



EUROPEAN COMMISSION

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

***** DRAFT *****

MANDATE OF THE “DEFENCE RESEARCH ADVISORY GROUP” FOR THE PREPARATORY ACTION ON DEFENCE RESEARCH

TASK

Under the Preparatory Action on Defence Research (2017-2019)¹, the Commission is responsible for drawing up the work programmes. In doing so, the Commission wishes to draw on the best possible external advice.

Members of the “Defence Research Advisory Group” (DEFAG) should provide consistent and consolidated advice to the Commission services during the preparation of the annual work programmes within the frame of the Preparatory Action.

Advice should be provided on relevant objectives and scientific, technological and innovation priorities by way of opinions, recommendations or reports.

Advice should pertain to all activities under this challenge, including, where relevant, international cooperation; multidisciplinary, including social and economic sciences and humanities, and cross-cutting research and innovation; responsible research and innovation including gender; research career development, doctoral training, and skills; bridging from discovery to market application; responding to emerging needs and unforeseen policy needs; sustainable development and climate change; dissemination, knowledge transfer and broader public engagement; SME participation; and societal and economic impact.

The Advisory Group must provide a written input to be made public for each work programme. The advice received from the Group will complement other sources of external advice received by the Commission services. While providing the Group with feedback on the use of the advice and input given, the Commission and its services retain the right of initiative. The Advisory Group does not take binding decisions.

¹ Reference to decision on the PA

The Group may also be consulted in the preparation of the scoping paper, the planning document setting out key orientations on a multiannual basis to guide the preparations of the work programmes.

The Group may be asked to provide recommendations on potential experts evaluators in relation to calls for proposals under their mandate. The final selection of experts will remain the responsibility of the Commission services and funding bodies.

CAPACITY

Experts participate in the Group in their individual capacity or as individuals representing an interest or an organisation.

Experts commit themselves to discuss questions put forward and provide advice in their relevant field of expertise to the best of their ability and in the best interest of EU research and innovation. They also commit themselves to respect the rules related to confidentiality and conflicts of interest.

Advice to the Commission is the result of discussions within the Group. This advice is expected to represent the consensus view of the Group. However, in the event that a consensus cannot be found, for whatever reason, individual experts may request to have divergent views recorded.

As well as bringing forward their own collective expertise, the Group may also be a focal point for processing inputs from across society related to this challenge. The Group will thereby support outreach and strengthening of the Commission services' dialogue with a wider group of stakeholders.

COORDINATION OF ADVISORY GROUPS

To avoid fragmentation and to ensure that cross-cutting issues and opportunities for joint action are identified, the Group Chairs may meet occasionally. In addition, the experts with expertise in the mainstreamed cross-cutting issues like, for instance, gender may also meet on a regular basis to provide a critical mass of specialised expertise to assist with additional horizontal advice on such important issues, while at the same time ensuring clear links between the horizontal and more specialised level.

DURATION OF SERVICE

Each expert will serve for the duration of the Preparatory Action.

RENEWAL

Not applicable.

CHAIRS, VICE-CHAIRS, RAPPORTEURS

During the first meeting, the Group shall elect the Chair and, if needed, the Vice-chair by a simple majority for the duration of the Preparatory Action.

As it is a requirement that each Group provides a written input for each work programme, considerations should be given to nominating a rapporteur.

MEETINGS

The Commission services may choose the frequency of meetings which seems most appropriate, provided that the Group is properly involved in the preparation of each work programme. However, as a general principle, the Group should meet at least 2 times a year to discuss the general orientations and documents as well as questions put forward by the services.

Working groups composed of a sub-set of experts may be created for specific purposes in agreement with the Commission services. They shall operate in accordance with the rules laid down by the Advisory Group and with the horizontal Commission rules for expert groups, and shall be dissolved as soon as their mandate is fulfilled.

Additional experts may be invited to the meetings of the Group to take part in discussions on a particular subject.

The meetings of the Advisory Group and subgroups shall, in principle, be held on Commission premises.

DATA PROTECTION AND TRANSPARENCY

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

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

- the name of individuals appointed in a personal capacity;
- the name of individuals appointed to represent a common interest; the interest represented shall be disclosed;
- the name of observers.

DG GROW shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, either on the Register of expert groups or *via* a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, the DG GROW 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° 1049/2001².

² 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.

Personal data shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

The work programme to be adopted by the Commission may provide an overview of how the advice provided by the Group and other sources of external advice have been used.

CONFIDENTIALITY AND CONFLICT OF INTEREST

Individuals applying to be appointed as members of the group in a personal capacity must disclose any circumstances that could give rise to a conflict of interest by submitting a declaration of interests ('DOI') form on the basis of the standard DOI form for expert groups attached to this call. Submission of a duly completed DOI form is necessary in order to be eligible to be appointed in a personal capacity. DG GROW shall perform the conflict of interest assessment in compliance with the horizontal rules³.

The rules on confidentiality and conflict of interest cover::

- The members of the Advisory Group, 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) 2015/443⁴ and 2015/444⁵. Experts are therefore required to not divulge information given in the context of the work of the Advisory Group unless the Commission agrees to release them from the confidentiality obligations. At the same time, experts must ensure the protection of such confidential information and documents with the same level of protection it uses to protect its own confidential information, but in no case any less than reasonable care. Should they fail to comply with these obligations the Commission may take appropriate measures, including, if necessary, the partial or total exclusion of the expert from the Advisory Group meetings.
- The Advisory Group experts must not use confidential information and documents for any purpose other than fulfilling their obligations and must not seek nor act in any way to take advantage of or exercise undue influence on the implementation of the Preparatory Action.

Participation in the Group will not be compatible with the following conflicts of interest:

- Assisting the Commission services in evaluating proposals and monitoring projects under the specific areas of research, innovation and technological development covered by this Advisory Group.

³ Article 11 of the Commission Decision on the horizontal rules on the creation and operation of Commission expert groups C(2016)3301.

⁴ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁵ 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).

- Acting as Member State delegates/representatives or experts/advisers accompanying Member States delegates/representatives, or Associated State observers, in the Programme Committee assisting the Commission; or called as experts before these committees (except the Chair-person of the Group who can be invited by the Chair-person of a Committee to present the work of the Advisory Group).

The Advisory Group experts may participate in consortia under the Preparatory Action. However, should any item of the agenda or any subject discussed in a given meeting of the Group be of relevance for projects or proposals under the Preparatory Action that an expert, or the organisation to which he/she belongs, has submitted or is likely to submit, the expert in question should inform the Commission services and the Group of the situation as soon as they are aware. The same applies in other situations that could give rise to a conflict of interest (e.g. involvement of a close family member). The Commission will then take a decision on the participation of the expert on a case by case basis. The person in question may therefore be requested to abstain from the deliberations and/or leave the room during the discussion of the concerned item/subject. If necessary, the expert may be excluded partially or totally from the Advisory Group meetings.

As a general rule, if an expert has a conflict of interest, he/she must declare it to the responsible Commission official as soon as he/she becomes aware of it, and specify the nature of the conflict. The Advisory Group experts must inform the Commission services of all interests, not explicitly stated above, which could be considered prejudicial to their independence or impartiality.

When an Advisory Group expert knowingly conceals a conflict of interest and this is discovered once a member, the Commission will exclude the expert in question from the group, without prejudice to penalties that may derive from other applicable Regulations.

REIMBURSEMENT

Travel and subsistence expenses will be reimbursed according to Commission decision of 5 December 2007⁶.

⁶ Rules on the reimbursement of expenses incurred by experts from outside the Commission invited to attend meetings in an expert capacity, C(2007)5858.

