



INFORMAL COMMISSION EXPERT GROUP - EUROPEAN ARCHIVES GROUP (EAG)

TERMS OF REFERENCE

1. BACKGROUND

1. The Council Recommendation of 14 November 2005 on priority actions to increase cooperation in the field of archives in Europe¹, calls for the creation of a European Archives Group (EAG), comprising experts designated by the Member States.
2. The Commission called upon the Member States to nominate representatives to become members of the group. The group was established as a permanent expert group in April 2006.
3. In accordance with the Council Recommendation the group is to ensure cooperation and coordination on general matters relating to archives.
4. Where and when appropriate, the group shall cooperate with other relevant European networks, including the European Board of National Archivists (EBNA)

The group has been established with the following terms of reference.

2. TASKS

The group's tasks shall be:

1. to assist the Secretariat-General in the preparation of policy initiatives in the field of records management and archives.
2. to establish cooperation/coordination between the Commission and Member States or stakeholders on questions relating to the implementation of Union legislation, programmes and policies that may affect archives.
3. ensure cooperation and coordination on general matters relating to archives, both between the Member States and between the Member States and the European Union, and to bring about an exchange of experience and good practice in the field of archives.

3. CONSULTATION

The Secretariat-General may consult the group on any matter relating to records management and archives or any other matter that may affect records management and archives in the Union.

¹ OJ L312 of 29.11.2005, p. 55

4. MEMBERSHIP

1. The group shall be composed of 27 members and the Commission.
2. Member States' authorities with competence in the field of archives shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise.

5. CHAIR

The group shall be chaired by a representative of the Secretariat-General.

6. OPERATION

1. The group shall act at the request of the Secretariat-General².
2. The Secretariat-General shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the group and its sub-groups.
3. In agreement with the Secretariat-General, the group may, by simple majority of its members, decide that deliberations shall be public.
4. 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.
5. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus. 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 or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

7. SUB-GROUPS

The Secretariat-General may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Secretariat-General. 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.

8. INVITED EXPERTS

The Secretariat-General 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.

9. OBSERVERS

1. Organisations and public entities other than Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
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

² C(2016) 3301, Article 13.1.

not have voting rights and shall not participate in the formulation of recommendations or advice of the group and sub-groups.

10. RULES OF PROCEDURE

On a proposal by and in agreement with the Secretariat-General 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 rules³. Sub-groups shall operate in compliance with the group's rules of procedure.

11. 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) 2015/443⁴ and 2015/444⁵. Should they fail to respect these obligations, the Commission may take all appropriate measures.

12. TRANSPARENCY

1. The group and sub-groups shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups').
2. As regards the group and sub-groups composition, the following data shall be published on the Register of expert groups:
 - (a) the name of Member States' authorities;
 - (b) the name of observers;
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available on the Register of expert groups.

13. MEETING EXPENSES

1. Participants in the activities of the group and sub-groups shall not be remunerated for the services they offer.
2. Travel expenses incurred by participants in the activities of the group and sub-groups shall be reimbursed by the Commission. 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 26 April 2022.

³ See Article 17 of the horizontal rules.

⁴ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁵ 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).