



Brussels, 16.3.2020
C(2020) 1799 final

COMMISSION DECISION

of 16.3.2020

setting up the Commission's advisory panel on COVID-19

COMMISSION DECISION

of 16.3.2020

setting up the Commission's advisory panel on COVID-19

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Article 168 of the Treaty on the Functioning of the European Union envisages Union action, which shall complement national policies, directed towards improving public health, preventing physical and mental illness and diseases, and obviating sources of danger to physical and mental health.
- (2) With a view to gathering the necessary expertise on the current COVID-19 virus crisis for the purpose of any action that the Commission may take in the matter, the Commission urgently needs to call upon the expertise of specialists in an advisory body.
- (3) To complement existing procedures for gathering expert advice particularly targeted to COVID-19, a group of experts in the field of the COVID-19 virus should be set up, with its tasks and its structure to be defined in compliance with Commission Decision C(2016) 3301 establishing horizontal rules on the creation and operation of Commission expert groups.
- (4) The group should advise the Commission on measures to be taken at EU level or to be recommended to EU Member States for consistent, science-based and coordinated risk management and risk communication in view of maximising the added value of EU action.
- (5) The group should be composed of authoritative experts on epidemiology, virology, clinical practice, public health, behavioural science, crisis management and communication. Since it is not possible to organise a public call for applications given the urgency, the members of the panel should be appointed immediately amongst persons with acknowledged expertise in the mentioned sectors. Appropriate rules should be laid down to prevent any conflict of interests.
- (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) No 2018/1725 of the European Parliament and of the Council¹.
- (8) This Decision should apply for a period of six months. The Commission may in due time consider the advisability of an extension.

¹ 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 Commission's advisory panel on COVID-19, ('the group'), is set up.

Article 2

Tasks

1. The group shall provide advice to the Commission on the following:
 - Formulation of response measures in line with the different stages of the COVID-19 pandemic in the EU as a whole and taking into account particular Member State contexts;
 - Identification and mitigation of gaps, inconsistencies or inadequacies in measures taken or to be taken to contain and manage the spread of COVID19, including in clinical management and treatment;
 - Prioritisation of health care, civil protection and other resources as well as support measures to be organised or coordinated at EU level;
 - Subsequently, recommendation of policy measures for addressing and mitigating medium and long-term consequences of COVID-19.
2. The activities of the group shall complement and capitalise on the work of the European Centre of Disease Prevention and Control (ECDC).

Article 3

Consultation

The Commission may consult the group on any matter relating to the tasks referred to in Article 2.

Article 4

Membership

1. The group shall be composed of up to 10 authoritative experts from areas such as epidemiology, virology, clinical practice, public health, behavioural science, crisis management, civil protection and communication.
2. Members shall be appointed in a personal capacity and shall act independently and in the Union's public interest.
3. The European Centre for Disease Prevention and Control (ECDC), the European Medicines Agency (EMA) and the Emergency Response Coordination Centre (ERCC) shall be appointed as observers. They shall each appoint a contact person to interact with the group and participate in its deliberations upon invitation of the Chair.

Article 5

Selection process

1. The members of the group shall be appointed by the President of the Commission on the basis of their acknowledged expertise in the fields set out in Article 4.
2. Individuals appointed as members of the group shall disclose any circumstances that could give rise to a conflict of interest. In particular, the Commission shall require those individuals to submit a declaration on the absence of conflict of interests. If a potential conflict of interests appears, the member concerned should immediately inform the Chair and resign from the group.
3. Members shall be appointed for six months. Their term of office may be renewed.
4. By derogation from paragraph 3, where members are no longer capable of contributing effectively to the expert group's deliberations or do not comply with the conditions of their mandate or those set out in Article 339 of the Treaty on the Functioning of the European Union, or where they resign, the President may decide to replace them for the remainder of their term of office.

Article 6

Chair

The President of the Commission shall chair the group, with the Commissioner for Health as Vice-Chair.

Article 7

Operation

1. The group shall act at the request of its chair.
2. The panel shall mostly deliberate through videoconferencing, based on questions put forward by the Commission. Members of the group may also propose items for deliberation.
3. For the delivery of their advice, the group's members may consult with EU-funded research projects, EU-funded public health projects and European or international science networks.
4. Members may be invited by the Commission to liaise with other EU institutions or with Member States.
5. The Commission's Directorate-General for Health and Food Safety shall provide the secretariat for the group.
6. The secretariat shall produce a summary note of deliberations and possible operational conclusions, for rapid validation by the members by consensus.

Article 8

Invited experts

The president of the Commission may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group on an ad hoc basis.

Article 9

Professional secrecy and handling of classified information

The members of the group 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.

Article 10

Transparency

1. The group shall be registered in the Register of expert groups.
2. As concerns the group composition, the following data shall be published on the Register of expert groups:
 - the name of individuals appointed in a personal capacity;
 - the name of observers.
3. Relevant documents, shall be made available either on the Register of expert groups or *via* a link from the Register to a dedicated website, where this information can be found, with due regard to the need to protect public health and public order. Furthermore, exceptions to publication shall be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001.

Article 11

Meeting expenses

1. In principle, participants in the activities of the group shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred by participants in the activities of the group 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.

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).

Article 12

Applicability

This Decision shall apply until 15 September 2020, unless it is extended by Commission decision.

Done at Brussels, 16.3.2020

For the Commission
Ursula VON DER LEYEN
The President