

CALL FOR APPLICATIONS FOR THE RENEWAL OF THE MEMBERSHIP OF THE INNOVATION FUND EXPERT GROUP

1. Background

In March 2018, Directive 2003/87/EC¹ of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (the ‘ETS Directive’) was amended to establish the Innovation Fund, which aims at using EU European Trading System (EU ETS) revenues to support the commercial demonstration of innovative low-carbon technologies.

The Commission’s Directorate-General for Climate Action (‘DG CLIMA’) set up the Innovation Fund Expert Group (‘the group’ or ‘IFEG’) shortly after to assist the Commission in the implementation of the Innovation Fund, and in particular to prepare the adoption of the delegated act specifying the operation of the Innovation Fund. This delegated act was adopted in February 2019 (the ‘Delegated Act’)². The IFEG’s task was to advise the Commission on the aspects of the Innovation Fund that have not been defined by the Directive such as its eligibility criteria, application and selection procedures or governance. The group also advised how to maximise the benefits of the Fund through crowding-in of public and private investments and knowledge sharing.

In December 2022, as part of the overall agreement on the revision of the ETS Directive, the European Parliament and the Council agreed to amend the provisions on the Innovation Fund, notably to:

- extend the scope of the funding both in terms of sectors (maritime, aviation, buildings, road transport) and in terms of level of innovation allowing support to upscaling of innovative technologies; and
- introduce new financing mechanisms whereby projects are selected on the basis of an auction (competitive bidding) and are supported through fixed premium contracts, contracts for difference or carbon contracts for difference.

The legal framework of the auctions needs to be finalised in time for the first auctions to be launched before the end of 2023, in line with the Commission's political objectives and announcements on renewable hydrogen and creation of a new European Hydrogen Bank.

This requires the Commission and IFEG to undertake preparatory work on the revision of the Delegated Act before the entry into force of the revised ETS Directive, without which the revision of the Delegated Act would be delayed by several months, which in turn would make it impossible to organise auctions for renewable hydrogen production in 2023. Before preparatory work can start, the composition of IFEG needs to be renewed to bring in members with expertise in the new eligible sectors and in the award of grants through competitive bidding.

¹ OJ L 275 25.10.2003, p. 32. Consolidated version available here: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02003L0087-20210101>

² And amended by Commission Delegated Regulation (EU) 2021/1204 of 10 May 2021 amending Delegated Regulation (EU) 2019/856 as regards the application and selection procedures under the Innovation Fund, OJ L 261, 22.7.2021, p. 4–7

The group's role shall be to advise the Commission on all the necessary amendments to the Delegated Act to ensure that it is fully aligned with the revised ETS Directive and allows operationalising of the new competitive bidding scheme.

The group's role shall also be to assist the Commission on the implementation of the Innovation Fund in the coming years and to act as an interface between the Commission, stakeholders and national authorities.

The group's specific tasks shall be:

- to assist the Commission in the preparation of delegated acts related to the Innovation Fund. In particular, the group will assist the Commission with the revision of the Delegated Act on the following points:
 - the legal framework for competitive bidding mechanism leading to the award of fixed premiums or (carbon) contracts for difference to support the production or consumption of green commodities (renewable hydrogen to start with, but later clean tech goods);
 - technical assistance to Member States with low effective participation;
 - creation of a new category of mid-sized projects – define the rules, criteria, thresholds for it;
 - Further changes following lessons learned from the first years of implementation.
- to assist the Commission in the preparation of calls for bids/projects in the newly eligible sectors such as maritime and aviation, as well as road transport and buildings and additional sectors (Annex III of the revised ETS Directive);
- to ensure cooperation/coordination between the Commission, Member States and stakeholders on questions relating to the implementation of the Innovation Fund;
- to facilitate consultation of and reporting to Member States in line with the requirements of Article 21 of the Delegated Regulation;
- to facilitate technical assistance to Member States with low effective participation in the Innovation Fund and any other support to Member States for ensuring geographical balance.

The Commission is calling for applications with a view to renewing the membership of the group, by selecting members other than Member States' authorities and other public entities.

2. Features of the Group

2.1. COMPOSITION

The group shall consist of approximately 100 members.

Members shall be individuals appointed to represent a common interest ('Type B members'), organisations ('Type C members'), Member States' authorities ('Type D members') and other public entities ('Type E members').

Members appointed to represent a common interest shall not represent an individual stakeholder, but a policy orientation common to different stakeholder organisations.

Member States' authorities, other public entities and organisations shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. DG CLIMA may refuse the nomination of a representative by an organisation if it considers this nomination inappropriate in light of the requirements specified in chapter 4 of this call. In such case, the organisation concerned shall be asked to appoint another representative.

Member States' authorities (Type D members) and other public entities (Type E members) shall nominate up to two persons each, one person already involved in the Innovation Fund grants implementation or from an institution involved in the Innovation Fund implementation and another person involved with energy auctions on the national or regional level e.g. in the power sector or for hydrogen.

As a rule, one member per business sector shall be appointed. However, where several organisations operate in the same business sector, up to two such organisations (Type C members) may be appointed as members to IFEG to ensure good representativeness.

Business sectors to be covered:

- energy-intensive industry and power & heat generation (ETS Annex I):
 - ferrous metals,
 - non-ferrous metals,
 - cement
 - lime,
 - glass,
 - ceramics,
 - paper & pulp,
 - refineries,
 - chemicals,
 - hydrogen,
 - power and heat generation, including manufacturing of components
- carbon capture and storage (CCS)
- carbon capture and utilisation (CCU)
- renewable energy technologies, including manufacturing of components
 - wind energy,
 - solar energy,
 - hydro
 - ocean energy,
 - geothermal energy,
 - bioenergy
 - manufacturing of components for renewable energy
- energy storage, including manufacturing of components
- other sectors:
 - maritime
 - aviation
 - road transport
 - buildings

Type C members can also include:

- private financial institutions, with a maximum of five financial institutions;
- non-governmental organisations ('NGOs') working in the fields relevant to the Innovation Fund, with a maximum of five NGOs;

- relevant applied research institutes / think tanks working in the sectors covered by the Innovation Fund, with a maximum of five research institutes.

2.2. APPOINTMENT

The Director-General of DG CLIMA shall appoint Type D and E members by direct invitation.

Type B and C members shall be appointed by the Director-General of DG CLIMA from applicants complying with the requirements referred to in chapter 4 of this call.

Members shall be appointed for three years. They shall remain in office until replaced or until the end of their term of office. Their term of office may be renewed.

Registration in the Transparency Register³ is required in order for individuals representing a common interest and organisations to be appointed.

DG CLIMA may appoint alternate Type B members, in accordance with the same conditions as members, who shall automatically replace any Type B members who are absent or indisposed.

In order to ensure continuity and the smooth functioning of the group, the DG CLIMA shall establish a reserve list of suitable candidates that may be used to appoint replacements. DG CLIMA shall ask applicants for their consent before including their names on the reserve list.

Members who are no longer capable of contributing effectively to the group's deliberations, who in the opinion of DG CLIMA do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office.

2.3 RULES OF ENGAGEMENT AND OPERATION OF THE GROUP

The group shall be chaired by a representative of DG CLIMA.

The group shall act at the request of DG CLIMA, in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')⁴.

In principle, the group shall meet two times per year on Commission premises or online/hybrid format in order to discuss the tasks referred to in chapter 1. The first meeting of the group with a renewed membership is tentatively scheduled for March-April 2023. DG CLIMA shall provide secretarial services.

Members and members' representatives should be prepared to attend meetings systematically, to contribute actively to discussions in the group, to be involved in preparatory work ahead of meetings, to examine and provide comments on documents under discussion, and to act, as appropriate, as 'rapporteurs' on *ad hoc* basis.

As a general rule, working documents will be drafted in English and meetings will be also conducted in English.

³ <http://ec.europa.eu/transparencyregister/public/homePage.do?locale=en#en>

⁴ C(2016) 3301.

In principle, 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. The members that 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.

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

Participants in the activities of the group shall not be remunerated for the services they offer. Travel and subsistence expenses incurred by participants in the activities of the group shall not be reimbursed by the Commission.

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) 2015/443⁵ and 2015/444⁶. Should they fail to respect these obligations, the Commission may take all appropriate measures.

On a proposal by and in agreement with DG CLIMA the group shall adopt its rules of procedure on the basis of the standard rules of procedure for expert groups.

DG CLIMA 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.

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. Organisations and public entities appointed as observers shall nominate their representatives. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

2.4. TRANSPARENCY

The group shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups')⁷.

As concerns the group composition, DG CLIMA shall publish the following data on the Register of expert groups:

- the name of Member States' authorities;
- the name of public entities other than Member States' authorities;

⁵ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁶ 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).

⁷ <http://ec.europa.eu/transparency/regexpert/index.cfm>

- the name of individuals appointed to represent a common interest; the interest represented shall be disclosed;
- the name of member organisations; the interest represented shall be disclosed;
- the name of observers.

DG CLIMA shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, on the Register of expert groups. In particular, DG CLIMA shall ensure publication of 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 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° 1049/2001⁸.

Personal data shall be collected, processed and published in accordance with Regulation (EU) No 2018/1725.

3. Application procedure

Interested individuals and interested organisations are invited to submit their application to the European Commission, DG CLIMA.

Current members of IFEG should also apply in response to this call if they wish to continue and participate in the work of the group as members.

Applications must be completed in one of the official languages of the European Union. However, applications in English would facilitate the evaluation procedure. If another language is used, it would be helpful to include a summary of the application in English.

Organisations shall indicate the name of their representative(s) in the group.

An application will be deemed admissible only if it is sent by the deadline and includes the documents referred to below. All documents submitted by applicants should be duly filled in, legible, signed and numbered sequentially.

Supporting documents

Each application shall include the following documents:

- a cover letter explaining the applicant's motivation for answering this call and stating what contribution the applicant could make to the group;
- a classification form duly filled in specifying the member category for which the application is made (Annex I);
- a selection criteria form duly filled in documenting how the applicant fulfills the selection criteria listed in chapter 4 of this call (Annex II).

⁸ 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.

For individuals applying to be appointed as members of the group to represent a common interest a *curriculum vitae* (CV) shall also be provided, not exceeding two pages. All CVs shall be submitted in the European format (<https://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions>).

Additional supporting documents (e.g. publications) may be requested at a later stage.

Deadline for application

The duly signed applications must be sent by 3 March 2023 at 24:00 at the latest. Applications can only be sent by e-mail to the following e-mail address: CLIMA-IF-EXPERTGROUP@ec.europa.eu, the date of the e-mail will be the date of sending.

4. Selection criteria

DG CLIMA will take the following criteria into account when assessing applications:

1. Experience and competence in innovative low-carbon technologies (applicants may cover either 1.1 or 1.2 or both):

- 1.1. (to cover the grants programme through calls for proposals) proven competence and experience in the development and implementation of innovative low-carbon technology demonstration projects in the sectors referred to in point 2.1 and/or proven competence and experience in the financial structuring or legal treatment of such projects (individuals representing a common interest and organisations);

proven in-depth understanding of issues related the commercialisation of innovative low-carbon technologies, especially with regards to financial structuring or legal treatment of relevant projects (organisations, such as financial institutions, NGOs or research institutes);

OR

- 1.2. (to cover competitive bidding) proven competence and experience in the development and implementation of auctions in the energy sector, such as existing contracts for difference (CfDs) in the power sector; proven in-depth understanding of such issues (organisations, such as financial institutions, NGOs or research institutes).
2. proven capacity to represent effectively the position shared by stakeholders (organisations, where there are multiple organisations active in one sector, and individuals representing a common interest);
3. good knowledge of the English language allowing active participation in the discussions (individuals representing a common interest and organisations' representatives).

4. Selection procedure

The selection procedure shall consist of an assessment of the applications performed by DG CLIMA against the selection criteria listed in chapter 4 of this call, followed by the establishment of a list of the most suitable applicants, and concluded by the appointment of the members of the group.

When defining the composition of the group, DG CLIMA shall aim at ensuring, as far as possible, a high level of expertise, as well as a balanced representation of relevant know-how and areas of interest, while taking into account the specific tasks of the group, the type of expertise required, as well as the relevance of the applications received.

Where individual experts are appointed to represent a common interest, DG CLIMA shall seek a geographical balance and a gender balance.

For any further information please contact, e-mail: CLIMA-IF-EXPERTGROUP@ec.europa.eu.

ANNEXES:

- Annex I: Classification form
- Annex II: Selection criteria form
- Annex V: Privacy statement

Annex I - Classification form⁹

To be filled in by all applicants

This application is made as: (*please select only one option*)

- An individual applying to be appointed to represent a common interest** shared by stakeholders in a particular policy area (**Type B member**); if appointed I shall not represent an individual stakeholder.

Transparency Register identification number: [...] ¹⁰

or

- An organisation (Type C member).**

Transparency Register identification number: [...]

Nota Bene concerning Type B and C members: although registration in the Transparency Register (TR) is required in order to be appointed as a Type B or C member of an expert group, it is not mandatory for the application procedure. Thus, interested individuals and organisations that at the time of the application are not featured yet on TR and, as a consequence, do not have a TR identification number, may still apply. However, should the applicant be selected as a result of the call for applications, it shall register in the TR as a condition to be appointed as a Type B or C member.

To be filled in by organisations applying to be appointed as Type C members

This application is made as the following **type of organisation**: (*please select only one option, taking into account the definitions indicated below*).

- a) Academia, Research Institutes and Think Tanks
- b) Banks/Financial institutions
- c) Companies/groups
- d) Law firms
- e) NGOs
- f) Professionals' associations
- g) Professional consultancies
- h) Trade and business associations

⁹ This form must be filled in, signed and returned with the application.

¹⁰ If the individuals in question act as self-employed consultants, they should provide their own identification number. If the individuals in question do not act as self-employed consultants, they should provide the identification number of the organisation(s) of which they are employees, see Article 24 of the horizontal rules.

- i) Trade unions
- j) Other (please specify):

Definitions for organisation types

Academia, Research Institutes and Think Tanks

Universities, schools, research centers, think tanks and other similar bodies performing academic and/or educational activities.

Banks/Financial institutions

Banks and other similar bodies providing financial services, including financial intermediation. All sorts of banks should be classified within this category, including national central banks.

Companies/groups

Individual companies or groups of companies operating in the business sector, whether they are national companies or multinational ones.

Law firms

Business entities formed by one or more lawyers to engage in the practice of law. The primary service rendered by a law firm is to advise clients (individuals or corporations) about their legal rights and responsibilities, and to represent clients in civil or criminal cases, business transactions, and other matters in which legal advice and other assistance are sought.

NGOs

Non-profit organisations which are independent from public authorities and commercial organisations. Some NGOs are organised around specific issues, such as environment, consumer affairs, health and human rights.

Professionals' associations

Non-profit organisations seeking to further the interests of individuals engaged in a particular profession, such as physicians, nurses, architects, engineers and lawyers. Professionals' associations are different from business associations, as they promote and defend the interests of individuals carrying on a specific profession, not the interests of companies operating in the business sector.

Professional consultancies

Firms carrying on, on behalf of clients, activities involving advocacy, lobbying, promotion, public affairs and relations with public authorities.

Trade and business associations

Private bodies representing the interests of its members operating in the business sector.

Trade unions

Organisations of workers. The most common activities performed by trade unions include the negotiation of wages, work rules, rules governing hiring, firing and promotion of workers.

Other organisations

Organisations which are not possible to classify in any other category.

To be filled in by individuals applying to be appointed as Type B members and organisations applying to be appointed as Type C members

The applicant shall represent the following **interest**: (*please select one or more options, taking into account the definitions indicated below*):

- a) Academia/Research
- b) Civil society
- c) Employees/Workers
- d) Finance
- e) Industry
- f) Professionals
- g) SMEs
- h) Other (please specify):

Definitions for interests represented

Academia/Research

Universities, schools, research centers, think tanks and other similar bodies performing academic and/or educational activities.

Civil society

Civil society can be defined as the aggregate of non-governmental organisations and institutions that manifest interests and will of citizens or as individuals and organisations in a society which are independent of the government.

Employees/workers

Individuals working part-time or full-time under a contract of employment whether oral or written, express or implied, and having recognised rights and duties.

Finance

The management of revenues or the conduct or transaction of money matters, as in the fields of banking, insurance and investment.


Industry

Companies and groups of companies whose number of employees and turnover or balance sheet total are higher than the ones of SMEs (see below).

Professionals

Individuals operating in a particular profession, such as physicians, nurses, architects, engineers and lawyers.

SMEs

"SME" stands for small and medium-sized enterprises – as defined in EU law: [EU recommendation 2003/361](#) .

The main factors determining whether a company is an SME are:

1. **number of employees** and
2. either **turnover** or **balance sheet total**.

Company category Employees Turnover or Balance sheet total

Medium-sized < 250 ≤ € 50 m ≤ € 43 m

Small < 50 ≤ € 10 m ≤ € 10 m

Micro < 10 ≤ € 2 m ≤ € 2 m

These ceilings apply to the figures for individual firms only. A firm which is part of larger grouping may need to include employee/turnover/balance sheet data from that grouping too.

Other interest

Interest which is not possible to classify in any other category.

To be filled in by individuals applying to be appointed as Type B members and organisations applying to be appointed as Type C members

Please select one **or more policy areas** in which you/your organisation operate(s):

Business sectors to be covered:

- energy-intensive industry and power & heat generation (ETS Annex I):
 - ferrous metals,
 - non-ferrous metals,
 - cement
 - lime,
 - glass,
 - ceramics,
 - paper & pulp,
 - refineries,
 - chemicals,
 - hydrogen,
 - power and heat generation, including manufacturing of components
- carbon capture and storage (CCS)
- carbon capture and utilisation (CCU)
- renewable energy technologies, including manufacturing of components
 - wind energy,
 - solar energy,
 - hydro
 - ocean energy,
 - geothermal energy,
 - bioenergy
 - manufacturing of components for renewable energy
- energy storage, including manufacturing of components
- other sectors:
 - maritime
 - aviation
 - road transport
 - buildings

For individuals applying to be appointed as Type B members

Title:

Surname¹¹:

First name¹²:

Nationality:

¹¹ It is mandatory to use exactly the same name used when registering in the Transparency Register.

¹² Idem.

Date:

Signature

For organisations applying to be appointed as Type C members

Name of the organisation¹³:

Surname of the representative proposed:

First name of the representative proposed:

Surname of the person applying on behalf of the organisation:

First name of the person applying on behalf of the organisation:

Date:

Signature

¹³ Idem.

Annex II: Selection criteria form¹⁴

Applicants are requested to describe how they fulfil the selection criteria listed in this call.

<p>1. Experience and competence in innovative low-carbon technologies (applicants may cover either 1.1 or 1.2 or both)</p> <p>1.1. (to cover the grants programme through calls for proposals) proven competence and experience in the development and implementation of innovative low-carbon technology demonstration projects in the sectors referred to in point 2.1 and/or proven competence and experience in the financial structuring or legal treatment of such projects (individuals representing a common interest and organisations);</p> <p>proven in-depth understanding of issues related the commercialisation of innovative low-carbon technologies, especially with regards to financial structuring or legal treatment of relevant projects (organisations such as financial institutions, NGOs or research institutes);</p> <p>OR</p> <p>1.2. (to cover competitive bidding) proven competence and experience in the development and implementation of auctions in the energy sector, such as existing contracts for difference (CfDs) in the power sector; proven in-depth understanding of such issues (organisations, such as financial institutions, NGOs or research institutes).</p>	
<p>2. Proven capacity to represent effectively the position shared by stakeholders (organisations, where there are multiple organisations active in one sector and individuals representing a common interest);</p>	

¹⁴ This form must be filled in, signed and returned with the application.

<p>3. Good knowledge of the English language allowing active participation in the discussions (individuals representing a common interest and organisations' representatives).</p>	
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For individuals applying to be appointed as Type B members

Title:

Surname¹⁵:

First name¹⁶:

Nationality:

Date:

Signature

For organisations applying to be appointed as Type C members

Name of the organisation¹⁷:

Surname of the representative proposed:

First name of the representative proposed:

Surname of the person applying on behalf of the organisation:

First name of the person applying on behalf of the organisation:

Date:

Signature

¹⁵ It is mandatory to use exactly the same name used when registering in the Transparency Register.

¹⁶ Idem.

¹⁷ Idem.

Annex V Privacy Statement



EUROPEAN COMMISSION

Annex V

PROTECTION OF YOUR PERSONAL DATA

Processing operation: *Selection of members of Commission expert groups and other similar entities¹⁸ and publication of personal data on the Register of Commission expert groups and other similar entities ("the Register of expert groups").*

Data Controller:

- *Secretariat-General, Unit F4 (for the processing operation "Providing a public register of Commission expert groups and other similar entities", DPR-EC-00656), and*
- *DG CLIMA, Unit C2 (for the processing operation "Selection of members of Commission expert groups and other similar entities"¹⁹, DPR-EC-01066).*

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¹⁸ Provisions included in this privacy statement referring to expert groups equally apply to their sub-groups.

¹⁹ The Commission department responsible for the management of the expert group and the DPMS record number need to be specified in the privacy statement attached to the call.

9. Contact information

10. Where to find more detailed information?

1. Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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.

This privacy statement explains the reasons for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, of the Data Protection Officer and of the European Data Protection Supervisor.

This privacy statement concerns the following processing operations:

(1) “selection of members of Commission expert groups and other similar entities” undertaken by the Commission department which runs the selection process for your expert group and which is the Data Controller for the selection process DG CLIMA, Unit C2, and

(2) “publication of personal data on the Register of expert groups and other similar entities” undertaken by the Commission, Secretariat-General, Unit F.4 which is the Data Controller together with the Commission department managing your expert group.

As a rule, the selection of expert group members is carried out via public calls for applications, except for Member States’ authorities and other public entities and for certain representative bodies established by Union legislation for advice in specific areas.

The Register of expert groups and other similar entities is a public database containing a list of Commission expert groups and other similar entities and their sub-groups. For each expert group, the Register provides valuable information including personal data on the members of the expert groups, and their alternate, if any, members’ representatives, as well as of the groups’ observers and their representatives. The Register also includes documents that are produced and discussed by expert groups and which can contain personal data.

For the purpose of this privacy statement and the corresponding records, the term “expert groups” describes Commission expert groups in the sense of Article 2(1) of Commission Decision C(2016)3301²⁰ and their sub-groups, as well as other similar entities in the sense of Article 2(2) of Commission Decision C(2016)3301 and their sub-groups.

2. Why and how do we process your personal data?

Purpose of the processing operations:

The Data Controllers collect and use your personal data to manage Commission expert groups, in particular by selecting their members and observers, and to ensure transparency on expert groups’ membership and activities. In that context, in order to select among the applicants who best fulfil the selection criteria mentioned in the call for applications, Commission services collect and assess personal information of candidate members and observers of the expert groups, of

²⁰ Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

representatives of candidate members and observers, and of immediate family members of candidate members and observers to be appointed in personal capacity to act independently and in the public interest.

Furthermore, Commission services collect and assess personal information of observers and members' and observers' representatives of the expert groups which are appointed directly and not selected through a public call for applications.

For candidates, personal data are stored by the Commission service managing the expert group. Some types of personal data of individuals appointed as members (either appointed in personal capacity to act independently and in the public interest or to represent a common interest shared by stakeholders in a particular policy area) are made publicly available on the Register of expert groups (as described under Headings 4 and 5 of this privacy statement). The names of the representatives of organisations, Member States and other public entities, as well as the name of specific national departments or other public authority which they represent may also be made publicly available on the Register of expert groups.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

We process your personal data, because processing is necessary for the performance of a task carried out in the public interest (Article 5(1)(a) of Regulation (EU) 2018/1725), since it allows for the selection of members of expert groups (individuals appointed as members in a personal capacity, individuals appointed to represent a common interest and organisations) and also increases the transparency on expert groups. Processing is also necessary to comply with a legal obligation to which the controller is subject (Article 5(1)(b) of Regulation (EU) 2018/1725). The Union act for such necessary processing under Article 5(1)(a) and (b) of Regulation (EU) 2018/1725 is Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups and in particular Articles 10 and 22 thereof.

As regards, in particular, the declarations of interests filled in by candidate members to be appointed in a personal capacity in expert groups, the processing of personal data serves the public interest of enabling the Commission to verify in the process of selection the experts' independence in providing advice to the Commission. Furthermore, the public disclosure of declarations of interests of those experts once appointed allows for public scrutiny of the interests declared by these experts, which is necessary in order to ensure public confidence in the independence of these experts. The public disclosure of declarations of interests also ensures a high degree of transparency with respect to the membership of expert groups and aims at contributing to fostering the integrity of the experts in question.

The names of the representatives of organisations, Member States' authorities and other public entities is usually not published in the Register of expert groups, as those persons only express the position of the organisation or entity that they represent, and, therefore, it is the name of the organisation, Member State's authority or other public entity that matters to ensure transparency of the work of the expert group. Any publication of names of the representatives of organisations, Member States' authorities and other public entities in the Register of expert groups is based on consent (Article 5(1)(d) of Regulation (EU) 2018/1725), unless specific and exceptional circumstances make it necessary to publish them to achieve the purpose of the processing operation, in accordance with Article 5(1)(a) of Regulation (EU) 2018/1725.. No other types of personal data of representatives is published.

The submissions of members in the context of the work of expert groups and subgroups are generally made public, with personal data withheld where appropriate.

In the cases when the group is chaired by a person different than the Commission or its services, the name of this person may be published on the basis of consent (Article 5(1)(d) of Regulation (EU) No 2018/1725).

4. Which personal data do we collect and further process?

In order to carry out these processing operations, the Data Controller may collect the following categories of personal data:

- *Name;*
- *Function;*
- *Contact details (for example, e-mail address, telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, IP address);*
- *Information for the evaluation of selection criteria or eligibility criteria (for example, expertise, technical skills and languages, educational background, professional experience, including details on current and past employment);*
- *Nationality;*
- *Gender;*
- *Interest represented (only for individuals applying to be appointed as members of expert groups or sub-groups representing a common interest shared by stakeholders in a particular policy area and for organisations applying to be appointed as members of expert groups or sub-groups, as well as for their designated representatives);*
- *Information included in the declarations of interests, including personal data of immediate family members as required in the declaration of interests (only for individuals applying to be appointed as members of expert groups or sub-groups in a personal capacity).*
- *Personal data that may be included in submissions of members of expert groups.*

The provision to the Commission service of the personal data required is mandatory to meet a legal requirement of selecting members of expert groups as set in Commission Decision C(2016)3301. In principle, for individuals appointed as members or observers in personal capacity to act independently and in the public interest and for individuals appointed as members or observers to represent a common interest, the types of personal data listed above (with the exception of contact details and information for the evaluation of selection criteria or eligibility criteria) are made publicly available on the Register of expert groups, in order to comply with the legal requirement to ensure transparency on the composition and functioning of Commission expert groups. If you do not provide the personal data required, possible consequences are that you will not be considered for selection as a member of an expert group or, if already selected, your membership will be suspended.

The submissions of members in the context of the work of expert groups and subgroups are generally made public, with personal data withheld where appropriate.

With the prior freely given, specific, informed and unambiguous consent of the representatives of organisations, Member States' authorities and other public entities, their names may also be published on the Register. They may furthermore be published in specific and exceptional circumstances where such publication is necessary to achieve the purpose of the processing operation.

The name of a person chairing the group, when this person is not from within the Commission (i.e. the group elects a chair from among its members or the Commission or its services appoint an individual as chair), may be published with his/ her prior freely given, specific, informed and unambiguous consent.

5. How long do we keep your personal data?

The Data Controller only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing. The following modalities apply:

- The competent Commission services keep personal data submitted to them as part of rejected applications for three years after the end of the selection process and do not process them for other purposes; these personal data are not published on the Register of expert groups.
- The expert group and some types of personal data of its members and observers, as described in Heading 4, are published on the Register of expert groups during the duration of existence of the expert group.
- When an individual is no longer member or observer or representative of a member or observer of an expert group listed in the Register of expert groups, all personal data related to this individual, including a declaration of interests, is removed from the Register and is therefore not public anymore.
- The competent Commission services keep personal data for the period during which the relevant individual is a member or an observer or a representative of a member or of an observer of the group and for five years after the date on which the individual is no longer member or observer or representative of a member or observer of the group. Following this five-year period, the personal data is transferred to the historical archives and a review takes place no later than 25 years after that transfer to the historical archives to evaluate whether to keep the data permanently or to delete some or all data.
- When a group is closed down, it remains published in the Register of expert groups for five years, with the indication 'Closed'. Those types of personal data other than the declarations of interests of members appointed in personal capacity that were published while the group was active remain visible on the Register of expert groups during these five years. On the contrary, the said declarations of interests are removed from the Register after closure of a group and are therefore not public anymore; they are however kept by the competent Commission service for a period of five years after the closure of the group. Following this five-year period after the closure of the group, the personal data is transferred to the historical archives and a review takes place no later than 25 years from that transfer to evaluate whether to keep the data permanently or to delete some or all data.
- An XML file is created daily with all the information regarding active groups. All versions of this file, showing the situation of the Register of expert groups as of the day it was created, are stored in a file server for 5 years and are not public.

6. How do we protect and safeguard your personal data?

Personal data submitted in paper form is stored in the competent Commission service. All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored on the servers of the Commission (*or of its contractors (processors), if contractors are engaged to assist the controller*). All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online

security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

The Commission's processors (contractors) are bound by a specific contractual clause for any processing operations of your personal data on behalf of the Commission. The processors have to put in place appropriate technical and organisational measures to ensure the level of security, required by the Commission.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data collected in the course of the process of selection of members of expert groups is provided to the Commission staff authorised for carrying out this processing operation and to other authorised Commission staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Certain personal data collected, as explained in Headings 4 and 5, are publicly available on the Register of expert groups.

The XML files referred to in Heading 5 are only accessible to a reduced number of users in the Secretariat-General (System Owner) and IT development team within the Commission (System Supplier).

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725, public authorities (e.g. Court of Auditors, EU Court of Justice, European Ombudsman) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The further processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) and Article 35 of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data is inaccurate or incomplete. Under certain conditions, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing and the right to data portability.

You have the right to object to the processing of your personal data on grounds relating to your particular situation in accordance with Article 23(1) of Regulation (EU) 2018/1725.

As indicated in Heading 4, if you are a representative of an organisation, Member State or another public entity, you may consent to have your name published on the Register of expert groups. You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

Finally, and only as regards the publication of your name on the Register of expert groups, you may submit a request to the competent Commission service for a derogation where justified on compelling legitimate grounds in relation to your specific situation (such as the case where the publication of your name on the Register of expert groups could endanger your security or integrity).

You can exercise your rights by contacting the Data Controller or, in case of conflict, the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

Data subject requests shall be handled within one month from receipt of the request by the Commission. That period may be extended pursuant to 14(3) of Regulation (EU) 2018/1725. Should more time be required to handle the request for justified reasons, the data subject shall receive a holding reply from the unit responsible for the request.

9. Contact information

- The Data Controller

Regarding the personal data collected in the course of the process of selection of the members of the expert groups, if you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint, please contact CLIMA-IF-EXPERTGROUP@ec.europa.eu.

Likewise, as regards the data published on the Register of expert groups, please contact the corresponding Data Controller Secretariat-General, Unit F4: SG-EXPERT-GROUPS@ec.europa.eu.

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

These specific processing operations will be included in the DPO's public register with the following Record references: DPR-EC-01066 and DPR-EC-00656.