CALL FOR APPLICATIONS REGARDING THE COMMISSION DECISION OF 18.6.2013 SETTING UP THE COMMISSION EXPERT GROUP ON CLOUD COMPUTING CONTRACTS (2013/C 174/04) - CORRIGENDUM

1. Background


The task of the Expert Group is to assist the Commission in the identification of safe and fair contract terms and conditions for cloud computing services for consumers and small firms.

The group shall take into account existing best market practices in contract terms and conditions in cloud computing contracts, as well as the relevant provisions of Directive 95/46/EC.

The Commission is therefore calling for applications with a view to selecting members of the group of experts.

2. Features of the Group

2.1. Composition

The members of the group shall be high level representatives from businesses providing cloud computing services, cloud computing customers, legal professions and/or academia and data protection experts. The Expert Group shall consist of up to 30 members, among them 10 experts on personal data protection aspects relevant to cloud computing contracts, in particular regarding the implementation of provisions of Directive 95/46/EC with a relevance to cloud computing contracts.

Members shall be:

- individuals appointed in a personal capacity,

- individuals representing a common interest – such as the interest of providers and customers of cloud computing services or legal practitioners,

- organisations of cloud services providers, customers or lawyers

in accordance with Article 4 of the above Decision.

The Expert Group shall include stakeholders of the below stated categories with the following indicative number of representatives:

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- Representatives of businesses providing cloud computing services (indicatively 8 representatives);

- Representatives of cloud computing customers (indicatively 8 representatives);

- Representatives of legal professions and/or academia (indicatively 4 representatives in total).

- Data protection experts (indicatively 10 representatives)

Stakeholders from the above mentioned categories are invited to submit applications, indicating the stakeholder category they represent (annex I). Candidates should clearly indicate in their application whether they apply as:

- An individual

  - Individuals may apply as experts in a personal capacity (e.g. academics). If appointed, they should act independently and in the public interest.

  Experts who are appointed in their personal capacity shall sign an undertaking to act in the public interest and a declaration indicating the absence or existence of any conflict of interest. Experts may be excluded from the group or a specific meeting thereof, should a conflict of interest arise.

  - Individuals may apply as experts representing a common interest (e.g. of cloud computing providers, customers or legal practitioners). In that case, they shall indicate why they consider themselves well placed to represent this stakeholder category. If appointed, they shall act in the common interest of the whole stakeholder group and shall not represent an interest of individual stakeholders.

or

- An organisation representing stakeholders

  **2.2. Terms of appointment**

Members shall be appointed for the full period of application of the Decision (Art. 4(7) of the Decision).

  **2.3. Confidentiality**

The members of the Expert Group shall comply with the conditions of professional secrecy and security, as set out in Art. 5(4) of the Decision.

  **2.4. Transparency**

The names of the members of the Expert Group will be published in the Register of Commission Expert Groups (and other similar entities) in accordance with Art. 4(5) of the Decision and on the Internet site of DG Justice.
2.5. Attendance of meetings

Applicants shall be prepared to attend meetings systematically, contribute actively to discussions in the group, examine and provide comments on documents under discussion and prepare meeting and other working documents.

The group shall meet on Commission premises in accordance with expert meeting procedures.

Applicants should take into account that meetings generally involve preparatory and follow-up work.

Applicants should be fluent in English, as the discussions and drafting of the documents will be carried out in English language.

3. Requirements

3.1. Selection criteria

The Commission will take the following criteria into account when assessing applications:

3.1.1. Applications by individuals

- Individuals applying in a personal capacity shall demonstrate that they are specialists with specific knowledge in the areas of cloud computing contract law (and/or contract law).

- Individuals applying to represent a common interest shall demonstrate that they have a competence and strong interest in the area of cloud computing contract law.

- Individuals applying as experts on personal data protection aspects relevant to cloud computing contracts shall demonstrate that they have a competence and interest in data protection law, especially related to international transfers, such as standard contractual clauses and binding corporate rules.

Members of the Expert Group shall be nationals of a Member State of the European Union, Croatia or an EEA Member State.

3.1.2. Applications by organisations

3.1.2.1. Representation of stakeholders with an interest in the area of cloud computing contract law;

3.1.2.2. Extent of representativeness of a given stakeholder group at European level or national level (percentage of the stakeholders from the given sector represented by the organisation);

3.1.2.3. Interest in and reasons for participating in the work of the Expert Group;
3.1.2.4. Expertise of the nominated representative.

Organisations applying for membership in the Expert Group shall have a seat in a Member State of the European Union, Croatia or an EEA member state.

3.1.3. A balanced composition of the Expert Group

When deciding on the final composition of the Expert Group the Commission will take into account the following additional criteria:

- Geographical representation;
- Legal systems within the EU;
- Gender.²

3.2. Supporting evidence

3.2.1. For applications of individuals

Applications shall contain:

- A motivation letter;

The letter of motivation shall demonstrate clearly how the candidate meets the selection criteria. The letter of motivation shall not exceed 2 pages (Font Times New Roman, size 12). The key elements relating to the selection criteria should be indicated briefly in the selection criteria form (annex II).

- Completed annexes (including a CV under annex III);

The information included in the CV of the candidates should address the selection criteria, set out in point 3.1.1. It should include information on: Name, address and contact details, the current organisation the applicant is working for and the length of time he/she has worked there; experience in other relevant organisations, for which he/she has worked in the past; his/her relevant specific expertise (e.g. legal or economic); specific relevant projects and or tasks he/she has been involved in; any works that he/she may have published on cloud computing contract law; any relevant experience he/she has acquired at EU and international level.

The CV shall not exceed 3 pages.

3.2.2. For applications of organisations

Applications shall contain:

- A letter of expression of interest for membership in the group (including name, address and contact details of the organisation);

The letter of expression of interest shall demonstrate clearly that the organisation meets the selection criteria under point 3.1.2 (including 3.1.2.4. for the nominated representative). It shall not exceed 3 pages (Font Times New Roman, size 12). The key elements relating to the selection criteria should be indicated briefly in the selection criteria form (annex II).

- Completed annexes with information on the organisation (including a CV for the nominated expert representative of the organisation in annex III).

Organisations may nominate alternate expert representatives for specific topics after the agenda of the meetings of the Expert Group is established.

In that case, organisations shall submit applications for the nominated alternate expert representatives for a prior approval by the Commission as early as possible.

4. Application procedure

4.1. Formal requirements and deadline

Applications shall be completed in English.

The duly signed applications must be sent by 4 pm (Brussels time) on 02.08.2013 at the latest. The date of sending will be established as follows:

– Where applications are sent by e-mail, the date of the e-mail will be the date of sending. Applications by e-mail shall be sent to the following address: JUST-NOTIFICATIONS-A2@ec.europa.eu

– Where applications are sent by post the postmark will be considered the date of sending. Applications by post shall be sent to the following address: European Commission, DG Justice, Unit A2 secretariat, Rue Montoyer 59, B-1049 Brussels, Belgium.

– Where applications are hand-delivered the date on the receipt given upon delivery will be considered the date of sending. Applications shall be delivered by hand to the following address: European Commission, DG JUST, Unit A2 secretariat, Rue Montoyer 59, 1049 Bruxelles, Belgium.

5. Selection procedure

The selection procedure will consist of an assessment of the applications against the selection criteria. It will be followed by the establishment of a list of the most suitable applicants, and concluded by the appointment of the members of the group.

Information on the results of the call for applications will be published at least on the Internet site of DG Justice.

6. Operation of the Expert Group
The Expert Group is likely to hold monthly meetings, starting in September 2013. The members are expected to attend all meetings. Participants in the activities of the Expert Group will not be remunerated for the services they render.

Travel and subsistence expenses incurred by the participants in the activities of the Expert Group will be reimbursed by the Commission in accordance with the provisions in force within the Commission.

The working language of the group for the meetings and documents is English.

For further questions and enquiries, please write to: JUST-NOTIFICATIONS-A2@ec.europa.eu