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COMMISSION DECISION

of 1.9.2022

setting up the group of experts ‘High-Level Forum on European Standardisation’

(Text with EEA relevance)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

- (1) Article 173 of the Treaty assigned the Union and the Member States the task of ensuring that the conditions necessary for the competitiveness of the Union's industry exist.
- (2) The Communication of the Commission of 2 February 2022 on an “EU Strategy on Standardisation: Setting global standards in support of a resilient, green and digital EU single market”¹ states that the Commission will create a High-Level Forum on European Standardisation to set priorities, advise on future standardisation needs, coordinate effective representation of Union interests in international standardisation fora and ensure that European standardisation activities meet the needs to make the Union economy more green, digital, fair and resilient.
- (3) It is therefore necessary to set up a group of experts, the High-Level Forum on European Standardisation (‘the Forum’), and to define its tasks and its structure, in compliance with Commission Decision C(2016) 3301 establishing horizontal rules on the creation and operation of Commission expert groups² (‘the horizontal rules’).
- (4) The Forum should be composed of representatives of national authorities of Member States and European Economic Area (EEA) countries, European standardisation organisations, national standardisation bodies of Member States and EEA countries, stakeholder organisations representing industry, small and medium-sized enterprises, consumers, certain environmental and social stakeholders as well organisations in the area of research and academia.
- (5) In order to safeguard Union interests, policy objectives and values, it should be possible to restrict participation in critical and sensitive policy areas directly relevant for the security of the Union, to entities not subject to control by a third country, acting either directly or by way of measures addressed to a third-country entity.
- (6) Rules on disclosure of information by members of the Forum should be laid down.

¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. An EU Strategy on Standardisation: Setting global standards in support of a resilient, green and digital EU single market (COM(2022) 31 final).

² Commission Decision C(2016) 3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

- (7) Personal data is to be processed in accordance with Regulation (EU) No 2018/1725 of the European Parliament and of the Council³.
- (8) It is appropriate to fix a period for the application of this Decision. The Commission will in due time consider whether an extension is appropriate,

HAS DECIDED AS FOLLOWS:

Article 1
Subject matter

The group of experts, the High-Level Forum on European Standardisation ('the Forum'), is hereby set up.

Article 2
Tasks

The Forum's tasks shall be:

- (1) advise the Commission on matters related to European standardisation policy;
- (2) support the identification and implementation of annual priorities for European standardisation supporting a green, digital, fair and resilient Single Market, including the identification and implementation of urgent standards development work;
- (3) support the identification of potential future standardisation needs in support of Union legislation, programmes and policies;
- (4) advise and support the Commission on coordinating effective representation of Union interests in international standardisation organisations and fora;
- (5) advise the Commission on how to ensure that European standardisation activities meet the needs to make the Union economy more green, digital, fair and resilient;
- (6) advise the Commission on how to better interlink research, development and innovation activities with standardisation and how to strengthen academic teaching and technical expertise and skills in standards.

To achieve those tasks, the Forum shall liaise with other relevant expert groups and stakeholder formations managed by the Commission, such as the Industrial Forum, the Data Innovation board, industrial alliances as well as the European Forum on Security Research.

Article 3
Consultation

The Commission may consult the Forum on any matter relating to standardisation.

Article 4
Membership

1. The Forum shall be composed of up to 60 members.
2. Members shall include:

³ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

- (a) European standardisation organisations, organisations representing industry or trade associations with demonstrated interest in European standardisation, organisations representing small and medium-sized enterprises, organisation representing societal stakeholders (consumers, workers and environmental interests) and organisations in the field of research and innovation as well as organisations in the field of academia;
 - (b) authorities of Member States and EEA countries;
 - (c) other public entities.
3. Members States' and EEA countries' authorities and public entities shall nominate representatives and shall be responsible for ensuring that their representatives provide a high level of expertise.
4. Members appointed to represent a common interest shall not represent an individual stakeholder, but a policy orientation common to different stakeholder organisations.
5. Members who are no longer capable of contributing effectively to the Forum's deliberations, who, in the opinion of the Commission department concerned, do not comply with the conditions set out in Article 339 of the Treaty, or who resign, shall no longer be invited to participate in any meetings of the Forum and may be replaced for the remainder of their term of office.

Article 5
Selection process

1. The selection of the Forum's members, other than the Member States' authorities and the other public entities shall be carried out via a public call for application, to be published on the Register of Commission expert groups and other similar entities ('the Register of expert groups'). In addition, the call for applications may be published through other means, including on dedicated websites. The call for applications shall clearly outline the selection criteria, including the required expertise in relation to the work to be performed. The minimum deadline for applications shall be four weeks.
2. Registration in the Transparency Register is required in order for organisations to be appointed.
3. The members of the Forum shall be appointed by the Director-General of the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs ('DG GROW') from specialists with competence in the areas referred to in Articles 2 and 3 and who have responded to the call for applications.
4. Members shall be appointed for the entire period of applicability of this Decision. They shall remain in office until replaced or until the end of their term of office.

Article 6
Chair

The Forum shall be chaired by a representative of DG GROW.

Article 7
Operation

1. The group shall act at the request of DG GROW.

2. Meetings of the Forum shall be held on Commission premises or virtually, depending on the circumstances.
3. DG GROW shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the Forum and its sub-groups.
4. Minutes on the discussion on each point on the agenda and on the opinions delivered by the Forum shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chairperson.
5. The Forum 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. Members who have voted against shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.
6. The Joint Research Centre may provide scientific advice and services within its area of expertise.

Article 8
Sub-groups

1. DG GROW shall set up a “Sherpa” sub-group within the Forum. The Sherpa sub-group shall be the main operational body of the Forum. It shall be at Sherpa level that all the technical preparatory work is undertaken for endorsement by the Forum.
2. DG GROW may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Forum. Sub-groups shall operate in compliance with the horizontal rules and shall report to the Forum. They shall be dissolved as soon as their mandate is fulfilled. Sub-groups shall be chaired by DG GROW or by other Commission Directorates-General, which may also provide secretarial support.
3. The members of sub-groups that are not members of the Forum shall be selected via a public call for applications, in compliance with Article 5 of this Decision and Article 10 and Article 14(2) of the horizontal rules.
4. The Chairperson may restrict participation in sub-groups dealing with critical and sensitive policy subjects that are directly relevant for the security of the Union to entities and individuals not subject to control by a third country acting either directly or by way of measures addressed to a third-country entity. Control shall be understood as the ability to exercise a decisive influence on an entity or individual directly, including through national legislation or indirectly through other means including control over its corporate structure and decision-making process, its infrastructure, facilities, assets, resources, intellectual property or knowhow needed for the purposes of the Forum.

Article 9
Invited experts

The Chairperson 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 its sub-groups on an ad hoc basis.

Article 10
Observers

1. Individuals and organisations may be granted an observer status, in compliance with the horizontal rules by direct invitation.
2. Organisations appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and its sub-groups and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the Forum.

Article 11
Rules of procedure

On a proposal by and in agreement with DG GROW the group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules.

Article 12
Professional secrecy and handling of classified information

The members of the Forum 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) 2015/443⁴ and 2015/444⁵. Should they fail to respect these obligations, the Commission may take all appropriate measures.

Article 13
Transparency

1. The Forum and its sub-groups shall be registered in the Register of expert groups.
2. As concerns the Forum's composition, the following data shall be published on the Register of expert groups:
 - (a) the name of authorities of Member States and EEA countries;
 - (b) the name of other public entities;
 - (c) the name of member organisations; the interest represented shall be disclosed;
 - (d) the name of observers.
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available on the Register of expert groups. In particular, the agenda and other relevant background documents shall be published 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 provided for in

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).

Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council⁶.

Article 14
Meeting expenses

1. Participants in the activities of the Forum and its sub-groups shall not be remunerated for the services they offer.
2. If travel and subsistence expenses are incurred by participants in the activities of the Forum and its sub-groups, those shall be reimbursed by the Commission. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

Article 15
Applicability

This Decision shall apply until 31 December 2025.

Done at Brussels, 1.9.2022

For the Commission
Thierry BRETON
Member of the Commission

⁶ 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 (OJ L 145, 31.5.2001, p. 43).