



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

(C/2024/2206)

Preamble

The European Commission (hereinafter referred to as 'the Commission') and the European Economic and Social Committee (hereinafter referred to as 'the Committee') consider that it is in their common interest to reinforce their relations through the implementation of this Protocol, with the closer cooperation arrangements for which it provides, replacing those in the Protocol of 22 February 2012.

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

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

The Commission and the Committee cooperate in the accomplishment of the Committee's three fundamental missions as identified by its Mission Statement:

- helping to ensure that the European Union policies and legislation tie in better with economic, social and civic circumstances on the ground, by assisting the European Parliament, Council and European Commission, making use of the Committee members' experience and representativeness, dialogue and efforts to secure consensus serving the general interest;
- promoting the development of a more participatory European Union, which is more in touch with public opinion, by acting as an institutional forum representing, informing, expressing the views of and securing dialogue with organised civil society;
- promoting the values on which European integration is founded and advancing the cause of participatory democracy as well as the role of civil society organisations, in Europe and across the world.

The Commission supports the strengthening of the Committee's advisory role (carried out by its sections, Consultative Commission on Industrial Change (CCMI) and the Committee bodies, such as the observatories or ad hoc groups), both upstream and downstream of the Union policymaking and legislative process.

The Commission supports a close partnership with the Committee with a view to achieving an economically prosperous, socially inclusive and environmentally sustainable Union and taking full advantage of the digital society and economy. The Commission and the Committee agree on the importance of protecting the European Union's core values and the rule of law while making the European Union an attractive place for business and aiming at full employment and social progress and a high level of protection and improvement of the quality of the environment.

The Committee may contribute to evaluating the implementation of EU legislation particularly in relation to the provisions having general application, as provided for under Articles 8 to 12 of the Treaty on the Functioning of the European Union (TFEU).

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

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

The Commission supports the Committee's initiatives to facilitate, promote and structure dialogue and consultation with European organised civil society, as well as initiatives engaging civil society at large. The Commission also supports the Committee's initiatives to reinforce relations with the network of Economic and Social Councils and similar institutions in the Member States, so that the Committee can play a full part as a vector for the expectations and aspirations of organised civil society.

The Commission and the Committee may in the future identify ways to strengthen their cooperation, for example in the follow-up to the proposals of the Conference on the Future of Europe.

I. Institutional and administrative relations

Commission Work Programme

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

2. In the first semester of each year, the Committee will make known its key political priorities regarding the Commission's Work Programme for the following year and how it intends to contribute to its implementation.

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

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

Meetings and exchange of information

4. The Members of the Commission shall be invited to take part in the work of the Committee, particularly in the context of the plenary sessions, in order to discuss the strategic guidelines in their fields of competence and any questions determined in advance by common agreement. Members of the Commission can also ask to be heard by the Plenary Assembly. Members of the Commission or, in exceptional circumstances, senior officials may ask to be heard in debates of the Committee's Bureau about Commission initiatives.

Meetings between the presidents or representatives of the sections and the CCMI and the counterpart Members(s) of the Commission or senior Commission officials shall be organised at least once a year to examine issues of common interest and joint activities. Such meetings can be ad-hoc meetings or take place in the framework of a section/CCMI meeting or conference.

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

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

6. The coordinators or responsible persons appointed by each Commission department and the secretariats of the sections and the CCMI, in particular, shall regularly exchange information, especially in the context of the Commission department planning and the implementation of the work priorities of the sections, and to identify joint activities.

The Commission shall make available the agenda of its upcoming meetings to the Committee's Presidency.

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

Joint cooperation initiatives

7. On the basis of the respective priorities of the Commission and of the Committee, the Committee can be invited to take part, in accordance with the applicable rules, in all relevant forms of Commission expert groups that address topics that fall within the Committee's competence. Where appropriate, the Commission and the Committee could decide to jointly manage cooperation platforms or future initiatives that address issues within the Committee's competence.

Where appropriate, the Committee can work closely with the Commission services at various levels on specific subjects. Such cooperative activities can be bilateral, consisting of knowledge-exchange and joint participation in events, and one-off initiatives.

II. Consultative function of the European Economic and Social Committee

8. The Committee stresses the importance of proper legislative programming and early information particularly in the case of urgent and sensitive files. The Committee endeavours to bear in mind the priorities and deadlines of the Commission in the organisation of its own work. To this end, the Commission provides the Committee with information concerning the timing of its proposals in the framework of the regular exchanges between the sections and the CCMI and the Commission's departments.

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

Optional consultation and own-initiative opinions

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

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

10. With due respect for the Treaties, it is important for both the Commission and the Committee to be targeted in their choices in order to make the most of their cooperation.

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

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

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

Exploratory opinions

11. As part of the process of framing the Union's policies and planning its work, the Commission may call on the Committee to draft exploratory opinions in any areas of particular importance to organised civil society, where it takes the view that the Committee has the competence and expertise.

Once the Commission has adopted its Work Programme, the Commission and the Committee discuss the Commission's initiatives with the objective to jointly identify five subjects that could be the object of exploratory opinions. Such requests for exploratory opinions are communicated to the Committee by the Vice-President of the Commission responsible for relations with the Committee, accompanied by precise indications of the object and the deadline, if any, for delivering the opinion. The Committee adopts its exploratory opinion within the deadline and, in any case, in time to fit the adoption of a proposal as planned by the Commission.

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

Transmission of Commission documents and structure of Committee opinions

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

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

- highlight the specific changes it proposes to the Commission's legislative proposals;
- summarise its main recommendations and proposals.

Follow-up to opinions

14. The Commission provides appropriate follow-up on the opinions prepared by the Committee in the framing of the Union policies and decisions, including own-initiative opinions. To this end, the Commission systematically gives reasons for following up or not on the proposals for changes and the substantive suggestions in the Committee's opinions.

For exploratory opinions, the Commission provides a political follow-up, including, where possible, information from the competent Member of the Commission during the plenary session following the one where the opinion in question is adopted. In principle, the Commission makes reference to the Committee's exploratory opinion in the impact assessment of its legislative proposal.

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

Better Regulation Agenda

15. The Commission and the Committee cooperate in order to contribute effectively to better law-making and to the Better Regulation Agenda. The Committee contributes by bringing the views of organised civil society into the evidence-based process.

The Committee contributes to the Commission's ex-post evaluations at the request of the Commission. Based on the planned evaluations for the upcoming two years, the Commission invites the Committee to select the files to which it would like to contribute in the form of opinions or evaluation reports as defined by the Committee's Rules of Procedure.

The Committee could also be involved in preparatory work during consultation activities for impact assessments and evaluations. In this framework, the Committee can support the Commission in its consultation process in areas of particular relevance for civil society. Moreover, the Committee can make known to its constituencies the public consultations that are the most relevant for them so as to increase outreach.

The Committee and the Commission will continue their cooperation in the framework of the REFIT programme, which is part of the Better Regulation Agenda, and on the Fit For Future Platform.

The Commission and the Committee cooperate on strategic foresight at administrative level within the European Strategy and Policy Analysis System (ESPAS) framework. The Committee may also contribute to certain Commission's foresight activities by providing the views of civil society, as well as the expertise of its members and networks. The Commission will support the Committee in reinforcing its foresight capacities by sharing information and experience, e.g. on existing processes or tools.

III. The European Economic and Social Committee and organised civil society

Civil society organisations and networks

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

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

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

With regard to its policy of consultation, the Commission draws, wherever relevant, on the Committee's support, particularly when it comes to deepening its relations with organised civil society, both within and outside the Union. In that context, the Committee supports the Commission by organising joint hearings, seminars and conferences with the players concerned on specific policy issues of common interest and where it has the appropriate competence and expertise, and in particular the annual Civil Society Days event, during which the Commission, as a general rule, will be represented by a Member of the Commission.

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

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

18. The Commission welcomes the Committee's assistance in the implementation of the European Citizens' Initiative with regard to civil society organisations. The Committee will consider adopting own-initiative opinions on valid European Citizens' Initiatives on a case-by-case basis in time for the Commission to adopt its decision on such initiatives and when the subject of the initiative falls within the Committee's competence.

The Committee is willing to further contribute to raising awareness of the citizens' initiative, notably through the organisation of the annual ECI Day as a place for dialogue, exchange of best practices and networking, during which the Commission, as a general rule, will be represented by a Member of the Commission.

European Semester

19. The Commission and the Committee will continue to increase the synergies between their actions and initiatives in policy areas that concern organised civil society the most, particularly the European Semester, including sustainable development and climate change, the deepening of the internal market, the fight against poverty and social exclusion, immigration, energy supply, employment and skills policies. The Committee provides its contribution to the Commission to support the formulation of the analysis and policy recommendations under the European Semester. The Committee follows the implementation of the European Semester priorities and, as appropriate, the Commission informs the Committee at key milestones of the Semester exercise on the implementation of these priorities.

Each year, the Committee presents a report assessing, with the close cooperation of the network of national Economic and Social Councils and similar institutions, civil society's involvement in the elaboration of National Reform Programmes. That report is debated at the plenary session before the Spring European Council.

The Committee will invite the responsible Member of the Commission to participate in the debate and to present the Annual Sustainable Growth Survey.

Network of national Economic and Social Councils

20. The Commission and the Committee endeavour to foster ownership of Union policies by citizens. To that end, the Commission welcomes the Committee's intention to pursue its efforts to involve the network of national Economic and Social Councils and similar institutions.

External dimension and cooperation with civil society outside the Union

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

The Committee and the Commission work together to promote the establishment, and to ensure the management and operation, of civil society mechanisms in charge of monitoring the implementation of the relevant parts of EU trade agreements with third countries. The Committee coordinates, with the support of the Commission, joint meetings of the EU's and third countries' civil society representatives relating to the implementation of trade agreements.

IV. Communicating Europe in partnership

22. Stepping up synergies between the Commission and the Committee in the area of communication to bring the European Union closer to its citizens and civil society organisations is of key importance to both the Commission and the Committee. Communicating on Europe with citizens and civil society organisations is a shared responsibility of all the European institutions and bodies. Effective information and communication by the European Union should be considered primarily as a public service task, so as to give citizens and civil society organisations the opportunity to participate fully in the European debate and in the democratic process of framing Union decisions and policies.

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

As EU communication is a responsibility shared between the EU institutions and bodies, the Commission and the Committee will pursue their regular exchanges between each other and with the EU institutions, including at senior management level to discuss information and communication matters.

24. The Commission and the Committee agree on the need to integrate communication into decision-making. The Commission recognises that, by virtue of its composition and the role assigned to it by the Treaties, the Committee has a key role to play in creating a genuine European public area of dialogue and discussion on those matters that concern citizens most and which will determine the future of the European project. The members of the Committee act as Committee ambassadors communicating the Committee's role and deliverables at national and EU level. Closer inter-institutional cooperation will enable the European institutions and bodies to make use of this expertise of the Committee.

25. The Commission and the Committee will work together on media coverage of their joint events using the available communication platforms and tools. In their public communication and information activities, the Commission and the Committee highlight their respective roles. The Commission and the Committee will explore cooperation opportunities in the field of media monitoring, including the possibility to grant the Committee access to selected services of the Commission press room.

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

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

Strengthened cooperation with the Commission Representations may include support for organising the Committee's local events, for instance by inviting journalists to Committee press events, possibly on the Representations' premises, the exchange of information and potentially media contacts, if resources permit and in compliance with data protection rules.

Meetings of the Heads of Representation might be hosted by the Committee, either in person, in hybrid form or online, whenever there is common agreement about the concrete needs and objectives of such events.

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

V. Implementation of the Protocol

28. The implementation of this Protocol will be monitored on an annual basis by the Committee President and the Commission Vice-President in charge of relations with the Committee. This will be based on the assessment made by the relevant services of the Commission and the Committee under the supervision of the Secretaries-General of the Commission and of the Committee.

Done at Brussels, on 27 October 2022.

For the European Commission
The Vice-President
Maroš ŠEFČOVIČ

For the European Economic and Social Committee
The President
Christa SCHWENG

ANNEX

Political declaration accompanying the protocol on cooperation between the European Commission and the European Economic And Social Committee

We the undersigned, the Vice-President of the European Commission ('the Commission') for Inter-institutional relations and Foresight, on behalf of the Commission, and the President of the European Economic and Social Committee ('the Committee'), today signed the renewed Protocol on cooperation between the European Commission and the European Economic and Social Committee.

During the ten years since its signature in 2012, the Protocol has enhanced the relation between the Commission and the Committee and strengthened our cooperation. This Protocol reflects our will to renew, consolidate and further deepen our partnership and cooperation.

The Commission, itself maintaining an open, transparent and regular dialogue with representative associations and civil society, recognises the key role of the European Economic and Social Committee as advisory body, which is the House of European civil society. As such, the Committee is instrumental to ensuring and further developing participatory democracy. The Commission is committed to supporting the Committee's initiatives to facilitate and promote dialogue and consultation with European organised civil society, as well as initiatives engaging civil society at large.

To this purpose, this renewed Protocol on cooperation clearly integrates the key challenges of the current political European agenda and provides the necessary tools and processes to address them. The Commission and the Committee aim to benefit from the digital and green transition, addressing geopolitical developments in a forward-looking way, continuing to embed foresight into EU policymaking, and enhancing Europe's economic governance.

Through the Protocol, the Commission and the Committee recognise the importance of a close and special partnership between them with a view to achieving a European Union that is economically prosperous, socially inclusive and environmentally sustainable, whilst taking full advantage of the digital society and economy.

The Commission and the Committee reaffirm their full commitment to the European Union's core values, among them the rule of law. They also consider essential that the European Union remains competitive offering an attractive place for business, while aiming at full employment and social progress.

This renewed Protocol on cooperation will enable the Commission and the Committee to further cement their political and legislative cooperation.

Done at Brussels, on 27 October 2022.

*The Vice-President
of the European Commission*
Maroš ŠEFČOVIČ

*The President
of the European Economic and Social Committee*
Christa SCHWENG