

**PROTOCOL OF COOPERATION
BETWEEN THE EUROPEAN COMMISSION
AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE**

PREAMBLE

The Commission and the European Economic and Social Committee (hereinafter referred to as "the Committee") consider that it is in their common interest to intensify their institutional relations through the implementation of this protocol, with the closer cooperation arrangements for which it provides replacing those in the protocol of 24 September 2001.

This form of closer cooperation is part of the creation of a more intensive culture of dialogue and consultation with organised civil society and its representatives in the drafting and implementing of the Union's policies and decisions.

In this connection, the Commission considers that the Committee helps to meet the need for better democratic expression in the construction of the European Union.

The Commission and the Committee cooperate in the accomplishment of the Committee's three fundamental tasks:

- advising the Commission, Council and European Parliament, thus contributing to Community policymaking and decision-taking;
- enabling civil society organisations in the Union to make a greater commitment to, and have a greater involvement in, the European venture, at both national and European levels, and helping to bring Europe closer to its citizens;
- accompanying the Union's external action by organising and developing dialogue with civil society organisations in countries or regions outside the Community and promoting there the creation of consultative structures.

The Commission supports the strengthening of the Committee's advisory role, both upstream and downstream of the Community's policymaking and legislative process. This means in particular that

the Committee may be involved in impact analyses and contribute more to evaluating the implementation of the legislation.

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

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

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I. INSTITUTIONAL AND ADMINISTRATIVE RELATIONS

1. The Commission President or the Vice-President responsible for relations with the Committee shall present each year to the Plenary Assembly the annual policy strategy and the broad outlines of the Commission's annual work programme.

The Commission President shall present the five-year strategic objectives to the Plenary Assembly at the start of the Commission's term of office.

2. A meeting between the President of the Committee and the Commission President and/or the Vice-President responsible for relations with the Committee shall be organised at least once per year, on the initiative of the Commission, to examine the respective priorities and any question of common interest, as well as to evaluate the implementation of these priorities and the application of this protocol.

This meeting shall be prepared by the Secretaries-General of the Commission and of the Committee and should, in particular, provide an opportunity to identify a number of priorities calling for closer political cooperation between the Commission and the Committee. These priorities should be of a horizontal nature and be at the heart of the European agenda.

In the context of the multiannual interinstitutional planning, the Commission and the Committee shall cooperate in order to contribute effectively to the better-lawmaking initiative of all the institutions.

3. 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 question determined in advance by common agreement.

Moreover, a meeting between the chairs of the specialised sections and the counterpart Commissioner(s) shall be organised once a year to examine their respective priorities and work programmes, under arrangements to be adopted by common agreement.

4. The representatives of the Commission shall be 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 shall attend in particular in order to present Commission proposals or any other document to be examined and shall provide information on the progress of the dossiers.

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

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

At the initiative of the Commission Secretariat-General, the coordinators shall meet with the Secretariat of the Committee once a year at least in order to:

- review the Commission's medium-term projects to which the Committee – following examination by its competent bodies – could make an important contribution, and to examine the monitoring of these projects;
- exchange information about the main activities or initiatives of common interest undertaken or planned by the Commission or the Committee;
- contribute to preparing the meetings between the Secretaries-General of the Commission and of the Committee, particularly with regard to monitoring the implementation of this protocol.

II. CONSULTATIVE FUNCTION OF THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

6. 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 Vice-President responsible for relations with the Committee shall send the latter a list of proposals for which obligatory consultation is stipulated, as well as those which may be the subject of optional consultation. This list shall also include documents of a non-legislative nature with regard to which the Commission intends to request the Committee's opinion.

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

The Committee shall endeavour to bear in mind the priorities and deadlines of the Commission in the organisation of its own work.

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

Accordingly, for its part, the Commission shall base 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 an interinstitutional discussion on the advisability of Community action in a particular area or regarding a particular subject.

For its part, the Committee shall continue its efforts to streamline its work in order to focus on those opinions most likely to provide real added value in the framing of Community policies and decisions.

To this end, the Committee:

- shall apply consolidated criteria with regard to the choice of subjects on which it can issue own-initiative opinions;
- shall seek to implement simplified and rapid decision-making procedures for the drafting of opinions on routine issues which are the subject of obligatory consultation (codification, extending the validity of standards, territorial extension of existing standards, etc.).

8. As part of the process of framing the Union's policies and planning its work, the Commission may provide for and call on the Committee to draft exploratory opinions in areas of particular importance to organised civil society, where it takes the view that the Committee has the appropriate competence and expertise. Requests of this kind shall be communicated to the Committee by the Vice-President of the Commission responsible for relations with the Committee, accompanied by precise indications of the object of the opinion and the deadline.

The Commission and the Committee shall 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.

In this context, and in order to achieve the above objective, the Committee shall organise hearings and/or conferences.

The Commission shall provide appropriate monitoring in order to assess the value of these opinions in the framing of the Community's policies and decisions.

9. The Commission shall send the Committee, as soon as possible, all the documents and information required for its consultative function.
10. In order to make its opinions easier to follow, the Committee shall endeavour in particular to:

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

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

For more political opinions, the Commission shall endeavour to provide more political follow-up, including, in particular and where possible, information from the competent Member of the Commission during the plenary session following the one where the opinion in question was adopted.

Proposals for changes to legislative documents, once accepted by the Commission, shall be incorporated by the latter in its amended proposals, with an indication of their origin in the accompanying explanatory memorandum.

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

12. Pursuant to the Treaty, the Committee shall play a role of institutional intermediary between the institutions of the Union and organised civil society.

The Commission and the Committee shall cooperate in order to better involve organised civil society in the processes of policy framing and preparation of Community legislation, and in their implementation, in order to foster greater involvement and participation by civil society in the European project at every level.

In this context, it shall also support the Committee's commitment to the establishment over the long term of closer, structured dialogue with organised civil society, particularly by way of the Liaison Group that it has created.

With regard to its policy of consultation within the institutional framework, the Commission shall draw on the Committee's support in particular when it comes to deepening its relations with organised civil society, both within and outside the Union.

13. The Commission and the Committee agree to step up their collaboration concerning events in areas of particular importance.

In this context, and without prejudice to the competences and prerogatives of each party, the Committee, as part of its consultative function, may organise, 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 civil society organisations relevant to a particular subject.

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

14. The Commission and the Committee shall also endeavour to increase the synergy between their actions and initiatives, particularly in the following areas:

– **Lisbon Strategy**

The Committee shall contribute to the implementation of the Lisbon Strategy in the context of closer cooperation with the economic and social councils and similar institutions in the Member States, and with civil society organisations, with a view to establishing an interactive network of initiatives to contribute to the success of the Strategy, as encouraged by the European Council.

– **Sustainable development**

The Committee shall contribute to the implementation and follow-up of the Union's sustainable development strategy. In this context, the Commission shall draw on the Committee's support to integrate this strategy into a participative process involving political dialogue with all those concerned with defining and implementing the objectives.

– **Structural changes**

The Commission shall endeavour to make use of the Committee's expertise in anticipating and managing structural changes and their economic, social, environmental and societal impact.

– **Impact analyses and evaluation of legislation**

The Committee shall contribute to the process of analysing the impact and evaluating the implementation of Community legislation, as established by the Commission. This applies in particular to the internal market.

– **The European Union's external relations**

The Committee shall support the Union's external 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 shall support its initiatives to strengthen the role of organised civil society outside the Union and to promote there a culture of dialogue and consultation and the associated structures.

IV. COMMUNICATION POLICY

15. Communicating the European Union to citizens is a shared responsibility of all the European institutions and bodies, an essential task because the European institutions must be credible, transparent, open and responsible if they wish to maintain and increase their legitimacy in the eyes of Europe's citizens. Effective communication by the European Union should therefore be considered primarily as a public service task, so as to give citizens the opportunity to participate fully in the European debate and in the democratic process of framing Community decisions and policies.

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

The Commission is preparing a White Paper that will present the main lines of a communication strategy for the European Union and the main initiatives planned for the medium and long term. This document constitutes the starting point for a long-term process of structural reform and cultural change which will integrate communication into decision-making.

This White Paper will provide the framework for a wide-ranging consultation of all the parties involved in communication on the European Union, including the European Economic and Social Committee, and give all the institutions the opportunity to define the terms of their own commitment and participation in this area.

In this context, the Committee, as an institutional intermediary between civil society and the institutions of the European Union, has a key role to play in creating a real European public area of dialogue and discussion on those matters that concern citizens most and which will determine the future of the European project.

It is thus in the interest of the European Union, in the context of closer interinstitutional cooperation, to make use of the Committee's expertise and its networks of communication, in particular with the civil society organisations represented by its members and the economic

and social councils and similar institutions in the Member States.

Following the consultations occasioned by the White Paper, an addendum to this protocol will be drafted, stating specifically the areas of this closer cooperation between the Commission and the Committee in the area of communication on the European Union, and the associated arrangements for implementing it.

Done at Brussels, on 7 November 2005

For the European Commission

For the European Economic and Social Committee

José Manuel BARROSO
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