr Paolo Gentiloni
Head of Cabinet – Mr Marco Buti
Deputy Head of Cabinet – Mr Jakob Friis
Member of Cabinet (coordination Eurostat) – Ms Angela D’Elia
Communication Adviser – Mr Simon O’Connor

Eurostat

Director General of Eurostat – Ms Mariana Kotzeva
1.4. Persons authorised to represent the Member of the Commission and Eurostat

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

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

For communication matters: Head of Unit of Communication and Communication Adviser.

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

2. Strategy meetings on policy priorities (between the Director General and the Commissioner and his Cabinet)

Good coordination between the Director General and the Commissioner is ensured in principle by a monthly ‘Jour Fixe’ meeting. In addition to the Director General and the Deputy Director General, a Director, a Head of Unit and – where appropriate – relevant staff dealing with the specific topic discussed, can participate in jour fixe meetings. The objective of these meetings is for the Commissioner to inform the Director General about his political priorities and strategy, to discuss main on-going files, prepare the Commissioner’s participation to meetings, events, missions and analyse the political and institutional situation. The Director General will inform the Commissioner about statistical initiatives and discuss information needs related to the design, monitoring and implementation of EU policies. When the Director General is absent, she will be replaced by the Deputy Director General.

On request from the Cabinet, Eurostat will prepare a short note as basis for discussion at the jour fixe meetings. A draft report of the substantial issues discussed and operational conclusions of the meeting will be drafted by the Assistant to the Director General attending the jour fixe and will be sent by e-mail to the Member of Cabinet within 1 week. The Cabinet will provide its comments or agreement within 1 week. The minutes will be circulated immediately after their agreement via ARES to the Head of Cabinet and to the Member of Cabinet. For the avoidance of doubt, no tacit Cabinet agreement shall be assumed.

Twice a year the Director General and the Commissioner shall discuss internal control issues. Every year, one of these meetings serves to discuss the draft annual activity report (AAR).

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

In principle, communication from the Cabinet to Eurostat is writing, directly by the Head of Cabinet, his Deputy, or the Member of Cabinet to the Director General and her assistant on behalf of the Member of the Commission. If, in exceptional cases, the Cabinet has to communicate directly with Eurostat, it informs the Director General thereof via her assistant.
3. FORMULATION AND IMPLEMENTATION OF POLICY

3.1. Interservice consultations

Eurostat "chef de file"

In order to obtain prior agreement of the Commissioner for launching Interservice Consultations (ISC), Eurostat sends the documents to be submitted to interservice consultation via ARES to the Member of Cabinet and the Head of Cabinet, with ASOC task to the Cabinet(s) of the responsible Executive Vice-President(s) to secure their agreement. The documents shall be accompanied by a brief explanation of the content, cause for action and objective(s) of the initiative. The Cabinet will give its approval for each ISC launched. Where appropriate, the file will previously have been discussed for policy steer (at jour fixe meetings) and Eurostat ensures in such cases that the documents reflect the policy steer of the Commissioner. Where the documents deviate from that steer, Eurostat shall pro-actively indicate the differences and the reasons thereof.

Upon receipt of agreement via ARES from the Cabinet, Eurostat uploads the documents in Decide Consultation and the Member of Cabinet, without delay, formalises the Commissioner's agreement in Decide Consultation.

Eurostat informs the Cabinet on the outcome of the interservice consultation. Where substantial issues emerge during interservice consultation, Eurostat seeks to address them at the adequate level. If this requires deviating from policy guidance of the Commissioner, Eurostat secures prior agreement of the Cabinet.

Eurostat "associée"

The Member of Cabinet will be in copy of each answer which Eurostat provides to an interservice consultation from another Directorate General. When the latter covers important or sensitive subjects, Eurostat will examine the matter with the Member of Cabinet before finalising its reply.

The agreement of the Cabinet has to be first secured whenever Eurostat intends to reply "avis négatif" to an interservice consultation of another Directorate General.

3.2. Approval by the Commission (Written and oral procedures) via the Decide Decision application

Before requesting the launching of an adoption procedure Eurostat will ensure that the initiative is prepared as far upstream as possible with no open issues remaining at Eurostat level unless there is an agreement with the contact point and/or the Head of the Cabinet or the Member of Cabinet.

Eurostat will ensure appropriate information to the Commissioner before launching a procedure for adoption by the College in Decide Decision. For that purpose, a file with the final text following the ISC and an explanatory note will be provided, via ARES, to the Member of Cabinet.
Eurostat provides assistance to the Cabinet up until adoption by College (e.g. preparation of and attendance at Hebdo and special chefs meetings).

3.3. Infringement procedures

Before launching any new infringement case or any new step in an ongoing infringement case, Eurostat requests the Commissioner's agreement. In view thereof, Eurostat shall inform the Cabinet in a timely manner of its proposals. For each case, Eurostat shall provide the Member of Cabinet with a case note which summarises the facts, legal issue(s) at stake and the contacts which have taken place with the Member State concerned. The note should also indicate briefly whether the case is politically sensitive and whether it raises novel issues and/or represents a new approach. The notes shall be submitted to the Member of Cabinet at least 5 working days before her agreement to the monthly list is due. The Cabinet shall respond within the deadline in order to enable Eurostat to submit the proposals on time to the Secretariat General. The agreement can be requested and given by email.

In addition, the Commissioner's agreement is required for the opening a new file in EU Pilot (THEMIS/EU Pilot).

Eurostat contribution to the “Annual report on monitoring the application of EU law” will be approved by the Cabinet before transmission to the Secretariat General.

4. RELATIONS WITH THE OTHER INSTITUTIONS

4.1. European Parliament

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

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

Written and Oral Questions (Eurostat chef de file): Eurostat prepares a draft reply which is submitted for Cabinet approval via Basil.

4.2. Preparation of the GRI meetings

Eurostat prepares and requires the agreement of the Cabinet on the fiches "GRI" before they are sent to the GRI secretariat. The Cabinet ensures the agreement of the relevant Executive Vice-President(s).

Eurostat representative participating in the pre-GRI meeting will report the same day, in writing, to the Member of Cabinet and the Deputy Head of Cabinet on the discussions and decisions (in particular the A, B or C points).

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

5. Speeches, briefings and correspondence

5.1. Briefings and speeches

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

The Cabinet requests briefings and speeches through BASIS, and Eurostat transmits the material through BASIS. Requests shall be as specific as possible in identifying particular questions to be answered and the length of the document, etc. The request shall also indicate whether presence from Eurostat for a meeting is required.

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

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

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

5.2. Commissioner's correspondence

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

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

1. draft for signature by the Commissioner;
2. draft for signature by the Member of Cabinet;
3. direct reply by Eurostat at the appropriate level;
4. follow-up (the Cabinet will give further explanation/specific guidance on each case);
5. for information (no reply needed).
The draft answer for signature of Commissioner or Cabinet will be sent to the Cabinet for approval and follow-up at the latest three days before the deadline for answering the correspondence. If its draft reply is likely to be delayed, Eurostat will inform the Cabinet so that the Member of Cabinet can send a holding reply in time.

Eurostat and the Cabinet inform each other via ARES of signed correspondence for information.

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

Letters addressed to a Minister will be signed by the Commissioner and accompanied by a note from the Head of Cabinet addressing the Head of Delegation or Head of Permanent Representation.

5.3. Events and other communication issues

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

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

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

6. MANAGEMENT OF RESOURCES AND PROCESSING OF SENSITIVE INFORMATION

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

The Commissioner is informed of any substantial change concerning the organisation of Eurostat or concerning Eurostat financial systems and checking procedures.

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

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

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

The Member of Cabinet and the Communication Adviser receive each Friday for information the final calendar for disseminating statistical releases for the following week. This release
calendar is publicly available in Eurostat website. Statistical releases are objective and nonpartisan; they are clearly distinguished and issued separately from policy statements.

The preparation and validation of all Eurostat statistical releases are the responsibility of Eurostat. The Director General has the sole responsibility for deciding on the content and timing of statistical releases produced by Eurostat. Dates and times are pre-announced in release calendars for statistical releases as well as for statistical articles containing new data, on a monthly and weekly basis.

In order to ensure compliance with the Code of Practice, news releases are only transmitted, under embargo and for information, to the Member of Cabinet and the Communication Adviser after 16.00 (CET) the working day before their dissemination to the press. The sole purpose is to allow the Commissioner to respond fully when questions arise at the time of release.

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

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

Date: 10.03.2020

Approved by:
Member of the Commission  Director General

Paolo Gentiloni  Mariana Kotzeva

Annexes:
- Annex 1: Practical Modalities for the organisation of the jour fixe meetings
ANNEX 1 – PRACTICAL MODALITIES FOR THE ORGANISATION OF THE JOUR FIXE MEETING

Organisation of the Jour Fixe meetings:

- The agenda will have A points for discussion and B points without discussion;

- Agenda is drafted by Eurostat and proposed to the Member of Cabinet for validation; the final agenda is confirmed by the Deputy Head of Cabinet 1 week before the meeting, taking into account the strategy notes received;

- Each agenda point is prepared by a written strategy note from Eurostat. The notes should be circulated, together with the supporting documents where appropriate, at the latest 1 week before the day of the meeting;

- The strategy notes should contain options, pros and cons of each option and a clear indication of which option(s) is recommended;

- The notes should be kept in clear and non-technical language and any abbreviations should be first fully spelled out;

- Where relevant, draft legal or policy texts should be annexed to the note;

- Minutes of the meeting will be drafted by Eurostat and submitted for approval to the Cabinet. The minutes should summarize the substantive points discussed and reflect the operational conclusions.

Template for the briefing of the Jour Fixe:

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

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

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

3. Options for decision
This section highlights the various options the Commissioner could choose; it identifies clearly the pros and cons of various options. It indicates the preferred option by Eurostat and why.

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