



***INFORMAL COMMISSION EXPERT GROUP ON POLICIES AND PROGRAMMES RELEVANT TO EU
SPACE, DEFENCE, AND AERONAUTICS INDUSTRY***

TERMS OF REFERENCE

1. BACKGROUND

The establishment of the Commission's Directorate General for Defence Industry and Space (DG DEFIS) on 1 January 2020, responsible for policies relating to space and defence and aeronautics industry, prompted the set-up of this informal Commission Expert Group, to provide a forum for discussion and high-level aggregated inputs relevant to programmes, policies, and measures concerning this strategic EU industry.

As outlined in "A New Industrial Strategy for Europe"¹, and because of its specific nature and needs, and its importance for EU strategic autonomy, this segment of industry has specific characteristics that need to be considered to design appropriate policies. In addition, DG DEFIS is managing the EU Space Programme, European Defence Fund, and the Space part of Horizon Europe, for all of which EU industry is a major stakeholder.

2. SUBJECT MATTER

The group of experts "Commission Expert Group on policies and programmes relevant to EU space, defence and aeronautics industry" ("the group") is set up.

3. TASKS

The group's tasks shall be:

- (a) to provide advice and expertise to DG DEFIS in the preparation and implementation of policies relevant to the space, defence and aeronautics industry, in particular as regards the mapping of strategic industrial value chains and identification of supply chain vulnerabilities.
- (b) to facilitate cooperation between the Commission and stakeholders on questions relating to the implementation of Union legislation, programmes and policies relevant to the space, defence and aeronautics industry.
- (c) to stimulate an exchange of experience and good practice in the field of space, defence and aeronautics industry, including on synergies.
- (d) to deliver opinions on specific matters;

¹ COM(2020) 102 final

- (e) to monitor industrial and policy developments.

4. CONSULTATION

DG DEFIS may consult the group on any matter relevant to the space, defence and aeronautics industry, including, but not limited to, research and development, innovation, competitiveness and global markets, effects of the COVID-19 pandemic, industrial value chains, communication of policies, and implementation of EU programmes.

5. MEMBERSHIP

1. The group shall be composed of up to 60 members.
2. Members shall be organisations in the broad sense of the word, with a specific focus on manufacturing companies, SMEs, start-ups, associations and research institutes ('Type C members'). The membership shall be open only to entities established in the EU and not subject to the control of third-states or third-state entities. The details of membership criteria shall be laid down in individual calls for application.
3. Members are expected to actively contribute to the tasks of the expert group, in particular to the mapping of strategic industrial value chains and identification of supply chain vulnerabilities.
4. Members shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. DG DEFIS may refuse the nomination by an organisation of a representative if it considers this nomination inappropriate in the light of the requirements specified in the call for applications. In such case, the organisation concerned shall be asked to appoint another representative.
5. Members who are no longer capable of contributing effectively to the expert group's deliberations, who, in the opinion of DG DEFIS, do not comply with the conditions set out in 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.

6. 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'). 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 in order for organisations to be appointed.

3. The members of the group shall be appointed by the the Director General of DG DEFIS from a list of experts with competence in the areas referred to in point 3 and 4 and who have responded to the call for applications.
4. Members shall be appointed for 5 years. They shall remain in office until replaced or until the end of their term of office. Their term of office may be renewed.

7. CHAIR

The group shall be chaired by a representative of DG DEFIS

8. OPERATION

1. The group shall act at the request of DG DEFIS, in compliance with the horizontal rules.
2. Meetings of the group shall, in principle, be held on Commission premises or via secure electronic communication tools.
3. DG DEFIS shall provide secretarial support. Commission officials from other departments with an interest in the proceedings may attend meetings of the group and its sub-groups.
4. In agreement with DG DEFIS, the group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
6. In principle, the group shall adopt its opinions, recommendations or reports by consensus. The Chair may decide that the group shall adopt its opinions, recommendations or reports by voting. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. Members who have voted against shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

9. SUB-GROUPS

1. DG DEFIS may set up sub-groups for the purpose of examining specific questions or delivering specific tasks upon request of DG DEFIS. Sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.
2. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance with point 6 and the horizontal rules.

10. INVITED EXPERTS

DG DEFIS may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an *ad hoc* basis.

11. OBSERVERS

1. Individuals, organisations, public entities other than Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation of DG DEFIS.
2. Organisations and public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and sub-groups and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group and sub-groups.

12. RULES OF PROCEDURE

On a proposal by and in agreement with DG DEFIS the group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules.

13. 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 the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443² and 2015/444³. Should they fail to respect these obligations, the Commission may take all appropriate measures.

14. TRANSPARENCY

1. The group and sub-groups shall be registered in the Register of expert groups.
2. As concerns the group and sub-groups composition, the following data shall be published on the Register of expert groups:
 - (a) the name of member organisations; the interest represented shall be disclosed;
 - (b) the name of observers, including the name of other public entities;
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available *via* a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, DG DEFIS shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would

² Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

³ 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).

undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001.

15. MEETING EXPENSES

1. Participants in the activities of the group and sub-groups shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred by participants in the activities of the group and sub-groups shall be reimbursed by the Commission, in case of the meeting with a physical presence. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

Done in [Brussels/], on [date].