

**COMMISSION DECISION (EU) 2022/1368****of 3 August 2022****setting up Civil Dialogue Groups in matters covered by the common agricultural policy and repealing Decision 2013/767/EU**

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Article 38 of the Treaty on the Functioning of the European Union provides that the Union is to define and implement a common agriculture policy (CAP).
- (2) In accordance with Article 11(2) of the Treaty on European Union, the institutions are to maintain an open, transparent and regular dialogue with representative associations and civil society.
- (3) Commission Decision 2013/767/EU <sup>(1)</sup> provides for a framework for consultation of non-governmental stakeholders in matters related to agriculture and rural development. It allows the Commission to call upon the expertise of specialists in advisory bodies, namely the Civil Dialogue Groups whose current mandate expires on 31 December 2022.
- (4) In order to adapt to the new legislative framework <sup>(2)</sup> of the common agricultural policy and to the horizontal rules on the creation and operation of Commission expert groups ('the horizontal rules') laid down by Commission Decision C(2016)3301 <sup>(3)</sup>, as well as to ensure the continuity of the civil dialogue on matters related to agriculture and rural development as from 2023, it is necessary to establish seven thematic expert groups and to define their tasks and their structure.
- (5) Those groups should assist the Commission and support a regular dialogue on all matters relating to the common agricultural policy and its implementation, and in particular the measures which the Commission is called on to take in that context, including the international aspects of agriculture. They should bring about an exchange of experience and good practice, advise on policy, deliver an opinion on specific matters upon request of the Directorate-General for Agriculture and Rural Development ('DG AGRI') or on their own initiative and monitor policy developments. Members of the groups are also expected to disseminate information, obtained in the context of the groups' meetings, to their respective constituencies.

<sup>(1)</sup> Commission Decision 2013/767/EU of 16 December 2013 setting up a framework for civil dialogue in matters covered by the common agricultural policy and repealing Decision 2004/391/EC (OJ L 338, 17.12.2013, p. 115).

<sup>(2)</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1); Regulation (EU) 2021/2116 of the European Parliament and of the Council of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 (OJ L 435, 6.12.2021, p. 187); Regulation (EU) 2021/2117 of the European Parliament and of the Council of 2 December 2021 amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union (OJ L 435, 6.12.2021, p. 262).

<sup>(3)</sup> Commission Decision C(2016) 3301 final of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

- (6) With a view to increasing the transparency of the civil dialogue system, also in light of the European Ombudsman's recommendations in this respect, and to ensuring a balanced representation of different interests, covering civil society in a broad sense, it is appropriate to set up a new framework for Civil Dialogue Groups. Particular attention should be given to a wide representation of stakeholders with relevant expertise, to discuss different perspectives and views.
- (7) In order to grant all stakeholders the same possibilities and representation, and in line with the above-mentioned horizontal rules and standard practice, each stakeholder organisation should be granted a single membership with no differentiation of seats between organisations. Nonetheless, the overall number of participants to each of the meetings, may be modified on a case-by-case basis, in light of the Commission's agenda and the necessity to harvest a specific expertise.
- (8) To ensure a participative and inclusive consultation process, whilst continuing to reach out to citizens and stakeholders, due care should be given to the climate objective of reducing overall emissions to which the Commission should contribute. This implies that fewer in-person expert meetings should be organised. The Covid-19 pandemic showed that the Commission and stakeholders' mutual objectives can also be reached by means of virtual meetings. Therefore, while recognising the importance of occasional physical meetings, the organisation of online meetings should be privileged.
- (9) Rules on disclosure of information by members of the group should be laid down.
- (10) Personal data should be processed in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>(4)</sup>.
- (11) Decision 2013/767/EU should be repealed at the same time as the end of the current mandate of Civil Dialogue Groups.
- (12) In order to ensure a periodical renewal of the civil dialogue framework, it is appropriate to lay down the end date for the application of this Decision,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### **Subject matter**

The following groups of experts, called the Civil Dialogue Groups ('the groups'), are set up:

- (1) Civil Dialogue Group on the CAP Strategic Plans and Horizontal Matters;
- (2) Civil Dialogue Group on Agricultural Markets;
- (3) Civil Dialogue Group on Animal Production;
- (4) Civil Dialogue Group on International Aspects of Agriculture;
- (5) Civil Dialogue Group on Organic Farming;
- (6) Civil Dialogue Group on Quality and Promotion;
- (7) Civil Dialogue Group on Environment and Climate Change.

#### *Article 2*

##### **Tasks**

The groups, in relation to their thematic areas of competence as listed under Article 1, shall fulfil the following tasks:

- (a) to hold a regular dialogue on all matters relating to the common agricultural policy, and its implementation, including international aspects of agriculture, and in particular the measures which the Commission is called on to take in that context;

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<sup>(4)</sup> 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).

- (b) when specific expertise is required, to provide advice to the Commission in relation to their thematic areas of competence as listed under Article 1, and to assist the Commission in the preparation of policy initiatives in the fields referred to in point (a);
- (c) to bring about an exchange of experience and good practice, including dissemination of information, in the fields referred to in point (a);
- (d) to deliver an opinion on specific matters either upon request of DG AGRI and within the time limits set in that request, or on their own initiative;
- (e) to monitor policy developments in the fields referred to in point (a).

### *Article 3*

#### **Membership**

1. The groups shall be composed of stakeholders' organisations, other than public entities, operating at Union level in the fields referred to in Article 1.
2. Member organisations shall designate their representative to attend the meetings of the groups according to the items on the agenda. If indicated by the Chair, organisations might be represented by more than one representative. Each organisation shall have one voting right, irrespective of the number of representatives.
3. Member organisations shall be responsible for ensuring that their representatives provide a high level of expertise.
4. Member organisations which are no longer capable of contributing effectively to the expert group's deliberations, who, in the opinion of DG AGRI, do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office.

### *Article 4*

#### **Selection process**

1. The selection of the member organisations shall be carried out by means of a public call for applications, 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 and the interests to be represented in relation to the work to be performed. The minimum deadline for applications shall be 4 weeks.
2. Registration in the Transparency Register is required in order for stakeholders' organisations to be appointed as members.
3. Stakeholders' organisations shall be appointed by the Director-General of DG AGRI from applicants with competence and a high level of expertise in the areas referred to in Article 1, with capacity to advise in accordance with Article 2, and who have responded to the public call for applications.
4. Stakeholders' organisations shall be appointed for a 5-year term of office. Their term of office may be renewed.

### *Article 5*

#### **Chair**

The groups shall be chaired by a representative of the Commission.

*Article 6***Operation**

1. The groups shall act at the request of DG AGRI in compliance with the horizontal rules.
2. Meetings of the groups shall, in principle, be held virtually or on Commission premises, depending on the circumstances.
3. DG AGRI shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the groups and their sub-groups.
4. In agreement with DG AGRI, each group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes of the discussion on each point on the agenda and on the opinions, recommendations or reports delivered by each group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
6. As far as possible, the groups shall adopt their 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 or abstained shall have the right to document the reasons for their position, annexed to the opinions, recommendations or reports.

*Article 7***Sub-groups**

1. DG AGRI may set up sub-groups for the purpose of examining specific questions on the basis of the terms of reference defined by DG AGRI. Sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.
2. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance with Article 4 and the horizontal rules.

*Article 8***Invited experts**

DG AGRI 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 sub-groups, on an ad hoc basis.

*Article 9***Observers**

1. Individuals, organisations, including stakeholders' organisations, as well as public entities other than Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
2. Organisations and public entities 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 have no voting rights and shall not participate in the formulation of recommendations or advice of the groups and their sub-groups.

*Article 10***Rules of procedure**

On a proposal by, and in agreement with DG AGRI, 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 <sup>(5)</sup> and in compliance with the horizontal rules. Sub-groups shall operate in compliance with the group's rules of procedure.

*Article 11***Professional secrecy and handling of classified information**

The members of the group and their representatives, invited experts, as well as observers and their representatives, 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) 2015/443 <sup>(6)</sup> and (EU, Euratom) 2015/444 <sup>(7)</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

*Article 12***Transparency**

1. The groups and their sub-groups shall be registered in 'the Register of expert groups'.
2. As concerns the groups and sub-groups composition, the following data shall be published on the Register of expert groups:
  - (a) the name of stakeholders' organisations; the interest represented shall be disclosed;
  - (b) the name of observers.
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available either on the Register of expert groups or through 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 agenda and other relevant background documents shall be published in due time ahead of the meeting, followed by timely publication of the minutes. Exceptions to publication shall only be possible 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) No 1049/2001 of the European Parliament and of the Council <sup>(8)</sup>.

*Article 13***Meeting expenses**

1. Participants in the activities of the groups and sub-groups shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred by participants in the activities of the groups and sub-groups, except when attended virtually, 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.

<sup>(5)</sup> Annex III to Decision C(2016) 3301.

<sup>(6)</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

<sup>(7)</sup> 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).

<sup>(8)</sup> 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. 4). 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.

*Article 14***Repeal**

Decision 2013/767/EU is repealed with effect of 1 January 2023.

*Article 15***Applicability**

This Decision shall apply until 31 December 2027.

Done at Brussels, 3 August 2022.

*For the Commission*  
Janusz WOJCIECHOWSKI  
*Member of the Commission*

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