

2016 Discharge to the Commission

WRITTEN QUESTIONS TO THE SG OF THE COMMISSION ITALIANER

Hearing on 7 December 2017

Whistleblowing

1. How many cases of internal whistleblowing were registered in 2016? Please provide Parliament with an analysis of the cases reported.

Commission's answer:

The Commission registered no such cases in 2016.

2. How would you summarize the results of the public consultation on whistleblower protection?

Commission's answer:

The open public consultation conducted this year attracted strong interest. The Commission received around 5.700 replies, of which around 200 from stakeholder organisations.

The majority of respondents (99%) were overwhelmingly in favour of protecting whistleblowers. As regards the areas in which the EU should support Member States to better protect whistleblowers, the top areas respondents cited were the fight against fraud and corruption (90%) and the fight against tax evasion and avoidance (86%). Amongst the benefits of whistleblowing, respondents underlined: compliance with the law (75%), transparency and accountability (70%), freedom of expression (59%).

The full results are available online at http://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=54254.

- a. Does the Commission intend to put forward a proposal for establishing a comprehensive common regulatory framework for the protection of whistleblowers as suggested in the European Parliament resolution of 24 October 2017 on legitimate measures to protect whistle-blowers acting in the public interest when disclosing the confidential information of companies and public bodies?

Commission's answer:

As indicated in its 2018 Work Programme, the Commission is working on assessing which concrete initiatives would bring the most added value towards strengthening the protection of whistleblowers at EU level.

The Commission services are currently drafting an Impact Assessment with a view to finalising work and presenting any relevant initiative by Spring 2018.

- b. How many internal whistleblowing cases from within the Commission has OLAF registered in the course of 2016?

Commission's answer:

OLAF registered no such cases in 2016.

3. How does the Secretariat-General ensure the safety of its internal IT systems as regards the protection of the whistleblowers? Has the Secretariat-General encountered challenges in this regard?

Commission's answer:

Internal reporting lines in the Commission are made clear in Chapter 2 on Reporting Procedures of the Commission Guidelines on Whistleblowing. Several options to report irregularities are open.

First option:

If a staff member chooses to communicate with his or her hierarchy by electronic means, and not on paper, encrypted e-mail is available to all staff. No incidents have been reported in this regard.

Second option:

Whistle-blowers can report financial irregularities or fraud in relation to the use of the EU budget and serious misconduct of EU institutions' and bodies' staff through OLAF's web tool "Fraud Notification System" (FNS). Individuals or organisations wishing to report through FNS can provide input anonymously by responding to a questionnaire or making use of the mailbox enshrined in the system.

The confidential information submitted and the user's personal data are protected by OLAF's independent and secured IT infrastructure.

4. Which measures has the institution taken to raise awareness of staff, in particular managers, concerning the whistleblowing rules and guidelines?

Commission's answer:

The review of the Whistleblowing Guidelines was finalised in 2016. The review concluded that it is necessary to increase staff awareness of the whistleblowing rules and guidelines, in particular among managers, who play a pivotal role in the reporting system.

The Commission is currently implementing specific actions recommended by the review.

Since 2016, the Commission has:

- Mainstreamed training on whistleblowing in ethics trainings given to staff; included whistleblowing in the e-learning module on ethics, and increased ethics trainings given to managers where whistleblowing training is incorporated from the managers' perspective;
- Increased the profile of the whistleblowing page on the intranet, by updating and expanding the information available to staff;
- Identified a contact point in the Commission's psycho-social service for whistleblowers to speak in confidence, and provided training to the psycho-social service on whistleblowing.

The Commission will continue to review the quality and the impact of the Guidelines on a regular basis.

Written questions

5. How many written questions did the European Commission answer in 2016? Could the Commission provide an evaluation of workload, on average, until the final answer can be provided to the European Parliament? Which was the average cost per written question in 2016?

Commission's answer:

In 2016, the Commission replied to 9 543 written parliamentary questions (in 2015 the Commission replied to 14.544 written questions). In comparison to 2015, workload decreased to an average of 38 questions per day.

In June 2015, the Commission replied to a written parliamentary question (P-006180/2015) on the workload and cost of written parliamentary questions. Using the same methodology, the Commission estimates that about 50 full-time equivalents were dedicated to the preparation of replies to written parliamentary questions in 2016. However, in practice many more than 50 full-time equivalents are involved in work on written questions. According to the Commission's estimate, the overall cost for the Commission to respond to written parliamentary questions is approximately EUR 320 per question.

The joint process to improve management of parliamentary questions led by the Deputy Secretaries-General of the European Parliament and the Commission is showing first results. The reduced number of parliamentary questions is being matched with more timely and higher quality replies from the Commission.

6. Did the introduction of the interpellations in the new rules of the Parliament (January 2017) contribute to decrease the number of the written questions submitted by the Members of the Parliament? Did the use of interpellations instead of written questions lead to savings in Commission workload (working hours and staff devoted for replies

Commission's answer:

The Commission believes that the decrease in the number of written question is primarily due to the fact that the European Parliament's new rules of procedure set a maximum number of parliamentary questions for written answer that a Member of the European Parliament can put: twenty questions over a rolling period of three months.

Staff matter

7. What measures has the Commission taken since 2015 in ensuring that at least 40% of the senior (Director level and above) and middle management posts are held by women by 2019? Please provide current statistics as regards women in senior and middle management positions in the Commission as a whole as well as a breakdown by DGs

Commission's answer:

The measures taken include the following:

July 2015: Commission decision assigning DGs indicative sub-targets in terms of female representation at middle management level by 2019. At the same time, supporting measures were taken to ensure that selection procedures attract a maximum number of female applications: selection panels are gender balanced and that DG Human Resources and Security and the Commission's Consultative Committee on Appointments may instruct selection panels to review their conclusions in case no / not enough female applicants are proposed for further interviews.

July 2016: the first annual progress report on gender representation was endorsed by the Commission. On the basis of this report, targeted messages were conveyed to the Commissioners in case their respective DGs were lagging behind in terms of female representation.

July 2016: Commission decision to reinforce the existing measures regarding the selection procedures for management posts and adopt additional ones. In particular:

- The portfolio Commissioner needs to be systematically informed on the impact of proposed middle management appointments on the DG's prospects to meet its individual target.
- DGs may also be prevented from filling vacant middle management posts in case no tangible progress has been made.
- More recently, on 19 July 2017, the Commission approved DG-specific targets for the first appointments of women to middle management functions. They represent the DGs' contribution to reaching at least 40% female managers by 2019.
- Moreover, additional measures have also been adopted, by which DG HR:
 - May refer intended appointments of middle managers to the Consultative Committee on Appointments, if the progress made by the concerned DG is not sufficient with a view to fulfilling its assigned target.
 - Will monitor the progress towards the targets, discuss and review with each DG their middle management appointment prospects and plans and regularly report on the progress made by each DG to the College.
 - Will ensure that vacancy notices for middle management positions are formulated in a way that they do not discourage female applications by specifying requirements not essential for the fulfilment of the managerial functions.
 - Accompanying measures include those aimed at attracting more female applicants, such as early identification of high-potential female staff members, mentoring and coaching, networking, pre-management training sessions and awareness campaigns.

In view of the results achieved so far, we consider that the measures taken by the Commission are effective.

In **Annex**, female representation at middle management level presented by DGs, on 1 November 2017.

8. The Commission set the target of a 40% rate of female managers at middle management and senior management level. Where are we now and what measures is the Commission setting in order to achieve this target? Has there been an evaluation of the effectiveness of measures of gender-equality?

Commission's answer:

Since the beginning of the Commission's mandate, the overall share of women in management has grown from 30% to 36%. At senior management level, female representation has increased from 27% to 35% and at middle management level, from 31% to 37%.

Please refer to the reply to question 7 for details of the measures taken, and the annex referenced in the reply to question 7 for the latest figures.

9. The Court of Auditors recommended to the Commission the update of personal situation and management of family allowances. What measures had the Commission been taken to improve its monitor systems?

Commission's answer:

The following measures have already been taken to improve the update of the personal situation and the management of family allowances:

- An end date $\leq n+4$ has been added to all cases of household allowances granted on the basis of the spouse's income. Agents are already reminded every year by the PMO to declare their spouse's revenues via Sysper. A front office module to declare divorces or legal separations is also being developed to allow agents to easily declare such situations.
- An end date at December N+1 has been added to education allowances for children in higher education (aged 18 to 26) for the academic year N-N+1.
- The family allowances received from other sources can already be declared via a front office in SYSPER and PMO informs regularly agents of the obligation to request national allowances when eligible. Moreover PMO will run a control in 2018 of all the situations where such allowances could be received in order to update all files.

Furthermore, PMO takes full advantage of its different communication channels such as Staff Matters Newsletter, PMO Info days, My IntraComm, in order to regularly remind agents about their obligation to declare relevant changes occurring in their personal and family situation as well as allowances received from other sources.

A proactive notification system is being developed and will allow the PMO to further improve its communication mechanism with the agents to ensure the regular update of their personal situation.

10. Having regard to Article 3 of Council Regulation (EC) No 160/2009 of 23 February 2009 and considering that the right of initiative to propose amendments to the Conditions of Employment of Other Servants of the EU (CEOS) lies with the Commission:

a. has the Commission ever asked for such a report from Parliament?

Commission's answer:

The Bureau of the European Parliament adopted this report on 16 January 2012 (PE473.242/BUR). The report concluded that there was no evidence that the Statute for Accredited Parliamentary Assistants needed to be adapted.

b. has the Secretary General of the European Parliament transmitted to the European Commission the Report on the evaluation of the new Statute for Parliamentary Assistants requested in paragraph 85 of the Resolution of 28 April 2016 on discharge for the financial year 2014? What are the European Commission's views and comments to the proposed solutions to problematic issues concerning Parliamentary Assistants?

Commission's answer:

In 2014 amended rules entered into force following the adoption of Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013.

A report on the application of the Conditions of Employment of Other Servants of the EU is to be submitted by the Commission to the European Parliament and to the Council, according to Article 142 of the said Conditions of Employment.

11. Could the Commission provide the number of staff (contract agents, officials, temporary and external staff) who was working in the Secretariat General in 2016?

Commission's answer:

SG	31/12/2016
Officials	505
Contract staff	57
Intra-muros service provider	35
Trainees	15
Seconded national experts	11
Extra-muros service provider	4
Interim Agents	4
Temporary staff	1
Atypical external persons	1
Total	633

12. How many cases of harassment have been registered in the Commission in 2016?

- a. How many requests were there for an informal procedure, and how many for a formal procedure? How many administrative inquiries were opened in relation to allegations of harassment?

Commission's answer:

In 2016 there were 143 requests for an *informal* procedure. Those figures refer to any situation handled under that procedure, be it a workplace conflict or potential case of harassment. There were also 6 requests for a *formal* procedure under Article 24 of the Staff Regulations and 1 request directly addressed to IDOC. IDOC dealt with all 7 cases, none of which materialised as case fulfilling the legal qualification of harassment.

13. Were there any suicides attempted by Commission staff members in 2016?

Commission's answer:

The Commission is not in possession of information regarding attempts of suicide.

14. Do you consider the Secretariat-general of the Commission to be adequately staffed given the decrease of the number of the legislative initiatives?

Commission's answer:

The Secretariat-General plays a central role in the policy coordination process of the Commission while also being directly responsible for key policy initiatives.

Under the Juncker Commission, the role of the Secretariat-General was significantly strengthened and its remit expanded to provide support not only to the Presidents, but also to the (initially seven, now six) Vice-Presidents. This additional support covered a range of functions including policy coordination, organisation of project team meetings, briefing and mail management. The Secretariat-General is now chairing Interservice Steering Groups on major policy initiatives. The reinforcement of 80 posts received on 1 January 2015 proved crucial for the delivery on the key priorities and tasks entrusted to the Secretariat-General.

In 2018, the Secretariat-General will continue to play a leading role in the development and drafting of many of the major strategic initiatives announced by President Juncker, such as the future Multiannual Financial Framework beyond 2020, the follow-up to the UN Sustainable Development Goals and the new initiative to enhance subsidiarity, proportionality and better regulation, as well as following the inter-institutional negotiations on proposals made previously. In addition, the Secretariat-General will also have a coordination role to prepare the Commission for the withdrawal of the United Kingdom from the EU.

Against this background, the Secretariat-General is sufficiently staffed to ensure the smooth delivery of the key priorities under its area of responsibility.

15. The Commission started to implement the 5% staff reduction in 2012. How has this staff reduction goal affected the work of the Commission? In which areas has the reductions been made? What were the structural changes in the establishment plan?

Commission's answer:

The target of 5% staff reduction has been achieved over the period 2013-2017: 1,254 establishment plan posts have been cut—and the Commission has also reduced by 552 the number of other personnel over the same period.

The Commission has taken all necessary measures to mitigate the effects of the staff reduction on the delivery of results. These measures consisted of internal redeployment of resources to new priority areas and revision of a number of horizontal processes.

Since the start of the Juncker Commission, given the ongoing reduction of staff and new political challenges requiring appropriate resources, the Commission has been undergoing a targeted analysis of synergies and efficiency gains. That analysis focuses on professional support communities (human resources, logistics, communication, ICT) in view of identifying more efficient ways of working and

creating additional redeployment capacity.

In addition, targeted reviews of particular Commission departments have taken place in 2015-16, which materialised in individual reduction targets to be reached in mid-term and redeployment of resources to new priority areas (like migration). The pursuit of efficiency gains is directly linked to a much decreased room for internal redeployment within individual departments following five consecutive reduction rounds.

Finally, it has to be noted that the impact of the reduction has also been at least partially mitigated by the increased weekly working time as from 2014 (40h/week comparing to 37.5h before the entry into force of the new Staff Regulations). The increased workload has been also reflected in the increasing level of non-recuperable extra-time worked by Commission staff.

16. Le Commissaire Oettinger a indiqué récemment aux représentants des travailleurs de la Commission Européenne que les restrictions à la politique de personnel sont terminées sous risque de nuire gravement à la fonction publique européenne. Quelles vont être les démarches de la Commission à ce sujet dans un court, moyen et long terme?

Commission's answer:

La Commission réitère la position communiquée dans le document de réflexion sur l'avenir des finances de l'UE (COM(2017) 358 du 28 juin 2017), à savoir que le futur budget de l'UE devrait "comporter les dispositions nécessaires à l'existence d'une fonction publique européenne forte, qui attire des jeunes de talent venus de toute l'Union et soit capable d'obtenir des avancées sur les priorités retenues à l'issue de cette réflexion. Les décisions relatives aux politiques et instruments à venir devraient prendre en compte l'impact sur les ressources humaines.

Une nouvelle réduction des effectifs pourrait mettre en péril le bon fonctionnement des institutions de l'UE. Les réformes précédentes ont réduit les salaires, allongé le temps de travail et reculé l'âge de la retraite. De toute évidence, intégrer les institutions de l'UE présente de moins en moins d'intérêt aux yeux des jeunes ressortissants d'États membres au revenu par habitant relativement élevé. Les conditions de travail ne sont peut-être qu'un facteur parmi d'autres dans de telles décisions, mais la tendance est claire."

17. Les conditions de travail des fonctionnaires et autres agents de l'UE au Luxembourg n'ont cessé de se détériorer depuis 2004. Il en a résulté des conséquences hautement dommageables pour ces travailleurs, mais aussi pour l'image de marque des Institutions de l'UE en leur qualité d'employeurs:

- a. **Dumping social:** des centaines d'agents contractuels sont engagés par les Institutions de l'UE au Luxembourg à des conditions en-dessous des minima prévus par les lois nationales.

Ainsi, ces agents contractuels ne perçoivent même pas le salaire minimal de l'ouvrier qualifié (2.398.30 € au 1^{er} janvier 2017) Il reste par ailleurs très difficile de comprendre que les lois locales constituent pour la Commission et l'EEAS, un seuil minimum de protection pour les milliers d'agents locaux travaillant dans les Délégations de l'UE de par le monde cf. art. 121 RAA (Statut FPE), et que ce principe est tout simplement ignoré à l'intérieur de l'UE...Est-ce que la Commission a prévu des solutions à ce problème majeur? Si non, qu'est-ce que la Commission compte faire pour le résoudre?

Commission's answer:

La Commission a adopté en juillet 2015, sans remettre en cause la hiérarchie des normes applicables aux relations entre l'Union et ses agents, une décision visant à éviter toute situation dans laquelle un agent de la Commission affecté au Luxembourg se verrait octroyer une rémunération nette inférieure à ce que recevrait un salarié qualifié bénéficiant du minimum salarial national pour un ouvrier qualifié, en tenant compte notamment des avantages liés à la famille de ce dernier. Pour les agents concernés, un versement mensuel est effectué en complément de leur rémunération.

Par ailleurs, dans le cadre de l'accord conclu en mars 2015 entre la Vice-Présidente Georgieva et les représentants du personnel à Luxembourg, la Commission a mis en œuvre plusieurs autres mesures visant à améliorer les conditions d'emploi du personnel dans les grades les plus bas à Luxembourg. La Commission a par exemple pris des mesures financières (prix réduit dans les cantines), ajouté des quotas de reclassement en 2014, 2015 et 2016 (pour offrir des possibilités supplémentaires d'accès au grade supérieur), ou encore facilité, avec la récente adoption des dispositions d'exécution générale concernant les agents contractuels, le changement de groupe de fonction.

- b. **Jungle sociale dans les crèches-garderies:** La situation dans ce secteur pourtant très sensible interpelle fortement. L'on y trouve ainsi 5 types de contrats différents pour le même métier d'éducateur : des Salariés de Droit Luxembourgeois (régis par la Convention collective SAS), des Agents Contractuels (GF III au PE et GF II à la Commission), des intérimaires "de longue durée", des prestataires de service et des « indépendants »... En bref une véritable "jungle sociale" pour un métier pourtant réglementé au plan national et exposant les Institutions de l'UE à des critiques de tous ordres, alors qu'il s'agit d'un secteur d'activité on ne peut plus sensible qui accueille des milliers d'enfants en bas âge.

Le Secrétaire Général ne considère-t-il pas que,

– à défaut de clause dérogatoire dans le Statut de la FPE exemptant les Institutions de l'UE, en leur qualité d'employeurs, du respect des lois sociales nationales,

– sur base de la pratique précitée hors UE, et

– vu le caractère d'ordre public et d'application générale, de la Convention collective SAS précitée,

que cette dernière CC devrait être le seul cadre réglementaire applicable à ce collectif travaillant dans les crèches-garderies des Institutions de l'UE au Luxembourg? En tout cas, qu'est-ce que la Commission compte faire pour résoudre ce problème?

Commission's answer:

À Luxembourg, l'Office Infrastructures et Logistique Luxembourg (OIL) de la Commission gère deux garderies au sein des Centres polyvalents de l'enfance interinstitutionnels (CPE). En revanche, la crèche, qui fait aussi partie des CPE, est gérée par le Parlement européen.

Les CPE sont présents sur 2 sites, un à Bertrange/Mamer et un au Kirchberg. Les garderies des CPE accueillent les enfants à partir de 3 ans et demi jusqu'à 14 ans. Elles sont accessibles aux enfants du personnel de l'ensemble des Institutions européennes présentes à Luxembourg, de même que la BEI.

La réponse à cette question se concentre sur la situation des travailleurs dans les garderies des CPE sous la responsabilité de la Commission.

Lors de la réforme de 2004 du statut des fonctionnaires, le statut d'agent contractuel a été créé afin de rationaliser un ensemble d'autres régimes existants auparavant. Suite à cette réforme, le personnel de droit luxembourgeois travaillant dans les CPE et donc, notamment dans les garderies, a été invité à choisir entre conserver son contrat de droit luxembourgeois ou changer de statut pour devenir agent contractuel de Groupe de Fonction (GF) II, à durée indéterminée. La plupart a choisi de rester sous contrat de droit luxembourgeois. Depuis cette réforme, la Commission n'a plus recruté de travailleur sous contrat de droit luxembourgeois. Nous sommes donc actuellement dans une phase de transition qui s'achèvera après le départ du dernier salarié de droit luxembourgeois.

Par ailleurs, il est vrai qu'il est fait appel à du personnel intérimaire afin, tout d'abord, de palier des absences de courte durée du personnel en place (maladie, congé parental ou pour convenance personnelle). D'autre part, lors d'une augmentation temporaire du nombre d'enfants inscrits, des groupes temporaires sont créés, pour lesquels du personnel intérimaire est normalement recruté. Ces recrutements de personnel intérimaire, parfois de longue durée, se font en conformité avec la législation luxembourgeoise.

Dans les garderies des CPE de la Commission, il n'y a pas de prestataires de services de garderie ni « d'indépendants ».

- c. **Attractivité du Luxembourg en tant que Siège d'Institutions de l'UE:** cette situation est aggravée par une disparité de pouvoir d'achat avec Bruxelles de quelques 8.1 % (chiffre 2016). L'EFTA a d'ores et déjà adopté un coefficient correcteur pour son personnel en place au Luxembourg de 8.1 % (Janvier 2016).

Qu'envisage faire la Commission pour rétablir la parité de pouvoir d'achat au Luxembourg par rapport à Bruxelles?

Commission's answer:

Under the EU Staff Regulations, in particular Article 64 thereof, it is legally not possible to apply a correction coefficient to the remuneration of staff based in Luxembourg and Brussels.

Within the EU Staff Regulations, since the entry into force of Regulation (EU, Euratom) No 1023/2013 of European Parliament and of the Council of 22 October 2013, the evolution of the cost of living in Luxembourg is taken into account in the framework of the annual update of remuneration and pensions, on the basis of a Joint Index combining inflation in Belgium and Luxembourg, weighted according to the distribution of staff serving in those two Member States.

The Commission notes that the coefficient applied by EFTA is calculated according to the staff rules of EFTA which is a different international organisation having its own legal framework. Other international organisations with staff located in Luxembourg do not calculate such a coefficient.

Ne faudrait-il pas, comme premier pas, y mener les 2 Enquêtes Logement, et Dépenses parmi les plus de 10.000 fonctionnaires et autres agents de l'UE affectés au Luxembourg?

Commission's answer:

Under the Staff Regulations, the cost of living in Luxembourg is taken into account within a Joint Index combining inflation in Belgium and Luxembourg. The methodology for calculating this index is statistically sound. It is defined by Eurostat in cooperation with Member States' national statistical institutes. The methodology used for that calculation is based on the consumer price index (CPI) calculated by the Luxembourg statistical institute and does not include conducting surveys on the consumption and housing patterns of staff serving in Luxembourg.

Pourquoi ces Enquêtes n'ont-elles jamais été pratiquées au Grand-Duché de Luxembourg? La Commission a-t-elle l'intention de les lancer bientôt? Dans quels délais?

Commission's answer:

The Staff Regulations and the methodology put in place by Eurostat and the national statistical experts does not provide for surveys on the consumption and housing patterns of staff serving in Luxembourg.

The cost of living in Luxembourg is however taken into account in the Joint Index used for the update of remuneration and pensions (see above).

– Qu'est-ce que la Commission –PMO- a fait exactement, où est en train de faire, pour éviter la discrimination des tarifs appliqués aux affiliés du RCAM au Luxembourg? Quels ont été les résultats? Est-ce que cette discrimination manifeste a diminué ou a été éradiquée?

Commission's answer:

La Commission, et notamment le PMO en tant que service en charge de la gestion du RCAM, continue d'analyser régulièrement l'évolution des coûts de santé et se réserve la possibilité de prendre toutes les initiatives nécessaires auprès des autorités nationales et des représentants des prestataires de soins, en tenant compte du cadre juridique applicable, de la jurisprudence de la Cour de justice de l'Union européenne et des risques inhérents à la dénonciation des conventions existantes.

Les dispositions de la directive 2011/24/EU ne sont pas d'application aux affiliés du RCAM. Ces derniers bénéficient en effet d'un régime de sécurité sociale spécifique établi par le statut des fonctionnaires et le régime applicable aux autres agents de l'UE.

La jurisprudence de la Cour de justice de l'Union européenne a cependant confirmé qu'en l'absence de justification objective, l'application, de manière unilatérale, de tarifs plus élevés que ceux applicables aux affiliés au régime national de sécurité sociale constitue une discrimination en raison de la nationalité interdite par l'article 18 TFUE (voir notamment l'arrêt du 3 octobre 2000 dans l'affaire C-411/98 – Ferlini).

Or, les tarifs appliqués aux affiliés du RCAM à Luxembourg font l'objet de conventions entre la Commission et des représentants de prestataires de soins du Luxembourg.

Plusieurs analyses approfondies de la situation ont d'ailleurs permis de constater que ces conventions constituent, en tenant compte du libre choix de prestataire garanti par le régime commun d'assurance maladie et par rapport à la situation antérieure caractérisée par la liberté de fixation de prix, une protection pour les affiliés contre des hausses incontrôlées des coûts de santé. En outre, la libéralisation des tarifs de santé qu'entraînerait une dénonciation desdites conventions comporterait des risques financiers et juridiques importants pour le régime et ses affiliés.

Néanmoins, dans le cadre de la convention existante avec les hôpitaux luxembourgeois et notamment l'article 4, la commission technique a été activée. Celle-ci procédera à la révision des tarifs hospitaliers appliqués aux affiliés du RCAM.

Budget lines

18. Why are the activities of the EC Sec Gen based on other budget lines than the one foreseen for the Commission's policy coordination and legal advice? Please give a detailed reply as to the budget lines concerned in Title 01, 02, 18 migration, 24 fight against Fraud and 26 (Annex 3 of the Annual Activity Report- Budget lines).

Commission's answer:

Title 01:

In 2015, the Structural Reform Support Service was created in the Secretariat-General. This entity replaced the Task Force Greece and Support Group Cyprus, which were administratively attached to Directorate-General Economic and Financial Affairs (Title 01).

Therefore, the Directorate-General Economic and Financial Affairs made available to the Secretariat-General the administrative appropriations that had been allocated under the 2016 budget to the replaced entities.

Title 02:

The Directorate-General Internal Market, Industry, Entrepreneurship and SMEs manages the COSME programme and makes appropriations available for a specific action to the Secretariat-General (see question 31).

Title 18:

The budget line 18.040102 "European Citizens' Initiative" was created in the 2016 budget at the request of the European Parliament. As the Secretariat-General manages the European Citizens' Initiative, it has been appointed authorising officer by delegation for this budget line in Title 18.

Title 24:

The European Anti-Fraud Office (Title 24) makes a small amount available to the Secretariat-General on a yearly basis for informatics maintenance of the module developed for the European Anti-Fraud Office in the informatics tool "Data Protection Office 2".

Title 26:

Directorate-General Human Resources (Title 26) subcontracts corporate trainings on the decision-making process to the Secretariat-General. These trainings are

open to all staff.

19. What is the RAL by the end of 2016?

Commission's answer:

The level of outstanding commitments (RAL) of the Commission at the end of 2016 has reached EUR 238.3 billion. More detailed information on the evolution of the RAL in 2016 by MFF Heading along with a breakdown by year of origin is available in the 2016 Annual Accounts of the European Commission, the Report on Budgetary and Financial Management of the European Commission for 2016 and in the Working Document Part V COM(2017) 400, - June 2017 accompanying the Draft Budget 2018.

20. Concerning the following items XX 01 02 11 (Other management expenditure of the institution) and XX 01 02 12 (Other management expenditure relating to Commission staff in Union delegations), can the Commission provide a full detail of the expenditures per each policy area for 2016?

Commission's answer:

XX 01 02 11 covers:

Missions, representation expenses, meetings of experts, conferences, meetings of committees, studies and consultations, information and management systems, further training and management training.

XX 01 02 12 covers staff in delegations for the following:

Miscellaneous costs and allowances, e.g. legal consultations, recruitment costs, annual medical examination, medical costs of local agents, fixed allowance for representation costs; travel, daily subsistence and missions.

Regarding budget line XX 01 02 11 (Other management expenditure of the institution) the split per policy area of the total expenditure (€ 133.501.977) in 2016 is as follows:

2016			
Titres Budgétaires	DG concerné	Crédits engagés	
01 Total	ECFIN		5.654.258
02 Total	GROW		4.934.863
03 Total	COMP		7.270.474
04 Total	EMPL		4.688.278
05 Total	AGRI		6.315.078
06 Total	MOVE		2.235.810
07 Total	ENV		3.064.683
08 Total	RTD		409.192
09 Total	CNECT		1.894.055
11 Total	MARE		2.407.903
12 Total	FISMA		2.462.896
13 Total	REGIO		2.609.805
14 Total	TAXUD		3.248.197
15 Total	EAC		2.219.880
16 Total	COMM		3.009.488
17 Total	SANTE		6.124.557
18 Total	HOME		2.722.054
19 Total	FPI		499.779
20 Total	TRADE		4.662.132
21 Total	DEVCO		4.521.601
22 Total	NEAR		2.202.236
23 Total	ECHO		1.810.095
25 Total			16.628.262
	EPSC	555.729	
	CAB	5.428.598	
	SG	9.797.196	
	SJ	846.739	
26 Total			20.162.563
	DIGIT	5.698.721	
	HR	14.463.842	
27 Total			7.423.670
28 Total			667.259
29 Total			3.436.439
31 Total			5.071.575
	DGT	3.183.008	
	SCIC	1.888.567	
32 Total			1.602.173
33 Total			1.856.872
34 Total			1.685.850
Grand Total			133.501.977

Regarding the line XX 01 02 12 the split per policy area in 2016 is as follows:

XX.010212.11.01

Policy Area		Committed Amount	Type of expenses
19	Foreign policy instruments	28.478	Missions, conferences and representation
20	Trade	1.401.424	Missions, conferences and representation
21	International cooperation and development	3.540.238	Missions, conferences and representation
22	Neighbourhood and enlargement negotiations	976.855	Missions, conferences and representation
Total Amount		5.946.995	

XX.010212.11.02

Policy Area		Committed Amount	Type of expenses
19	Foreign policy instruments	3.676	Further training of staff in Delegations
20	Trade	172.626	Further training of staff in Delegations
21	International cooperation and development	408.885	Further training of staff in Delegations
22	Neighbourhood and enlargement negotiations	113.310	Further training of staff in Delegations
Total Amount		698.498	

21. Concerning the acquisition, renting and related expenditures, can the Commission provide the details (amount and with whom) of rental and acquisition contracts in effect in 2016?

Commission's answer:

The Commission will provide the European Parliament, under the provisions of Annex II, 2.1 of the Framework Agreement, with the details of rental and acquisition contracts in effect in 2016 in Luxembourg and in Brussels (Annex 2). The lists contain all the buildings with a contract signed by the European Commission.

For Luxembourg, concerning the Betzdorf, JMO and T2 buildings, no rental costs were paid in 2016, in accordance with the political agreement of February 2015 between Vice-President Georgieva, then responsible for the Budget, and Luxembourg Foreign Minister Mr Asselborn. The Budgetary Authority was informed of this agreement in March 2015.

For Brussels, buildings in bold in Annex 2 are financed partially or totally by third services (Agencies ERC, EASME, ERC-EA, EASME and EPSO, OLAF mainly). The rent in the table corresponds to the total annual contractual rent (Leases, rentals and usufructs) and reimbursement (Acquisition). MERO and MO15 contracts started at the end of 2016, this explains the amounts paid in 2016 for those two buildings.

In addition, FPI (EC service) is housed in the building of the EEAS which is rented by the European External Action Service. EC paid 956.462 € for 2016 rent through a SLA. Finally, EC pays half of the rent of the building RP14, where the

contract has been signed by the European Council. The amount paid for 2016 through an SLA reached EUR 130.522.

22. Concerning the item 26 01 60 04 - Interinstitutional cooperation in the social sphere, can the Commission provide a full detail of the expenditures for 2016?

Commission's answer:

The needs for Interinstitutional cooperation in the social sphere (budget line 26 01 60 04) are covered by budget appropriations as well as internal assigned revenue (e.g. contributions from other institutions) and external assigned revenue (e.g. parental contributions). A detailed overview of expenditure is provided in Annex 3 - reply to question 22.

23. Concerning the item 30 01 16 01 - Pension for former Members of the European Parliament, can the Commission provide the number of the MEPs who have benefited in 2016? How many Italians? In more detail, which was the monthly and annual amount dispensed for Italian Members?

Commission's answer:

At 31/12/2016, 188 pensions were paid according to the provisions of the Statute for Members of the European Parliament (budget line 30 01 16 01 covering MEPs pensions managed by the Commission). 29 of these pensions were paid to Italian nationals, with an annual amount of EUR 393.888 and a monthly average of EUR 32.824.

24. What was the amount dedicated by the Institution to travel in 2016 for the Commissioners? Please split the costs per a) flights b) daily allowances c) accommodation

Commission's answer:

The total costs for travel in 2016 for Commissioners was EUR 3,467,728.

Costs were split as follows for 2016:

-	Travel (including miscellaneous)	EUR 2.826.762
-	Daily allowances	EUR 258.473
-	Accommodation	EUR 382.492

Annual activity report of the EC Sec Gen - 2016

25. General objective D/ Impact indicator: Trust in the European Commission: latest know value (EB 85 spring 2016°) 37 % tend of trust.

This value is low. How does the EC Secretary General explain and assess the situation, which are the causes, what can do the EC Secretary General?

Commission's answer:

According to Eurobarometer, the level of trust in the European Commission has increased during the mandate of the current Commission, from 32% 'tend to trust' in spring 2014 to 41% in spring 2017. This is a positive development but with clear room for improvement.

The level of trust in the Commission among the general public is likely to be driven by a variety of factors, many of which are not under the direct control of the Commission. Nonetheless, the Commission can contribute to building trust in the Commission and the Union at large by delivering tangible results for citizens, communicating clearly on the benefits of Union policies – for example through Citizens' Dialogues with Commissioners – and by functioning as an open, transparent and responsive institution. The Secretariat-General contributes to these efforts by helping to ensure that the Commission produces high quality outputs at the right time, and through its specific responsibilities in areas such as stakeholder consultation, transparency policy, and the recent proposals to make it easier for citizens to launch and support European Citizens' Initiatives.

26. Specific objective A2. Prepare the options for a successor of the EU 2020 Strategy.

Before launching the next strategic programming period, the evaluation of the results and impact of the preceding one is needed. What is the evaluation of the EC Sec Gen in this regard? How will the European Parliament be involved in the evaluation and the preparation of the next options?

Why does the EC Sec Gen think that a long term strategy is needed on top of the financial programming period and the objectives defined by the EC President for his mandate?

Commission's answer:

When the proposals for the 2014-2020 Multiannual Financial Framework were presented, the Commission noted that the EU budget had a crucial part to play in making Europe 2020 a success. The objectives of the Europe 2020 strategy are reflected in the architecture of the Multiannual Financial Framework and the priorities pursued by the expenditure programmes and instruments in the current programming period.

In 2014-15, the Commission performed a mid-term review of the Europe 2020 strategy. This included a public consultation that showed that the strategy was still seen as an appropriate framework to promote jobs and growth. Following the review, the Commission decided to continue the strategy, monitoring and implementing it through the European Semester of economic policy coordination.

The Europe 2020 strategy remains valid as the European Union's overarching

strategy for growth and jobs for the current decade. It emphasises smart, sustainable and inclusive growth as a way to overcome the structural weaknesses in Europe's economy, improve its competitiveness and productivity and underpin a sustainable social market economy.

The Europe 2020 strategy is fully compatible with and complementary to the political guidelines and priorities that have been implemented by President Juncker and the current Commission. These are also fully in line with the current Multiannual Financial Framework.

For the post-2020 period, the Commission has not taken any decisions on a possible successor strategy. The reflection has been launched with the Commission's White Paper on the Future of Europe. Any discussion and preparation would involve other institutions (including the European Parliament), Member States and stakeholders.

The Commission's Reflection Paper on the Future of EU Finances also stated that the size, structure and content of the future EU budget will have to correspond to the political ambition that the European Union sets itself for the future.

27. Business continuity

Which main conclusions did the EC Sec Gen draw from the Corporate Duty Officer Test conducted on 19 July 2016?

Commission's answer:

The results of the test were satisfactory and an improvement on the 2015 exercise.

For the first time all Cabinets were involved in the test, apart from all 43 DGs/services and 6 Executive Agencies.

The Commission's IT system NOAH – used to send SMS and emails with instructions to the Duty Officers – worked as expected.

All the Duty Officers participating in the test received the NOAH SMS messages and replied via SMS message to the Secretariat-General Duty Officer within an hour.

28. ANNEX 3; Table 14

No data to be reported as to secret contracts. What does it mean? What are we speaking about (definition, nature of those contracts)? If those contracts are secret, why does the EC Sec Gen mention them?

Commission's answer:

The Secretariat-General did not have any secret contracts in 2016, therefore Table 14 of Annex 3 of SG AAR contains only the text 'No data to be reported.'

This table, which is automatically generated by the accounting system, is used to list contracts that have not been subject to a prior publication of a contract notice because of the secret nature of the contract due to confidential information or special security measures to be made available in the procurement procedure.

29. Number of Citizen's initiative

Is it confirmed that only 3 citizen's initiative have been launched since the entry into force of the Treaty of Lisbon? What is the state of play? What is the mission of the EC Sec Gen in this regard?

Commission's answer:

The information presented in the AAR relates to the 3 initiatives that have been registered in the year 2016. Overall, 39 initiatives had been registered at the end of 2016 since the entry into application of the ECI Regulation in April 2012. By November 2017, 47 initiatives have been registered, 4 of which have successfully passed the threshold of one million statements of support.

The mission of the Secretariat-General - in charge of the implementation of Regulation (EU) N° 211/2011 and Commission Implementing Regulation (EU) N° 1179/2011 concerned, is to:

- Coordinate the entire lifecycle of citizens' initiatives from requests for registration of proposed initiatives to the examination of successful initiatives;
- Provide assistance and information on a general level; e.g. manage and respond to requests from citizens;
- Ensure that the necessary IT support is provided, in particular the ECI website and the Register of Citizens' Initiatives, as well as software for online collection of statements of support;
- Manage an expert group composed of the Member States' national authorities in charge of implementing certain aspects of the Regulation;
- Manage the relevant budgets dedicated to supporting the Commission's

own activities related to the implementation of the ECI, such as IT support for efficient management of initiatives, studies with a view to improving aspects of the ECI, and projects aiming at intensifying communication on the ECI.

In September 2017, the Commission adopted a proposal for a revision of the Regulation on the European Citizens' Initiative (ECI), with the objective to make the instrument more accessible and easier to use and thereby reach its full potential.

30. National parliaments

It seems that the EC Sec Gen has a very low score as to the follow-up of the opinions of the National parliaments (56%) Why? What is the main achievement of the Commission in this inter institutional area in 2016?

Commission's answer:

All opinions (100%) from national Parliaments, including reasoned opinions submitted under the subsidiarity control mechanism, receive a substantive reply from the Commission in the framework of the Commission's Political Dialogue with national Parliaments.

In 2016, the Commission received a total of 620 opinions, including 65 reasoned opinions, compared to 350 opinions in 2015. This shows that quantitatively the Political Dialogue has developed very well. Also qualitatively, from the beginning of its mandate this Commission has worked to improve its replies to national Parliaments in terms of reacting directly to national Parliaments' concerns and conveying its key political messages. This has been positively acknowledged by many national Parliaments. The importance this Commission attaches to its relations with national Parliaments is also shown by the number of meetings and visits between Commissioners and members of national Parliaments: around 180 in 2016 and more than 700 since the beginning of the mandate in November 2014.

The score of 56% in the Annual Activity Report refers to the percentage of replies that were sent *within 3 months after the reception of the national Parliament's opinions*, which is the deadline the Commission has set itself for its replies. The Commission could not always meet this deadline, given the sharp increase in the number of opinions received from national Parliaments in 2016, and the fact that more comprehensive, high-quality replies require more time-consuming drafting and validation, usually by several Commissioners and Commission services.

31. COSME

What is the specific mission of the EC Sec Gen in the management of COSME?

Commission's answer:

The Secretariat-General implements the EU REFIT Stakeholder platform for Better Regulation, which is one of the specific actions listed in the COSME programme.

32. KPIs

When the EC Sec Gen consider the “degree of follow up by Member States of country specific recommendations, does he envisage the quality of the response given by the Member States or just the existence of a reaction to the recommendation”?

Commission's answer:

The implementation of the country-specific recommendations addressed to the Member States is subject to thorough analysis by the Commission services that is presented in the country reports that are published annually as part of the European Semester of economic policy coordination. This analysis goes well beyond the existence of a reaction to a recommendation.

Each year, a Commission Communication accompanies the country reports and summarises the progress in implementing reforms and in addressing the imbalances in Member States' economies. A detailed assessment for every Member State, except Greece¹, of the progress made in addressing the challenges identified in the country-specific recommendations is included in the respective country report. For Member States identified in the Alert Mechanism Report, the country reports also include the in-depth reviews carried out under the macroeconomic imbalance procedure.

For which specific country recommendations did the Member States not make any progress or made limited progress? Which Member States are concerned?

Commission's answer:

Regarding the 2016 country-specific recommendations, most Member States made either some or limited progress in addressing the issues identified.

In the assessment of the implementation of the 2016 country-specific

¹ To avoid duplication with reform measures set out in the macroeconomic adjustment programme and to be consistent with the approach followed in the previous years, the Commission does not issue additional recommendations to Greece as part of the European Semester.

recommendations that was published in February 2017, 'no progress' was recorded in the following cases:

Croatia

2. By the end of 2016, take measures to discourage early retirement, accelerate the transition to the higher statutory retirement age, and align pension provisions for specific categories with the rules of the general scheme. Provide appropriate up- and re-skilling measures to enhance the employability of the working-age population, with a focus on the low-skilled and the long-term unemployed. Consolidate social protection benefits, including special schemes, by aligning eligibility criteria and integrating their administration, and focus support on those most in need.

The Netherlands

1. Limit the deviation from the medium-term budgetary objective in 2016 and achieve an annual fiscal adjustment of 0,6 % of GDP in 2017. Prioritise public expenditure towards supporting more investment in research and development. [The assessment here referred to the structural part of the recommendation only.]

Poland

2. Ensure the sustainability and adequacy of the pension system and increase participation in the labour market, by starting to reform the preferential pension arrangements, removing obstacles to more permanent types of employment and improving the labour market-relevance of education and training.

'Limited progress' was recorded in the following cases:

Belgium

1. Achieve an annual fiscal adjustment of at least 0,6 % of GDP towards the medium-term budgetary objective in 2016 and in 2017. Use windfall gains to accelerate the reduction of the general government debt ratio. Agree on an enforceable distribution of fiscal targets among all government levels. Simplify the tax system and remove distortive tax expenditures.

3. Boost the capacity to innovate, in particular by fostering investment in knowledge-based capital. Increase competition in the business services sector and the retail sector by removing unwarranted operational and establishment restrictions. Address shortfalls in investment in transport infrastructure and energy generation capacity.

Bulgaria

3. Reinforce and integrate social assistance, including relevant social services, and active labour market policies, in particular for the long-term unemployed and young people not in employment, education or training. Increase the provision of quality education for disadvantaged groups, including Roma. Improve the efficiency of the health system by improving access and funding, and health outcomes. In consultation with social partners establish guidelines and criteria for setting the minimum wage. Increase the coverage and adequacy of the minimum income scheme.

4. Reform the insolvency framework to accelerate recovery and resolution procedures and improve their effectiveness and transparency. Increase the capacity of the courts regarding insolvency procedures. Strengthen the capacity of the Public Procurement Agency and contracting authorities and improve the design and control of public tendering procedures, in particular by fully implementing the National Strategy for the development of the Public Procurement Sector (2014-2020). Speed up the introduction of e-procurement.

Czech Republic

2. Reduce regulatory and administrative barriers to investment, in particular in transport and energy, and increase the availability of e-government services. Adopt the outstanding anti-corruption reforms and improve public procurement practices.

Germany

2. Reduce inefficiencies in the tax system, in particular by reviewing corporate taxation and the local trade tax, modernise the tax administration and review the regulatory framework for venture capital. Step up measures to stimulate competition in the services sector, in particular in business services and regulated professions.

3. Increase incentives for later retirement and reduce disincentives to work for second earners. Reduce the high tax wedge for low wage earners and facilitate the transition from mini-jobs to standard employment.

Spain

1. Ensure a durable correction of the excessive deficit, in accordance with the relevant decisions or recommendations under the excessive deficit procedure, by taking the necessary structural measures and by using all windfall gains for deficit and debt reduction. Implement at all government levels the tools set out in the fiscal framework law. Enhance control mechanisms for public procurement and coordination of procurement policies across government levels.

3. Take further measures to improve the labour market relevance of tertiary education, including by incentivising cooperation between universities, firms and research institutions. Increase performance-based funding of public research bodies and universities and foster R&I investment by the private sector.

4. Accelerate the implementation of the law on market unity at regional level. Ensure implementation by the autonomous regions of the reform measures adopted for the retail sector. Adopt the planned reform on professional services and associations.

France

1. Ensure a durable correction of the excessive deficit by 2017 by taking the required structural measures and by using all windfall gains for deficit and debt reduction. Specify the expenditure cuts planned for the coming years and step up efforts to increase the amount of savings generated by the spending reviews, including on local government spending, by the end of 2016. Reinforce independent public policy evaluations in order to identify efficiency gains across all sub-sectors of general government.

3. Improve the links between the education sector and the labour market, in particular by reforming apprenticeships and vocational training, with emphasis on the low-skilled. By the end of 2016, take action to reform the unemployment benefit system in order to bring the system back to budgetary sustainability and to provide more incentives to return to work.

5. Take action to reduce the taxes on production and the corporate income statutory rate while broadening the tax base on consumption, in particular as regards VAT. Remove inefficient tax expenditures, remove taxes that are yielding little or no revenue and adopt the withholding personal income tax reform by the end of 2016.

Croatia

1. Ensure a durable correction of the excessive deficit by 2016. Thereafter, achieve an annual fiscal adjustment of at least 0,6 % of GDP in 2017. Use any windfall gains to accelerate the reduction of the general government debt ratio. By September 2016, reinforce numerical fiscal rules and strengthen the independence and the mandate of the Fiscal Policy Commission. By the end of 2016, improve budgetary planning and strengthen the multi-annual budgetary framework. By the end of 2016, start a reform of recurrent taxation of immovable property. Reinforce the framework for public debt management. Adopt and start implementing a debt management strategy for 2016-2018.

3. By the end of 2016, start reducing fragmentation and improving the functional distribution of competencies in public administration to improve efficiency and reduce territorial disparities in the delivery of public services. In consultation with social partners, harmonise the wage-setting frameworks across the public administration and public services. Advance the divestment process of state assets and reinforce the monitoring of state-owned enterprises' performance and boards' accountability, including by advancing the listing of shares of state-owned companies.

4. Significantly reduce parafiscal charges. Remove unjustified regulatory restrictions hampering access to and the practice of regulated professions. Reduce the administrative burden on businesses.

5. Take measures to improve the quality and efficiency of the judicial system in commercial and administrative courts. Facilitate the resolution of non-performing loans, in particular by improving the tax treatment of the resolution of non-performing loans.

Italy

2. Implement the reform of the public administration by adopting and implementing all necessary legislative decrees, in particular those reforming publicly-owned enterprises, local public services and the management of human resources. Step up the fight against corruption including by revising the statute of limitations by the end of 2016. Reduce the length of civil justice proceedings by enforcing reforms and through effective case-management.

5. Swiftly adopt and implement the pending law on competition. Take further action to increase competition in regulated professions, the transport, health and retail sectors and the system of concessions.

Cyprus

1. Following the correction of the excessive deficit, respect the medium-term budgetary objective in 2016 and in 2017. By the end of 2016, adopt a binding mechanism containing the growth rate of the compensation of public employees. By the end of 2016, adopt the horizontal reform of the public administration and the law on the governance of state-owned entities, and implement the reform of local governments. By the end of 2016, adopt the secondary legislation to complete the new budgetary framework.

2. By June 2017, eliminate impediments to the full implementation of the insolvency and foreclosure frameworks and ensure adequate resources for the Insolvency Service. Ensure reliable and swift systems for the issuance of title deeds and the transfer of immovable property rights. Increase the efficiency and capacity of the court system. Reform the civil procedure law.

5. Enhance the capacity of the public employment services and their provision to the long-term unemployed; improve outreach to the non-registered unemployed. Adopt legislation for a hospital reform and advance with the planned implementation of universal health care coverage.

Latvia

1. Ensure that the deviation from the adjustment path towards the medium-term budgetary

objective in 2016 and 2017 is limited to the allowance linked to the systemic pension reform and the major structural reform in the healthcare sector. Reduce the tax wedge for low-income earners by exploiting a growth-friendly tax shift towards environmental and property taxes and improving tax compliance.

2. Improve the adequacy of social assistance benefits and step up measures supporting recipients in finding and retaining work, including through increased coverage of activation measures. Speed up the curricula reform in vocational education, establish — with the involvement of social partners — a regulatory framework for work-based learning and increase their offer. Improve the accessibility, quality and cost-effectiveness of the healthcare system.

Lithuania

3. Take measures to strengthen productivity and improve the adoption and absorption of new technology across the economy. Improve the coordination of innovation policies and encourage private investment, inter alia, by developing alternative means of financing.

Luxembourg

1. Ensure the long-term sustainability of public pensions by increasing the effective retirement age, by limiting early retirement and increasing incentives to work longer, and by aligning the statutory retirement age to changes in life expectancy.

2. Remove barriers to investment and innovation that limit economic development in the business services sector. Address bottlenecks that hamper housing investment.

Hungary

2. Further reduce sector-specific taxes and reduce the tax wedge for low-income earners. Strengthen transparency and competition in public procurement through e-procurement, increased publication of tenders and further improvement of the anti-corruption framework. Improve the regulatory environment in the services sector and in the retail sector by addressing restrictive regulations and ensuring predictability.

3. Facilitate the transition from the public works scheme to the primary labour market and reinforce other active labour market policies. Improve the adequacy and coverage of social assistance and unemployment benefits. Take measures to improve educational outcomes and to increase the participation of disadvantaged groups, in particular Roma, in inclusive mainstream education.

Malta

1. In view of the high risk of a significant deviation, achieve an annual fiscal adjustment of 0,6 % of GDP towards the medium-term budgetary objective in 2016 and in 2017, by taking the necessary structural measures. Step up measures to ensure the long-term sustainability of public finances.

The Netherlands

2. Tackle remaining barriers to hiring staff on permanent contracts and facilitate the transition from temporary to permanent contracts. Address the high increase in self-employed without employees, including by reducing tax distortions favouring self-employment, without compromising entrepreneurship, and by promoting access of the self-employed to affordable social protection.

3. Take measures to make the second pillar of the pension system more transparent, inter-generationally fairer and more resilient to shocks. Take measures to reduce the remaining

distortions in the housing market and the debt bias for households, in particular by decreasing mortgage interest tax deductibility.

Austria

3. Reduce, in the area of services, administrative and regulatory barriers for investments, such as restrictive authorisation requirements and restrictions on legal form and shareholding, and impediments to setting up interdisciplinary companies.

Poland

1. Achieve an annual fiscal adjustment of 0,5 % of GDP towards the medium-term budgetary objective in 2016 and in 2017. Strengthen the fiscal framework, including by establishing an independent fiscal council. Improve tax collection by ensuring better VAT compliance, and limit the extensive use of reduced VAT rates.

3. Take measures to remove obstacles to investment in transport, construction and energy infrastructure, and increase the coverage of spatial planning at local level.

Portugal

1. Ensure a durable correction of the excessive deficit, in accordance with the relevant decisions or recommendations under the excessive deficit procedure, by taking the necessary structural measures and by using all windfall gains for deficit and debt reduction. Thereafter, achieve an annual fiscal adjustment of at least 0,6 % of GDP. Conduct, by February 2017, a comprehensive expenditure review and strengthen expenditure control, cost effectiveness and adequate budgeting at all levels of public administration. Ensure the long-term sustainability of the health sector, without compromising access to primary healthcare. Reduce the reliance of the pension system on budgetary transfers. By the end of 2016, refocus ongoing restructuring plans of state-owned enterprises.

2. In consultation with social partners, ensure that the minimum wage is consistent with the objectives of promoting employment and competitiveness across sectors.

4. Take measures, by October 2016, to facilitate the cleaning up of the balance sheets of credit institutions and address the high level of non-performing loans. Reduce the debt bias in corporate taxation and improve the access to finance for start-ups and small and medium-sized enterprises via the capital market.

Romania

1. Limit the deviation from the medium-term budgetary objective in 2016 and achieve an annual fiscal adjustment of 0,5 % of GDP in 2017 unless the medium-term budgetary objective is respected with a lower effort. Ensure the application of the fiscal framework and strengthen further tax compliance and collection. Ensure that legislative initiatives do not undermine legal certainty and do not put at risk financial stability. If necessary, adopt measures that mitigate such risks.

Slovenia

1. Following the correction of the excessive deficit, achieve an annual fiscal adjustment of 0,6 % of GDP towards the medium-term budgetary objective in 2016 and in 2017. Set a medium-term budgetary objective that respects the requirements of the Stability and Growth Pact. Strengthen the fiscal framework by appointing an independent fiscal council and amending the Public Finance Act. Complete and implement the reform of the long-term care and healthcare systems, making them more cost-efficient to ensure long-term sustainability of accessible and quality care. By the end of 2017, adopt the necessary measures to ensure the long-term sustainability and

adequacy of the pension system.

2. In consultation with social partners, increase the employability of low-skilled and older workers, including through targeted lifelong learning and activation measures.

Slovakia

1. Achieve an annual fiscal adjustment of 0,25 % of GDP towards the medium-term budgetary objective in 2016 and of 0,5 % of GDP in 2017. Improve the cost-effectiveness of the healthcare system. Take measures to increase tax compliance.

3. Consolidate governance, reinforce the shift from price only to quality-based competition and improve the prosecution of illicit practices in public procurement. Improve the transparency, quality and effectiveness of human resources management in public administration, in particular by adopting a new civil service act, and the effectiveness of the justice system. Adopt a comprehensive plan to address administrative and regulatory barriers for businesses.

Sweden

1. Address the rise in household debt by adjusting fiscal incentives, in particular by gradually limiting the tax deductibility of mortgage interest payments or by increasing recurrent property taxes. Ensure that the macro-prudential authority has the legal mandate to implement measures to safeguard financial stability in a timely manner. Foster investment in housing and improve the efficiency of the housing market, including by introducing more flexibility in setting rental prices and by revising the design of the capital gains tax to facilitate more housing transactions.

33. European Fiscal Board.

What has been the main achievement of this board since its setting- up? What is the role of the EC Sec Gen in this regard?

Commission's answer:

Formally established at the end of 2015 with Commission Decision 2015/1937, the members of the Board were nominated in October 2016. In November 2017, the Board completed its first annual assessment cycle. In its first year of activity the Board published two substantive reports documenting the work carried out in relation to the main responsibilities as per its mandate:

(i) Assessment of the prospective fiscal stance appropriate for the euro area, released on 20 June 2017; and

(ii) Annual Report 2017, released on 15 November 2017.

Both reports are available to the general public on the website of the European Fiscal Board: <https://ec.europa.eu/european-fiscal-board>. They offer an independent assessment of a wide range of elements that play a crucial role in the implementation of the EU fiscal framework. The conclusions and findings of the reports aim to better inform the decision-making of the Commission and the Council. To exercise its advisory function in an effective manner, the Board presented its reports first and foremost to the European Commission, but also in other relevant fora, such as the Ecofin Council and the Eurogroup as well as the

competent committee of the European Parliament.

The European Fiscal Board is supported by a secretariat, which for administrative purposes is part of the Secretariat-General of the Commission. However, in line with the mandate of the European Fiscal Board, the staff of the secretariat only take instructions from the Board, which in turn acts in a fully independent manner. The Secretariat-General of the Commission was responsible for setting up the Board; its role is now limited to providing administrative and logistical support.

34. Protocol

How can you evaluate the cost efficiency of the activities of Protocol of the Commission (number of events, staff, and resources)?

Commission's answer:

The protocol service in the Commission has 12 staff, 3 AD posts and 9 AST posts (11 FTE during 2016).

In 2016 the protocol service prepared, executed and gave assistance to:

- **538** incoming official visits to the President and the College of Commissioners;
- **215** seating plans and requests for order of precedence;
- **55** days of missions (accompanying the President or preparing bilateral/multilateral summits);
- **45** 'agrément' procedures for new Ambassadors;
- **45** official signing ceremonies;
- **23** training sessions in protocol matters;
- **17** events for the College (receptions, visits of national governments to the College etc.);
- **15** high-level conferences;
- **5** College seminars and Heads of Cabinet seminars;
- **2** bilateral summits with third countries held in Brussels;

The protocol service in the Commission has also:

- managed the official gifts to and from Commissioners, including the registry;
- managed the use of the EU flag at Commission buildings across Europe for national/European mourning;
- managed the official meals taking place in the Berlaymont for the President and the College;
- coordinated incoming visits and related issues with the Belgian protocol;
- was part of the panel for decisions on decorations and other honours to Commissioners and staff.

The protocol service is very much driven by demand from outside its service, which means that whenever there is a request for protocol services, the protocol

service has to be able to deliver at any given moment in time and to the highest standards.

35. New Senior -level information Management Steering Board.

What is the objective, how will it be measured, what is the role of the Sec Gen in this regard?

Commission's answer:

The Information Management Steering Board (IMSB) was created in November 2016 to oversee the implementation of the Commission's new corporate data, information and knowledge management strategy. The strategy aims to improve the way that data, information and knowledge are collected, managed and shared within the Commission, thereby helping to break down silos between departments, to ensure that decisions are taken based on the best possible information, and to promote the efficient use of resources.

The Board is chaired by the Deputy Secretary-General for Institutional and Administrative Policies and is supported by a secretariat operated by the Secretariat-General. 16 Directorates-General and 1 Executive Agency are represented on the Board at senior management level. The objectives are to provide a corporate steer for work in this area, including by prioritising and ensuring coherence between specific projects and overseeing their implementation. Concrete outputs are listed in the work programmes adopted by the Board.

Progress is monitored at each meeting of the Board. While the strategy and the Board remain relatively new, progress has already been made in areas such as collaborative working (a pilot on the European Semester underlined the potential of collaborative tools to support work in a core business process) and data management (a Data4Policy group is working on several cross-DG initiatives to improve the Commission's capacity on data analytics and data visualisation). The Board works closely with other governance bodies including the IT Board, and reports to the Corporate Management Board.

College meetings

36. 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:

In 2016, statistics of attendance at the 44 weekly meetings of the Commission are as follows:

	Attendance out of a total of 44 meetings
M. le PRESIDENT	42
M. TIMMERMANS	41
Mme MOGHERINI	34
Mme GEORGIEVA	35
M. ANSIP	42
M. ŠEFČOVIČ	39
M. DOMBROVSKIS	41
M. KATAINEN	37
M. OETTINGER	42
M. HAHN	34
Mme MALMSTRÖM	37
M. MIMICA	32
M. ARIAS CAÑETE	40
M. VELLA	39
M. ANDRIUKAITIS	39
M. AVRAMOPOULOS	41
Mme THYSSEN	37
M. MOSCOVICI	38
M. STYLIANIDES	40
M. HOGAN	38
Mme BULC	37
Mme BIEŃKOWSKA	36
Mme JOUROVÁ	40
M. NAVRACSICS	37
Mme CREȚU	35
Mme VESTAGER	38
M. MOEDAS	41
<i>Average attendance out of a total of 44 meetings</i>	38

Sir Julian KING	13*
Lord HILL	25**

* First participation on 21/09/2016

** Last participation on 13/07/2016

Information regarding College attendance is public via the minutes of the College meetings is available on the Commission's register of documents since 2001².

Justice and Fundamental rights

37. The Cooperation and Verification Mechanism for Romania and Bulgaria is 10 years old this year.

- a. What are the main conclusions that the Commission is drawing from the functioning of the mechanism?

Commission's answer:

It is the Commission's opinion, shared by the Council, that the Cooperation and Verification Mechanism (CVM) continues to be instrumental for progress. It remains an appropriate tool to assist Romania and Bulgaria in their respective reform efforts, in order for each of them to achieve a record of concrete and lasting results required to satisfactorily fulfil the objectives of the Mechanism.

The Commission believes that both Bulgaria and Romania can achieve the CVM objectives by following up quickly and thoroughly on the recommendations set out in the January 2017 Commission report, except if developments were to clearly reverse the course of progress. Reaching that goal will require political leadership and full cooperation amongst the different institutions in each Member State.

Recommendations are focused on (1) responsibility and accountability required from authorities of both Member States; (2) strengthening the internal safeguards which are needed to ensure the sustainability of the results; and (3) on track records.

² <http://ec.europa.eu/transparency/regdoc/?fuseaction=gridyear>

b. Have the benchmarks been well selected?

Commission's answer:

The CVM Commission Decisions of 2006 defined four benchmarks for Romania and six benchmarks for Bulgaria. These benchmarks were conceived in a particular context and their concrete wording reflected the specific situation at the time. However, the underlying issues that they refer to have remained relevant in subsequent years.

c. As regards progress made, which areas would you identify as most successful and less successful?

Commission's answer:

Concerning Bulgaria, the Commission's report in January 2017 took stock of overall progress in the past ten years and identified 17 specific recommendations which would help Bulgaria move towards fulfilment of all CVM benchmarks. The report adopted on 15 November notes that significant progress has been achieved on these recommendations. While political uncertainty led to some delays in the implementation of reforms early in the year, the reform process has regained momentum since May, even if final outcomes are still to be seen in areas requiring legislative reform and government action, such as the fight against corruption. In the judiciary, important developments have also taken place this year, notably with the election of a new Supreme Judicial Council, the impact of which should begin to show in the coming year.

Concerning Romania, the Commission's report in January 2017 took stock of overall progress in the past ten years and identified 12 specific recommendations which would help Romania move towards fulfilment of all CVM benchmarks. The report adopted on 15 November notes that progress has been achieved on a number of these recommendations, in particular the recommendation to set up a system for checks on conflicts of interest in public procurement (PREVENT) has been satisfactorily implemented. The Commission also notes progress on other recommendations, subject to practical implementation. At the same time, the Commission notes that the overall reform momentum in the course of 2017 has stalled, slowing down the fulfilment of the remaining recommendations, and with a risk of re-opening issues which the January 2017 report had considered as closed. Challenges to judicial independence are a serious source of concern.

d. What did the EC Sec Gen do as to the situation in Poland and Hungary?

Commission's answer:

The Rule of Law Framework was introduced by the Commission on 11 March 2014. The process is based on a continuous dialogue between the Commission and the Member State(s) concerned. The Commission keeps the European Parliament

and Council regularly and closely informed.

As a central service of the Commission, the Secretariat-General is closely involved in all issues related to respect for the rule of law in the Member States, including in Poland and Hungary. The Secretariat-General has a role of coordination, as well as in ensuring coherence.

Poland

Events in Poland led the European Commission to open a dialogue with the Polish Government in January 2016 under the Rule of Law Framework. This is the first time the Framework has been used. Despite the concerns expressed by the Commission, a dialogue with the Polish Government, the advice sought by the Polish Government from the Venice Commission and a series of judgements rendered by the Constitutional Tribunal, these concerns remained unresolved.

The Commission therefore issued on 1 June 2016 an opinion under the Rule of Law Framework, followed on 27 July 2016 by a first recommendation addressed to the Polish government. On 21 December 2016 the Commission issued a second recommendation expressing additional concerns arising from subsequent actions taken by the Polish authorities. On 26 July 2017 the Commission adopted a third recommendation addressed to the Polish authorities. These recommendations took due account of two opinions of the Venice Commission.

The European Parliament has consistently supported the Commission's concerns, including in its three Resolutions of 13 April, 14 September 2016 and 15 November 2017.

In addition to the use of the Rule of Law Framework, the Commission launched infringement proceedings on 28 July. The infringement proceedings concern specifically the Law on the Ordinary Courts Organisation which is already in force.

The reply from the Polish authorities regarding the third recommendation did not announce concrete measures to address the issues raised by the Commission. The Commission is following closely the ongoing legislative procedure in the Polish Parliament on two new draft laws on the Supreme Court and on the National Council for the Judiciary which raise serious concerns as they would increase the existing systemic threat to the rule of law and on which the Venice Commission will issue soon an opinion.

Hungary

With regard to Hungary, the Commission is following closely recent developments and has taken action to address specific concerns. For example, the Commission is of the view that the Hungarian law on the foreign funding of NGOs gives rise to a breach of Treaty rules on the free movement of capital, as well as the freedom of association and the right to protection of private life and personal data as enshrined in the Charter of Fundamental Rights of the EU. For this reason the Commission has launched a corresponding infringement procedure

against Hungary (Reasoned Opinion sent on 4 October).

Code of Conduct for Commissioners

38. We appreciate that the proposal for a revised Code of Conduct for Commissioners takes on board several suggestion of our committee, such as for example the definition of the conflict of interest, the extension of the cooling-off period for the President of the Commission, and the annual publishing of the report on the application of the Code including the work of the Independent Ethical Committee.

- a. Could the Commission go a step further and give consideration to the publication of the opinions of the Ethical Committee when they are issued?

Commission's answer:

The Commission will ensure publication of its decisions and the related opinions of the Independent Ethical Committee on all former Commissioners' post mandate activities.

- b. Does the Commission consider that the appointment of the Members of the Ethical Committee sufficiently guarantees their independence?

Commission's answer:

With the new Code of Conduct, the Commission underlines its commitment to guarantee the independence of the Ethical Committee. The Commission wants independent analysis and opinions by the Independent Ethical Committee. The new Code provides that members of the Committee are selected for their competence, experience, independence and professional qualities. They shall have an impeccable record of professional behaviour as well as experience in high-level functions in European, national or international institutions. Furthermore, they have to sign a declaration on the absence of conflicts of interests.

- c. Could the Commission publish the CVs of the Members of the Ethical Committee together with their declaration of honour attesting the absence of conflict of interest, with regard to their other activities and interests?

Commission's answer:

The Commission will continue to publish the CVs and the declarations on the absence of conflicts of interests of the members of the Independent Ethics Committee on a dedicated page on the Europa website.

- d. Does the Commission envisage the further clarification/strengthening of the Code with special regard to the acceptance of gifts, diplomatic or courtesy

usage, and the participation in national politics and election campaigning both at national and European level?

Commission's answer:

The new Code of Conduct for the Members of the Commission provides clear rules on the acceptance of gifts, hospitality, travel offered by third parties and the participation in national politics and election campaigns both at national and European level. Further advice or guidance can be given where necessary. The Code provides that Members shall inform the President in a timely manner if they have doubts with regard to the application of the Code before acting on the matter.

39. Is the Commission aware of any breaches of the Code of Conduct for Commissioners in 2016?

Commission's answer:

The Commission is not aware of any breach of the Code of Conduct for Commissioners in 2016. The Members of the Commission are responsible for their compliance with the Code.

However, the Commission would like to recall that it took a decision in 2016 on two ethical-related matters concerning former Vice-President Neelie Kroes: first, finding a failure concerning her declaration of interests of 2004, and, second, finding her non-compliance with Article 7(4) of Regulation 422/67 with regard to the obligation to declare all forms of remuneration in 2015. On the latter point, the Commission expressed a reprimand to the former Vice-President.

40. Do you agree with the conclusion of the EP study "Transitional allowances for former EU office holders – too few conditions?" (PE 603.806 – November 2017) that the justification for transitional allowance is weak considering that office holders benefit of networking and contacts during their office that should put them in a position to secure a follow-up occupation, i.e. this group is rarely exposed to prospects of 'precarious employment'?

a. Do you find it appropriate that the entitlement to TA is not related to the 'modus' of ceasing to hold office, namely the regulatory framework does not differentiate between voluntary resignation and end of term?

Commission's answer:

The Commission has taken note of the study which refers to former office holders in all EU institutions. The study does not question the existence of transitional allowances.

With regard to the modalities of the entitlement, the Commission notes the different legal bases in the Treaties, notably Article 223 (2) TFEU for transitional allowances for former Members of the European Parliament and Article 243

TFEU for transitional allowances for former Members of the institutions listed in this article, including former Commissioners, and the different legal instruments adopted based on these provisions.

The right of initiative is with the European Parliament as regards Article 223 (2) TFEU and with the Council as regards Art. 243 TFEU, not with the Commission.

- b. How is the Commission going to address the issue of the missing alignment between the duration of TA and the length of post-office restrictions?

Commission's answer:

The right of initiative to address such issues is with the European Parliament as regards its former Members and with the Council as regards former Members of the institutions listed in Article 243 TFEU, including former Commissioners.

With regard to the institutions mentioned in Article 243, the Council shortened in 2016 the duration of the entitlement from 3 years to a period between 6 months and 2 years depending on the length of the period of service.

With its new Code of Conduct, the Commission will extend the length of the specific post term-of-office restrictions mentioned in the Code from 18 months to 2 years for former Commissioners and 3 years for former Presidents.

- c. How is the Commission going to address the de-facto full usage of the TA in spite the benefiting person would start receiving salary elsewhere immediately after the end of duties at the service of a European institute?"

Commission's answer:

Council Regulation 2016/300 foresees that amounts from a new gainful activity are deducted from the transitional allowance of a former Member of the institutions listed in Article 243 TFEU, if they exceed, together with the transitional allowance, the remuneration which they received as active office holder.

Under this Regulation, the entitlement to the transitional allowance ceases if a former office holder is reappointed to office in the institutions of the European Union, elected to the European Parliament or reaches the pensionable age. The Commission refers to Article 10 (2) and (3) of that Regulation for further details.

With regard to both Council Regulation 2016/300 and the Decision of the European Parliament 2005/684, the Commission has no right of initiative.

Governance

41. In the 2016 AAR of the Secretariat-General it is stated that the Secretariat-General is actively engaged in implementing the recommendations of the ECA Special Report 27/2016. Could you shed light on what is the state of play at this point of implementation as regards the ECA's recommendation "to invite the IAS to carry out more audit work on high level governance issues"?

Commission's answer:

By Commission decision of 11 January 2017, the College invited the Internal Auditor to carry out an audit on "Commission's governance arrangements concerning risk management, financial reporting and the ex-post verification/audit function, in particular second level scrutiny" and "to identify any improvements which can further enhance the performance of those mechanisms". The Internal Auditor accepted this request and the audit is in progress.

42. Why did the Commission not follow all the recommendations issued by the ECA in its special report on the governance 27/2016 and in particular the ones relating to a Governance statement and a global DAS?

Commission's answer:

The Commission is in the process of implementing the recommendations made by the Court and would note that the deadline for implementation of a number of the points raised in the special report is April 2018.

The Commission published an updated statement on Governance in the European Commission on 11 October 2017 (C(2017) 6915), which contains a detailed description of the Commission's governance structure and processes. The Commission has also taken prompt action in several other areas. For instance:

- The Commission adopted a revision of the internal control framework on 19 April 2017 (C(2017) 2373).
- The Commission is working to consolidate its financial reporting and make it more accessible for citizens, for example through the Integrated Financial Reporting Package published in 2016 and 2017.
(http://ec.europa.eu/budget/biblio/media/2017package_en.cfm)
- A third external member has been appointed to the Audit Progress Committee.
- The estimate of the level of error has been progressively fine-tuned.
- The Commission has also, working with the Court, published the annual accounts earlier than in previous years.

With regard to some of the specific sub-recommendations that the Commission was not able to accept in full, the Commission explained in its response to the

Court that the governance arrangements in place in the Commission are solid and well-adapted to its particular nature and structure. The Commission will nevertheless keep the current arrangements under review and will strive to comply with best practices in other comparable international organisations.

The statement of assurance (DAS) is provided by the Court of Auditors in accordance with Article 287 TFEU. The Court is independent and determines its own methodology. The Commission will continue to report on the overall amount at risk in the Annual Management and Performance Report.

The former OLAF Director General

43. In an interview with POLITICO³ the former Director General of OLAF, Giovanni Kessler, speaks about the need in the EU for “a single customs agency for its common borders that operates like an ‘FBI for customs’”.

a. Did Mr Kessler in this article speak on behalf of the Commission?

Commission's answer:

Mr. Kessler spoke in his capacity of Director-General of an independent investigative body. The Commission was informed that the above mentioned answer was given as a reply to a question on OLAF's investigations into undervaluation fraud.

b. When will the Commission present a legislative proposal in that regard?

Commission's answer:

For the time being the Commission does not intend to present a legislative proposal in this regard.

44. What is the state of play of the case at the European Court of Justice Kessler v Commission? How many legal expenses occur up to now a) on the Commission's side and b) on Mr Kessler's side, whose legal expenses were defrayed by the Commission?

³ <https://www.politico.eu/article/giovanni-kessler-olaf-fbi-eu-needs-fbi-for-customs-says-former-chief-fraud-investigator/>

Commission's answer:

The Director-General of OLAF brought a case against the Commission decision waiving his immunity (Case T-251/16). as he considered that this measure would call his independence into question (Art. 17 (3) of Regulation (EU) No 883/2013). In connection with that case, he asked for interim measures (the suspension of the decision to waive his immunity), in Case T-251/16 R. The request was dismissed by reasoned order of the President of the General Court of 20 July 2016. The order was not appealed and is therefore final.

The main case (T-251/16) is pending. There are no legal expenses on the Commission's side, as the institution is represented by its own agents. OLAF has informed the Commission that it has paid EUR 28 000 in fees for assistance by external lawyers.

45. On 08th November 2017 at 5pm, a farewell drink in honour of Giovanni Kessler was organised at the OLAF Headquarters.

a. How many staff members participated in the farewell drink?

Commission's answer:

Organising a farewell drink for a departing Director-General is in line with established Commission practice. Approximately 60 persons attended the event, out of which 24 were OLAF staff. Members of the European Parliament and the OLAF Supervisory Committee as well as representatives of Member States were also present.

b. What were the costs of the farewell drink?

Commission's answer:

The costs of the farewell drink were covered by the budget of Commissioner OETTINGER and amounted to EUR 1 438.20.

c. How much working time got lost through the participation of staff members in the event?

Commission's answer:

The farewell drink lasted one hour, from 5pm to 6pm.

ABAC system

46. With reference to the transfer of appropriations N° DEC 24/2017, what kind of investments are planned to modernize the Accrual Based Accounting (ABAC) system up to 2022? Could the Commission please make an annual breakdown on these investments? When will the negotiations with the potential system provider end in order to get a full picture of the total cost for the modernisation?

Commission's answer:

The current ABAC system is the corporate platform for budgetary accounting, treasury management and finance of the European Commission. It also hosts the accounting activities of some other EU institutions and the majority of Agencies and Joint Undertakings. It is based on several pillars with complex interfaces. It dates from the early nineties and needs modernisation to increase the efficiency of financial management through standardised business processes. This investment will move the Commission's financial application landscape to a future-proof, state-of-the-art and robust single pillar platform.

ABAC will be upgraded to a modern system furnished by the current system provider. The investment covers hardware, software licenses, design & implementation, project management and training.

The European Commission is finalising the complete analyses of the modernisation project, consequently it is not appropriate to provide the total cost at this stage.

47. The user community of ABAC counted in 2016 over 14 000 users, who operate EUR 150 billion in appropriations and over one million payments.

- a. For how many new users was ABAC opened in 2016?

Commission's answer:

4.330 userIDs have been created between 01/01/2016 and 31/12/2016. This is significantly higher than the average over the previous years: ± 1.800 new userIDs per year. This is due to the incorporation of DG DEVCO's staff previously working with a local application (CRIS) – needing 2.432 supplementary new userIDs – into ABAC. An important share of user IDs concern consultation rights only.

- b. How many Commission employees in which grades have made use of privileged user accounts with the necessary authorisations to perform Manual interventions (MIs) in ABAC systems in 2016?

Commission's answer:

In 2016, 10 Commission employees had privileged user accounts of which 2 ADs and 8 ASTs. As the two main pillars of ABAC (Workflow vs. Accounting) are based on different technologies, two teams of specialists needed to be set up. Moreover, for each specialist a back-up colleague must be available to ensure business continuity.

- c. Who can request a privileged user account with the authorisation to perform MIs?

Commission's answer:

Dedicated people from units BUDG.R.3 (Financial information systems implementation) & BUDG.R.4 (IT infrastructure and user support).

- d. Who approves the request for a privileged user account? What are the conditions for approving such a privileged user account with the authorisation to perform MIs? Do the responsible persons take the need-to-know principal into account for their decision?

Commission's answer:

The creation of the privileged user accounts follows a strict procedure: (1) the Heads of Unit BUDG.R.3 & BUDG.R.4 validate and submit the request; (2) the ABAC security authorisation team creates the user account and (3) the LISO (Local Informatics Security Officer) is informed for monitoring.

The conditions are based on the technical capacity of the person to perform the MI. Earlier mentioned Heads of Unit take the need-to-know principle – i.e. access to systems and data is strictly limited to needs within the conduct of the users' job functions – into account for the decision to approve access.

- e. Does the Commission make a systematic and regular review of privileged user accounts and the corresponding access rights?

Commission's answer:

Yes. The review – including privileged user accounts and linked access rights – is performed on a yearly basis. The legal base for this review is referred in the Internal Rules, under Article 17 "Annual report on the access rights granted in ABAC". Moreover a biannual report on the MIs monitors the privileged user accounts used to perform MIs.

- f. Which actions has the Commission set aside for reducing an extensive use of the MIs procedures?

Commission's answer:

In any IT system, MIs are necessary. Under the current ABAC architecture – complex with many interfaces to many other systems – some MIs help to assure business continuity. In the maintenance planning of ABAC, adaptations are scheduled to reduce the number of MIs. The modernised platform should further reduce the number of MIs significantly.

- g. How many undue operations and/or irregularities were detected related to user accounts used to perform MIs? How did the Commission follow up on these cases and what were the consequences?

Commission's answer:

No undue operations and/or irregularities were detected related to user accounts used to perform MIs.

Union Customs Code / Transfer of appropriations N° DEC 28/2017

48. According to the Commission, the implementation of some systems of the new and updated Union Customs Code (UCC) electronic systems, which were expected to be deployed by 31/12/2020, are postponed after 2020.

- a. Which systems are affected by the postponement?

Commission's answer:

The Automated Export System (AES), the New Computerised Transit System (NCTS), the Central Clearance Import (CCI), and the Imports Control System (ICS2) (broken down into 3 phases) have been the main systems affected by the principle of postponing until after 2020.

Some other lower priority projects have also been postponed beyond 2020 and will be defined at a later stage (UCC Notification, UCC Guarantee Management, Harmonisation of UCC special procedures).

- b. Could you please inform the Parliament about the reasons of the postponement?

Commission's answer:

The casting of the new UCC legislation into the operational reality from the Member States perspective needs to tackle the significant complexity of the systems to be deployed. In 2017, it became apparent that there were not enough resources, and not enough time, to implement the complete set of IT systems needed for the implementation of the new UCC by the end of 2020.

- c. What causes the cost increase for the period of 2017-2020 for a total of more than EUR 31, 35 million?

Commission's answer:

Even if some systems were delayed, the Member States requested the Commission to anticipate the delivery of the specifications for all these systems. Moreover, the earliest UCC systems, such as Customs Decisions (which entered in operation on 2 October 2017) have yet to be aligned with the latest and considerable changes introduced by the UCC legislation, which was adopted during their development, thus generating significant additional expense.

- d. Which other options - besides the postponement and the cost increase - were taken into account to implement the complete set of IT systems needed for the implementation of the new UCC by the end of 2020?

Commission's answer:

The scope of the UCC IT systems was extensively discussed and optimised with the Member States during many Customs Policy Groups. Savings and internal reprioritisations of IT projects have allowed limiting the net financial gap to an amount of around EUR 7 million.

49. In the Annual Activity Report 2016 you pointed out the effectiveness of the anti-fraud strategy. What are in your view the main positive measures? The anti-fraud strategy will be reviewed every 4 years or upon a material event. Will there be a review next year and what will be the main elements?

Commission's answer:

Given that the Secretariat-General manages a relatively small budget, its 2014 Anti-Fraud Strategy focuses mainly on staff ethics. In this respect, the Secretariat-General regularly organises ethics awareness raising actions. At present, the Secretariat-General is reviewing its Anti-Fraud Strategy. The updated version (valid for the period 2018-2021) will be finalised shortly.

Access to Information

50. Access Info Europe filed a complaint with the European Ombudsman about the lack of transparency in relation to the travel expenses of members of the European Commission in 2016. In particular, it only received data on two months only, whereas the Commission refused to publish detailed data over the entire year. According to the newly proposed Code of Conduct for Commissioners, travel expenses would normally be published every two months. Apparently, the Commission has overcome its original hesitations in this regard. Against this background, please provide the Parliament with detailed data on missions and their justification, as well as the expenses per individual trip, made by Commissioners in 2016.

Commission's answer:

The *Access Info Europe* request to which the reference is made, related to detailed information concerning all 28 Members of the Commission. Information with such level of detail cannot be extracted from the underlying IT system through routine operations. Consequently, in order to reply to the request concerned, it would have been necessary to assess more than 1500 documents, i.e. cost statements relating to individual missions. The assessment would have involved redaction of personal data such as the names of non-senior Commission staff who processed the cost statements.

The Court of Justice of the European Union has confirmed that, when treating access-to-documents requests under Regulation 1049/2001, the Commission must respect the principle of proportionality and ensure that the interest of the applicant for access is balanced against the workload resulting from the application in order to safeguard the interests of good administration. Accordingly, the Commission processed, and partially released mission cost statements covering the period of January and February 2016, for all 28 Members of the Commission in response to the access-to-documents request.

Nonetheless, in order to implement the newly proposed Code of Conduct, the Commission is currently working on a new IT system that will allow for the proactive publication of information relating to Commissioners' expenditure on missions on a two-monthly basis. The new system will be launched as soon as possible.

51. How many access to documents' requests did the Commission receive in 2016? How many of these were fully granted, how many were only partially granted and how many were rejected? What were the main ground for those partially or entirely rejected? Please provide Parliament with a list of requests, including the nature of the requested documents and the final decision whether to grant access. How many of the rejected cases were transmitted to the European Ombudsman or the Court of Justice? And what were the results of these procedures?

Commission's answer:

Number of access-to-documents requests received in 2016

In 2016, the Commission received 6 077 initial applications for access to documents.

Full access was provided to documents in 60.9% of cases, partial access in 20.4% of cases and no access was provided in 18.7% of cases.

The Commission received 295 confirmatory applications requesting a review of the initial decision. The initial (full or partial) refusal was reversed in 52% of cases. Full access was provided to the initially refused, or partially refused, documents in 5% of cases, wider partial access in 47% of cases, and the initial refusal was confirmed in 48% of cases.

Main grounds for the requests partially or entirely rejected

Invoked exceptions to the right of access pursuant to Article 4 of Regulation 1049/2001⁴:

- a) At initial level:
 - 29.8% = protection of privacy and the integrity of the individual (Article 4(1)(b)),
 - 21.7% = protection of the decision-making process (Article 4(3)),
 - 16.2% = protection of the purpose of inspections, investigations and audits (Article 4(2)(3)),
 - 13.7% = protection of commercial interests (Article 4(2)(1)),
 - 7.3% = protection of public security (Article 4(1)(a)(1)),
 - other exceptions accounted for less than 5% of all cases each.
- b) At confirmatory level:
 - 28.3% = protection of privacy and the integrity of the individual (Article 4(1)(b)),
 - 22.3% = protection of the decision-making process (Article 4(3)),
 - 20.3% = protection of the purpose of inspections, investigations and audits (Article 4(2)(3)),
 - 15.9% = protection of commercial interests (Article 4(2)(1)),
 - 5.6% = protection of court proceedings and legal advice (Article 4(2)(2)),
 - other exceptions accounted for less than 5% of all cases each.

List of requests, including the nature of the requested documents and the final decision whether to grant access

While the Commission case-management system for access to documents (Gestdem) does not allow generating a list detailing the nature of the individual documents requested with the IT tools available, it is possible to provide the 2016 statistics concerning the main policy areas covered by applications:

- a) Initial applications:
 - 8.6% concerned policy coordination (SG),

⁴ Whenever several exceptions were applied to one single document or set of documents, only the main ground for refusal was taken into account for the purpose of drawing up these statistics.

- 8% concerned health and food safety (DG SANTE),
- 7.6% concerned internal market, industry, entrepreneurship and SMEs (DG GROW),
- 7.2% concerned competition policy (DG COMP),
- 5.6% concerned taxation and customs union (DG FISMA),
- the remaining Commission departments each accounted for 4% or less of all initial applications.

b) Confirmatory applications requesting the review of initial replies:

- 15.9% concerned competition policy (DG COMP),
- 10.2% concerned health and food safety (DG SANTE),
- 6.8% concerned policy coordination (SG),
- 6.1% concerned justice and consumers, and taxation and customs union, respectively (DGs JUST and TAXUD),
- 5.8% concerned internal market, industry, entrepreneurship and SMEs (DG GROW),
- 5.4% concerned the European Personnel Selection Office (EPSO),
- the remaining Commission departments each accounted for less than 5% of confirmatory applications each.

Number of rejected cases that were transmitted to the European Ombudsman or the Court of Justice, results of these procedures

a) Complaints to the Ombudsman

As regards confirmatory applications submitted to the Commission in 2016, the Ombudsman has opened 13 new enquiries (in 2016 and 2017) where access to documents was either the main or a subsidiary part of the complaint. The Ombudsman has closed four of those enquiries, all without any finding of maladministration by the Commission.⁵

b) Cases brought before the General Court

As regards confirmatory applications submitted to the Commission in 2016, 15 such decisions have formed the subject of appeals before the General Court (cases brought in 2016 and 2017). The Court has not yet issued any judgments in those cases.

⁵ In case 1199/2016/DR, regarding the Commission's failure to reply to a request for review of its decision to refuse public access to minutes of a Commission meeting concerning the February 2016 deal made between the EU and the UK in the lead-up to the "Brexit referendum", the Ombudsman found no maladministration, but closed the case with a critical remark. In case 1388/2016/JN, concerning the Commission's partial refusal to disclose email messages which the Commission exchanged with Irish journalists relating to the application of the Water Framework Directive in Ireland, the Ombudsman concluded that there was no maladministration. In case 327/2017/EIS, regarding the Commission's alleged failure to deal with the complainant's request for access to an infringement file on the correct legal basis and failure to reply, the Ombudsman found that there was no maladministration. Finally, in case 120/2017/PL, regarding the Commission's handling of a request for access to documents pertaining to infringement procedures against Spain concerning waste water treatment, the matter was settled and the Ombudsman found no maladministration.

Expert groups

52. In 2016, the Commission introduced new horizontal rules on the registration of expert groups. What have been the experiences with the implementation of these new rules. How many staff have been attributed to the keeping up-to-date of the register? Has the institution undertaken a stakeholder consultation on the functioning of the register? What has been the general response of stakeholders, either through direct consultation or through spontaneous contributions of the stakeholders concerned?

Commission's answer:

The Commission is satisfied with the implementation of the revised horizontal rules on expert groups. In particular, the new version of the Register of expert groups, which reflect the horizontal rules, and which was launched on the same day as their adoption, provides more valuable information compared to the previous situation, *inter alia* on the work of expert groups, their members and public calls for applications. The encoding and updating of information and documents on the Register of expert groups is a collective responsibility, which involves a small team of officials in the Secretariat-General and several hundred operating in the Commission departments who, among their other responsibilities, are involved in running the groups.

As part of the implementation of the revised horizontal rules, Commission departments performed a 'cleaning' exercise as regards the groups placed under their responsibility and the members of these groups. In this context, the Secretariat-General provided responsible departments with advice and assistance, with a view to ensuring correct and consistent implementation of the rules. As a result, the information published on the Register of expert groups is now more reliable and complete.

Since its launch, the Commission has further improved the Register of expert groups, including by adding a new dedicated section on group meetings which displays the documents in a more ordered and user-friendly way. Furthermore, with the reform of the system, synergies between the Register of expert groups and the Transparency Register were ensured, which also contributes to enhancing overall transparency. Although the Commission has not undertaken a stakeholder consultation on the functioning of the Register of expert groups, the Commission has reason to believe that the general public is overall satisfied with it, as very few requests for improvement or complaints were received so far.

53. Does the Commission plan to reform the rules pertaining to the composition of its expert groups along the lines of the Parliament's INI report on control of the Register and composition of the Commission's expert groups adopted on 14 February 2017?

Commission's answer:

As indicated in its reply SP(2017) 358 final of 31 May 2017 to the Parliament's report, the Commission believes that the revised horizontal rules on expert groups improve significantly the management, balance and transparency of expert groups and provide a positive response to many suggestions made by the Parliament, the Ombudsman and NGOs over the past few years. In its reply the Commission also indicated why it could not accept certain additional requests from the Parliament.

The Commission would also like to recall that the Ombudsman has commended in 2017 the Commission for its reform of the expert groups system. In particular, the Ombudsman recognised that the revised horizontal rules follow, to a large extent, proposals made by her office and has pointed out that the outcome of the Commission's reform has resulted in a more robust, inclusive, transparent and legally binding system. By letter of 14 November, the Ombudsman informed President Juncker about her formal decision to close her strategic inquiry into the system of Commission expert groups whilst she would continue monitoring its implementation.

54. What is the institution's reaction to the report issued by Corporate Europe Observatory (<https://corporateeurope.org/expert-groups/2017/02/corporate-interests-continue-dominate-key-expert-groups>) in which this organisation concludes that corporate interests still dominate key expert groups? Does the institution agree with the recommendations contained in this report for new Guidelines for the DGs, as well as a thorough evaluation by the institution itself?

Commission's answer:

Overall, the number of members representing corporate interests is lower than claimed in the report cited. In a number of cases the figures provided by Corporate Europe Observatory (CEO) on the composition of the 10 groups examined, out of roughly 760 groups published on the Register, appear to be inaccurate. Furthermore, CEO has acknowledged that some of these 10 groups are not dominated by corporate interests. In other groups, the presence of members representing corporate interests is strong, although there are reasons explaining such a presence in these groups.

In general, the Commission favours a qualitative assessment of the expert groups' composition. In particular, experience shows that in practice at least three main factors contribute to determining the composition of an expert group, as can also be seen in the 10 groups referred to in CEO's report: (1) the mandate of the group, (2) the diversity of views within the corporate side, which should not necessarily be regarded as a homogeneous block in terms of interests represented, and (3) the level of interest from NGOs.

The Commission does not consider that further changes to the system are required in light of the recommendations in CEO's report, for the above-mentioned reasons.

55. Which high level advisory groups do not fall under the horizontal rules for expert groups? Why was, for example, the High Level Group of Personalities on Defence Research not registered?

Commission's answer:

Commission Decision C(2016) 3301 establishes horizontal rules on the creation and operation of Commission expert groups as defined in article 2 (1)⁶ and their sub-groups, as well as of other similar entities as defined in article 2 (2)⁷ and their sub-groups, without prejudice to the provisions included in the legislative acts setting up those entities. These provisions apply irrespective of the name of the groups in question. Article 1.2 of the Commission Decision lists the bodies and events excluded from the scope of the horizontal rules.

As indicated in the Commission's reply to the Ombudsman in relation to complaint 811/2017/EA, the High Level Group of Personalities on Defence Research (GoP) does not qualify as a Commission expert group in the sense of the Commission rules in place at the time of its creation⁸, as well as of the revised horizontal rules adopted by the College in May 2016⁹. In light of the provisions concerning the role and membership of expert groups, and taking into account the actual composition of the expert groups which have operated over the years, the Commission takes the view that 'Commission expert groups' are to be understood as advisory bodies operating at technical and/or administrative level. This is particularly evident in the provisions on the membership of expert groups which indicate, *inter alia*, that the Commission interacts with Member States' competent authorities (which in turn appoint their representatives in the groups), not with the political level¹⁰. Contrary to Commission expert groups, the membership of the GoP was political in nature¹¹ and provided the Commission with strategic and political rather than technical advice. In view of the above, the Commission is of the opinion that it was justified not to include the GoP in the Register of expert groups. However, transparency on the work performed by this group was ensured, as its report is publicly available: <https://www.iss.europa.eu/content/report-group-personalities-preparatory-action-csdp-related-research>.

⁶ This article reads: 'Commission expert groups' means consultative bodies set up by the Commission or its departments for the purpose of providing them with advice and expertise as set out in Article 3 and which are foreseen to meet more than once.

⁷ This article reads: 'other similar entities' means consultative entities set up by the Union legislator, the role of which is the same as, or similar to, that set out in Article 3, which are foreseen to meet more than once and for which the Commission departments ensure administrative and/or financial management.

⁸ C(2010) 7649

⁹ C(2016) 3301

¹⁰ C(2010) 7649, Rule 8 and C(2016) 3301, Articles 7 and 9.

¹¹ One MEP (Gahler), one member of the Assemblée Nationale (Guigou), one member of the Polish Senat (Klich), one former Swedish Prime Minister and Minister (Bildt) and the HR/VPMogherini.

56. Did the institution encounter any problems in finding stakeholders representing civil society? In which cases was civil society under-represented because, despite efforts of the institution, no experts could be found representing civil society?

Commission's answer:

Although public calls for applications, which have become mandatory, give equal opportunities to all parties concerned to participate in the work of expert groups, experience shows that interest from civil society organisations is still limited in certain cases.

Over the past few years, the Commission has repeatedly indicated to NGOs, the Parliament and the Ombudsman that one possible solution to offset the lack of NGOs in expert groups would be for European or international civil society organisations to be represented not necessarily by experts working directly for them, but also by experts from their national member organisations. This option is, indeed, already available.

That being said, the Commission recalls that expert groups are first and foremost fora of discussion, which never take binding decisions, and that the level and quality of members and individual experts presented in each meeting is often more important than the number of experts representing different interests.

Revolving doors

57. In 2016, media paid much attention to the new jobs of former Commissioners. Which cases did the Commission examine and how did it verify that no conflicts of interests would arise? Which conditions were formulated for the authorisation of such new jobs?

Commission's answer:

In 2016, the Commission adopted five decisions on the envisaged post-mandate activities of former Commissioners Füle, Borg, Almunia and Hill and Vice-President Georgieva.

All information on the decisions taken by the Commission and in particular on the conditions and/or restrictions imposed can be found on the Europe website:

https://ec.europa.eu/info/about-european-union/principles-and-values/ethics-and-integrity/ethics-and-integrity-eu-commissioners/former-european-commissioners-authorised-occupations_fr

58. How many staff members are involved in checking if former Commissioners if former Commissioners are keeping to the conditionality of their authorised new roles?

Commission's answer:

Former Members of the Commission are aware that they remain bound by the Code of Conduct and Article 245 TFEU which enshrines their duties to behave with integrity and discretion as regards the acceptance, after they have ceased to hold office, of certain appointments or benefits.

They are consequently expected to abide by the terms of the decisions taken by the Commission on their post-mandate activities. No checks are foreseen in this regard without specific information about possible disregard of such decisions. In case the Commission received such information, it would examine the issue without delay.

Citizens' Dialogues

59. In his State of the Union 2017, (http://europa.eu/rapid/press-release_SPEECH-17-3165_nl.htm, page 15) Mr. Juncker mentioned that over 2000 Citizens' dialogues have taken place. How many of these took place in 2016? How much did they cost per event? How many people attended per event? How were citizens' invited and how were these events promoted?

Commission's answer:

In his State of the Union 2017 speech, President Juncker mentioned the "more than 2,000 public events that the Commission organised since March" 2017, after the presentation of the White Paper on the Future of Europe. Of those 2,000 public events, 129 were Citizens' Dialogues. The list of events can be obtained from the brochure published on the occasion of the State of the Union Address 2017: https://ec.europa.eu/commission/sites/beta-political/files/citizens-dialogues-future-europe_en.pdf

These 129 Citizens' Dialogues with President Juncker, the Members of the Commission and senior Commission officials took place in more than 80 towns in 27 Member States, including all capitals, but mainly cities in the different regions of Europe. These 129 public debates were attended by almost 21,000 people in town halls, squares, museums and theatres - with another 144,000 people following six Facebook Live Citizens' Dialogues. The Future of Europe's Dialogues potentially reached 34 million people through media and social media coverage. They are a part of the almost 400 Citizens' Dialogues that were held since January 2015.

The full list map of Citizens' Dialogues by September 13, 2017 can be found on page 98 and 99 of the State of the Union brochure: https://ec.europa.eu/commission/sites/beta-political/files/state-union-2017-brochure_en.pdf).

In 2016, the European Commission organised a total of 73 Citizens Dialogues (included on the map on p. 99 of the brochure).

All Citizens' Dialogues with Commissioners were announced on the Citizens' Dialogues page: https://ec.europa.eu/info/events/citizens-dialogues_en, the websites of the Commission Representations and also through social media (mainly Twitter and Facebook). Many Citizens' Dialogues were broadcast live and/or live webstreamed in order to reach people who are not physically present. In most cases they were also involved via hashtag #EUdialogues. Citizens' Dialogues with Heads of the Commission Representations or with senior officials (Directors General, etc.) were promoted via the pages of the Representations, those of partners involved as well as via the respective social media channels. Events organised by the Europe Direct Information Centres were announced on their web pages and via the social media channels. When there was a partnership with the press, radio and/or TV, events were also advertised by the media partners.

In 2016, the average costs of one Citizens' Dialogue were 37,000 € (in each individual case depending on the Member State and the number of participants).

Integrity policies

60. Which policies did the institution set up and implement in order to safeguard integrity of its staff? How many training sessions, if any, were organised in this respect?

Commission's answer:

The Commission is fully convinced of the importance of staff awareness raising actions on integrity. This has always been a key component of its policy in this matter. This includes compulsory trainings for newcomers, e-learning courses and regular presentations on ethics to services and cabinets.

In 2016 the following training sessions were organised:

- 47 trainings on Ethics & Integrity + Induction programme (delivered by external trainers)
- 12 trainings regarding Interactive ethics (delivered by IDOC-E3/ IDOC)
- 14 'leaving the service' trainings (delivered by the Commission (DG HR))

Sustainability

61. How did the institution ensure that its policies regarding public procurement include criteria for social policies and sustainability?

Commission's answer:

Public procurement in the European Institutions is governed by the Financial Regulation which is not a policy instrument but rather a set of procedural rules which should remain objective. Nevertheless the Commission is already providing training and guidelines for the services in order to better incorporate specific criteria on social and environmental aspects. Accordingly wherever possible and cost-effective, environmental and social aspects should be taken into account in the technical specifications and where relevant in view of the subject matter of the contract, accessibility criteria for people with disabilities must be included.

Moreover the Commission made commitments in relation to sustainable development and encourages green procurement by providing a website on Green Public Procurement which includes the green public procurement criteria and a toolkit.

62. How often (as percentage of all tenders) was the final decision on public procurement based on the lowest price, and how often on other criteria?

Commission's answer:

The award of contracts is based on the most economically advantageous tender, who consists in one of three award methods: lowest price, lowest cost or best price-quality ratio. Best price-quality ratio method is the method most frequently used by the EU institutions. The lowest price method is mostly used for supplies. As procurement is decentralised in the Commission at the level of each responsible authorising officer, they are the best placed to decide on a case by case basis on the award methods to be used. As of today, there is no centralised information system on procurement procedures to monitor the award methods use as there is no binding legal obligation to do so.

* * *

Annex 1 - Q7-8 Breakdown	Female representation in MM 1 November 2017			Female representation in SM 1 November 2017		
	W	% W	Total	W	%W	Total
AGRI	13	29%	45	4	31%	13
BUDG	8	29%	28	3	50%	6
CLIMA	4	40%	10	2	50%	4
CNECT	11	30%	37	4	40%	10
COMM	14	42%	33	5	42%	12
COMP	17	39%	44	3	21%	14
DEVCO	12	26%	47	3	38%	8
DGT	40	51%	78	2	29%	7
DIGIT	3	20%	15	2	33%	6
EAC	6	30%	20	3	43%	7
ECFIN	10	29%	35	4	31%	13
ECHO	9	56%	16	3	60%	5
EMPL	21	58%	36	2	29%	7
ENER	7	39%	18	3	33%	9
ENV	7	33%	21	2	29%	7
EPSC	1	100%	1	1	100%	1
EPSO	3	60%	5	0	0%	0
ESTAT	16	46%	35	3	38%	8
FISMA	5	26%	19	2	29%	7
FPI	2	50%	4	1	100%	1
GROW	18	38%	47	4	29%	14
HOME	10	50%	20	1	14%	7
HR	13	45%	29	2	22%	9
IAS	3	27%	11	1	25%	4
JRC	9	14%	66	5	50%	10
JUST	9	43%	21	4	80%	5
MARE	8	44%	18	3	50%	6
MOVE	9	39%	23	4	44%	9
NEAR	6	32%	19	3	33%	9
OIB	5	36%	14	0	0%	1
OIL	1	25%	4	0	0%	1
OLAF	7	37%	19	2	50%	4
OP	6	43%	14	1	25%	4
PMO	3	33%	9	1	100%	1
REGIO	10	32%	31	3	33%	9
RTD	24	47%	51	4	33%	12
SANTE	12	35%	34	2	20%	10
SCIC	19	56%	34	2	40%	5
SG	8	26%	31	3	25%	12
SG/RSB				1	50%	2
SG/SRSS				1	50%	2
SJ	0	0%	1	3	20%	15
TAXUD	7	33%	21	2	33%	6
TRADE	9	30%	30	4	36%	11
Total	405	37%	1094	109	35%	315

ANNEX 3 – reply to question 22

Execution 2016 line 26 01 60 04

Budget appropriations :	8.790.121 €
Execution :	8.769.689 €

Internal Assigned revenue :	6.556.594 €
Execution :	2.361.463 €

(credits not executed are carried-over to 2017)

Internal Assigned revenue carried-over from 2015 :	7.445.234 €
Execution :	7.441.344 €

External Assigned revenue :	8.912.101 €
Execution :	7.169.310 €

(credits not executed are carried-over to 2017)

The detailed information by service and type of expenditure is the following:

- **DG HR**

Budget appropriations :	4.810.000 €
Execution :	4.810.000 €

Of which :

Aide aux handicapés:	3.882.116 €
Communication interne administrative:	175.755 €
Bureau d'accueil:	146.691 €
Aide sociale bénéficiaires pension:	141.532 €
Aides exceptionnelles:	43.502 €
Frais scolarité exceptionnels:	24.572 €
Relations sociales au sein du personnel:	395.832 €

Internal Assigned revenue :	129.832 €
Execution :	58.287 €

(credits not executed are carried-over to 2017)

Of which :

Aide aux handicapés:	58.287 €
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Internal Assigned revenue carried-over from 2015 :	105.033 €
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Execution :	101.917 €
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Of which :

Aide aux handicapés:	60.686 €
Bureau d'accueil:	11.184 €
Relations sociales au sein du personnel:	30.047 €

- **OIB**

Budget appropriations :	1.987.000 €
Execution :	1.987.000 €

Of which :

Crèches locales	960.608 €
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Catering	43.555 €
Aliments	157.999 €
Facturation institutions	70.900 €
Association Parents (cantines Ecoles europ.)	94.668 €
Garderies écoles européennes	292.877 €
Produits pharmaceutiques et matériel médical	184.918 €
Frais de transport	9.830 €
Matériel ludique et éducatif + entretien	65.378 €
Fournitures lingères	97.412 €
Assurance	5.029 €
Matériel de cuisine, vaisselle	2.685 €
Dépenses diverses	1.141 €

Internal Assigned revenue : **5.579.882 €**

Execution : **2.129.590 €**

(credits not executed are carried-over to 2017)

Of which :

Crèches locales	1.032.036 €
Catering	477.665 €
Aliments	30.475 €
Facturation institutions	555.837 €
Produits pharmaceutiques et matériel médical	403 €
Matériel ludique et éducatif + entretien	1.225 €
Fournitures lingères	9.326 €
Consultance CIE (Centre Interinstitut. européen)	13.106 €
Entretien installations sportive CIE	6.590 €
Matériel de cuisine, vaisselle	151 €
Mobilier, outillage, modules CIE	2.579 €
Dépenses diverses	197 €

Internal Assigned revenue carried-over from 2015 : **6.706.413 €**

Execution : **6.706.413 €**

Of which :

Crèches locales	4.786.335 €
Catering	431.689 €
Aliments	603.402 €
Facturation institutions	191.696 €
Association Parents (cantines Ecoles europ.)	458.295 €
Garderies écoles européennes	14.396 €
Produits pharmaceutiques et matériel médical	20.129 €
Frais de transport	136.641 €
Matériel ludique et éducatif + entretien	50.772 €
Fournitures lingères	584 €
Assurance	8.484 €
Matériel de cuisine, vaisselle	2.633 €
Dépenses diverses	1.357 €

- **OIL**

Centre polyvalent de l'enfance interinstitutionnel (CPE) :

Budget appropriations : **689.441 €**

Execution : **689.441 €**

Internal Assigned revenue : **478.156 €**

(from BEI, PE, CJUE, CDC, CDT, FEI, CHAFAE, ESM, EFTA)

Execution :	73.786 €
(credits not executed are carried-over to 2017)	
Assigned revenue carried-over from 2015 :	391.773 €
Execution :	391.658 €
External Assigned revenue :	8.555.003 €
(parental contributions)	
Execution :	6.826.839 €
(credits not executed are carried-over to 2017)	

Foyer :

Budget appropriations :	300.679 €
Execution :	300.679 €
Internal Assigned revenue :	196.246 €
(from BEI, PE, CJUE, CDC, CDT, FEI, CHAFAE, ESM, EFTA)	
Execution :	79.329 €
(credits not executed are carried-over to 2017)	
Internal Assigned revenue carried-over from 2015 :	104.773 €
Execution :	104.773 €
External Assigned revenue :	277.403 €
(contributions CAS-Comité Actions Sociales)	
Execution :	277.390 €
(credits not executed are carried-over to 2017)	

Restauration :

Budget appropriations :	584.000 €
Execution :	581.556 €
Internal Assigned revenue :	64.289 €
(from BEI, PE, CJUE, CDC, CDT, FEI, CHAFAE, ESM, EFTA)	
Execution :	20.472 €
(credits not executed are carried-over to 2017)	
Internal Assigned revenue carried-over from 2015 :	40.649 €
Execution :	40.649 €

Centre de santé:

External Assigned revenue :	79.695 €
(contributions utilisateurs)	
Execution :	65.080 €
(credits not executed are been carried-over to 2017)	

• DG SANTE (Grange)

Budget appropriations :	354.000 €
Execution :	350.744 €

Of which :

Catering services:	97.523 €
Childcare services:	233.380 €
Crèche administration:	3.500 €
Social activities:	8.000 €
Equipment for Crèche:	8.341 €

Internal Assigned revenue : 108.188 €

Execution : 0 €

(credits not executed are carried-over to 2017)

Internal Assigned revenue carried-over from 2015 : 95.933 €

(staff contributions)

Execution : 95.933 €

Childcare services

• **DG COMM (Commission Representations)**

Budget appropriations : 65.000 €

Execution : 50.268 €

Events organised for staff, projects to promote social contact between the staff but also events geared towards "well-being at work", reflection days, internal communication, outings and a few events to create synergies with the local population (e.g. cleaning beaches, supporting the refurbishing of a kindergarden)

Internal Assigned revenue carried-over from 2015 : 660 €

Execution : 0 €