

## **RULES OF PROCEDURE OF INFORMAL EXPERT GROUP ON FORCED LABOUR**

THE INFORMAL EXPERT GROUP ON FORCED LABOUR,

Having regard to the creation of the group by the Commission's Directorate General for Internal Market, Industry, Entrepreneurship and SMEs ('DG GROW'),

Having regard to the standard rules of procedure of expert groups<sup>1</sup>,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

### *Point 1*

#### **Operation of the group**

The group shall act at the request of DG GROW, in compliance with the Commission's horizontal rules on expert groups<sup>2</sup> ('the horizontal rules').

### *Point 2*

#### **Convening a meeting**

1. Meetings of the group are convened by the DG GROW Chair either on its own initiative, or at the request of a simple majority of members after DG GROW has given its agreement.
2. Joint meetings of the group with other groups, including the Union Network Against Forced Labour, may be convened to discuss matters falling within their respective areas of responsibility.
3. DG TRADE will be invited to participate in the meetings of the group and its sub-groups. Commission officials from other departments with an interest in the proceedings may be invited to attend meetings of the group and its sub-groups.
4. In principle, meetings of the group shall be held on Commission premises or virtually, depending on the circumstances.

### *Point 3*

#### **Agenda**

1. The secretariat shall draw up the agenda under the responsibility of the Chair and send it to the members of the group.
2. The agenda shall be adopted by the group at the start of the meeting.

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<sup>1</sup> C(2016) 3301, Annex 3.

<sup>2</sup> C(2016) 3301.

#### *Point 4*

### **Documentation to be sent to group members**

1. The secretariat shall send the invitation to the meeting, the draft agenda and documents on which the group is consulted to the group members no later than fourteen calendar days before the date of the meeting.
2. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meeting.

#### *Point 5*

### **Opinions of the group**

1. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus.
2. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that 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.

#### *Point 6*

### **Sub-groups**

1. DG GROW may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG GROW. Sub-groups shall operate in compliance with the 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 the horizontal rules<sup>3</sup>.

#### *Point 7*

### **Invited experts**

DG GROW 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.

#### *Point 8*

### **Observers**

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

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<sup>3</sup> C(2016) 3301, Articles 10 and 14.2.

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 its sub-groups.

*Point 9*

**Written procedure**

1. If necessary, the group's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat shall send the group members the document(s) on which the group is being consulted.
2. However, if a simple majority of group members asks for the question to be examined at a meeting of the group, the written procedure shall be terminated without result and the Chair shall convene a meeting of the group as soon as possible.

*Point 10*

**Secretariat and Chairmanship**

DG GROW shall provide secretarial support for the group and any sub-groups. The group shall be chaired by a representative of DG GROW.

*Point 11*

**Minutes of the meetings**

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.

*Point 12*

**Attendance list**

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the organisations or other public entities to which the participants belong<sup>4</sup>.

*Point 13*

**Conflicts of interest**

1. The Chair of the group shall, at the first meeting of each calendar year, remind all members appointed in a personal capacity of their obligation to promptly inform DG GROW of any relevant change in the information previously provided, including as

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<sup>4</sup> The names of the representatives of organisations, Member States' authorities or other public entities may be included only subject to their prior freely given, specific, informed and unambiguous consent, in compliance with Article 3(15) and Article 7 of Regulation 2018/1725.

regards upcoming activities, in which case they must immediately submit a newly completed declaration of interests describing the change, in order to enable DG GROW to assess it in due course, in compliance with the horizontal rules.

2. Should a conflict of interest in relation to an expert appointed in a personal capacity arise, DG GROW shall take all appropriate measures, in compliance with the horizontal rules<sup>5</sup>.
3. Conflicts of interest shall be reported in writing, e.g. in the minutes of the group's meeting. Information registered must be adequate, relevant and not going beyond what is necessary for the purpose of the management of the conflict of interest.

#### *Point 14*

### **Correspondence**

1. Correspondence relating to the group shall be addressed to DG GROW, for the attention of the Chair, copying the functional e-mail address: GROW-FORCED-LABOUR@ec.europa.eu.
2. Correspondence for group members shall be sent to the e-mail address which they provide for that purpose.

#### *Point 15*

### **Transparency**

1. The group and its sub-groups shall be registered on the Register of Commission expert groups and other similar entities ('the Register of expert groups').
2. As concerns the group composition, the following data shall be published on the Register of expert groups:
  - (a) the name of other public entities;
  - (b) the name of individuals appointed in a personal capacity;
  - (c) the name of individuals appointed to represent a common interest; the interest represented shall be disclosed;
  - (d) the name of member organisations; the interest represented shall be disclosed;
  - (e) the name of observers.
3. DG GROW shall make available all relevant documents, including the agendas, the minutes and the participants' submissions on the Register of expert groups. In particular, DG GROW 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 possible where it is deemed that disclosure of a document

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<sup>5</sup> C(2016) 3301, Article 11.

would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001<sup>6</sup>.

*Point 16*

**Access to documents**

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001<sup>7</sup>.

*Point 17*

**Deliberations**

In agreement with DG GROW, the group may, by simple majority of its members, decide that deliberations shall be public.

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<sup>6</sup> These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

<sup>7</sup> 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).