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COMMISSION DECISION

of 10.7.2015

**setting up the High Level Group of Independent Experts on Monitoring Simplification
for Beneficiaries of the European Structural and Investment Funds**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

- (1) Article 4 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council¹ establishes that arrangements for the implementation and use of the European Structural and Investment Funds ('the ESI Funds'), and in particular the financial and administrative resources required for the preparation and implementation of programmes, in relation to monitoring, reporting, evaluation, management and control, shall respect the principle of proportionality having regard to the level of support allocated and shall take into account the overall aim of reducing the administrative burden on bodies involved in the management and control of the programmes and that the Commission and the Member States shall carry out their respective roles in relation to the ESI Funds with the aim of reducing the administrative burden on beneficiaries.
- (2) Article 15 of Regulation (EU) No 1303/2013 requires Member States to include in their partnership agreements for the 2014-20 period a summary of the action planned in the programmes, including an indicative timetable for achievement of a reduction in the administrative burden on beneficiaries. Article 96 of Regulation (EU) No 1303/2013 requires operational programmes under the Investment for growth and jobs goal to provide a summary of the assessment of administrative burden on beneficiaries and, where necessary, the actions planned, accompanied by an indicative timeframe, to reduce the administrative burden. Article 8 of Regulation (EU) No 1299/2013 of the European Parliament and of the Council² lays down the same provisions for programmes under the European territorial cooperation goal.
- (3) It is necessary to set up a group of experts in the field of reduction of administrative burden for beneficiaries of the ESI Funds and to define its tasks and its structure.

¹ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

² Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal (OJ L 347, 20.12.2013, p. 259).

- (4) The expert group should give expertise to the Commission on how to improve the uptake of opportunities of simplification for beneficiaries and on how to achieve further simplification in the 2014-2020 programming period, in particular in view of its mid-term review in 2016, and in the post-2020 regulatory framework for the ESI Funds.
- (5) The group should be composed of high level independent experts selected on the basis of their expertise in the reduction of administrative burdens and the ESI Funds.
- (6) Rules on disclosure of information by members of the group should be laid down. Those rules should also refer to the Commission's rules on security regarding the protection of EU classified information, laid down in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom³.
- (7) Personal data should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000⁴.
- (8) For reasons of transparency rules on publication of all relevant documents on the activities carried out by the group should be laid down. Such publication should, however, be subject to exceptions decided in accordance with Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council⁵.
- (9) It is appropriate to fix a period for the application of this Decision. The Commission will in due time consider the advisability of an extension,

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

The High Level Group of Independent Experts on Monitoring Simplification for Beneficiaries of the European Structural and Investment Funds ('the ESI Funds'), hereinafter referred to as 'the group', is hereby set up.

Article 2

Tasks

The group's tasks shall be to provide advice the Commission with regard to simplification and reduction of administrative burden for beneficiaries in the implementation of the ESI Funds.

In particular the group shall:

- (a) assess the uptake of simplification opportunities by Member States including Member States' commitments to reduce the administrative burden for beneficiaries as set out in their partnership agreements covering the ESI Funds for 2014-2020;

³ Commission Decision (2001/844/EC, ECSC, Euratom) of 29 November 2001 amending its internal Rules of Procedure (OJ L 317, 3.12.2001, p. 1).

⁴ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

⁵ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

- (b) analyse the implementation of simplification opportunities in Member States and regions and their impact on administrative burden and costs of the implementation of ESI Funds on the basis of quantified estimates, whenever possible;
- (c) identify good practice in matters concerning the reduction of administrative burden on beneficiaries; and,
- (d) make recommendations to improve the uptake of simplification measures for 2014-2020, in particular in view of its mid-term review in 2016, and on the way forward for the post 2020 regulatory framework for ESI Funds.

Article 3

Consultation

The Commission may consult the group on any matter relating to simplification and reduction of administrative burden for beneficiaries in the implementation of ESI Funds.

Article 4

Membership – Appointment

1. The group shall be composed of up to twelve members.
2. The members of the group shall be appointed by the Director-General of Directorate-General for Regional and Urban Policy in consultation with the other Directorates-General for the ESI Funds among high level specialists with competence in the areas referred to in Article 2 and who have responded to the call for applications.
3. The members shall be appointed in a personal capacity and shall act independently and in the public interest.
4. Members of the group are appointed for a three-year term of office. They shall remain in office until such time as they are replaced or their term of office ends.
5. Members who are no longer capable of contributing effectively to the group's deliberations, who resign or who do not comply with the conditions set out in paragraph 3 of this Article or in Article 287 of the Treaty may be replaced for the remainder of their term of office. Their replacements would be appointed from either a reserve list from the call for applicants or from a new call for applicants if appropriate.
6. The names of the members of the group shall be published in the Register of Commission expert groups and other similar entities ('the Register').
7. Personal data shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

Article 5

Operation

1. The Director-General of Directorate-General for Regional and Urban Policy shall appoint the Chairperson of the group.

2. The Commission shall be represented by high-level officials of the Directorates-General for the ESI Funds.
3. In agreement with the Commission's representatives, the group may set up sub-groups to examine specific questions on the basis of terms of reference defined by the group. Such sub-groups shall be disbanded as soon as their mandate is fulfilled.
4. The Commission's representatives may invite experts from outside the group with specific competence in a subject on the agenda to present evidence to the group or participate in the deliberations of the group or sub-group on an ad hoc basis. In addition, the Commission's representatives may give observer status to individuals and to organisations as defined in Rule 8(3) of the horizontal rules on expert groups.
5. The members of the group, as well as invited experts and observers, shall comply with the obligations of professional secrecy laid down by the Treaties and their implementing rules, as well as with the Commission's rules on security regarding the protection of EU classified information, laid down in the Annex to Decision 2001/844/EC, ECSC, Euratom. Should they fail to respect these obligations, the Commission may take all appropriate measures.
6. The meetings of the group shall be held at least twice per year. The meetings of group and sub-groups shall be held in principle on Commission premises. The Directorate-General for Regional and Urban Policy shall provide secretarial services. The officials from Directorates-General responsible for the ESI Funds shall attend meetings of the group and its sub-groups. Other Commission officials may also be invited to attend or participate in the meetings of the group and its sub-groups where appropriate.
7. The group shall adopt its rules of procedure on the basis of the standard rules of procedure for expert groups.
8. The Commission publishes all relevant documents on the activities carried out by the group such as agendas, minutes and participants' submissions, either in the Register or via a link from the Register to a dedicated website where information can be found. Exceptions to systematic publication apply where disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) No 1049/2001.

Article 6

Meeting expenses

1. Participants in the activities of the group shall not be remunerated for the services they render.
2. Travel and subsistence expenses incurred by participants in the activities of the group shall be reimbursed by the Commission in accordance with the provisions in force within the Commission.
3. Those expenses shall be reimbursed within the limits of the available appropriations allocated under the annual procedure for the allocation of resources.

Article 7

Applicability

This Decision shall apply until 30 June 2018.

Done at Brussels, 10.7.2015

For the Commission
Corina Crețu
Member of the Commission

