

## MURANYI Erika

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**From:** Lesley Wilson [REDACTED]  
**Sent:** 04 September 2014 09:29  
**To:** Euro-Ombudsman  
**Subject:** [EOWEB] EUA response to the public consultation concerning the composition of European Commission expert groups  
**Attachments:** Omdudsman cover letter.pdf; EUA response to the Public consultation concerning the composition of EC expert groups\_ FINAL-LB.pdf

### Sender

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**Sender** Lesley Wilson [REDACTED]  
**Date** Thursday, September 4, 2014 9:29:13 AM CEST

### Your data

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#### Part 1 - Contact information

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Language you would like to receive an answer in en - English

#### Part 2 - Data

**Subject** EUA response to the public consultation concerning the composition of European Commission expert groups  
**Content** Please find attached two documents: a covering letter and the response of EUA.

4 September 2014

Dear Ms O'Reilly,

We would like to thank you for your initiative to conduct a public consultation concerning European Commission expert groups. We believe that this is a very important issue for European policy making, and of critical importance for the work of EUA. Our apologies for the late submission. We hope you will still be able to consider our attached response.

Kind Regards



Lesley Wilson  
Secretary General

## **EUA response to the public consultation concerning the composition of European Commission expert groups**

*The European University Association (EUA) represents 33 national rectors' conferences and 845 universities and other research-intensive higher education institutions from 47 European countries. EUA's aim is to strengthen the convergence of European higher education and research, and enhance its global articulation and recognition. On behalf of its members EUA contributes actively to European policy development, through the Bologna Process (the European Higher Education Area) and as a stakeholder in the European Research Area.*

On behalf of its members EUA welcomes the consultation of the European Ombudsman on the composition of European Commission (EC) expert groups, as it points to an issue of high importance for European policy making in higher education and research.

EUA maintains close relationship with different parts of the EC, but in particular with DG Education and Culture (EAC) and DG Research and Innovation (RTD).

With regards to DG EAC, EUA currently participates in two expert groups, namely the "Advisory Board for user-driven, multidimensional international ranking for higher education institutions", and the "European Qualifications Framework Advisory Group".

With regards to DG Research and Innovation, EUA has been traditionally involved in relevant working groups regarding i) research careers and doctoral education (set up by the Human Resources and Mobility Steering Group), ii) technology transfer and iii) energy (SET-Plan) iv) research funding and simplification of rules of participation in the framework programme.

In the last few years, other DGs have taken the lead in developing regulatory frameworks affecting the research activity of universities, such as DG Connect and DG Market - in relation to issues affecting research carried out in universities related to Open Access, Copyright, Text and Data Mining, professional recognition etc. While EUA follows their activities, and usually responds to their consultations, it is not yet participating in their expert groups.

## Responses to the questions of the online consultation

**1. Which specific Commission expert groups do you consider to lack a balanced representation of relevant areas of expertise and interest in their membership? What, according to you, is the root cause of the unbalanced composition of the Commission expert groups identified by you?**

EUA is represented only in a few expert groups, considering the total number of groups which DG EAC and DG RTD have in place<sup>1</sup>. EUA would not generally claim that the participation in these groups is unbalanced, but that it is not entirely clear how participants have been selected.

For most of the existing groups, EUA is not aware of having seen any call, or received an invitation, nor is there a clear mentioning on how organisations can apply for participation, for example in the permanent expert groups. To give an example, the recently established Research, Innovation and Science Policy Experts (RISE) High Level Group (May 2014) represents a key group providing direct strategic support to the European Commissioner for research, innovation, and science. Although full details about the group are available in the Register's website (including the list of members), EUA was not aware of a call for nominations of experts to integrate the RISE High Level Group. It is possible that this was merely due to low dissemination of the call, but given the strategic role of the group for research and innovation policy this is an important point.

EUA is not member of any of the Horizon 2020 Advisory Groups. The information available is not very easy to find and it has to be searched group by group. A comprehensive list of such groups and their composition should be readily available.

On the other hand, EUA occasionally gets invitations for groups which do not have the (sole) purpose to consult, but also to promote and disseminate the respective initiative (e.g. ESCO board). While EUA is of course also committed to disseminate and promote the ECs initiatives which would enhance the structures of European higher education, it believes that this should not be mixed with consultation. We had to turn down such an invitation, as it would have conflicted with EUA's public mission, and its commitment towards our membership.

**2. The Commission's horizontal rules on expert groups allow for the Commission to appoint individual experts in their personal capacity. In your experience, does this possibility give rise to concern in terms of the balanced composition of expert groups and/or conflicts of interest?**

It appears that there is a significant number of groups with individual experts appointed in their personal capacity. It is not clear what the transparent procedure is to guarantee the absence of

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<sup>1</sup> For example of a total of 37 groups from DG EAC, EUA is only member in two expert groups (see also above).

conflicts among expert groups' members. EUA has – with a few notable exceptions – not been invited to nominate an independent expert. It has gained the impression that the establishment of individual expert groups sometimes serves as a reason to exclude official stakeholder representative organisations, such as EUA, probably because they are regarded as partisan.

Occasionally, EUA has been invited to a kind of one-off hearing to provide expertise and its position to the group.

EUA recommends that the Register should include a section with statistics on the composition of expert groups in order to clearly identify the representativeness of each types of organisations, and, as a result, of the degree of balance of interests represented in the expert groups (in a first stage, this could for instance provide data broken down by DG).

**3.** *Do you consider that the current level of transparency regarding the composition of Commission expert groups, in particular through the Register of Commission Expert Groups and Other Similar Entities, is sufficient? In particular, does the information made available by the Commission allow you to ascertain which interests are represented by the members of Commission expert groups? If not, where do you see room for improvement? Do you consider that the current level of transparency regarding the work of expert groups, in particular through the publication of agendas and minutes, is sufficient?*

The Commission's Register<sup>2</sup> provides a valuable overview of the consultative entities and, as such, EUA has used the Register in several occasions. The fact that the Register allows searches based on a series of criteria (e.g. policy area and the lead/associated DG) is a plus. In addition, it is possible to print each expert group's details, including for instance policy area, DG(s), mission, composition and list of experts. Also, for individual experts appointed in their personal capacity, their name, nationality, and professional title is made available. However, documents are often uploaded very late; a year's delay is no exception, and they often comprise only the agenda of the meeting and not the more content-related documents or presentations. Furthermore, the "search by keyword" function could be improved as it seems to produce a mix of relevant and irrelevant entries to some queries. Developing this function would be interesting, for instance, to allow easy access and assessment of the representativeness of a given organisation in expert groups. Also this search function does not include the option to automatically filter according to the group status (i.e. active, on hold, closed).

**4.** *Where the Commission publishes calls for application for membership in expert groups, do you consider that these calls provide for selection criteria which sufficiently take into account the need for a balanced composition of expert groups? If not, where do you see room for improvement? In your view, could the Commission do more to raise awareness about these calls, with a view to encouraging applications? If so, what concrete steps could*

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<sup>2</sup> <http://ec.europa.eu/transparency/regexpert/index.cfm>

*it take in this regard?*

EUA is aware that it has to proactively monitor the calls for expert groups. Nevertheless, doing so relies heavily on reliable access to the call information and timely availability of such information. The fact that the Register website includes a “Recent Calls for Application”<sup>3</sup> section is definitely viewed as a step in the right direction with regard to the recruitment process for expert groups.

Nevertheless, the register is seemingly not always updated with regards to the calls, and there is a discrepancy between the number of calls for application published and the number expert groups launched. For instance, in the “Recent Calls for Application” section of the Register there was no entry for the “Call for experts: structured dialogue under ESI Funds” (search conducted on 29 August 2014). This is an active call (deadline of the September 3) and the call information has been published somewhere else (<http://europa.eu/citizens-2013>).

Beyond, there is also no clear indication neither on the website, nor in the Framework for the expert groups (see rule 10) how an organisation can enter an already existing permanent working group. These are critical issues, as it suggests that individuals/organisations cannot rely entirely on the Commission Register’s website to gather up to date information on upcoming calls for applications. Besides the additional effort to learn about a call by other ways, it may impede organisations from being represented in a policy topic for which it could potentially have provided valuable input.

***5. Do you have any experience in applying for membership in a Commission expert group? If so, did you face any problems in the application process? If not, are you aware of any such problems faced by civil society organisations? Based on your experience, do the costs inherent in participation/the lack of comprehensive reimbursement schemes discourage civil society organisations from applying for membership?***

As for DG EAC consultation groups, EUA did not formally apply for membership in a Commission expert group, but on occasions, when it learned through media reports that such a group has been launched (we are not aware of calls for application circulated, or published on the register), it made the point towards colleagues at DG EAC that EUA would find it appropriate to be invited and to participate. In some cases the answer was that the group would bring together “independent” experts – and that we would be given the occasion to provide evidence at some stage (see response to point 2).

***6. Please give us your views on which measures could contribute to a more balanced composition of Commission expert groups.***

EUA believes that the EC should consider enhancing information provision on the calls for experts to relevant stakeholders. As outlined in point 4 above, timely, consistent, and accurate communication about upcoming/ongoing calls for experts is essential to allow organisations and individual experts to

<sup>3</sup> [http://ec.europa.eu/transparency/regexpert/index.cfm?do=news.calls\\_for\\_app](http://ec.europa.eu/transparency/regexpert/index.cfm?do=news.calls_for_app)

participate. This could include establishing a minimum duration for which a call for participation has to remain open for application. Similarly, it is important to increase the transparency regarding the selection of experts (including how the balance between different sectors/interests is guaranteed in the groups). Consequently, a clear and transparent website including up-to-date information on ALL open calls for formal and informal expert groups would be highly appreciated.

*7. Do you have any other comments?*

Accessibility: although a general download of the complete list of registered expert groups is already possible, the option to download data following a specific query (i.e. selective data download) should also be available.

It is worth highlighting that the “additional information” section (in each expert group’s webpage) allows users to access and download a variety of documents (e.g. agendas, minutes, and reports). Importantly, such documents should be published online as soon as they become public to allow efficient monitoring from interested entities. Moreover, there should be a common “updating of documents deadline” for all expert groups to ensure timely upload of relevant documents and consistency across DGs/policy areas. Ideally, interested stakeholders should be able to use the Register website as one of the mechanisms for consistently obtaining up to date information on emerging policy developments in order to provide timely input.

Brussels, August 2014