Call for expressions of interest with a view to setting up a group of experts on the property consequences of marriage and other forms of union and on succession and wills in the European Union ("PRM-III/IV")

2005/S 65M320

1. The European Commission invites applications with a view to setting up a group of experts on the property consequences of marriage and other forms of union and on succession and wills in the European Union ("PRM-III/IV") in accordance with this call for expressions of interest.

Role of PRM-III/IV

2. PRM-III/IV will be consulted as part of the preparatory work on carrying out the projects associated with areas III and IV of the PRM (Programme of measures for implementation of the principle of mutual recognition of decisions in civil and commercial matters¹), i.e. rights in property arising out of a matrimonial relationship and other forms of union, and succession and wills.

3. The group of experts set up by the Commission will be required to make a practical contribution to the Commission's work of preparing legislation on the subjects covered by its remit.

4. The Commission is calling, therefore, for expressions of interest in, and applications for inclusion in the list of applicants for, PRM-III/IV.

Composition of PRM-III/IV

5. The group of experts will comprise some 30 members, who, under the current rules, will be qualified persons selected by the Commission on the basis of the following criteria:

Selection criteria

6. The selection of participants in PRM-III/IV will be based on the following fundamental conditions: variety of legal traditions; competence and experience; commitment. PRM-III/IV will try to bring together the widest possible range of legal traditions present in the Member States and, ideally, to include lawyers and practitioners from all legal traditions and systems in the Union.

7. Applicants wishing to be part of PRM-III/IV will have to qualify on the basis of their personal competence and experience in the law and practice of matrimonial property regimes and other legal regimes relating to the property effects of marriage and other forms of union, and in the law and practice of succession. They should also have a sound knowledge of

private international law and comparative law. Knowledge of the tax aspects of these fields will be an added advantage.

8. Applicants should also have professional experience of analysing legislation, or providing legal advisory services, or experience of settling disputes in the requisite fields of expertise mentioned above.

9. In any event, the Commission will take account of the following criteria in assessing applications:
   – proven competence and experience, including at European and/or international level, in the relevant fields;
   – members of the group of experts should be nationals of a Member State of the European Union or, where appropriate, a country applying for accession or a country in the European Economic Area.

10. Information on the following points should be attached to each proposal:
   – For what authority/organisation does the applicant work? How long has he/she been working there?
   – Has the applicant worked for other authorities/organisations in the past?
   – What are his or her special skills?
   – What specific projects and/or missions has he/she taken part in?
   – Has he/she published any works in the fields with which the group of experts is concerned?
   – Has he/she acquired experience at European Union level and international level?
   – What is his/her experience as a practitioner?
   – What will be his/her main professional challenges in the near future?

11. Applicants should supply evidence of their personal experience and high level of competence by submitting a detailed curriculum vitae with their application and, where appropriate, a letter stating their reasons for applying.

12. Members appointed in a personal capacity should, each year, make a written declaration of commitment and a declaration of interests. In any event, they should undertake to participate in the work of PRM-III/IV in their respective areas of specialisation and to devote sufficient time to analysing the documents submitted to them, preparing practical comments within the time limits set and discussing their observations in the group.

13. For organisational reasons, applicants should be able to attend meetings, examine documents and make comments in English or French. They must therefore have a very good

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2 All curricula vitae should be submitted in European format: [www.cedefop.eu.int/transparency/cv.asp](http://www.cedefop.eu.int/transparency/cv.asp)
knowledge of spoken and written English and/or French and be able to confirm this in their application. Applicants should also be willing to work using electronic methods for the management and exchange of documents, and be reachable by email.

14. The Commission applies an equal opportunities policy for men and women\(^3\) and ensures a well-balanced geographical representation from across the European Union.

**Attendance at meetings**

15. While the Commission acknowledges that all official Community languages are equal in importance, for practical organisational reasons the group's working languages will be English and French. Participants in workshops may agree, though, to add other Community languages for written and spoken communication, without the Commission supplying interpreting and translation infrastructure or services. Meetings organised by the Commission will be held in its Brussels premises.

16. Members of the group of experts will not be paid for their work. Travel expenses incurred by attending meetings of the group organised by the Commission will be refunded, and a fixed daily subsistence allowance will be paid to members in accordance with the current rules of the institution. Under those rules, the Commission may decide to offer attendees tickets and hotel accommodation instead of refunding their travel expenses and paying them a fixed daily allowance.

17. The applicants selected will be appointed individually by the Commission for a term of two years renewable. They will advise the Commission without regard for any outside instructions and will observe the conditions of confidentiality laid down in the Commission decision setting up the group of experts.

**Operation**

18. The group of experts will carry out its activities in accordance with the rules of procedure adopted by the Commission for that purpose and with the group's terms of reference, which will give information on the operation of PRM-III/IV and will be published by the Commission after the group has been set up.

**Selection process and conditions**

19. Applications which meet the requirements set out in this call for expressions of interest will be assessed comparatively by the Commission in the light of the criteria above (points 6 to 14). The Commission will select applicants on the basis of their personal qualifications. It will draw up a list of participants in PRM-III/IV and will inform them individually.

20. The Commission reserves the right to include any third party in the activities of PRM-III/IV.

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\(^3\) Commission Decision 2000/407/CE relating to gender balance within the committees and expert groups established by it (OJ L 154, 27.6.2000, p.34).
21. Once selected, members of the group of experts may be excluded from it, if the information they have provided about their experience is incorrect, they do not make the practical contribution required or they do not regularly attend PRM-III/IV meetings.

22. The Commission reserves the right, by applying the criteria set out in this call for expressions of interest, to fill any posts that become vacant as a result of exclusion or voluntary resignation from PRM-III/IV.

**Application procedure**

23. Applications for PRM-III/IV must arrive, duly signed, by 30 November 2005 at the latest:

- either by electronic mail: jls-ejn-civil@cec.eu.int, or by letter (date as postmark) at the following address: European Commission, Directorate-General JLS, Unit C-1 secretariat, LX 46 01/182, B-1049 Brussels,

- or hand delivered against receipt to the following address: European Commission, Directorate-General JLS, Unit C-1 secretariat, LX 46 01/182, B-1049 Brussels.

  - For further details, please contact Mme Ajmi, telephone (+32-2/ 295.15.30), fax (+32-2/299.64.57), email: nathalie.ajmi@cec.eu.int

24. Expressions of interest should be accompanied by a completed application form and a curriculum vitae. The application form is available on the Commission's website: [http://europa.eu.int/comm/](http://europa.eu.int/comm/).

25. Applications should be submitted in English or French. Applicants who wish to submit their application in another official language of the European Union should provide a translation into English or French. Supporting documents may be required at a later stage. All applications will be treated in confidence.

26. The Commission reserves the right to reject any expression of interest sent after 30 November 2005.

**Data protection**

27. The list of members of the PRM-III/IV group of experts will be published in the Official Journal of the European Union. The names of the members will be collected, managed and published in accordance with Regulation (EC) No 45/2001.

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