



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT  
Directorate C – Quality of life, Water and Air  
ENV.C.3 - Air & industrial emissions

Brussels, **19 JUN 2013**  
ENV.C.3 Ares(2013)  
Mr. Pascoe Sabido  
[ask+request-489-7ae8c92d@asktheeu.org](mailto:ask+request-489-7ae8c92d@asktheeu.org)

Dear Mr Sabido,

Thank you for your e-mails dated 30 April 2013, registered under number GESTDEM 2013-2396 and 2013-2400, requesting access to documents under Regulation No 1049/2001<sup>1</sup> regarding public access to European Parliament, Council and Commission documents.

Your requests concern the following:

1. Any applicant who has applied to be a member of the Commission's expert groups but been refused, as listed in the February State of Play produced on 28/02/2013 by the Commission regarding the Informal Dialogue on Expert Groups and Initiatives Taken by Commission Services.
2. All documents which give the justification for said unsuccessful applicants not being granted membership to the applied-for expert group.
3. A list of all the new members added to expert groups that were referred to in the 28th February European Commission State of Play ('Informal Dialogue on Expert Groups; Initiatives Taken by Commission Services').

Having carefully assessed your requests, I can inform you of the following, in relation to the expert group "**IED Article 13 forum**", registered in the Register of Commission Expert Groups under number E02611.

The IED Article 13 forum was established as formal expert group by Commission Decision of 16 May 2011 establishing a forum for the exchange of information pursuant to Article 13 of the Directive 2010/75/EU on industrial emissions<sup>2</sup>. According to Article 4(1) of this Decision, "Members shall be Member States, international organisations representing industries concerned by the activities covered by Annex I of the Directive and non-governmental organisations promoting environmental protection. Those organisations shall have an acceptable degree of European representation." Article 4(3) of this Decision stipulates that "New members who are not Member States shall be appointed by the Director General of DG Environment".

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<sup>1</sup> OJ L145, 31.05.2001, p. 43.

<sup>2</sup> OJ C 146 17.5.2011, p.3.

In order to have a more balanced approach regarding the interests represented in the forum, the Commission published, on 20 July 2012, a **call for application** for the selection of NGOs as members of the forum<sup>3</sup>. The following text appeared in the call:

"The Commission will take the following criteria into account when assessing applications:

- competence and experience in areas relevant to the work of the IED Article 13 Forum,
- representation at European level."

**Six applications have been received** to the call, from the following NGOs:

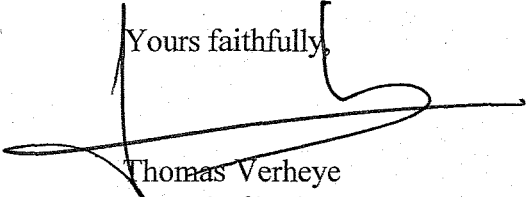
1. Verein zur Förderung der Völkerverständigung (Society for the Advancement of Global Understanding).
2. ASINVER (Asociación Europea de Inversores Profesionales).
3. Amigos do Protocolo de Kyoto.
4. The Regulatory Assistance Project.
5. Baltic Environmental Forum.
6. Coalition Clean Baltic.

In case of applicants No.1-5, DG Environment was of the opinion that one or both acceptance criteria were not fulfilled by the NGO. Therefore, they have been addressed by emails, asking for further information regarding their activities and representation/membership. Applicants No.1-4. have not replied to our email query, therefore we considered the applications as being dropped and no further action took place. Applicant No.5. got back to us with details on its membership, but after further consideration a negative reply was sent on 4 December 2012. Applicant No.6. fulfilled in our view the acceptance criteria, and has accordingly been included as a forum member.

In addition, four industry associations (Municipal Waste Europe, European Turbine Network European Biogas Association, Europanels) and two other environmental NGOs have become members of the forum since February 2013.

I enclose a copy of the relevant documents, which I hope will meet your needs. I must, however, remind you that they cannot be reproduced or disseminated for commercial purposes unless the Commission has first been consulted.

Yours faithfully,



Thomas Verhey  
Head of Unit

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<sup>3</sup> OJ C 214, 20.7.2012