

DG Internal Market and Services

Guidelines on the implementation of the framework for Commission expert groups in DG Internal Market

In 2010 the Commission established a new framework for Commission expert groups, including revised horizontal rules on the establishment and management of such groups. These rules seek to provide Commission departments with a sound and flexible set of guidelines and to ensure a coherent approach in the area of expert groups advising the Commission.

The following guidelines on the creation of Expert Groups in DG Internal Market and Services, their composition and the selection and appointment of members have to be read in conjunction with and as a complement to the horizontal rules on Commission Expert Groups¹, in particular rules 4, 8, and 9. The present document refers to all groups where private stakeholders are represented.

Introduction

DG Internal Market and Services is committed to an inclusive approach when it develops and implements its policies, which means consulting as widely as possible all relevant stakeholders on major policy initiatives, particularly in the context of legislative proposals.

Expert groups play a fundamental role in that respect and constitute an important tool both to acquire the necessary expertise to develop new policy initiatives and as a consultation mechanism throughout the whole legislative process.

Depending on the specific objectives identified, expert groups are also intended to provide the Commission with input from representatives of relevant stakeholders and interested parties. Expert Groups must be used, *inter alia*, to help improve the quality of policy outcomes and at the same time to enhance the involvement of interested parties and the public at large.

The essential role of these advisory bodies does not exclude other forms of exchange between the Commission and stakeholders, including formal public consultations.

DG Internal Market and Services stresses the importance it accords to providing adequate opportunities to the relevant interested parties to contribute their views, ensuring an equitable treatment of all categories of stakeholders during the consultation processes. DG Internal Market and Services is committed to taking these views into account, as appropriate, in its policy making.

In this context, civil society organisations play an important role as facilitators of a broad policy dialogue with citizens². For this reason, DG Internal market acknowledges the importance of adequately involving these organisations in its consultation processes.

¹ Framework for Commission expert groups: horizontal rules and public register. C (201) 7649 and SEC (201) 1360

Creation

The creation of a group shall be determined by an evaluation of its likely cost-effectiveness and the contribution it is expected to make to the policy work of the DG. This evaluation shall also ensure that any possible duplication of work with other Commission services is avoided. Informal expert groups shall be set-up by the Director General or by the competent Deputy Director General. Groups shall by preference be established for a fixed period.

Composition

Expert groups with a limited mandate requiring technical expertise

Composition of these groups shall be as balanced as possible with respect to the relevant categories of interested parties, gender and geographical origin, without prejudice to the objective of providing the group with the appropriate level of technical expertise to fulfil its mandate in the most effective way.

Expert groups with a wide mandate

Composition of these groups shall ensure a broad and balanced representation of the relevant parties and, to the extent possible, a geographical and gender balance. Specific attention must be paid to ensure an adequate representation of organizations representing consumers and users, small investors, small and medium-sized enterprises, trades unions, research institutes and universities.

Selection and appointment

As far as possible, individual experts shall be appointed through a public call for expressions of interest, without prejudice to different modalities that might be required by objective reasons of urgency or in relation to the specific expertise sought. Public calls for expressions of interest may also be used in order to select organisations. Regardless of the specific selection procedure adopted, the choice of experts shall be based on public and objectively-verifiable criteria.

Experts to be appointed in their personal capacity shall be selected through a process aimed at avoiding any potential conflict of interests. In this respect, an appropriate ex ante assessment of potential candidates shall be carried out by the DG Internal Market and Services before appointing experts. For example, individuals who have any form of interest, including a business relationship, in any of the organizations directly or indirectly affected by the activity of the expert group in question cannot be appointed in a personal capacity.

Furthermore, DG Internal Market and Services shall take all appropriate measures with a view to preventing and managing conflicts of interests in the course of the groups' activities.