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COVER NOTE

from:	Mr Janusz LEWANDOWSKI, Member of the European Commission
date of receipt:	30 July 2012
to:	Mr Vassos SHIARLY, President of the Council of the European Union
Subject:	Transfer of appropriations No DEC24/2012 within Section III - Commission - of the general budget for 2012

Delegations will find attached Commission document DEC24/2012.

Encl.: DEC24/2012



BRUSSELS, 25/07/2012

GENERAL BUDGET - 2012

SECTION III - COMMISSION TITLES 01, 02, 03, 04, 05, 06, 07, 08, 09, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 29, 32, 33

TRANSFER OF APPROPRIATIONS N° DEC 24/2012

EUR

FROM

CHAPTER - 40 01 RESERVES FOR ADMINISTRATIVE EXPENDITURE

Provisions - Item 01 01 02 11 Other management expenditure (Economic and financial affairs)	Non-Diff.	- 329 267
Provisions - Item 02 01 02 11 Other management expenditure (Enterprise)	Non-Diff.	- 52 383
Provisions - Item 03 01 02 11 Other management expenditure (Competition)	Non-Diff.	- 14 967
Provisions - Item 04 01 02 11 Other management expenditure (Employment and social affairs)	Non-Diff.	- 16 966
Provisions - Item 05 01 02 11 Other management expenditure (Agriculture and rural development)	Non-Diff.	- 498 392
Provisions - Item 06 01 02 11 Other management expenditure (Mobility and transport)	Non-Diff.	- 59 867
Provisions - Item 07 01 02 11 Other management expenditure (Environment and climate action)	Non-Diff.	- 89 800
Provisions - Item 08 01 02 11 Other management expenditure (Research)	Non-Diff.	- 4 490
Provisions - Item 09 01 02 11 Other management expenditure (Information society and media)	Non-Diff.	- 24 695
Provisions - Item 11 01 02 11 Other management expenditure (Maritime affairs and fisheries)	Non-Diff.	- 19 779
Provisions - Item 12 01 02 11 Other management expenditure (Internal market)	Non-Diff.	- 97 284
Provisions - Item 13 01 02 11 Other management expenditure (Regional policy)	Non-Diff.	- 16 463
Provisions - Item 14 01 02 11 Other management expenditure (Taxation and customs union)	Non-Diff.	- 151 912
Provisions - Item 15 01 02 11 Other management expenditure (Education and culture)	Non-Diff.	- 29 933
Provisions - Item 16 01 02 11 Other management expenditure of the Directorate-General for 'Communication': Headquarters	Non-Diff.	- 5 987
Provisions - Item 17 01 02 11 Other management expenditure (Health and consumer protection)	Non-Diff.	- 280 045
Provisions - Item 18 01 02 11 Other management expenditure (Home Affairs)	Non-Diff.	- 39 662

Provisions - Item 19 01 02 11 Other management expenditure of the 'Service for Foreign Policy Instruments'	Non-Diff.	- 16 345
Provisions - Item 20 01 02 11 Other management expenditure of the Directorate-General for Trade	Non-Diff.	- 37 417
Provisions - Item 21 01 02 11 Other management expenditure of the 'EuropeAid Development and Co-operation' Directorate-General	Non-Diff.	- 29 933
Provisions - Item 22 01 02 11 Other management expenditure of the Directorate-General for 'Enlargement'	Non-Diff.	- 8 082
Provisions - Item 23 01 02 11 Other management expenditure (Humanitarian aid)	Non-Diff.	- 13 470
Provisions - Item 26 01 02 11 Other management expenditure (Commission's administration)	Non-Diff.	- 2 275
Provisions - Item 27 01 02 11 Other management expenditure of the Directorate-General for the Budget	Non-Diff.	- 10 028
Provisions - Item 27 01 02 19 Other management expenditure - Non-decentralised management (DG Budget)	Non-Diff.	- 90 265
Provisions - Item 29 01 02 11 Other management expenditure (Statistics)	Non-Diff.	- 29 933
Provisions - Item 32 01 02 11 Other management expenditure (Energy)	Non-Diff.	- 23 947
Provisions - Item 33 01 02 11 Other management expenditure (Justice)	Non-Diff.	- 6 413

TO

CHAPTER - 0101 Administrative expenditure of the 'Economic and financial affairs' policy area ITEM - 01 01 02 11 Other management expenditure	Non-Diff.	329 267
CHAPTER - 0201 Administrative expenditure of the 'Enterprise' policy area ITEM - 02 01 02 11 Other management expenditure	Non-Diff.	52 383
CHAPTER - 0301 Administrative expenditure of the 'Competition' policy area ITEM - 03 01 02 11 Other management expenditure	Non-Diff.	14 967
CHAPTER - 0401 Administrative expenditure of the 'Employment and social affairs' policy area ITEM - 04 01 02 11 Other management expenditure	Non-Diff.	16 966
CHAPTER - 0501 Administrative expenditure of the 'Agriculture and rural development' policy area ITEM - 05 01 02 11 Other management expenditure	Non-Diff.	498 392
CHAPTER - 0601 Administrative expenditure of the 'Mobility and transport' policy area ITEM - 06 01 02 11 Other management expenditure	Non-Diff.	59 867
CHAPTER - 0701 Administrative expenditure of the 'Environment and climate action' policy area ITEM - 07 01 02 11 Other management expenditure	Non-Diff.	89 800
CHAPTER - 0801 Administrative expenditure of the 'Research' policy area ITEM - 08 01 02 11 Other management expenditure	Non-Diff.	4 490
CHAPTER - 0901 Administrative expenditure of the 'Information society and media' policy area ITEM - 09 01 02 11 Other management expenditure	Non-Diff.	24 695
CHAPTER - 1101 Administrative expenditure of the 'Maritime affairs and fisheries' policy area ITEM - 11 01 02 11 Other management expenditure	Non-Diff.	19 779

CHAPTER - 1201 Administrative expenditure of the 'Internal market' policy area		
ITEM - 12 01 02 11 Other management expenditure	Non-Diff.	97 284
CHAPTER - 1301 Administrative expenditure of the 'Regional policy' policy area		
ITEM - 13 01 02 11 Other management expenditure	Non-Diff.	16 463
CHAPTER - 1401 Administrative expenditure of the 'Taxation and customs union' policy area		
ITEM - 14 01 02 11 Other management expenditure	Non-Diff.	151 912
CHAPTER - 1501 Administrative expenditure of the 'Education and culture' policy area		
ITEM - 15 01 02 11 Other management expenditure	Non-Diff.	29 933
CHAPTER - 1601 Administrative expenditure of the 'Communication' policy area		
ITEM - 16 01 02 11 Other management expenditure of the Directorate-General for 'Communication': Headquarters	Non-Diff.	5 987
CHAPTER - 1701 Administrative expenditure of the 'Health and consumer protection' policy area		
ITEM - 17 01 02 11 Other management expenditure	Non-Diff.	280 045
CHAPTER - 1801 Administrative expenditure of the 'Home Affairs' policy area		
ITEM - 18 01 02 11 Other management expenditure	Non-Diff.	39 662
CHAPTER - 1901 Administrative expenditure of the 'External relations' policy area		
ITEM - 19 01 02 11 Other management expenditure of the 'Service for Foreign Policy Instruments'	Non-Diff.	16 345
CHAPTER - 2001 Administrative expenditure of the 'Trade' policy area		
ITEM - 20 01 02 11 Other management expenditure of the Directorate-General for Trade	Non-Diff.	37 417
CHAPTER - 2101 Administrative expenditure of the 'Development and relations with ACP States' policy area		
ITEM - 21 01 02 11 Other management expenditure of the 'EuropeAid Development and Co-operation' Directorate-General	Non-Diff.	29 933
CHAPTER - 2201 Administrative expenditure of the 'Enlargement' policy area		
ITEM - 22 01 02 11 Other management expenditure of the Directorate-General for 'Enlargement'	Non-Diff.	8 082
CHAPTER - 2301 Administrative expenditure of the 'Humanitarian aid' policy area		
ITEM - 23 01 02 11 Other management expenditure	Non-Diff.	13 470
CHAPTER - 2601 Administrative expenditure of the 'Commission's administration' policy area		
ITEM - 26 01 02 11 Other management expenditure	Non-Diff.	2 275
CHAPTER - 2701 Administrative expenditure of the 'Budget' policy area		
ITEM - 27 01 02 11 Other management expenditure of the Directorate-General for the Budget	Non-Diff.	10 028
ITEM - 27 01 02 19 Other management expenditure 'Non-decentralised management'	Non-Diff.	90 265
CHAPTER - 2901 Administrative expenditure of the 'Statistics' policy area		
ITEM - 29 01 02 11 Other management expenditure	Non-Diff.	29 933
CHAPTER - 3201 Administrative expenditure of the 'Energy' policy area		
ITEM - 32 01 02 11 Other management expenditure	Non-Diff.	23 947
CHAPTER - 3301 Administrative expenditure of 'Justice' policy area		
ITEM - 33 01 02 11 Other management expenditure	Non-Diff.	6 413

INTRODUCTION

The budget authority placed EUR 2 000 000 of budget sub-item XX 01 02 11 03 (meetings of Committees) in reserve (line 40 01 40) affecting expenditure in 28 Policy Areas (Titles).

The conditions for lifting the reserve pertained to the Commission modifying the rules on experts groups.

As mentioned in transfer request DEC 5/2012, the Commission is actively addressing the concerns of European Parliament on the rules on experts groups, committing notably to more transparency on the activities carried out by experts groups and to undertake a case by case review of all existing groups with a view to remedying possible imbalances in their composition and making sure that lobbyists and corporate executives do not sit in experts groups in a 'personal capacity'. Consequently, the Commission requested on 19/04/2012 the release of the amount in reserve (DEC 5/2012).

DEC 5 was approved by the Council in April. On 8 May the Parliament Committee on Budgets rejected the transfer request considering that insufficient progress was made in meeting the 4 conditions set to release the reserve, namely:

1. Scrap exceptions in the obligation to have a balanced composition of expert groups (technical nature + experts in "personal capacity"). Prohibit a single interest category (business, union or other) from having the majority of the non-government and non-EU seats in any expert group. Provide safeguards against capture from special interests and corporate interests.
2. Ban lobbyists and corporate executives sitting in expert groups in a 'personal capacity'. The Commission should clarify whether members of an expert group are there as stakeholders or as experts committed to acting in the public interest. The second should be thoroughly checked for conflicts of interest and their "declaration of professional activities" should be in the public domain
3. Common selection criteria throughout all Directorates-General that guarantee balance among different categories of stakeholders and absence of Conflict of Interests for experts and establish an obligatory open selection process with a public call and a published mandate of each expert group which goes beyond a simple representation of Member States authorities.
4. All membership information (including affiliations), agendas, minutes and participants' submissions should be available on-line unless if there is a clear and published reason for not providing this info. Reports of groups should be published before getting adopted by the Commission.

The enclosed supporting document reports on the result of the survey carried out by Commission services and the substantial progress made on each of the 4 conditions, showing the Commission full commitment to aligning expert groups rules accordingly.

The EUR 2 million in reserve represents 15% of total appropriations for committees. The Commission would also like to recall that between 2007 and 2012 expenditure for committees has already undergone a reduction of more than 50%, as part of the Commission's effort to contain administrative expenditure.

The Commission therefore requests the release of the reserve on expenditure for committees, as it is a severe obstacle to the steady progress of Community activities subject to this procedure. Invitations to committee meetings constitute a legal commitment from the Commission vis-à-vis participating representatives from the Member States (right to reimbursement of travel costs and per diems) and need, in accordance with Article 77 of the Financial Regulation, to be covered by a

prior budget commitment (reservation of appropriations). Commitment appropriations are needed long before the meeting takes place, whilst payment appropriations are used following the introduction of claims for reimbursement from committees' participants.

Consequently, the Commission requests the release of the corresponding amount of EUR 2 million from Article 40 01 40 to budget item XX 01 02 11.

Line / Heading							Total (4±5)
Non-Diff./ Commitments / Payments	Initial Budget ±AB (1A)	EFTA (1B)	Transfers (2)	Utilisation (3)	Available amount (4)=(1A)+(1B)+(2)-(3)	Transfer proposed (5)	
01 01 02 11 - Administrative expenditure of the 'Economic and financial affairs' policy area - Other management expenditure							
Non-Diff.	5.127.344	0	1.119.981	5.501.292	746.033	329.267	1.075.300
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 01 01 02 11 - Other management expenditure							
Non-Diff.	329.267	0	0	0	329.267	-329.267	0
02 01 02 11 - Administrative expenditure of the 'Enterprise' policy area - Other management expenditure							
Non-Diff.	4.881.377	0	0	4.461.168	420.209	52.383	472.592
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 02 01 02 11 - Other management expenditure							
Non-Diff.	52.383	0	0	0	52.383	-52.383	0
03 01 02 11 - Administrative expenditure of the 'Competition' policy area - Other management expenditure							
Non-Diff.	5.123.619	0	1.505.034	2.502.834	4.125.819	14.967	4.140.786
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 03 01 02 11 - Other management expenditure							
Non-Diff.	14.967	0	0	0	14.967	-14.967	0
04 01 02 11 - Administrative expenditure of the 'Employment and social affairs' policy area - Other management expenditure							
Non-Diff.	5.101.560	0	250.000	4.642.219	709.341	16.966	726.307
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 04 01 02 11 - Other management expenditure							
Non-Diff.	16.966	0	0	0	16.966	-16.966	0
05 01 02 11 - Administrative expenditure of the 'Agriculture and rural development' policy area - Other management expenditure							
Non-Diff.	8.528.713	0	-451.256	4.832.388	3.245.069	498.392	3.743.461
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 05 01 02 11 - Other management expenditure							
Non-Diff.	498.392	0	0	0	498.392	-498.392	0
06 01 02 11 - Administrative expenditure of the 'Mobility and transport' policy area - Other management expenditure							
Non-Diff.	2.514.628	0	51.685	2.235.214	331.099	59.867	390.966
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 06 01 02 11 - Other management expenditure							
Non-Diff.	59.867	0	0	0	59.867	-59.867	0
07 01 02 11 - Administrative expenditure of the 'Environment and climate action' policy area - Other management expenditure							
Non-Diff.	5.926.675	0	224.738	5.350.828	800.585	89.800	890.385
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 07 01 02 11 - Other management expenditure							
Non-Diff.	89.800	0	0	0	89.800	-89.800	0
08 01 02 11 - Administrative expenditure of the 'Research' policy area - Other management expenditure							
Non-Diff.	392.244	0	0	356.513	35.731	4.490	40.221
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 08 01 02 11 - Other management expenditure							

Line / Heading								
Non-Diff./ Commitments / Payments	Initial Budget ±AB (1A)	EFTA (1B)	Transfers (2)	Utilisation (3)	Available amount (4)=(1A)+(1B)+(2)-(3)	Transfer proposed (5)	Fluctuation (5/1A)	Total (4±5)
Non-Diff.	4.490	0	0	0	4.490	-4.490	-100,00%	0
09 01 02 11 - Administrative expenditure of the 'Information society and media' policy area - Other management expenditure								
Non-Diff.	1.856.338	0	94.600	1.606.744	344.194	24.695	1,33%	368.889
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 09 01 02 11 - Other management expenditure								
Non-Diff.	24.695	0	0	0	24.695	-24.695	-100,00%	0
11 01 02 11 - Administrative expenditure of the 'Maritime affairs and fisheries' policy area - Other management expenditure								
Non-Diff.	2.779.656	0	-155.075	2.340.228	284.353	19.779	0,71%	304.132
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 11 01 02 11 - Other management expenditure								
Non-Diff.	19.779	0	0	0	19.779	-19.779	-100,00%	0
12 01 02 11 - Administrative expenditure of the 'Internal market' policy area - Other management expenditure								
Non-Diff.	3.394.875	0	-50.000	2.864.624	480.251	97.284	2,87%	577.535
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 12 01 02 11 - Other management expenditure								
Non-Diff.	97.284	0	0	0	97.284	-97.284	-100,00%	0
13 01 02 11 - Administrative expenditure of the 'Regional policy' policy area - Other management expenditure								
Non-Diff.	3.094.285	0	40.000	2.797.225	337.060	16.463	0,53%	353.523
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 13 01 02 11 - Other management expenditure								
Non-Diff.	16.463	0	0	0	16.463	-16.463	-100,00%	0
14 01 02 11 - Administrative expenditure of the 'Taxation and customs union' policy area - Other management expenditure								
Non-Diff.	2.773.625	0	90.000	2.457.050	406.575	151.912	5,48%	558.487
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 14 01 02 11 - Other management expenditure								
Non-Diff.	151.912	0	0	0	151.912	-151.912	-100,00%	0
15 01 02 11 - Administrative expenditure of the 'Education and culture' policy area - Other management expenditure								
Non-Diff.	3.361.487	0	0	2.867.449	494.038	29.933	0,89%	523.971
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 15 01 02 11 - Other management expenditure								
Non-Diff.	29.933	0	0	0	29.933	-29.933	-100,00%	0
16 01 02 11 - Administrative expenditure of the 'Communication' policy area - Other management expenditure of the Directorate-General for 'Communication': Headquarters								
Non-Diff.	3.299.156	0	657.000	3.166.258	789.898	5.987	0,18%	795.885
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 16 01 02 11 - Other management expenditure of the Directorate-General for 'Communication': Headquarters								
Non-Diff.	5.987	0	0	0	5.987	-5.987	-100,00%	0
17 01 02 11 - Administrative expenditure of the 'Health and consumer protection' policy area - Other management expenditure								
Non-Diff.	9.661.525	0	-869.752	8.535.938	255.835	280.045	2,90%	535.880

Line / Heading								
Non-Diff./ Commitments / Payments	Initial Budget ±AB (1A)	EFTA (1B)	Transfers (2)	Utilisation (3)	Available amount (4)=(1A)+(1B)+(2)-(3)	Transfer proposed (5)	Fluctuation (5/1A)	Total (4±5)
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 17 01 02 11 - Other management expenditure								
Non-Diff.	280.045	0	0	0	280.045	-280.045	-100,00%	0
18 01 02 11 - Administrative expenditure of the 'Home Affairs' policy area - Other management expenditure								
Non-Diff.	1.810.130	0	50.071	1.805.042	55.159	39.662	2,19%	94.821
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 18 01 02 11 - Other management expenditure								
Non-Diff.	39.662	0	0	0	39.662	-39.662	-100,00%	0
19 01 02 11 - Administrative expenditure of the 'External relations' policy area - Other management expenditure of the 'Service for Foreign Policy Instruments'								
Non-Diff.	567.077	0	-91.586	389.300	86.191	16.345	2,88%	102.536
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 19 01 02 11 - Other management expenditure of the 'Service for Foreign Policy Instruments'								
Non-Diff.	16.345	0	0	0	16.345	-16.345	-100,00%	0
20 01 02 11 - Administrative expenditure of the 'Trade' policy area - Other management expenditure of the Directorate-General for Trade								
Non-Diff.	4.359.091	0	-292	4.113.930	244.869	37.417	0,86%	282.286
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 20 01 02 11 - Other management expenditure of the Directorate-General for Trade								
Non-Diff.	37.417	0	0	0	37.417	-37.417	-100,00%	0
21 01 02 11 - Administrative expenditure of the 'Development and relations with ACP States' policy area - Other management expenditure of the 'EuropeAid Development and Co-operation' Directorate-General								
Non-Diff.	6.767.892	0	-72.400	5.011.616	1.683.876	29.933	0,44%	1.713.809
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 21 01 02 11 - Other management expenditure of the 'EuropeAid Development and Co-operation' Directorate-General								
Non-Diff.	29.933	0	0	0	29.933	-29.933	-100,00%	0
22 01 02 11 - Administrative expenditure of the 'Enlargement' policy area - Other management expenditure of the Directorate-General for 'Enlargement'								
Non-Diff.	1.769.647	0	-128.282	1.509.643	131.722	8.082	0,46%	139.804
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 22 01 02 11 - Other management expenditure of the Directorate-General for 'Enlargement'								
Non-Diff.	8.082	0	0	0	8.082	-8.082	-100,00%	0
23 01 02 11 - Administrative expenditure of the 'Humanitarian aid' policy area - Other management expenditure								
Non-Diff.	2.010.969	0	-55.000	1.647.381	308.588	13.470	0,67%	322.058
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 23 01 02 11 - Other management expenditure								
Non-Diff.	13.470	0	0	0	13.470	-13.470	-100,00%	0
26 01 02 11 - Administrative expenditure of the 'Commission's administration' policy area - Other management expenditure								
Non-Diff.	17.676.594	0	1.159.078	9.482.699	9.352.973	2.275	0,01%	9.355.248
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 26 01 02 11 - Other management expenditure								
Non-Diff.	2.275	0	0	0	2.275	-2.275	-100,00%	0
27 01 02 11 - Administrative expenditure of the 'Budget' policy area - Other management expenditure of the Directorate-General for the Budget								

Line / Heading								
Non-Diff./ Commitments /	Initial Budget ±AB (1A)	EFTA (1B)	Transfers (2)	Utilisation (3)	Available amount (4)=(1A)+(1B)+(2)-(3)	Transfer proposed (5)	Fluctuation (5/1A)	Total (4±5)
Payments								
Non-Diff.	7.758.058	0	-111.000	5.242.035	2.405.023	10.028	0,13%	2.415.051
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 27 01 02 11 - Other management expenditure of the Directorate-General for the Budget								
Non-Diff.	10.028	0	0	0	10.028	-10.028	-100,00%	0
27 01 02 19 - Administrative expenditure of the 'Budget' policy area - Other management expenditure - Non-decentralised management								
Non-Diff.	9.309.894	0	-6.878.516	0	2.431.378	90.265	0,97%	2.521.643
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 27 01 02 19 - Other management expenditure - Non-decentralised management								
Non-Diff.	90.265	0	0	0	90.265	-90.265	-100,00%	0
29 01 02 11 - Administrative expenditure of the 'Statistics' policy area - Other management expenditure								
Non-Diff.	3.928.587	0	355.000	3.822.633	460.954	29.933	0,76%	490.887
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 29 01 02 11 - Other management expenditure								
Non-Diff.	29.933	0	0	0	29.933	-29.933	-100,00%	0
32 01 02 11 - Administrative expenditure of the 'Energy' policy area - Other management expenditure								
Non-Diff.	1.917.719	0	400.553	1.603.191	715.081	23.947	1,25%	739.028
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 32 01 02 11 - Other management expenditure								
Non-Diff.	23.947	0	0	0	23.947	-23.947	-100,00%	0
33 01 02 11 - Administrative expenditure of the 'Justice' policy area - Other management expenditure								
Non-Diff.	1.441.795	0	66	1.427.231	14.630	6.413	0,44%	21.043
40 01 - RESERVES FOR ADMINISTRATIVE EXPENDITURE - 33 01 02 11 - Other management expenditure								
Non-Diff.	6.413	0	0	0	6.413	-6.413	-100,00%	0
					Total DECREASE Non-Diff.			
					Total INCREASE Non-Diff.			

RESULTS OF THE SURVEY CARRIED OUT BY COMMISSION SERVICES

The results of the survey carried out by Commission services and the significant progress made in meeting the 4 conditions set by Parliament are illustrated below:

- **Condition N°1: Scrap exceptions in the obligation to have a balanced composition of expert groups (technical nature + experts in "personal capacity"). Prohibit a single interest category.**

- In March this year, the Commission committed to conduct a complete review of existing expert groups which are not exclusively composed of national authorities, with a view to assessing their composition. Any possible modification of the composition of groups will be the result of a specific assessment of the membership of individual groups, taking into account the work to be carried out, interests at stake, as well as other opportunities that citizens and stakeholders are given to express their views.
- Follow-up ensured - Current state of play:
 - Each Commission department has embarked upon a review of all expert groups under its responsibility which are not exclusively composed of public authorities, with a view to assessing their composition along the following lines:
 - Aiming, via a bottom-up approach, at revising and better balancing advisory groups. A modernised and rationalised civil society dialogue-system based on principles of openness, transparency and flexibility has been devised, culminating in a formal consultation of stakeholders. All relevant members will in future be selected via public calls for application.
 - Identifying groups where the balance among stakeholders could be improved and, when necessary, reducing the number of members from one specific group in order to rebalance the general composition.
 - Opening Member States groups of competent authorities to an extended list and participation of observers.
 - Rationalising and re-shaping groups to achieve a more balanced representation of concerned stakeholders.
 - Ensuring that the civil society organisations are informed of opportunities.
 - In total, Commission services have committed to re-balance the membership of more than fifty groups, many of which dealing with politically sensitive issues (see Annex 1). Given the number of groups concerned, the complexity of some of the processes leading to the modification of groups' membership, as well as the institutional constraints (reforms of EU policies and programmes), in a number of cases it will take some time before changes can be fully implemented. However, even if it will take some time before the composition of all of these groups can be completely changed, there is a firm political

commitment taken vis-à-vis the Parliament.

The review has also contributed to closing and removing from the Register more than fifty groups which do not operate anymore or which need to be reshaped. Furthermore, eleven groups set up at the start of FP7, managed by DG RTD, will be closed down by the end of the summer.

- **Condition N° 2: Ban lobbyists and corporate executives sitting in expert groups in a 'personal capacity'.**
 - The Commission confirmed in March its determination to ensure that the new, more stringent provisions on conflicts of interest are fully implemented for future expert groups and committed to conduct a review of existing groups which include members appointed in a personal capacity, with a view to ensuring that the rules are fully respected in all existing groups, taking remedial actions where this would not be the case, and reporting to the Parliament on the outcome of the above review by the summer.
 - Follow-up ensured - Current state of play:
 - Each Commission department has carried out a review of the expert groups placed under its responsibility, which include members appointed in a personal capacity (31 in total), with a view to ensuring that the rules on conflict of interests are respected.
 - As a result, it was clarified in the Register of Commission Expert Groups and Other Similar Entities¹ (hereinafter referred to as "the Register") that some or all members of 18 groups are representatives of stakeholders (or in a few cases of the Member States) and not as experts appointed in a personal capacity acting in the public interest, as was previously indicated. For some of them, formalisation of these changes will require amending Commission decisions which set up the groups concerned. Due to administrative constraints, in the case of 13 Coal and Steel technical groups placed under the responsibility of DG RTD, clarification will have occurred by the end of the summer.
 - For all of them, the Commission has increased transparency by publishing, as of April 2012, all relevant documents flowing from expert groups.
- **Condition N° 3: Common selection criteria throughout all DGs that guarantee balance among different categories of stakeholders and absence of conflict of interests for experts and establish an obligatory open selection process with a public call and a published mandate of each expert group which goes beyond a simple representation of Member States authorities.**

¹ <http://ec.europa.eu/transparency/regexpert/>

- The Commission committed to ensure that all relevant provisions concerning selection of members of expert groups are fully implemented, including selection via public calls for application and full transparency on the procedures used to select members of each expert group by publishing related information in the Register.
- Follow-up ensured - Current state of play:
 - All Commission departments are bound by horizontal rules on Commission expert groups adopted by the College. These rules foresee that:
 - Where individual experts are appointed in their personal capacity, public calls for applications shall be used as far as reasonably practicable.
 - Where a call for applications is not reasonably practicable (for example where very specific expertise is required), the choice of experts shall be made on the basis of objectively verifiable criteria.
 - Where individual experts are appointed to represent an interest or where organisations are appointed as members of expert groups, Commission services shall, as far as possible, ensure a balanced representation of relevant stakeholders, while taking into account the specific tasks of the expert group and the type of expertise required.
 - Experience shows that where selection is made through calls for applications, potentially interested stakeholders are informed by relevant Commission departments, including through the publication of calls on web pages, which stakeholders are familiar with. Often NGOs, organisations from civil society or even SMEs, which are invited by Commission departments to become members of expert groups, refuse to participate. This is due to a number of factors, including lack of stakeholder's resources to participate. In this respect, it should be underlined that the Commission reimburses travel and subsistence expenses incurred by participants in the activities of expert groups, and that no stakeholder is excluded from reimbursement – as recalled in rules on reimbursement explicitly mentioned in the Register <http://ec.europa.eu/transparency/regexpert/faq.cfm?aide=2> (last bullet point under "How do Commission expert groups work?").
- **Condition N°4: All membership information (incl. affiliations), agendas, minutes and participants' submissions should be available on-line unless there is a clear and published reason for not providing this info. Reports of groups should be published before adoption.**
 - With the new Register set up in December 2010, the Commission has enhanced transparency in the area of expert groups in many ways. This new Register now provides more accurate information, notably on the type of entities listed, the groups' membership, the procedures used to select members of groups, as well as the activities carried out by groups. The presentation and readability of data encoded has also been improved.
 - Follow-up ensured - Current state of play:

- All Services have been clearly instructed to follow up on the commitments taken by the Commission concerning publication of documents.
- These rules apply to the activities of all groups as of 1 April 2012. The only possible exceptions – which are to be duly justified- are those falling under Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents².
- Substantial progress has been achieved with the set up of the new Register in December 2010 and the commitment taken to full publication of documents. NB: Given the collective nature of groups' work, groups normally adopt their opinions, recommendations or reports by consensus. In some cases, groups vote on documents. Where this is the case, minority opinions are duly published.

² Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145/43.

**Summary of the main initiatives taken, as a result of the review
carried out by the Commission services**

DG AGRI is in the process of initiating a survey of stakeholders leaving them sufficient time over the summer to reply to a questionnaire, with a view to achieving via a bottom-up approach, a revision and better balancing of thirty advisory groups set up by Commission Decision 2004/391/EC. After thorough analysis of the replies, a modernized and rationalised Civil Society Dialogue-system based on principles of openness, transparency and flexibility will be devised, culminating in a formal consultation of stakeholders. Members will be selected following public calls for application. This bottom-up approach will need time, meaning that the process is likely to last until some point in 2013. Some of the advisory groups include working groups/subgroups. For these, a separate analysis has been done and has shown that for some of them action is needed in order to achieve a better balancing.

Finally, DG AGRI has already modified the composition of the "Groupe d'experts pour la fourniture de denrées alimentaires au bénéfice des personnes les plus démunies de la Communauté" in order to improve, inter alia, the geographical balance of the organisations which are members of this group.

DG ENTR has conducted an analysis to identify those groups where the balance among stakeholders could be improved. As a result, seventeen groups where there appears to be Industry over-representation were identified. In these cases, DG ENTR will seek to either invite additional non-industry stakeholders (consumer representatives, non-governmental organisations [NGOs]) or to reduce the number of members from Industry in order to rebalance the composition of the group. The aim is for these groups to have a modified and balanced composition by the start of 2013 at the latest. This is the list of the groups in question:

- Working group on Motor Vehicles
- Working group on Motorcycles
- Working group on Agricultural Tractors
- Fertilisers Working group
- Working group Measuring Instruments
- Advisory Committee on Community Policy regarding Forestry and Forest-based Industries
- Expert group on the Annual European Tourism Forum
- Working group on Explosives
- Eco-design Consultation forum
- Ferrous and non-ferrous metals competitiveness expert group
- Strategic Advisory Board on Competitiveness and Innovation (STRABO)
- High Level Forum for a Better Functioning Food Supply Chain
- CARS 21
- European Multi-Stakeholders Platform on ICT Standardisation
- Expert group on the revision of the LeaderSHIP strategy
- Ad-hoc Advisory Group on Non-Annex I Products
- Raw Materials Supply group

DG ENTR will also apply a new approach to the creation of expert groups in the future, with a view to ensuring full transparency and a fair representation of interests.

DG ENV will modify two important groups placed under its responsibility. The first group is the "Competent authorities for Registration, Evaluation, Authorisation and restriction of Chemicals (REACH) and Classification, Labelling and Packaging (CLP)". This group is composed of Member States' competent authorities and a number of stakeholders were appointed as observers. DG ENV has agreed to extend the list of observers to include more non-industry groups and has, therefore, decided to open up the participation to a number of non-industry groups. DG ENV will identify the possible organisations and will contact them by direct invitation, by the end of July. The second group is the "Expert group on the exchange of information on best available techniques related to industrial emissions". Although, the main environmental NGO at EU level (European Environmental Bureau [EEB]) is already member of this group, DG ENV will actively promote the participation of other environmental NGOs having an acceptable degree of European representation by making a call for

applications on the Europa website by 16.07.2012 regarding the Industrial Emissions Directive and by contacting potentially interested NGOs by letter.

DG MARKT has conducted in 2011 a comprehensive review of all existing nongovernmental expert groups advising the DG in the area of financial services, in order to rationalise the groups and to ensure that consumers, retail investors, SMEs and trade unions' representatives are represented. Six Expert Groups were abolished³. As a result six expert groups are still operational⁴. One of them, the "Payment Market Systems Expert Group" (PSMEG), has been re-shaped to achieve a more balanced representation of concerned stakeholders. In terms of composition of the operational expert groups in the area of financial services, industry representatives account for 28% of total places (20% for members representing the financial services industry) while 50% of places are attributed to consumers, Trade Unions, SMEs and academics.

DG MARE envisages modifying two important expert groups placed under its responsibility. First, with a view to modernising and adapting the consultation of stakeholders on horizontal aspects of the Common Fisheries Policy (CFP) a new and leaner structure of the "Advisory Committee on Fisheries and Aquaculture" is envisaged in the framework of the CFP reform, reinforcing inter alia the representation of small scale fisheries in a future expert group. Second, concerning the "Regional Advisory Councils" (RACs), as part of the CFP Reform, the role and functioning of advisory bodies on regional and other aspects of the CFP has to be adapted to a more decentralised framework; it is also envisaged to adapt the balance of stakeholder interests and to ensure adequate representation of small scale fishermen within the RACs.

In July, DG CONNECT will launch a call for interest concerning two groups: the "Advisory Group – ICT Infrastructure for energy-efficient buildings and neighbourhoods for carbon-neutral cities" and the "Expert group on the security and resilience of communication networks and information systems for smart grids". In both cases, DG CONNECT will take initiatives with potentially interested civil society organisations in order to ensure that they are aware of the opportunity.

DG EAC intends, in the context of the new programs in the domain of Education and Culture as of 2014, to do a review of all expert groups placed under the responsibility of the DG. It implies that actions may be carried out in the near future to review both the mandate and the composition of these groups.

The two Advisory Groups set up under the Research Fund for Coal and Steel, which are under the responsibility of DG RTD, are governed by a Council decision dating from 2008, which specifies the sectors that should be represented and affirms that the experts are present in a personal capacity. Following a monitoring and assessment exercise, the decision is due to be reviewed in 2013; the Commission will propose the necessary amendment at that stage.

³ The European Corporate Governance Forum, the Standards Advice Review Group, the Expert Group on Financial Education, the Group of Experts in Banking Issues, the Expert Group on Market Infrastructure, the Tax Barriers Business Advisory Group.

⁴ The Financial Services User Group-FSUG, the Group of financial services employees' representatives-'Uni-Europa', the Expert Group on disclosure of non-financial information by EU Companies, the Insolvency Law Group of Experts, the High Level Expert Group on reforming the structure of the EU banking sector and the Payment Market Systems Expert Group-PSMEG.

Groups where membership was or will be shortly clarified in the Register**DG ENTR - 7 groups:**

- Strategic Advisory Board on Competitiveness and Innovation
- European design leadership board
- Expert Group on the cross-border matching of innovative firms with suitable investors
- FP7 Space Advisory Group
- FP7 Security Advisory Group
- Galileo FOC (full operational capacity) Timing Interface Expert Group
- Galileo Geodetic Reference Interface Working Group

DG RTD - 13 groups⁵:

- Technical Group Coal 1 "Coal mining operation, mine infrastructure & management, unconventional use of coal deposits"
- Technical Group Coal 2 "Coal preparation, conversion and upgrading"
- Technical Group Coal 3 "Coal combustion, clean and efficient coal technologies, CO2 capture"
- Technical Group Steel 1 "Ore agglomeration and Ironmaking"
- Technical Group Steel 2 "Steelmaking processes"
- Technical Group Steel 3 "Casting"
- Technical Group Steel 4 "Hot and cold rolling processes"
- Technical Group Steel 5 "Finishing and coating"
- Technical Group Steel 6 "Physical metallurgy and design of new generic steel grades"
- Technical Group Steel 7 "Steel products and applications for automobiles, packaging and home appliances"
- Technical Group Steel 8 "Steel products and applications for building, construction and industry"
- Technical Group Steel 9 "Factory-wide control, social and environmental issues"
- Coordination Group of Coal and Steel Technical Groups chairpersons

DG MARKT - 3 groups:

- Expert Group on e-Tendering
- Payment Systems Market Expert Group
- Insolvency Law Group of Experts

DG ENV - 2 groups:

- European Business Awards for the Environment
- National Coordinators of Mobility Wee

DG MOVE - 2 groups:

- Expert Group on Future Transport Fuels
- Maritime Transport on Short Sea Shipping and Motorways of the Sea

SG - 2 groups:

- High Level Group of Independent Stakeholders on Administrative Burdens
- High Level National Regulatory Experts

⁵ Clarification on the membership of these groups will be accomplished by the end of the summer.

DG TAXUD - 1 group:

- Expert Group on Savings Taxation

DG MARE - 1 group:

- Marine Observation and Data Expert Group