OPINION

of the Committee on Legal Affairs

for the Committee on Budgetary Control

on control of the Register and composition of the Commission’s expert groups (2015/2319(INI))

Rapporteur (*): Sylvia-Yvonne Kaufmann

(*) Associated committee – Rule 54 of the Rules of Procedure
PA_NonLeg
SUGGESTIONS

The Committee on Legal Affairs calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1.Notes that transparency and coordination of interinstitutional activities are of paramount importance, helping to strike a suitable balance from the point of view of the expertise and opinions represented in the composition of the expert groups, in order to improve their action; therefore welcomes the fact that the selection process is now taking place publicly; stresses in this connection that it needs to be clearly visible what practical experience and qualifications the experts possess; takes the view that the entire selection process should guarantee a high level of transparency and should be governed by clearer, more concise criteria, with particular emphasis on candidates’ practical experience alongside their academic qualifications and possible conflicts of interest the experts might have;

2. Welcomes the fact that a connection has already been established between the Register of Commission expert groups and the Transparency Register, thus ensuring improved transparency;

3. Finds it regrettable that the attempt to conduct a public consultation on the establishment of the new rules was unsuccessful; calls on the Commission to act in a transparent manner and to be accountable to the citizens of the EU;

4. Takes the view that the Commission should make progress towards a more balanced composition of the expert groups; deplores the fact, however, that as yet no express distinction is drawn between those representing economic and non-economic interests so as to guarantee a maximum of transparency and balance; stresses the need, in this connection, for the Commission to make it clear in the public call for application how it defines a balanced composition and which interests it seeks to be represented when the expert groups are established; considers it important therefore to involve Parliament and the Economic and Social Committee in order to produce a more balanced definition of that distinction;

5. Deplores the fact that for financial and organisational reasons it is at times not possible for under-represented groups, which are often representatives of civil society and of small and medium-sized undertakings or other organisations of general public interest, to participate; therefore calls on the Commission, in the interest of ensuring a balanced composition of expert groups, to consider possibilities for financial support to make it possible for all categories of experts to participate;

6. In order to produce greater transparency, calls on the Commission to ensure that all minutes of meetings are published; stresses in this connection that the content and the positions expressed by the experts at these meetings must be clearly shown and expressed in a way accessible for European citizens; also calls for the possibility of publishing minority decisions; reiterates the importance of making public the deliberations of Commission expert groups, bearing in mind that experts sitting in these Commission groups are performing a public service and that the debates that lead to the adoption of their decisions should be made public as a rule and not as an exception;
7. Stresses that users need to be given access to a range of documents (agendas, reference documents, various reports), with a view to efficient monitoring by interested stakeholders; takes the view, further, that the website of the Register of expert groups – whether as such or through hyperlinks to other relevant websites – should be one of the instruments or mechanisms used to obtain constantly updated information on policy developments, thereby guaranteeing a high level of transparency;

8. Emphasises that the measures provided for must be taken immediately when conflicts of interest become apparent, particularly among individuals appointed in a private capacity, acting independently and expressing their personal viewpoint in the general interest; points out that closer consideration should be given to these measures because their application will constitute the guarantee of experts’ independence;

9. Highlights furthermore that the Commission, in preparing and drafting delegated and implementing acts and in drawing up strategic guidelines, must ensure that all documents, including draft acts, must be communicated to the European Parliament and the Council at the same time as to the Member States’ experts, as agreed in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.
# RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

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<th>Date adopted</th>
<th>29.11.2016</th>
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| Result of final vote | +: 21  
  -: 0  
  0: 1 |
| Members present for the final vote | Max Andersson, Joëlle Bergeron, Marie-Christine Boutonnet, Jean-Marie Cavada, Kostas Chrysogonos, Therese Comodini Cachia, Mady Delvaux, Rosa Estaràs Ferragut, Lidia Joanna Geringer de Oedenberg, Mary Honeyball, Dietmar Köster, António Marinho e Pinto, Emil Radev, Julia Reda, Evelyn Regner, Pavel Svoboda, Axel Voss, Tadeusz Zwiefka |
| Substitutes present for the final vote | Daniel Buda, Angel Dzhambazki, Angelika Niebler, Virginie Rozière, Kosma Zlotowski |