

2014 Discharge to the Commission

WRITTEN QUESTIONS TO SG OF THE COMMISSION ALEXANDER ITALIANER Hearing on 14 January 2016

New college

1. The arrival of the new College implied changes in staff Commissioners' cabinets. Could the SG provide details on the shift occurred? How many new staff has been recruited for the Commissioners' cabinet?

Commission's answer:

The rules governing the composition of Cabinets have allowed Members of the College to assemble teams offering a blend of experience and expertise from within and outside the Commission. Officials from within the Commission have been seconded to the Cabinets in the interests of the service. Temporary agents may also be employed in accordance with the specific rules adopted by the Commission¹.

476 persons (excluding interns/trainees) were employed in Cabinets on 16/12/2015. As compared to the composition of the Cabinets under the previous mandate, there has been an overall reduction of staffing levels reflecting the Commission's determination to use resources efficiently. All Vice-Presidents (except for the First Vice-President) and Commissioners have one assistant less, leading to a saving of 26 posts. In view of their responsibilities, the Vice-Presidents received 1 additional AD member and the First Vice-President received 2 additional AD members. This means that there was an increase of 7 posts. The difference with the previous mandate for the composition of the Cabinets represents thus, in total, a saving of 19 posts, in keeping with the staff reduction being applied across the Commission.

2. The reorganization of the Secretariat-General following the entry into office of the Juncker Commission has been a major issue during 2014. How has this reorganization improved the coordination and efficiency of the Services?

Commission's answer: (see also the reply to Question 4)

President Juncker introduced major changes to the structure and working methods of the Commission in 2014 to allow it to respond effectively to the most pressing political challenges facing Europe and to foster a more collaborative, team-based style of working. The new structure is designed to support the delivery of the 10 political priorities laid down in President Juncker's Political Guidelines, on the basis of which President Juncker was elected and the new College appointed.

¹ Commission Decision C(2013)9049 of 16 December 2013 on policies for the engagement and use of temporary agents.

The role of the Secretariat-General has been adapted and strengthened to reflect this new context. The Secretariat-General is tasked with supporting the President and the Vice-Presidents in the delivery of the political priorities and in promoting the more efficient and coordinated functioning of the Commission services. This has required the Secretariat-General to play a more active role in policy coordination and to build stronger partnerships with all services.

The Secretariat-General supports the functioning of project teams led by Vice-Presidents. It does this for example by chairing inter-service groups for all major initiatives. This has helped to break down silos within the Commission services and to harness synergies between policy areas more effectively. The Secretariat-General also coordinates the new, more focused approach to the preparation of the Commission Work Programme and the broader agenda planning process, working to ensure that the activities of the services are focused on the delivery of the Commission's political priorities and that resources are deployed efficiently and effectively to this end.

The effects of these new structures and ways of working are already visible in the shorter, more focused Commission Work Programmes for 2015 and 2016 and in the efficient delivery of several strategic initiatives linked to President Juncker's political priorities and which required close cooperation between services in the first year of the mandate of the Juncker Commission, including the European Fund for Strategic Investments, the European Agenda for Migration, the Energy Union and Digital Single Market packages, and in the rapid and decisive response to the refugee crisis.

3. Does the Commission foresee that this reorganization will result in a better policy implementation and hopefully in the reduction of the number of reservations included in Annual Activity Reports of the Directorates-General?

Commission's answer:

Recent changes in the organisation of the Commission are designed to give practical effect to the 10 political priorities set out in President Juncker's Political Guidelines and therefore to enhance its ability to deliver and implement policies in support of these priorities. President Juncker has asked the Members of the College to focus on effective implementation and follow-up on the ground in the Member States. This is an important aspect of the Better Regulation agenda steered at service level by the Secretariat-General.

The reservations contained in the Annual Activity Reports of the Authorising Officers by Delegation relate to the specific issue of sound financial management. Many of the most important reservations in recent years concern funds managed under shared management with the Member States. This situation is expected to improve primarily thanks to the changes introduced in the regulatory framework for the various programmes for the 2014-2020 programming period (including for the shared management mode) including the adaptation of the control systems in accordance with the new provisions.

A distinction should also be drawn between the number and scope of the reservations. As compared to 2013, there are more reservations for 2014 but they cover a reduced scope as a result of a reduction in the scope of existing reservations made on the shared management funds and in the research policy area. New reservations for 2014 did not concern the large spending programmes and therefore did not translate into a significant increase in scope.

4. The new Juncker Commission has put in place new Vice-presidents with an increase role in terms of political coordination and coherence. Have these changes had an impact on the Secretary-General competences and organisation of its services? Which concrete measures has the SG put in place to address this new political organisation of the Commission?

Commission's answer:

The Vice-Presidents steer and coordinate work across the Commission on the 10 political priorities set out in the Political Guidelines and have been entrusted by President Juncker with leading teams of Commissioners focused on the delivery of well-defined projects in support of these priorities. For example, Vice-President Katainen leads a project team on Jobs, Growth, Investment and Competitiveness; Vice-President Ansip on the Digital Single Market; First Vice-President Timmermans on, inter alia, the rule of law and migration; and Vice-President Dombrovskis on a deeper and fairer Economic and Monetary Union. The new structure of the Commission therefore underpins and reinforces the focused, politically-driven approach of the Juncker Commission.

This change to a more team-based approach has brought about stronger cooperation across the Commission and has helped to break down silos between policy areas.

The role of the Vice-Presidents under the Juncker Commission has had a significant impact on the role and functioning of the Secretariat-General. In agreement with the President, the Secretariat-General supports the Vice-Presidents in the performance of their tasks and coordinates the work of the services on their behalf. It provides this support in a variety of ways, for instance by chairing inter-service groups on major initiatives, preparing project team meetings, providing substantive input in all major policy areas and offering other types of support, such as briefing and mail management.

The Secretariat-General has been reinforced and its working methods updated in line with its new functions and responsibilities. Several units of the Secretariat-General have been reinforced with experienced officials to reflect this expanded role. The new structure of the Secretariat-General based on thematic units covering both the preparation and negotiation of proposals has allowed for a more integrated and coherent approach to policy coordination. A renewed emphasis has been placed on flexibility and cross-team working to prevent silos from being created within the Secretariat-General. The Deputy Secretaries-General have been tasked with promoting these new ways of working.

Through these changes, the Secretariat-General has been able, in partnership with the other Commission services, to provide strong support to the Presidents and Vice-Presidents and to help the Commission play a full role in responding to Europe's political challenges.

Public Procurement

5. The ECA Special Report 2015 "Efforts to address problems with public procurement in EU cohesion expenditure should be intensified" gives comprehensive conclusions and recommendations, on which the European Commission has responded it will follow most. Could you give an overview of the state of play and interim results of the actions taken so far?

Commission's answer:

The Honourable Members are referred to the reply given to question 25 in the 2014 Discharge written questions addressed to Commissioner Cre u.

The Annual Report 2014 of the ECA

6. The ECA states in the report that the level of error of the payments is not necessarily a measure of fraud, inefficiency or waste. It is an estimate of the money that should not have been paid out because it was not used in accordance with the applicable rules and regulations. At the same time the percentage of serious errors by Member States in the case of public procurement in EU funded programmes has doubled. Could you explain the difference between 'serious errors' and 'fraud'? Could there be cases in which mismanagement has been classified as 'serious error' whereas in practice it may have been fraud?

Commission's answer:

The serious errors and irregularities reported by the Court generally represent unintentional errors or lack of compliance with rules rather than cases of fraud. In its 2014 Annual Report, the Court reports in paragraph 1.58 that it identified 22 cases of serious errors comprising a suspicion of fraud in their view, out of all projects audited and serious errors identified.

Irregularities are often the result of genuine errors (e.g. not respecting the proper tendering procedure or an eligibility rule), stemming for example from complexity of rules, lack of administrative capacity or turnover of key personnel. By contrast, fraud is a deliberately committed irregularity constituting a criminal offence.

However, there can be cases in which a serious error is also related to a suspicion of fraud. In those cases, since the Commission applies zero tolerance to fraud and corruption, the Commission's auditors discovering the error notify the case to OLAF for further investigation. This approach is followed by the Court's auditors. If national auditors or operational staff in Member States in charge of

administrative verifications suspect fraud, the case must be notified not only to OLAF but also directly to the national investigative bodies, which cooperate with OLAF.

For the 2014-2020 programming period, according to the Commission Implementing Regulation (EU) 2015/1974 of July 2015, Member States must notify quarterly to OLAF all irregularities and suspicions of fraud. The content of the notification is set out in the Commission Delegated Regulation (EU) 2015/1970 of July 2015. Whenever allegations of serious irregularities or suspected fraud are submitted to OLAF, the Office, upon evaluation of the information, may decide to open an investigation.

The Honourable Members are also referred to the replies given to questions 10, 46 and 47 to the 2014 Discharge written questions addressed to Commissioner Cre u.

Whistleblowing

7. How many cases of internal whistleblowing were registered in 2014? Could the Secretariat General provide an evaluation of the cases reported?

Commission's answer:

The whistleblowing rules offer staff members a variety of reporting channels, which include the possibility for whistleblowers to contact OLAF directly in the context of internal whistleblowing. Recipients of whistleblowing information within the Commission have a duty to pass the information on to this Office.

The Commission is not able to register these reports centrally, because it is not informed when whistleblowers contact OLAF directly. The relevant statistics are therefore held by OLAF, which assesses the information for appropriate follow-up.

According to information provided by OLAF, this Office registered three cases of whistleblowing originating from the Commission in 2014.

8. The European Commission has its own internal guidelines on whistleblowing. How often have these guidelines been applied?

Commission's answer:

The guidelines have been applied since their adoption. They provide for the possibility to seek confidential and informal guidance from various contact points (ethics correspondent, line managers, specialised services, OLAF), which is not recorded.

As regards the protection for staff members who 'blow the whistle' in good faith, there has been one case since the guidelines were issued in which the Commission applied protective measures at the request of a bone fide whistleblower.

9. Has an interim evaluation of the internal guidelines taken place and if so, what are the main outcomes? If not, when is this evaluation planned?

Commission's answer:

The evaluation of the internal guidelines started in October 2015 and is currently ongoing. The results of this evaluation are expected in early 2016.

Performance based budgeting

10. The expenditures of the Union budget under shared management seem to be guided by the principle "money seeks project". Do you agree that in the context of performance based budgeting it is of paramount importance that the EU added value of projects can be demonstrated. Which are the precise criteria for the Commission to measure this? Does this include the criterion that the projects would not have been carried out by Member States without EU funding? If so, how will the Commission check this?

Commission's answer:

The Commission agrees that it is essential that the added value of projects funded or co-funded through EU policies and its instruments can be demonstrated to the European citizens. Projects co-funded under programmes managed under shared management are selected by Member States. A guiding criterion for selection is that the project could not be carried out or not with the same scope without public funding.

Projects supported by EU programmes need to be aligned with EU priorities as identified by Council and Parliament. This is a key leverage factor for delivering EU added value in the later phase of implementation and completion of the programmes. This approach is now enshrined in the regulations for the 2014-2020 programming period adopted by Council and Parliament. Aligning programmes with these priorities was at the core of the programme negotiations for the 2014-2020 period.

Moreover, EU funding is additional to national funding and this additionality is checked by the Commission according to Article 95 of the Common Provisions regulation.

The Honourable Members are referred to the reply given to questions 7a and 8a to the 2014 Discharge written questions to Commissioner Cre u.

Berlaymont Building

11. What are the rules and conditions maintained by the Commission to open up the Berlaymont Building for events organized by profit and non-profit

organizations, like the event Business Europe organized on the 3rd of December 2015?

Commission's answer:

All events and meetings organised within the Commission's premises are under the responsibility of the Commission. In this particular case, the Commission hosted a meeting with Chief Executive Officers invited by Business Europe. Events, conferences, info Days and meetings are organised with a wide variety of stakeholders and organisations. Such meetings take place either in the premises of the Commission or at external venues.

The Honourable Members are also invited to refer to the reply to parliamentary question [E-013191/2015](#).

12. During the CONT meeting of 3 December, Vice-President Timmermans stated in this regard that also the annual meeting of ETUC could take place in the Berlaymont Building, if this was requested by the European trade unions? Can you confirm this and has such a request been made in the mean time?

Commission's answer:

First Vice-President Timmermans indicated that the Commission would be happy to host a similar meeting with ETUC if such a request was made. The Commission has not received any request in this respect.

Revolving doors

13. What is your reaction to the criticisms voiced by Corporate Europe Observatory following the Communication to the Commission on the Publication of Information concerning Occupational Activities of Senior Officials after Leaving the Service (C(2015) 8473 final). See, in this respect: <http://corporateeurope.org/pressreleases/2015/12/commission-report-officials-revolving-door-moves-still-leaves-us-dark>.

Commission's answer:

The criticisms from Corporate Europe Observatory are unfounded and based on a misinterpretation of Article 16 of the Staff Regulations. This article defines the information that should be published regarding the post office activities of former senior officials. The Commission Communication follows the Staff Regulations in place since January 2014.

The Staff Regulations apply to all EU institutions, bodies and agencies. The European Ombudsman recently welcomed the publication by the Commission of the names of certain senior officials who have left the European Commission. She stated that this is further progress from the Juncker Commission on transparency.

The European Ombudsman also called on other EU institutions, bodies and agencies to implement the transparency measures.

14. How will the Commission give follow up to the Ombudsman's recurring request, again made in her letter of 23 November, to proactively publish the advises made by the Ad Hoc Ethical Committee?

Commission's answer:

The Commission has increased the transparency of its decisions on former Commissioners' post-mandate activities by creating a link in the EUROPA "Ethics and Transparency" webpage to the minutes of Commission meetings during which relevant Commission decisions are taken*. The minutes of Commission meetings contain the essential information on each authorised activity, including the name of the former Commissioner involved, the envisaged activity and the conditions/restrictions imposed. The Commission also replies to all related requests for access to documents pursuant to Regulation 1049/2001.

The Commission does not proactively publish the opinions issued by the Ad hoc Ethical Committee as they contain personal data and will inform the European Ombudsman accordingly.

* http://ec.europa.eu/transparency/ethics-for-commissioners/index_en.htm

Transparency Register

15. A survey by Corporate Europe Observatory² indicates that many meetings of lobbyists do not take place at top level, but at unit level of the Commission directorates and are therefore not published at the Commission's website. Taking this practice into consideration, the transparency rules can easily be by-passed. What is the reaction of the Commission to this survey of CEO?

Commission's answer:

On the general policy:

As of 1 December 2014, Commissioners, their Cabinet Members and Directors General publish information on the meetings they hold with interest representatives and apply the rule "not on the Register, no meeting". This was a major and unprecedented step forward. It renders registration a practical prerequisite for interactions with decision-makers in the Commission.

The Commission has chosen to focus the application of the rules on those who make decisions, namely Commissioners, and the Cabinet Members and Directors

² The Transparency Facade: pharma industry lobbying at the European October 26th 2015
Commission <http://corporateeurope.org/power-lobbies/2015/10/transparency-facade-pharma-industry-lobbying-european-commission>

General who provide them with policy advice. This is a proportionate approach which ensures full coverage of those most involved in policy decisions. Beyond this, and as stipulated in the Commission *Practical Guide to Staff Ethics and Conduct*, it is recommended practice for all Commission staff to check the credentials of interest representatives to make sure they are on the Transparency Register. As part of training and awareness-raising actions on relations with interest groups, the Commission constantly promotes this good practice and recalls the obligation to respect the principles of non-discrimination and equal treatment and to act always objectively and impartially.

16. How does the Commission react to the findings of Transparency International³ indicating that 75% of all the Commission lobby meetings are with companies and industry representatives? What will the Commission do to restore the balance in this respect?

Commission's answer:

Bilateral meetings are only one of the many ways in which the Commission engages with stakeholders of all types, see also replies to questions 22 and 36.

Being open to outside input is a principle enshrined in Article 11 TEU and engaging with stakeholders enhances the quality of decision-making by providing channels for the input of expertise. The Commission seeks to obtain input from a representative cross-section of society as the quality of its proposals depends on it. However, it is not always possible to achieve parity in terms of the number of bilateral meetings.

17. What will the Commission do to improve the quality of the lobby entries on the Transparency Register, According to Transparency International, currently more than half of the lobby entries on the Register contain factual errors or are outdated.⁴ Similarly, according to Alter-EU irregularities in the Joint Transparency Register are not well monitored and lobbyists who fill in inaccurate information are often not sanctioned. What is the comment of the Commission on this and which measures will the Commission take to improve the veracity and quality of the Register?

³ Report Transparency International: '7.000 and counting: Lobby meetings of the European Commission' (1 December 2015). http://www.transparencyinternational.eu/wp-content/uploads/2015/11/Lobby-Meetings-European-Commission.pdf?utm_source=Press+release+mailing+%28media,+donors,+TI-Coms,+TI-EU%29&utm_campaign=801fcc7e0c-EU_lobbying12_1_2015&utm_medium=email&utm_term=0_a25a4d9f82-801fcc7e0c-121920569

⁴ Report Transparency International: '7.000 and counting: Lobby meetings of the European Commission' (1 December 2015). http://www.transparencyinternational.eu/wp-content/uploads/2015/11/Lobby-Meetings-European-Commission.pdf?utm_source=Press+release+mailing+%28media,+donors,+TI-Coms,+TI-EU%29&utm_campaign=801fcc7e0c-EU_lobbying12_1_2015&utm_medium=email&utm_term=0_a25a4d9f82-801fcc7e0c-121920569

Commission's answer:

The new version of the Transparency Register launched in January 2015 provides significant improvements in terms of the overall structure and user-friendliness of the tool as well as strengthened reporting requirements; it is also complemented by a set of comprehensive Guidelines for registrants. Some 9,000 organisations are now on the Register, providing a good overview of the main stakeholders interacting with the EU institutions.

It remains the responsibility of each registrant to provide accurate, complete, up-to-date and not misleading information. Not doing so is considered a clear breach of the Code of Conduct binding all registrants. The Commission remains committed to improving the overall data quality in the Register. The Joint Transparency Register Secretariat (JTRS) acts upon complaints and alerts it receives. It ensures basic monitoring of the system in a proportionate manner and within the limits of its resources.

Future negotiations on a possible mandatory inter-institutional system and the public consultation that will precede them will offer us a fresh opportunity to look carefully into all provisions of the current Inter-institutional Agreement on the Transparency Register and to improve it where necessary.

18. How many fte's are currently devoted to the improvement of transparency in the Commission, inter alia through the transparency register? Are there any plans to increase this number?

Commission's answer:

"Transparency" is a cross-DG, transversal subject that has various dimensions such as relations with lobbyists, EU funding (grants & tenders awarded), legislative work, composition and functioning of Expert Groups, handling of access to documents requests, etc. The Commission is not therefore in a position to estimate the overall number of "FTEs devoted to the improvement of transparency".

The resources the Commission is devoting directly to the management of the Transparency Register are estimated at approximately 3 FTEs.

19. In none of the Annual Activity Reports 2014 of the respective directorates a chapter is devoted to Transparency. Could you promise that in the next Annual Activity Reports 2015 of the DG's there will be a chapter in which all the DG's give their view on the incorporation of the different aspects of transparency in the organization, including the cultural aspect of awareness raising among the staff?

Commission's answer:

The purpose and content of the Annual Activity Report is set out in the Financial Regulation (Article 66(9)). The regulation provides that the Authorising Officer by Delegation shall report annually on the performance of his duties to the Commission and that this report shall contain financial and management information, including the results of controls and results of operations by reference to the objectives set, the risks associated with those operations, the use made of the resources provided and the efficiency and effectiveness of internal control systems. In consequence and *per se*, transparency in the Commission does not fall under the scope of the Annual Activity Report and therefore it would not be appropriate to require systematically a section specifically devoted to transparency in each AAR. Authorising Officers may nonetheless report on aspects of transparency in view of the impact that these may have on their operational activities.

"Transparency" is in fact a cross-DG, transversal subject that can be approached from various angles such as relations with lobbyists, EU funding (grants & tenders awarded), legislative work, composition and functioning of Expert Groups, handling access to documents requests, etc. The Commission produces several dedicated crosscutting annual reports on transparency policy, i.e. on *the Implementation of the Access to documents Regulation 1049/2001* and the *Operation of the Transparency Register*. The *General Report on the activities of the EU* also includes a chapter on transparency. These reports are public.

Code of Conduct for Commissioners

20. An EP study conducted in 2014 concludes that the Commission should establish a working group to discuss measures to improve the Code of Conduct for Commissioners. In this working group the EP and relevant civil society actors should participate. Does the Commission intend to provide follow up to this conclusion?

Commission's answer:

The Commission does not intend to establish a working group to discuss the Code of Conduct for Commissioners, as suggested in the study conducted by an external consultant of the European Parliament.

21. The latest version of the Code of Conduct for Commissioners dates back to 2011. When will the Code be revised?

Commission's answer:

The Code of Conduct for Commissioners was revised in 2011. The priority for the Commission is to ensure its full and effective implementation. The Commission will continue to provide adequate support and information to the Members of the Commission and their cabinets in order to foster the highest ethical standards and

encourage ethical conduct and accountability.

Legislative Footprint

22. An important element of transparency is to have a clear overview of the lobbyists who were consulted or had significant input in the legislation or policy of the Commission. Is the Commission prepared to attach a legislative footprint to all legislative proposals? During the meeting of the CONT committee with Vice-President Timmermans, on 3 December 2015, the latter stated that it might be cumbersome to provide this type of information. Can you give an indication of the costs of such an exercise?

Commission's answer:

In accordance with its Better Regulation agenda, the Commission listens closely to citizens and stakeholders, and is open to their feedback, at every stage of the process – from the roadmap, to when the Commission prepares a proposal, through to the adoption of legislation and its evaluation. The Commission publishes the contributions received and reports on the results, which can be accessed through its Your Voice in Europe-web-site.

In addition, as from 1 December 2014, Commissioners, their staff and heads of departments publish on Europa information on meetings held with lobbyists. The rule "not on the Register, no meeting" applies as well. This policy represents another strong element of the transparency in the legislative process.

Given the multi-layer, cross-DG manner in which the Commission prepares and adopts decisions, rules and regulations, attaching a "legislative footprint" to all proposals would be a complex and burdensome exercise. The Commission is not in a position to estimate the possible costs related to such an endeavour.

Parliamentary questions

23. How many written questions did the European Commission answer in 2014? Could you please provide us with a short description of the administrative steps of the process of answering a written parliamentary question? How many Commission staff is involved, on average, until the final answer can be provided to the European Parliament?

Commission's answer:

The Commission replied to 10.045 written questions in 2014. As it was an election year, the figure went down from 2013 when 13.374 written questions were received but increased again in 2015, with some 14.500 questions received. The Commission attaches great importance to Parliament's right of democratic scrutiny and to giving replies of high quality to parliamentary questions. As the Commission replies as an institution to parliamentary questions, each written reply goes through a process of attribution, drafting, validation, inter-service and collegiate endorsement, and translation.

After receiving the question from Parliament, the Secretariat-General attributes it to a lead Commission service and corresponding Cabinet, with other relevant Cabinets and services in association. The lead service produces a draft reply that is agreed with associated services and validated by the lead and associated Cabinets as well as the Commission's legal service before adopted by the whole College in written procedure. During the written procedure, any Commissioner may request changes to the reply.

The Commission has, in a reply to a Written Parliamentary Question (Reply given on 11 June 2015 by Vice-President Timmermans to P-006180/2015) estimated that, in the Commission, about 76 full-time equivalents were dedicated to the preparation of replies to written parliamentary questions. This can be expressed as approximately EUR 490 per question.

It should be noted that, since Parliament in mid-2015 endorsed a new interpretation to its Rule 130 to limit the number of questions from each MEP to max 9 per month, the global volume of parliamentary questions has levelled-off considerably.

College meetings

24. Could you please provide us with an overview of the participation of each Commissioner in the meetings of the college of Commissioners?

Commission's answer:

Information regarding College attendance is public and is included in the minutes of each Commission meeting (once approved by the Commission, '*procès-verbal*' accessible to the public via the Commission's register of documents on Europa since 2001 – Commission Decision 2001/937/EC, ECSC, Euratom).

The Commission, since the beginning of its term of office on 1 November 2014 until the end of December 2015, held **47** regular meetings (7 in 2014 and 40 in 2015).

Overview of participation of each Member of the Commission:

- President JUNCKER:	45	96%
- First Vice-President TIMMERMANS:	43	91%
- HR/VP MOGHERINI:	32	68%
- Vice-President GEORGIEVA:	44	94%
- Vice-President ANSIP:	43	91%
- Vice-President ŠEF OVI :	42	89%
- Vice-President DOMBROVSKIS:	38	81%
- Vice-President KATAINEN:	44	94%
- Commissioner OETTINGER:	41	87%
- Commissioner HAHN:	34	72%
- Commissioner MALMSTRÖM:	40	85%
- Commissioner MIMICA:	38	81%
- Commissioner ARIAS CAÑETE:	36	77%
- Commissioner VELLA:	39	83%
- Commissioner ANDRIUKAITIS:	37	79%
- Commissioner AVRAMOPOULOS:	37	79%

- Commissioner THYSSEN:	46	98%
- Commissioner MOSCOVICI:	41	87%
- Commissioner STYLIANIDES:	39	83%
- Commissioner HOGAN:	40	85%
- Commissioner HILL:	42	89%
- Commissioner BULC:	44	94%
- Commissioner BIE KOWSKA:	41	87%
- Commissioner JOUROVÁ:	45	96%
- Commissioner NAVRACSICS:	43	91%
- Commissioner CRE U:	36	77%
- Commissioner VESTAGER:	43	91%
- Commissioner MOEDAS:	42	89%

Article published by Politico

In an article published last week by Politico (<http://www.politico.eu/article/corina-cretu-commissioner-staff-upheaval-romanian-eu-regional-policy/>), several issues were raised concerning Mrs. Crețu's "light work schedule", "her tendency to combine official trips with leisure travel" and "chauffeur family members".

The aforementioned Politico article raises concerns about Commissioner Crețu's professional conduct. In accordance with articles 17 TEU and 245 TFEU, members of the Commission are required to discharge their duties in the general interest of the Union. As stated in the Commissioner's Code of conduct, this implies that Commissioners should behave in a manner that is in keeping with the dignity and the duties of their office. The European Court of Justice has emphasized this means the Commissioners are required to observe the highest standards of conduct and to ensure that the general interest takes precedence at all times, not only over national interests, but also over personal ones (judgment of 11 July 2006 in Case C-432/04, Commission of the European Communities v Edith Cresson).

The answers provided were very general (<http://www.politico.eu/article/corina-cretu-defends-herself-on-facebook-romania/>).

25. Which measures will the Commission take to shed more light on the allegation mentioned in "Politico"?

Commission's answer:

The Commission Spokesperson already explained on 10 December that mobility of staff working in cabinets is not exceptional.
As regards her work schedule, it was explained that during the first year of her mandate, Commissioner Cre u was in fact very active, visiting 24 countries,

meeting more than 40 regional presidents, attending 10 European Parliament Committee and plenary sessions and 6 Council meetings.

26. Has any former member of her private office filed a complaint?

Commission's answer:

The service of the Commission in charge of dealing with complaints has not received any complaint of a former member of her private office.

27. How many College meetings did Commissioner Cretu attend personally since her nomination? Could the Commission establish a ranking of the 10 Commissioners attending the less college meetings?

Commission's answer:

Please see the overview of participation in College meetings provided in the reply to question 24.

28. Combining professional trips with leave for personal reasons: how many cases of combining professional and private trips are known by the Commission?

Commission's answer:

In 2014, on a total of 97 318 missions, 1 307 were combining professional and private trips. In 2015 the figures were respectively 101 919 and 1 804. In this context, a private trip could consist of a week-end and/or days off, but in any case any additional cost due to the private part of the trip was charged to the person travelling on the mission.

Commissioner Crețu made 6 missions in 2014, none combining professional and private trips. In 2015, the Commissioner made respectively 41 missions and 2 combining professional and private trips.

29. Could the Commission inform the Parliament about the use of the service car by the Commissioner since she took office?

Commission's answer:

The mileage reports of the Service cars assigned to Commissioner Cretu since she took office indicate an average monthly use 2 900 Km per month. This is in line with the Commissioners' average monthly usage.

30. Can the Commission assure that the rules for mission and the rules governing the use of Commission's resources foreseen by the

Commissioner's Code of conduct are fully followed for this and all other Commissioners?

Commission's answer:

The Commission is fully committed to ensure that the rules for missions and the rules governing representation costs of the Commissioners are followed by all Commissioners, in compliance with the Code of Conduct for Commissioners.

Business continuity plan

31. 96% of the Directorates-General and Executive Agencies have adopted and sent to the Secretariat-General new Business Continuity Plans so as to answer unexpected events quickly, efficiently and in a coordinated manner.

a) Does this percentage include DG ECHO?

Commission's answer:

Yes, DG ECHO is among the 96% Commission Directorate-Generals and Executive Agencies having an up-to-date Business Continuity Plan (BCP). The last revision of the DG ECHO BCP dates from October 2015.

b) To what extent does the Business Continuity Plan provide with the necessary rules to deal with cases such as the 2014 Ebola breakout?

Commission's answer:

A Business Continuity Plan (BCP) consists of measures and arrangements to be implemented in the event of a serious operational disruption affecting the Institution. It aims at enabling the Commission to continue delivering on its critical and essential functions at an acceptable level of quality, which is defined in advance.

The Business Continuity Plans of the Commission's Directorate-Generals and Executive Agencies are not based on specific scenarios; they cover general situations impacting the Commission's premises (buildings), resources (including IT) and staff (large absence of staff). Pandemics and epidemics are covered under the third item.

DG ECHO's BCP refers to "public health pandemics" (without further specification on concrete illnesses) as one of the types of risk covered.

Staff

32. Could the Commission provide the number of staff (contract agents, officials, temporary external staff) who was working in the Secretariat General in 2014?

Commission's answer:

On 31/12/2014 the staff of the SG consisted of 583 colleagues in total: 471 officials and temporary agents, 55 contracts agents and 57 external staff, of which 8 were seconded national experts, 30 service providers, 3 interimaire and 16 trainees.

33. The well-being of the employees and the quality of the work of the Commission could be seriously hampered by the growing amount of harassment cases and mobbing. Many of these cases have also been recently exposed through the mass media. How does the Commission assess these cases? How many cases did the commission have in 2014? Does the commission have an accurate monitoring system to track these cases?

Commission's answer:

The statistics of the Commission do not confirm a 'growing amount' of harassment cases and the Commission is not aware that many of these cases were reported in the mass media. However, the Commission agrees that a robust and comprehensive policy protecting the dignity of employees and preventing any form of harassment is essential in any modern organisation.

The Commission policy comprises two pillars: 1) prevention and 2) support and follow-up. The second pillar is about coping with problems that have already occurred, either by an informal or a formal procedure, at the choice of the person affected.

The informal procedure aims at resolution through conciliation. Two paths are open to staff: they may contact a member of the Commission-wide network of confidential counsellors, or the Commission Mediator. The formal procedure is initiated on the basis of a request for assistance under Article 24 of the Staff Regulations. These requests are submitted to a dedicated unit in DG HR which may in turn call on the Commission's Investigation and Disciplinary Office to consider whether there are sufficient indications to warrant an administrative inquiry.

In duly justified cases, emergency measures may be taken to separate the two parties and to give the staff member affected a chance to recover.

Cases are monitored and registered. In 2014 there were 175 requests for an informal procedure, and 21 requests for a formal procedure. Six administrative inquiries were opened in relation to allegations of harassment.

Gender

34. The percentage of female senior managers had followed a positive trend between 2011 and 2013, being particularly remarkable the increase of 2013. However, the number of women in senior management has fallen from 2013 to 2014.

a) What is the reason for this decrease?

Commission's answer:

Number of Senior Managers

	F	% F	M	% M	Total
31/12/2013	93	27%	248	73%	341
31/12/2014	97	28%	251	72%	348

Female representation in senior management on 31 December 2013 and on 31 December 2014 has gone up very slightly. However, because of appointments, retirements or other career events, the percentages vary depending on the date of reference.

The positive trend was kept over 2015 with a total percentage of 29% of female senior managers on 31 December 2015.

President Juncker set a target of 40% female senior and middle management in the Commission by the end of the mandate in his mission letter to Vice-President Georgieva. This target reflected his dissatisfaction with the level of female representation in senior and middle management at that time. President Juncker asked the Vice-President to pay particular attention to gender equality in the recruitment process and throughout the career path.

To reach this target, the Commission has set up a series of accompanying measures which encourage women to apply, to raise awareness about management functions, verifying personal interest and motivation to move to management posts, and subsequently provide female officials with the necessary tools to prepare themselves in the best possible way. It also continues to monitor all along the selection process, the presence and progress of female candidates and ensure that the equal opportunities policy is fully respected.

The results of these measures are already being felt and the Commission will undertake all necessary efforts to ensure the target is met.

b) What does the Commission intend to do to recover the previous positive trend and furthermore assure real equality among the senior members of its staff?

Commission's answer:

See above (Q 34 a)

35. The 2014 Commission official target is 25% of female senior managers? What is the reason for this precise amount? Why is it so distant from 50%?

Commission's answer: (see also the reply to Question 34)

The 25% was a first target the Commission has set itself with regards to female participation in management. This target has been replaced by the current

Commission by the target of 40% of female managers at middle management and at senior management by the end of 2019.

Impact-assessment

36. How has the impact-assessment culture improved the efficiency of the Commission's policies? What does the Commission intend to do to enhance the coordination among Directorates-General to adopt REFIT items?

Commission's answer:

External evaluations by the European Parliament⁵, the European Court of Auditors⁶, the Centre of European Policy Studies⁷ and, most recently, the Organisation for Cooperation and Development in Europe (OECD)⁸ have confirmed that the Commission's impact assessment system is effective in raising the quality of proposals and represents international best practice in terms of transparency and its integrated approach. The same studies have shown that the Commission's system is constantly improving. Most recently, the Commission adopted a "Better Regulation package" in May 2015⁹ setting out ambitious new commitments to further enhance its practices, e.g. with regard to transparency and public consultation in the proposal stage or strengthening ex post evaluation of legislation.

REFIT has been fully integrated into the working methods of the Commission, forming part of the annual Commission Work Programme. The 2016 Work Programme includes 44 REFIT initiatives. Regular inter-service contacts are maintained from senior management level down, both at general network level and bilaterally between the Secretariat-General and the Directorates-General.

National parliaments

37. Why the objective to reply to the national parliaments in the delay of three months has not been fully achieved. What has been the main outcome of establishing direct relations between the Commission and the national parliaments?

Commission's answer:

The informal political dialogue with national Parliaments is not a Treaty obligation but rather an initiative launched proactively by the Commission in 2006. There is no legally binding deadline for replies to national Parliaments but

⁵ http://www.europarl.europa.eu/RegData/etudes/etudes/join/2011/453179/IPOL-JURI_ET%282011%29453179_EN.pdf

⁶ http://ec.europa.eu/smart-regulation/impact/docs/coa_report_3_2010_en.pdf

⁷

<https://www.ceps.eu/system/files/WD362%20Fritsch%20et%20al%20Regulatory%20Quality%20in%20the%20Commission%20and%20the%20UK.pdf>

⁸ <http://www.oecd.org/gov/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm>

⁹ http://ec.europa.eu/smart-regulation/better_regulation/key_docs_en.htm

the Commission nevertheless endeavours to reply to national Parliaments within three months. Delays were observed during the transition period between the outgoing and the incoming Commission and during the period in which the new Commission conducted a review of the pending legislative proposals. Today the Commission generally responds within three months. Measures have also been taken to further improve the quality of the replies and to put more emphasis on the political arguments underpinning the Commission's proposals.

In view of the special role of national Parliaments in EU affairs and their direct link to EU citizens, the Commission has been active in promoting their closer and more active involvement in the EU decision-making process. The political dialogue with national Parliaments is a well-established and valued form of communication on Commission proposals, policy documents and other EU topics. Written exchanges are complemented by the many visits that members of the Commission and Commission officials pay to national Parliaments to explain and discuss important Commission initiatives and improve understanding of Member State issues.

The political dialogue goes hand-in-hand with the subsidiarity control mechanism introduced by the Lisbon Treaty. The Commission considers that both instruments have contributed positively to the EU legislative process and to increased engagement by members of national Parliaments in EU affairs. National Parliaments' input in the early stages of the design of EU legislation is particularly welcomed by the Commission.

EU 2020 strategy

38. What has been the role of the Secretary General in coordinating the 7 flagship initiatives of the EU 2020 strategy? How has this role been evaluated and by which indicator?

Commission's answer:

As for the Europe 2020 headline targets, the monitoring of progress towards the flagship initiatives of the Europe 2020 strategy by the Secretariat-General is done in close cooperation with the other Commission services (example: DG EMPL for the flagship initiative "The European platform against poverty and social exclusion", DG RTD for the flagship initiative "Innovation Union"...). As a concrete example of this cooperation, based on the inputs of the relevant DGs and on a close dialogue with them, the Secretariat-General prepared in 2014 a Communication on the state of play of the Europe 2020 strategy, including progress towards each headline target and each flagship initiative (COM(2014) 130 final and relevant Annexes). The good cooperation of Commission services in the country teams of the European Semester coordinated by the Secretariat-General also feeds into the monitoring of the Europe 2020 strategy.

39. Will those flagship initiatives be maintained in the future? How can they be managed in the framework of the new architecture of the Commission chaired by Jean-Claude Juncker?

Commission's answer:

Europe 2020 remains valid as the EU's strategy for jobs and growth. As highlighted in the 2014 Communication taking stock of the Europe 2020 strategy, most of the initiatives envisaged at the outset have by now been presented by the Commission and many have been adopted. Thus, most of the flagship initiatives have served their purpose. Furthermore, the ten priorities of this Commission's Political Guidelines provide for a vision which is fully compatible with the Europe 2020 strategy. Therefore, the remaining challenges can be adequately addressed by the Commission's various work strands.

This is also consistent with the outcome of the public consultation on the Europe 2020 strategy held in 2014 where participants, while recognising that the flagship initiatives have delivered so far, call for action in their respective areas to be pursued through other forms, namely coherently organised and overarching policy programmes.

40. Why all the indicators put in place in the preceding years to measure the progress of the Europe 2020 strategy growth enhancing reforms at both EU level and national level have been removed from the annual activity report of the Secretary General in 2014?

Commission's answer:

The indicators to measure the actual progress of the Europe 2020 Strategy at both EU and national level were removed from the annual activity report of the Secretariat General in line with their removal from the management plan.

This approach to reporting reflects the actual role of the Secretariat General, as a horizontal service, in steering and coordinating work across all relevant Commission services in relation to the European Semester of economic governance and the Europe 2020 strategy. In line with this role, the reporting of the Secretariat General contains specific objectives and relevant indicators such as, for example, a result indicator looking at the quality of the Commission's analysis and of the pertinence/relevance of the country-specific recommendations.

The policy work is done by the relevant DGs who report on it in their Annual Activity Reports in accordance with the indicators they have defined and in the Programme Statements linked to the programmes they manage.

The indicators measuring progress towards the Europe 2020 strategy – which rely on Eurostat data – remain fully valid and are used by the Commission services. In particular, the Commission reports on Member States' performance towards their national Europe 2020 targets on a yearly basis in the Country Reports, i.e. the country-specific analysis produced in the context of the European Semester. Eurostat also publishes yearly updates of the developments regarding the main

indicators of the Europe 2020 strategy. Therefore, distinction should be made between the reporting on the indicators measuring progress of the Europe 2020 strategy in these reports and the reporting in the annual activity report of the Secretariat General in line with its horizontal steering and coordinating role.

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