


**EUROPEAN COMMISSION**

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Space Policy, Copernicus and Defence

Director

Brussels,

 /grow.ddg3.i.4(2017)577813**NOTE TO THE ATTENTION OF Ms LOWRI EVANS,
DIRECTOR-GENERAL DG GROW****Subject: Creation of a Commission Expert group – As-If Programme Committee for Defence Research – Request for Approval**

The Commission is launching a Preparatory Action for Defence Research (PADR), which will run from 2017 to 2019. The objective is to prepare the ground for the post-2020 phase of the "research window" of the European Defence Fund which will take the form of a European defence research programme. The PADR will test a variety of mechanisms and measures whereby the Commission uses EU budget to fund research in the defence domain.

As the PADR takes place outside Horizon 2020 (H2020), neither Comitology rules¹, nor H2020 rules apply. However, the modalities of the PADR are derived from H2020 and The Commission would like to use the PADR to test aspects of governance usually put in place for the implementation of EU research programmes in light of the future research programme.

Research programmes are supported by a Programme Committee which provides input to a scoping paper and adopts subsequent work programme(s). In line with this practice, we intend to create a temporary As-If Programme Committee in the context of the PADR. Dialogue with SG.B2 has clarified that the As-If Programme Committee falls within the scope of Commission Decision C(2016) 3301 on Commission Expert Groups and will have to be registered as an informal expert group with experts appointed by the Members States in accordance with Article 9 of this Decision.

This group of governmental experts will assist the Commission in the implementation of the PADR, including its modalities. It will provide input for the scoping paper and yearly work programmes of the Preparatory Action and it will simulate the role of a Programme Group regarding the implementing decisions of the Commission for the Preparatory Action.

¹ Regulation (EU) No 182/2011

The Commission will simulate in the function of this group the decision taking of a Programme Group as provided in Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers². Decisions taken within this group will have no legal effect or implications.

Next to the assistance of the group in the implementation of the PADR, the Commission will also use the As-If Programme Committee as a forum to engage in a dialogue with the Member States during the preparation of the post-2020 phase of the "research window" of the European Defence Fund which will take the form of a European defence research programme.

This expert group will be an "informal" one, meaning that, as it is not created by a Commission Decision, following the new rules on Expert groups³ its creation has to be approved by our Commissioner and Vice-President (Art.4(5)). To that end, we have attached a Note from you to Mr T. Husak, summarizing the main elements of the set-up of this expert group and asking for approval. We thank you to get the hierarchy's approval so that we can proceed with the registration of the group via the Secretariat General.

The Unit I4 [REDACTED] of DG GROW is responsible for the file.

(e-signed)
Philippe Brunet

Cc: [REDACTED] /GROW.R1

² OJ L 55, 28.2.2011, p 13.

³ Commission Decision C(2016)3301 of 30/05/2016