



Brussels, 9.7.2021
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COMMISSION DECISION

of 9.7.2021

**setting up the group of experts on the funds established by Regulation (EU) 2021/1060 of
the European Parliament and of the Council**

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THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Pursuant to Article 11 of the Treaty on European Union the institutions are to maintain an open, transparent and regular dialogue with representative associations and civil society.
- (2) With a view to consulting organisations representing the partners at Union level, in accordance with Article 8(5) of Regulation (EU) 2021/1060 of the European Parliament and of the Council¹, the Communication from the Commission entitled “Framework for Commission expert groups: horizontal rules and public register”² and the White Paper from the Commission entitled “European Governance”³, the Commission needs to call upon the expertise of specialists in an advisory body.
- (3) It is therefore necessary to set up a group of experts on the Funds established by Regulation (EU) 2021/1060 and to define its tasks and its structure.
- (4) The group should help to follow the implementation of the Funds under Regulation (EU) No 2021/1060.
- (5) The group should be composed of organisations that represent the partners at Union level in accordance with Article 8 of Regulation (EU) 2021/1060.
- (6) Rules on disclosure of information by members of the group should be laid down.
- (7) Personal data should be processed in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council⁴.
- (8) It is appropriate to fix a period for the application of this Decision,

¹ Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (OJ L 123, 30.6.2021, p. 159).

² C(2010) 7649 final, 10.11.2010.

³ COM(2001) 428 final, 25.7.2001.

⁴ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

The group of experts on the Funds established by Regulation (EU) 2021/1060 (“the group”) is hereby set up.

Article 2

Tasks

The group’s tasks shall be:

- (a) to assist the Commission on questions relating to the implementation of the Funds under Regulation (EU) 2021/1060.
- (b) to monitor the evolution of the policy on partnership and multilevel governance.
- (c) to exchange experience and good practices on partnership and multilevel governance.

Article 3

Consultation

The Commission may consult the group on any matter relating to the implementation of the Funds under Regulation (EU) 2021/1060.

Article 4

Membership

1. The group shall be composed of organisations at Union level representing the partners referred to in Article 8 of Regulation (EU) 2021/1060. Where it is necessary and justified for the purposes of representing a category of partners specific to one or more Funds under Regulation (EU) 2021/1060 the group may also be composed of relevant public entities, pursuant to Article 7(e) of Commission Decision C(2016) 3301⁵ (‘the Horizontal Rules’).
2. Members appointed to represent a common interest shall not represent an individual stakeholder, but a policy orientation common to different stakeholder organisations.
3. Each member shall nominate their representative and alternate and shall be responsible for ensuring that their representatives provide a high level of expertise. The Commission or its services may refuse a representative or an alternate nominated by a member where they do not consider that the nomination is appropriate. Refusal shall be based on justified grounds specified in the call for applications or in the rules of procedure of the group. In such cases, the member concerned shall be asked to appoint another representative or alternate.
4. Members who are no longer capable of contributing effectively to the expert group, and who the Commission considers not to comply with the requirements of Article 339 of the Treaty on the Functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office.

⁵ Commission Decision of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups - C(2016) 3301 final.

Article 5
Selection process

1. The selection of the group's members shall be carried out via a public call for applications, to be published on the Register of Commission expert groups and other similar entities ('the Register of expert groups')⁶. In addition, the call for applications may be published through other means, including on dedicated websites. The call for applications shall clearly outline the selection criteria, including the required expertise and the interests to be represented in relation to the work to be performed. The minimum deadline for applications shall be four weeks.
2. Registration in the Transparency Register is required for an organisation representing a common interest.
3. The members of the group shall be appointed by the Commission from among organisations who have responded to the call for applications.
4. Member organisations shall be appointed for the entire duration of the group. They shall remain in office until the end of their term of office or until they are replaced.
5. Following the call for applications, the Commission may establish a reserve list of suitable candidates that may be used to appoint members' replacements. The Commission shall ask applicants for their consent before including their names on the reserve list.

Article 6
Chair

The group shall be chaired by a representative of the Commission.

Article 7
Operation

1. The group shall act at the request of the Commission, in compliance with Article 13(1) of the Horizontal Rules.
2. Meetings of the group shall, in principle, be held on Commission premises.
3. The Commission shall provide secretarial services. Other Commission officials with an interest in the proceedings may attend meetings of the group and its sub-groups.
4. In agreement with the Commission, the group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes of the discussion on each point on the agenda shall be sufficiently detailed and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

Article 8
Sub-groups

The Commission may set up sub-groups to examine specific questions based on terms of reference defined by the Commission. Sub-groups shall operate in compliance with the

⁶ Calls for applications do not apply to Member State authorities, other public entities or representative bodies established by Union legislation for advice in specific areas (see Article 10.1 of the Horizontal Rules).

Horizontal Rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.

Article 9

Invited experts

The Commission may invite experts having specific expertise in a subject matter on the agenda to take part in the work of the group or sub-groups on an ad hoc basis.

Article 10

Observers

1. Organisations may be granted observer status, pursuant to Article 16(3) of the Horizontal Rules, following the call for applications.
2. Organisations appointed as observers shall nominate their representatives in the relevant expert group or sub-group.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise.

Article 11

Rules of procedure

On the basis of a proposal by and in agreement with the Commission the group shall adopt its rules of procedure by simple majority of its members. Those rules shall follow the standard rules of procedure for expert groups as set out in Article 17 of the Horizontal Rules.

Article 12

Professional secrecy and handling of classified information

The members of the group and their representatives, as well as invited experts and observers, are subject to the obligation of professional secrecy, which, by virtue of the Treaties and their implementing rules, applies to all members of the institutions and their staff. They are also subject to the Commission's security rules regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443⁷ and (EU, Euratom) 2015/444⁸. Where they fail to respect those obligations, the Commission may take all appropriate measures.

Article 13

Transparency

1. The group and sub-groups shall be registered in the Register of expert groups.
2. Regarding the composition of the group and sub-groups, the following data shall be published on the Register of expert groups:
 - the name of member organisations and the interest they represent;
 - the name of other public entities;

⁷ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁸ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

- the name of observer organisations.
3. All relevant documents, including agendas, minutes and participants' submissions, shall be made available either on the Register of expert groups or via a link from the Register to a dedicated website where that information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. The agenda and other relevant background documents shall be published in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be made where it is deemed that the disclosure of a document would undermine the protection of a public or private interest in accordance with Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council⁹.

Article 14

Meeting expenses

1. Participants in the activities of the group and, where applicable, sub-groups shall not be remunerated for the services they render.
2. Travel and subsistence expenses incurred by participants in the activities of the group and, where applicable, sub-groups shall be reimbursed by the Commission. Reimbursements shall be made in accordance with Commission rules in force and within the limits of the available appropriations allocated to Commission departments under the annual procedure for the allocation of resources.

Article 15

Application

This Decision shall apply until 31 December 2027.

Done at Brussels, 9.7.2021

For the Commission

Elisa FERREIRA

Member of the Commission

⁹ 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).