



**AGREEMENT
BETWEEN
THE EUROPEAN COMMISSION**

AND

**INTERNATIONAL ASSOCIATION OF FORMER OFFICIALS OF THE
EUROPEAN COMMUNITIES**

BETWEEN

The European Commission ("Commission"), represented by Mr Siim Kallas, Vice-President of the Commission in charge of administrative affairs, audit and anti-fraud

AND:

International Association of Former Officials of the European Communities ("AIACE"), represented by Mr Ludwig Schubert, the international President.

Whereas:

- the former officials and persons entitled under them ("pensioners") retain links under the Staff Regulations with the European Institutions¹;
- it is the duty of the Commission, as of the other Institutions, to have regard to the interests of pensioners with respect to all the measures that might be applied to them.
- the number of pensioners is equal to more than one third of the number of serving officials and other staff, and this number is set to increase in the coming years;
- the Commission considers that, for any organisation representing pensioners, to be regarded as a "representative association" it must meet the following requirements:
 - it must have a number of subscribing members representing at least 20% of the number of pensioners;
 - it must have in at least nine Member States a number of members residing in each of those Member States that represents at least 20% of the total number of pensioners residing in each of those Member States;
 - its articles of association must comply with the legal provisions in force in the Member States in question;
- the Commission considers that any organisation meeting these requirements may enter into an agreement identical to this one;

¹ See in particular Articles 16, 17, 19, 72, 76, 76a, 77 to 85a, 86, 90, 90a-c, 91, Annex IX-Art. 9(2), etc.

- AIACE meets these requirements both in terms of representativeness and as a duly and legally constituted organisation carrying out its activities in accordance with articles of association and principles established by a general meeting through duly elected executive bodies;
- on 14 June 2002 the Commission signed an agreement with AIACE governing their relations;
- AIACE, while ensuring that pensioners are properly represented, is called upon to act as an intermediary between the pensioners and the Commission, thereby facilitating the Commission's task by helping to improve the information provided to pensioners and to streamline their administrative procedures; the activity in question is therefore an activity of common interest;
- Article 1e of the Staff Regulations of officials of the European Communities ("Staff Regulations"), which came into force on 1 May 2004, states that former officials may have access to limited specific measures of a social nature, and these measures come within the social policy which the Commission implements after appropriate consultation;
- in 2005 the Commission undertook an assessment of its relations with its retired staff and, on the basis of on the resulting recommendations, established a programme of measures to be taken with regard to pensioners.
- to the best of its ability, AIACE is called upon to play an important role as a partner in implementing this action programme;

THE PARTIES HAVE AGREED AS FOLLOWS:

Article 1

The Commission and AIACE are entering into this agreement in order to establish a uniform cooperation and partnership framework, taking account of the Commission's duty to have regard to the interests of pensioners.

Article 2

AIACE is a fully independent body. It will notify the Commission of any change in its articles of association or organisation chart. At the request of the Commission, it will provide any information which the Commission deems useful concerning its mode of operation or representativeness.

Article 3

1. The Commission will take into consideration the opinions that AIACE may issue on any proposal of a general and non-personal nature that may affect the interests of pensioners.

2. Where negotiations are provided for in connection with such proposals, AIACE will be invited to participate within the context of social dialogue.

3. The Commission and AIACE will ensure that any information and any documents concerning the proposals referred to in this article are transmitted as soon as possible to the other parties.

4. AIACE will be represented in the "Working party on remuneration", set up within the framework of social dialogue.

Article 4

1. AIACE will be entitled to participate, without voting rights, in the discussions of the following official staff representation committees, in accordance with the regulations and rules of procedure of these committees:

- Staff Regulations Committee
- Sickness Insurance Management Committee (SIMC)
- Social Services Board (CASS)
- Committee on Social Activities (CAS)
- Joint Welfare Committee (COPAS)
- any other committee(s) replacing the above.

2. AIACE undertakes to comply with the regulations and rules of procedure of these committees.

3. If a new committee, working group or ad hoc group is set up to represent the staff under the Staff Regulations and if the work of this committee or group might affect the interests of pensioners, the Commission will consider the most appropriate means of ensuring AIACE's participation in this new entity.

Article 5

1. For all administrative matters, AIACE's direct interlocutor in the Commission's DG ADMIN will be the person in charge of the "Relations with former officials" sector.

2. For all matters directly concerning sickness insurance and pensions, the Commission will appoint two contact persons at an appropriate level in the Office for the administration and payment of individual entitlements (PMO) who will be AIACE's direct interlocutors.

3. The President and the Secretary-General of AIACE will be the direct interlocutors of DG ADMIN and the PMO. If necessary, they may also raise individual cases with the agreement of the person concerned. Depending on the matters in question, they may be assisted by other representatives of AIACE.

4. In addition, in order to facilitate the exchange of information between the Commission and AIACE in pension and sickness insurance matters, a "Pensions and sickness insurance" technical group will be set up on which the PMO, ADMIN and AIACE will be represented. The mode of operation of this technical group will be determined by common agreement between the parties.

Article 6

1. In accordance with the objectives laid down in its articles of association, AIACE will provide the contacts for and represent the interests of its pensioners as broadly as possible vis-à-vis the Community bodies and, if necessary, will ensure that their interests are defended. It will act as the Commission's interlocutor in these fields and will help to improve the information provided to pensioners and to facilitate the administrative procedures they need to carry out (helpdesk function); in addition, in particular through its country sections, AIACE will ensure that the interests of pensioners are represented vis-à-vis the national authorities and, if necessary, that these interests are defended in administrative and social matters.

2. The Commission considers that AIACE's activities described in point 1 serve the common interest. It will make available to AIACE logistical and financial assistance designed to fulfil its objectives and facilitate its operations in accordance with the provisions of Annex 1 to this Agreement. In addition, if the need arises and if the Commission deems it necessary to ensure compliance with Community law, the Commission will support AIACE in its dealings with the national authorities.

Article 7

1. In connection with the implementation of the second sentence of Article 1e(1) of the Staff Regulations, the Commission and AIACE will implement a joint programme of specific social measures in respect of former officials. For this, the Commission will consult the competent joint committee. This programme will be drawn up and approved by the two parties by 1 March of each year. It may form part of a multiannual action plan.

2. These specific social measures will be designed to assist all pensioners, without distinction of any kind, in compliance with the applicable staff regulations and with Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data.

3. Where these specific measures entail a financial commitment, they will be financed by the financial aid referred to in Article 8 of this Agreement.

4. The Commission and AIACE will evaluate the measures implemented each year by 15 February of the following year. This evaluation will be the subject of an activity report to be drawn up by mutual agreement.

Article 8

In connection with the implementation of the second sentence of Article 1e(1) of the Staff Regulations, the Commission will, within the limitations of its budgetary possibilities, grant annual financial aid to AIACE to implement specific social measures in respect of pensioners which AIACE is able to carry out. The Commission will consult the competent joint committee in this connection. These measures will be established by mutual agreement between the two parties in accordance with the provisions of Annex 2 to this Agreement.

Article 9

The Commission will inform the other Institutions of this Agreement.

Article 10

This Agreement replaces the agreement signed by the parties on 14 June 2002.

Article 11

After a period of three years from the date of signing, this Agreement may be reviewed or terminated by either party subject to six months' notice.

Done in Brussels on 29 February 2008

For AIACE

For the Commission

Ludwig SCHUBERT
International President

Siim KALLAS
Vice-President

Implementing provisions for Article 6

Article 1

1. In Brussels the Commission will make available to AIACE, in accordance with its needs, within the limits which the Commission considers reasonable and depending on the space available, appropriate office space in Commission buildings to accommodate the Office of the International Presidency and the Belgian Section of AIACE. The Office and the Belgian section may be required to move to other office space.

2. In the other countries where there is an AIACE section, the Commission will make available to the section concerned, in accordance with its needs, within the limits which the Commission considers reasonable and depending on the needs of the section and the space available, appropriate office space in the Commission's representations or services in those countries.

3. The Commission agrees that, in workplaces in which other Community Institutions are present, these facilities may be provided wholly or in part by those Institutions.

Article 2

The Commission will make available to the Office of AIACE's Presidency and country sections, within the limits which the Commission considers reasonable and depending on their needs and financial resources, appropriate furniture and IT equipment and the translation, interpretation, printing and photocopying resources and means of communication necessary for AIACE's smooth operation. The Commission will bear the expenses of inserting into envelopes, sending and franking mail relating to the activities of AIACE and all its sections, and of the newsletters published by AIACE sections. The Commission will also make available to AIACE a home page on the IntraComm site.

Article 3

The Commission will bear the expenses of inserting into envelopes, sending and franking AIACE's newsletter, which is sent to all pensioners and distributed to serving officials and other staff of all the Institutions. As part of this partnership, AIACE will in each newsletter delivered reserve an ADMIN heading and a PMO heading containing specific information for pensioners.

Article 4

The Commission will bear the expenses of representatives of AIACE participating in the social dialogue and in the joint committees (see Articles 3, 4 and 5 of this Agreement).

Article 5

The cost of the helpdesk function (see Article 6(1) of this agreement) will be financed in accordance with the provisions of Annex 2.

Implementing provisions for Article 8

Article 1

The social measures referred to in Article 8 of this Agreement must form part of the following activities, the principle of which is accepted by the Commission:

- social helpdesk services provided by staff of the secretariat;
- services provided by a social worker/(social) nurse qualified to work with retired personnel and/or by a person qualified in the field of social services;
- services provided to pensioners by an administrative consultant/adviser;
- training of volunteers to carry out social support activities;
- setting up of a telephone helpline;
- drafting, printing and distribution of guides and brochures;
- insurance premiums linked to social support activities carried out by the volunteers, including the setting up of a system for the reimbursement of volunteers' travel expenses;
- other social support activities, including remote assistance;
- certain specific measures entailing a financial commitment and carried out jointly by the Commission and AIACE.

This list of activities may be modified by agreement of the two parties.

Article 2

AIACE will submit its request for financial assistance to the Commission by 15 January of the current year. The supporting financial documents must be submitted at the latest by 31 March of the current year. Once the payment has been made by the Commission, AIACE will manage the funds and, if necessary, make bank transfers to the country sections in accordance with the apportionment indicated in its request. In this case, AIACE must submit to the Commission accounting documents evidencing the apportionment of the amounts.

Article 3

Within the framework of the draft budget, AIACE will submit the Commission, if possible by 31 January, an estimation of the expenditure on the social measures which it plans to implement the following year.

Article 4

AIACE will submit to the Commission at the latest by 31 March of the following year a statement of the expenses incurred by it in relation to social measures, accompanied by supporting documentation, and a report of the results achieved.

If all or part of the amounts granted has not been used for the specific measures, the Commission will order their recovery, including any accrued interest.
