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(Information)

INTERINSTITUTIONAL AGREEMENTS

EUROPEAN COMMISSION

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

Protocol on cooperation between the European Commission and the European Economic and Social Committee

(2012/C 102/01)

PREAMBLE

The Commission and the European Economic and Social Committee (hereinafter referred to as 'the Committee') consider that it is in their common interest to intensify their relations through the implementation of this Protocol, with the closer cooperation arrangements for which it provides replacing those in the Protocol of 7 November 2005 and its addendum of 31 May 2007.

Those arrangements are part of the creation of an environment conducive to a greater involvement of civil society organisations, at both national and European levels, in the policy-shaping and decision-making processes of the European Union and to the development of an ongoing structured dialogue between those organisations and the Union institutions, as provided for in Article 11(1) and (2) of the Treaty on European Union (TEU).

By virtue of the role assigned to it by the Treaties, the Committee has a particular responsibility to contribute to strengthening the democratic legitimacy and effectiveness of European Union institutions and policies. In this context, the Committee, as a privileged intermediary between civil society organisations and the Union institutions as referred to by Article 13, has a key role to play in the implementation by those institutions of the provisions of Article 11 of the TEU.

The Commission cooperates with the Committee in the accomplishment of its three fundamental missions as identified by the Mission Statement of the Committee:

- advising the European Parliament, the Council and the Commission and in the general interest of the Union and its citizens,
- promoting the values on which the European Union is founded and the development of a more participatory and more inclusive European Union which is closer to its citizens,
- accompanying the external dimension of Union action by developing dialogue with civil society organisations and advancing the role of organised civil society and participatory democracy.

The Commission supports the strengthening of the Committee's advisory role, both upstream and downstream, of the Union policymaking and legislative process. The Committee may contribute to evaluating the implementation of EU legislation in particular in relation to the horizontal clauses, as provided for under Articles 8 to 12 of the Treaty on the Functioning of the European Union (TFEU).

The Commission and the Committee cooperate in the development of participative democracy at Union level with the aim of strengthening its democratic legitimacy.

The Commission considers this cooperation as a privileged tool to organise an open, transparent and regular dialogue with representative associations and civil society as referred to by Article 11 of the TEU.

The Commission supports the Committee's initiatives to promote and structure dialogue and consultation with European organised civil society and reinforce relations with the network of economic and social councils and similar institutions in the Member States, so that the Committee can play a full part as a vector for the expectations and aspirations of organised civil society.

I. INSTITUTIONAL AND ADMINISTRATIVE RELATIONS

1. In the first semester of each year, the Committee will make known its key political priorities regarding the Commission's work programme for the following year.

A meeting between the President of the Commission and/or the Vice-President responsible for relations with the Committee and the President of the Committee shall be organised at least once a year during the preparation of the Commission's work programme and to examine questions of common interest.

Each year, the Committee organises a debate on the future of the European Union during which the President of the Commission or the Vice-President responsible for the relations with the Committee presents the strategic priorities for the European Union for the following year.

2. The President of the Commission shall present his or her strategic objectives to the Plenary Assembly at the beginning of the Commission's term of office.

3. The Commission and the Committee cooperate in order to contribute effectively to better lawmaking.

4. The members of the Commission shall be invited to take part in the work of the Committee, particularly in the context of the plenary sessions, in order to discuss the strategic guidelines in their fields of competence and any questions determined in advance by common agreement. Also, members of the Commission can ask to be heard by the Plenary Assembly.

Members of the Commission or, in exceptional circumstances, senior officials may ask to be heard in debates of the Bureau of the Committee about Commission initiatives.

A meeting between the chairs of the specialised sections and the counterpart member(s) of the Commission shall be organised once a year to examine their respective priorities and work programmes.

5. The representatives of the Commission are involved with the work of the Committee on dossiers for which they are responsible and shall attend, as far as possible, the meetings to which they are invited. They present Commission proposals or any other documents to be examined and provide information on the progress of the dossiers.

They cooperate closely with their counterparts from the Committee on the dossiers for which they are responsible.

6. The coordinators or responsible persons appointed by each Commission department and the secretariats of the specialised sections of the Committee, in particular, shall regularly exchange information, especially in the context of the DGs' planning and the implementation of the work priorities of the sections.

The coordinators shall meet with the Secretariat of the Committee at least once a year in order to exchange information about the main activities or initiatives of common interest undertaken or planned by the Commission or the Committee.

II. CONSULTATIVE FUNCTION OF THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

7. On the basis of the Commission's annual work programme and the examination of the respective priorities of the Commission and of the Committee, the Secretary-General of the Commission sends the latter a list of proposals for which optional consultation is foreseen. This list also includes documents of a non-legislative nature with regard to which the Commission intends to request the Committee's opinion.

In the context of its planning, the Commission confirms the optional referrals in addition to its 'rolling programme' and before the meetings of the Committee's Bureau.

The Committee endeavours to bear in mind the priorities and deadlines of the Commission in the organisation of its own work. To this end, the Commission provides the Committee with precise information concerning the timing of its proposals.

8. With due respect for the Treaties, it is important for both the Commission and the Committee to be more selective.

Accordingly, the Commission bases its decision on optional consultation in particular on the following criteria:

- the subject must be of general interest and fall within an area where the Committee's opinion would provide added value in the context of the framing of the Union's policies and decisions,
- this step is intended to initiate discussions on the advisability of Union action in a particular area or regarding a particular subject.

The Committee continues its efforts to streamline its work in order to focus on those opinions most likely to provide real added value in the framing of Union policies and decisions.

9. As part of the process of framing the Union's policies and planning its work, the Commission may call on the Committee to draft exploratory opinions in areas of particular importance to organised civil society, where it takes the view that the Committee has the competence and expertise. Such requests are communicated to the Committee by the Vice-President of the Commission responsible for relations with the Committee, accompanied by precise indications of the object and the deadline, if any, for the delivering of the opinion.

The Commission and the Committee endeavour to incorporate these requests for exploratory opinions into an integrated approach which allows the views of all stakeholders in civil society to be taken into account as widely as possible.

The Commission provides appropriate monitoring in order to assess the value of these opinions in the framing of the Union policies and decisions.

10. The Commission transmits to the Committee all the documents and information required to perform its consultative function at the same time as to the European Parliament and the Council.

11. In order to make its opinions easier to follow, the Committee endeavours in particular to:

- highlight the specific changes it wishes to make to the Commission's legislative proposals,
- summarise its main recommendations and proposals.

12. The Commission and the Committee recognise the value of following up the opinions. To this end, the Commission systematically gives reasons for following up or not on the proposals for changes and the substantive suggestions in the Committee's opinions.

For exploratory opinions, the Commission endeavours to provide a political follow-up, including, where possible, information from the competent member of the Commission during the plenary session following the one where the opinion in question was adopted.

Proposals for changes to legislative documents, when accepted by the Commission, shall be incorporated by the latter as far as possible in its amended proposals.

If the Commission modifies substantially its proposal subsequent to the initial referral to the Committee and where the Treaties provide for mandatory consultation, it will ensure that the Committee is re-consulted.

III. THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND ORGANISED CIVIL SOCIETY

13. The Committee has a particular responsibility in bringing participatory democracy to life and the Treaty on European Union gives the Committee additional scope to play its role of privileged intermediary in the dialogue between organised civil society and the Union institutions.

In the light of Article 11 of the TEU, the Commission and the Committee cooperate in order to strengthen further participation and dialogue with civil society organisations, at both national and European levels, and to foster greater involvement of those organisations in the processes of policy framing and the preparation of Union legislation.

The Commission and the Committee promote together a structured dialogue between European civil society organisations and networks and between them and the European institutions, particularly by way of the Liaison Group created by the Committee.

With regard to its policy of consultation, the Commission draws, wherever relevant, on the Committee's support in particular when it comes to deepening its relations with organised civil society, both within and outside the Union. In that context, the Committee supports the Commission by way of organising joint hearings, seminars and conferences with the players concerned on specific policy issues of common interest and where it has the appropriate competence and expertise.

14. The Commission notes the Committee's willingness to assist in the implementation of the citizens' right of initiative.

Article 11 of Regulation (EU) No 211/2011 provides that during the three-month period when the Commission reflects on a successful citizens' initiative, the organisers of the initiative shall be given the opportunity to present it at a public hearing to be organised jointly with the European Parliament, 'if appropriate together with such other institutions and bodies of the Union as may wish to participate.' In this context, the Commission intends to suggest to the European Parliament that whenever relevant, the Committee be invited to such a public hearing.

The Commission notes that the Committee might at any moment wish to issue an opinion in areas where it takes the view that it has the appropriate competence and expertise and could provide added value.

15. The Committee, as part of its consultative function, organises, in the form of hearings, seminars or conferences, structured consultation with organised civil society with the aim of gathering as widely as possible the views of the civil society organisations concerned.

The Commission is willing to cooperate in the organisation and implementation of these consultations in the most appropriate way, including by way of logistical and/or financial support.

16. The Commission and the Committee will continue to increase the synergies between their actions and initiatives in policy areas that concern organised civil society the most in particular the 'Europe 2020' strategy, including sustainable development and climate change, the deepening of the internal market, the fight against poverty and social exclusion, immigration, and energy supply.

Each year, the Committee presents a report assessing, with the close cooperation of the network of national economic and social councils and similar institutions, the civil society involvement in the elaboration of national reform programmes. That report is debated in the plenary session before the Spring European Council.

The Committee will invite the responsible member of the Commission to participate in the debate and to present the annual growth survey.

17. The Commission and the Committee endeavour to foster ownership of Union policies by citizens. To that end, the Commission welcomes the Committee intention to pursue its efforts to involve the network of national economic and social councils and similar institutions.

18. The Committee contributes to the process of evaluating the implementation of Union legislation, in particular in relation to the horizontal clauses, as provided for under Articles 8 to 12 of the TFEU.

19. The Committee aims to support the external dimension of Union action by conducting dialogue with civil society organisations in the countries and regions with which the Union has structured relations. In this context, the Commission supports its initiatives to strengthen the role of organised civil society outside the Union and to promote a culture of dialogue and consultation and structures associated with such a process.

The Committee and the Commission work together to promote the creation and to ensure the management of joint civil society mechanisms to monitor the implementation of trade agreements.

IV. COMMUNICATING EUROPE IN PARTNERSHIP

20. Informing about and communicating the European Union to citizens and civil society organisations is a shared responsibility of all the European institutions and bodies. Effective information and communication by the European Union should be considered primarily as a public service task, so as to give citizens and civil society organisations the opportunity to participate fully in the European debate and in the democratic process of framing Union decisions and policies.

21. The Commission and the Committee share the view that it is in the general interest of the European Union and its citizens to strengthen their relations in the field of information and communication and to cooperate closely to that end.

22. The Commission and the Committee agree on the need to integrate communication into decision-making. The Commission recognises that, by virtue of its composition and the role assigned to it by the Treaties, the Committee has a key role to play in creating a real European public area of dialogue and discussion on those matters that concern citizens most and which will determine the future of the European project.

23. The Commission and the Committee will work together on media coverage of their joint events using the available communication platforms and tools. In their public communication and information activities the Commission and the Committee highlight their respective roles.

24. The Commission and the Committee will update and exchange their lists of official contact persons at headquarters' level and in the Member States, in compliance with data protection rules.

The Commission's Representations in the Member States and a contact point of the Committee for each of those Member States will inform each other on their communication plans and will join efforts to participate, wherever appropriate, in the events they organise. The facilities of the Commission's Representations in the Member States will, by agreement, be available for Committee's initiatives where this is appropriate and logistically possible. It may also be necessary to consult with the European Parliament Information Offices, where appropriate.

25. The Committee, together with its members, partner organisations and the national economic and social councils and similar institutions, constitutes a key information and communication network. The Commission will participate, whenever possible in meetings organised by the Committee with its members, with members' host organisations, the national economic and social councils and similar institutions.

Done at Brussels, 22 February 2012.

For the European Commission

José Manuel BARROSO

The President

For the European Economic and Social Committee

Staffan NILSSON

The President
