

EUROPEAN COMMISSION

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

Industrial Transformation and Advanced Value Chains Advanced Engineering and Manufacturing Systems

Brussels, 15/01/2018

CALL FOR APPLICATIONS FOR THE SELECTION OF MEMBERS OF THE COMMISSION EXPERT GROUP ON THE COMPETITIVENESS OF THE RAIL SUPPLY INDUSTRY

1. BACKGROUND

By decision of the Director General, the Commission Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (hereinafter 'DG GROW') has set up a group of experts on the competitiveness of the rail supply industry ('the group').

The group shall be co-chaired by a representative of DG GROW and a representative of the Commission's Directorate-General for mobility and transport ('DG MOVE') and shall elect a vice-chair.

This initiative aims at following up on the Commission's response to the Resolution that was adopted on 4th October 2016 by the European Parliament on the competitiveness of the European Rail Supply Industry (2015/2887(RSP) by establishing a forum at EU level open to representatives of the Member States, industry associations and other stakeholders of the European Rail Supply Industry (RSI). The participation of the European Parliament's experts in the work of the group is governed by point 15 and annex I of the Framework Agreement on relations between the Parliament and the Commission¹.

The group is the result and follow-up of the kick-off meeting held on 2nd March 2017 that had as objective to examine the implementation progress of the main topics stated by the Resolution and to discuss the next steps required.

The group's tasks shall be to assist and advise the Commission in promoting the competitiveness of the EU Rail Supply Industry (RSI). It shall identify and evaluate the challenges faced by the RSI and determine what is necessary to maintain its global leadership, in line with the holistic approach evocated in the European Commission's renewed Industrial Policy Strategy Communication (COM 2017-479).

The group shall inter alia:

- analyse the competitiveness situation of the RSI in the international context, including trade and public financial support practices in third countries;

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¹ OJ, L 304/47, of 20.11.2010.

- discuss and analyse aspects of railway equipment public procurement in European and international markets, in view of the Commission proposals and initiatives in the field of public procurement;
- identify specific needs of RSI SMEs, provide information and accessibility to existing programmes and funding such as, COSME, H2020, EUREKA, EU gateway to Japan etc;
- develop recommendations in the field of research and innovation, access to finance and skills, investment, and technical developments, including those related to digitisation;
- examine how to make the best use of outcomes of existing RSI programmes to boost competitiveness and increase cooperation with other global players.

The group shall prepare a report that addresses the most important factors impacting the competitiveness of the RSI. This report should be based on an analysis of the challenges and concrete needs of the industry, identify priority areas and make recommendations for further action.

The chair can propose to add new tasks, if necessary, in order to respond to challenges and opportunities for the rail supply industry, arisen after the group has been established, in line with the tasks of the group.

The group shall not duplicate discussions that already take place in other fora of the European Commission, the Railway Agency or the Shift2Rail Joint Undertaking.

2. FEATURES OF THE GROUP

2.1. Composition

The group shall consist of up to 60 members.

Members shall be Member States' authorities (Type D members), other public entities (Type E members) and organisations (Type C members) operating at EU level.

Type D and E members shall only be represented by civil servants or public employees.

The organisations (Type C Members), shall be federations, associations, companies, organisations from the rail sector and non-governmental organisations, including those representing consumers, with at least 50% of their activity taking place in the EU as determined by production and turnover data and having their corporate headquarters as well as their rail-related division(s) in a Member State of the European Union.

This call for applications aims at selecting Type C members only.

Member States' authorities, organisations and other public entities shall nominate one representative to the group and shall be responsible for ensuring that their representative provides a high level of expertise. DG GROW may refuse the nomination of a representative by an organisation if it considers this nomination inappropriate in light of the requirements specified in chapter 4 of this call. In such case, the organisation concerned shall be asked to appoint another representative.

2.2. Appointment

The members of the group shall be appointed by the Director General of DG GROW in consultation with DG MOVE and other relevant services from applicants complying with the requirements referred to in chapter 4 of this call.

Members shall be appointed for a term of (2) two years. They shall remain in office until they are replaced, they resign or their term of office ends. Their term of office may be renewed.

Registration in the Transparency Register is required in order for organisations to be appointed.

In order to ensure continuity and the smooth functioning of the group, the Chair shall establish a reserve list of suitable candidates that may be used to appoint replacements. The Chair shall ask applicants for their consent before including their names on the reserve list.

Members who are no longer capable of contributing effectively to the group's deliberations, who in the opinion of the Chair 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.

2.3. Rules of engagement and operation of the group

DG GROW shall ensure the Secretariat of the expert group in consultation with DG MOVE. Commission officials from other departments with an interest in the proceedings may attend meetings of the group.

The group shall act at the request of DG GROW, in compliance with the Commission's horizontal rules on expert groups ("the horizontal rules²").

In principle, the group shall meet 3 times per year on Commission premises in order to:

- Hold a regular dialogue on all matters relating to the competitiveness of the rail supply industry,
- Assist and advise the Commission on the policy in the fields referred to in chapter 1.

Other meetings might be agreed by the chair if requested by the expert group members to address a specific or urgent topic.

Members' representatives should be prepared to attend meetings systematically, to contribute actively to discussions in the group, to be involved in preparatory work ahead of meetings, to examine and provide comments on documents under discussion, and to act, as appropriate, as 'rapporteurs' on ad hoc basis.

As a general rule, working documents will be drafted in English and meetings will be also conducted in English.

² C(2016) 3301, art. 13.1.

In principle, the group 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. The members that voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

In agreement with the Chair, the group may, by simple majority of its members, decide that deliberations shall be public.

Participants in the activities of the group and sub-groups shall not be remunerated for the services they offer. Travel and subsistence expenses incurred by participants in the activities of expert groups may 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.

The members of the group, their representatives, as well as potential 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) 2015/443³ and 2015/444⁴. Should they fail to respect these obligations, the Commission may take all appropriate measures.

On a proposal by and in agreement with the Chair the group shall adopt its rules of procedure on the basis of the standard rules of procedure for expert groups.

The Chair 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.

Organisations and public entities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.

Organisations and/or public entities appointed as observers shall nominate their representatives. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

The Chair in cooperation with other relevant DGs may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG GROW. 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. The members of sub-groups that are not members of the group shall be selected via a public call for applications.

⁴ 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).

³ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

2.4. Transparency

The group shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups' http://ec.europa.eu/transparency/regexpert/index.cfm).

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

- the name of Member States' authorities;
- the name of member organisations; the interest represented shall be disclosed;
- the name of other public entities;
- 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, 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° 1049/2001⁵.

Personal data shall be collected, processed and published in accordance with Regulation (EC) N° 45/2001.

3. APPLICATION PROCEDURE

Interested organisations are invited to submit their application to the European Commission, DG GROW.

Applications must be completed in one of the official languages of the European Union. However, applications in English would facilitate the evaluation procedure. If another language is used, it would be helpful to include a summary of the applications in English.

Organisations shall indicate the name of their representative(s) in the group.

An application will be deemed admissible only if it is sent by the deadline and includes the documents referred to below. All documents submitted by applicants should be duly filled in, legible, signed and numbered sequentially.

Supporting documents

Each application shall include the following documents:

• a cover letter explaining the applicant's motivation for answering this call and stating what contribution the applicant could make to the group;

⁵ 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.

- a classification form duly filled in specifying the member category for which the application is made (Annex I);
- a selection criteria form duly filled in documenting how the applicant fulfils the selection criteria listed in chapter 4 of this call (Annex II);
- for individuals indicated by organisations as their representatives, a curriculum vitae (CV) shall also be provided, preferably not exceeding three pages. All CVs shall be submitted in the European format (https://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions).

Additional supporting documents (e.g. publications) may be requested at a later stage.

Deadline for Application and Delivery Address

The duly signed applications must be sent no later than 15/02/2018 at the latest. The date of sending will be established as follows:

- Where applications are sent by e-mail (recommended) to the following e-mail address: GROW-EXPERT-GROUP-RSI-COMPETITIVENESS@ec.europa.eu, the date of the e-mail will be the date of sending.
- Where applications are sent by post to the following address: European Commission, DG GROW, Unit C3 secretariat, Avenue d'Auderghem 45, B-1040 Brussels, the postmark will be considered the date of sending.
- Where applications are hand-delivered to the following address: European Commission, DG GROW, Unit C3 secretariat, BREY 10/181, Avenue d'Auderghem 45, B-1040 Brussels, the date on the receipt given upon delivery will be considered the date of sending.

4. SELECTION CRITERIA

DG GROW will take the following criteria into account when assessing applications:

- Proven and relevant competence and experience, including at European or International level, in the transport industry, and in particular in the rail supply industry; experience in digitalisation or international trade is clearly an asset.
- Experience in preparing analytical papers and/or opinions on the fields referred to in chapter 1 or similar subjects;
- Extent of proven operational capacity of the individual organisation to take part in the work of the group, to be demonstrated by a description of the organisation, its experience in participation on expert group work, resources available and achievements in the previous expert work;
- Understanding of the procedures, the legislation, common and best practices of the European Commission;
- Proficiency in English language of the proposed representatives to a level which allows them to participate in discussions and drafting documents;
- Competence, experience and hierarchical level of the proposed representatives.

5. SELECTION PROCEDURE

The selection procedure shall consist of an assessment of the applications performed by DG GROW against the selection criteria listed in chapter 4 of this call, followed by the establishment of a list of the most suitable applicants, and concluded by the appointment, after consultation with other relevant DGs such as DG MOVE and DG TRADE, of the members of the group.

When defining the composition of the group, DG GROW shall aim at ensuring, as far as possible, a high level of expertise, as well as a balanced representation of relevant know how and areas of interest, while taking into account the specific tasks of the group, the type of expertise required, as well as the relevance of the applications received.

For any further information, please, contact Mrs. Claudia Topalli, Telephone: +32 2 299 56 85 claudia.topalli@ec.europa.eu or Mr Gordon Buhagiar, Telephone: (32-2)2992584, e-mail: Gordon.Buhagiar@ec.europa.eu

ANNEXES:

- I. Classification form
- II. Selection criteria form
- III. Privacy statement

ANNEX I - CLASSIFICATION FORM⁶

To be filled in by all applicants

This application is made as:			
☐ An organisation (Type C member).			
Transparency Register identification number: []			

This application is made as the following type of organisation : (please select option, taking into account the definitions indicated below).			
☐ a) Academia, research Institutes and Think Tanks			

□ b) Banks/Financial institutions

□ c) Companies/groups

☐ d) Law firms

□ e) NGOs

☐ f) Professionals' associations

☐ g) Professional consultancies

☐ h) Trade and business associations

☐ i) Trade unions

 \square j) Other (please specify):

Definitions for organisation types

Academia, Research Institutes and Think Tanks

Universities, schools, research centres, think tanks and other similar bodies performing academic and/or educational activities.

Banks/Financial institutions

All sorts of banks should be classified within this category, including national central banks, banks and other similar bodies providing financial services, including financial intermediation.

Companies/groups

Individual companies or groups of companies operating in the business sector, whether they are national companies or multinational ones.

only one

This form <u>must</u> be filled in, signed and returned with the application.

Law firms

Business entities formed by one or more lawyers to engage in the practice of law. The primary service rendered by a law firm is to advise clients (individuals or corporations) about their legal rights and responsibilities, and to represent clients in civil or criminal cases, business transactions, and other matters in which legal advice and other assistance are sought.

NGOs

To intend Non-profit organisations which are independent from public authorities and commercial organisations. Some NGOs are organised around specific issues, such as environment, consumer affairs, health and human rights.

Professionals' associations

Non-profit organisations seeking to further the interests of individuals engaged in a particular profession, such as physicians, nurses, architects, engineers and lawyers. Professionals' associations are different from business associations, as they promote and defend the interests of individuals carrying on a specific profession, not the interests of companies operating in the business sector.

Professional consultancies

Firms carrying on, on behalf of clients, activities involving advocacy, lobbying, promotion, public affairs and relations with public authorities.

Trade and business associations

Private bodies representing the interests of its members operating in the business sector.

Trade unions

Organisations of workers. The most common activities performed by trade unions include the negotiation of wages, work rules, rules governing hiring, firing and promotion of workers.

Other organisations

Organisations which are not possible to classify in any other category.

taking into account the definitions indicated below):				
	a) Academia/Research			
	b) Civil society			
	c) Employees/Workers			
	d) Finance			
	e) Industry			
	f) Professionals			
	g) SMEs			
	h) Other (please specify):			
<u>Def</u>	Definitions for interests represented			

The applicant shall represent the following interest: (please select one or more options,

Academia/Research

Universities, schools, research centres, think tanks and other similar bodies performing academic and/or educational activities.

Civil society

Civil society can be defined as the aggregate of non-governmental organisations and institutions that manifest interests and will of citizens or as individuals and organisations in a society which are independent of the government.

Employees/workers

Individuals working part-time or full-time under a contract of employment whether oral or written, express or implied, and having recognized rights and duties.

Finance

The management of revenues or the conduct or transaction of money matters, as in the fields of banking, insurance and investment.

Industry

Companies and groups of companies whose number of employees and turnover or balance sheet total are higher than the ones of SMEs (see below).

Professionals

Individuals operating in a particular profession, such as physicians, nurses, architects, engineers and lawyers.

SMEs

"SME" stands for small recommendation 2003/361



and medium-sized enterprises – as defined in EU law: <u>EU</u>

The main factors determining whether a company is an SME are:

- 1. **number of employees** and
- 2. Either turnover or balance sheet total.

Company category Employees Turnover or Balance sheet total

These ceilings apply to the figures for individual firms only. A firm which is part of larger grouping may need to include employee/turnover/balance sheet data from that grouping too.

Other interest

Interest which is not possible to classify in any other category.

Please select one or more policy areas in which your organisation operate(s):			
	Agriculture		
	Archaeology		
	Architecture		
	Audiovisual and media		
	Audit		
	Banking		
	Biodiversity		
	Civil protection		
	Civil service		
	Climate		
	Competition		
	Conservation		
	Consumer affairs		
	Culture		
	Cultural Heritage		
	Cultural Landscape		
	Customs		
	Development		
	Disaster Risk Reduction		
	Economy Education		
	Employment and social affairs		
	Energy		
	Engineering (chemical)		
	Engineering (civil)		
	Engineering (infrastructure)		
	Engineering (IT)		
	Engineering (maritime)		
	Engineering (space policy)		
	Engineering (space research)		
	Enlargement		
	Environment		
	Equal opportunities		
	External relations		
	External trade		
	Finance		
	Fisheries and aquaculture		
	Food safety		
	Forestry		
	Fundamental rights		
	Humanitarian aid		
	Industry		
	Information society		
	Innovation		
	Insurance		
	Labour		
	Land management		

	Law (civil) Law (corporate) Law (criminal) Law (taxation) Linguistics and Terminology Livestock Medical profession Migration Natural resources Plant production Public affairs Public health Public relations Raw materials Research Science Science diplomacy Security Smart specialisation Social service Space and Satellites (policy) Space and Satellites (research) Sport Statistics Sustainable Development Systemic eco-innovation Tax Trade Training Transport Urban development Water Youth Other				
No	me of the organisation ⁷ .				
	Name of the organisation ⁷ :				
	Surname of the representative proposed:				
First name of the representative proposed:					
Surname of the person applying on behalf of the organisation:					
First name of the person applying on behalf of the organisation:					
Date:					
Sig	nature				
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 $[\]overline{}^{7}$ It is mandatory to use <u>exactly</u> the same name used when registering in the Transparency Register.

ANNEX II: SELECTION CRITERIA FORM⁸

Applicants are requested to describe how they fulfil the selection criteria listed in this call.

Proven and relevant competence and experience, including at European or International level, in the transport industry, and in particular in the rail supply industry; experience in digitalisation or international trade is clearly an asset.				
Experience in preparing analytical papers and/or opinions on the subjects referred to in chapter 1 or similar subjects				
Extent of proven operational capacity of the individual organisation to take part in the work of the group, to be demonstrated by a description of the organisation, its experience in participation on expert group work, resources available and achievements in the previous expert work				
Understanding of procedures, legislation, common and best practices of the European Commission				
Proficiency in English language of the proposed representatives to a level which allows them to participate in discussions and drafting documents				
Competence, experience and hierarchical level of the proposed representatives				
Name of the organisation ⁹ :				
Date: Signature				

This form <u>must</u> be filled in, signed and returned with the application.

It is mandatory to use <u>exactly</u> the same name used when registering in the Transparency Register.

ANNEX III: PRIVACY STATEMENT PROTECTION OF YOUR PERSONAL DATA

1. <u>Introduction</u>

This privacy statement explains the reason for the processing, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you may exercise in relation to your data (the right to access, rectify, block etc.).

The European institutions are committed to protecting and respecting your privacy. As this service/application collects and further processes personal data, Regulation (EC) N°45/2001¹⁰ of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, is applicable.

This statement concerns the Register of Commission Expert Groups and Other Similar Entities ('Register of expert groups') undertaken by the European Commission, Secretariat-General, Head of Unit B.2 (Institutional Affairs). The Register is a database containing a list of Commission expert groups and other similar entities and their sub-groups. For each expert group, the Register provides valuable information including on the Commission department which is running the group, as well as on the group members, mission and tasks. The Register also includes relevant documents which are produced and discussed by expert groups.

Personal data submitted to Commission departments as part of rejected applications are not published on the Register of expert groups. The competent Commission departments keep these data for six months and do not process them for other purposes.

2. Why do we process your data?

<u>Purpose of the processing operation</u>: The European Commission, Secretariat-General, Head of Unit B.2 (Institutional Affairs) ('the Data Controller') collects and uses your personal information to ensure transparency on expert groups' membership and activities.

The processing and publication on the Register of expert's personal data is necessary for the performance of a task carried out in the public interest, since it increases the transparency on Commission expert groups (article 5 (a) of Regulation (EC) N° 45/2001).

As regards, in particular, the declarations of interests filled in by experts appointed in a personal capacity, the processing of personal data of these experts serves the public interest of enabling the Commission to verify the experts' independence in providing advice to the Commission. Furthermore, the public disclosure of declarations of interests allows for public scrutiny of the interests declared by experts appointed in a personal capacity, which is necessary in order to ensure public confidence in the independence of these experts. The public disclosure of declarations of interests also ensures a high degree of transparency with respect to the membership of expert groups and aims at contributing to fostering the integrity of the experts in question.

Art 27 of Regulation (EC) N° 45/2001 is not applicable.

 $^{^{10}}$ Regulation (EC) N° 45/2001 (OJ L8 of 12/01/2001).

3. Which data do we collect and process?

The personal data collected and further processed may be:

- Name:
- Professional title;
- Professional profile;
- Nationality;
- Gender:
- Interest represented (only for individuals applying to be appointed as members of expert groups or sub-groups representing a common interest and for the designated representatives of organisations applying to be appointed members of expert groups or sub-groups);
- Information included in the declarations of interest (only for individuals applying to be appointed as members of expert groups or sub-groups in a personal capacity).

4. How long do we keep your data?

The Data Controller only keeps the data for the time necessary to fulfil the purpose of collection or further processing.

When an individual is no longer participating in a group listed in the Register of expert groups, all personal information related to this individual is removed from the Register. The competent Commission departments keep personal information for 5 years after the date where relevant individuals cease to participate in the work of the group.

Declarations of interests of individuals appointed as members or alternate members in a personal capacity of expert groups or sub-groups are published on the Register as long as they are members.

When a group is closed down, it remains published in the Register of expert groups for five years, with the indication 'Closed'. During such time, personal information other than the above-mentioned declarations of interests is visible on the Register.

An XML file is created daily with all the information regarding active groups. All versions of this file, showing the situation of the Register as of the day it was created, are stored in a file server for 5 years.

5. How do we protect your data?

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Commission or of its contractors, the operations of which abide by the European Commission's security decision of 16 August 2006 [C(2006) 3602] concerning the security of information systems used by the European Commission.

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of Directive 95/46/CE.

6. Who has access to your data and to whom is it disclosed?

Information collected is publicly available on the Register of expert groups.

The XML files referred to in point 4 are not available neither via the internal application of the Register or the public version of the Register, and are only accessible to a reduced number of users in the System Owner and System Supplier's teams.

7. What are your rights and how can you exercise them?

According to Regulation (EC) n°45/2001, you are entitled to access your personal data and rectify and/or block it in case the data is inaccurate or incomplete.

If you do not wish to have your name published on the Register of expert groups, you may submit a request to the relevant Commission department for a derogation from publication. A derogation shall be granted where justified on compelling legitimate grounds in relation to your specific situation, in particular where disclosure of the experts' name could endanger your security or integrity.

You can exercise your rights by contacting the secretariat of the competent Commission department or in case of conflict the Data Protection Officer and if necessary the European Data Protection Supervisor using the contact information given at point 8 below.

8. Contact information

If you have comments or questions, any concerns or a complaint regarding the collection and use of your personal data, please feel free to contact the secretariat of the competent Commission department, using the following contact information:

The Data Processor:

- DG GROW, Unit C3
- Landline: +32 229-56008
- GROW-C3@ec.europa.eu

The Data Protection Officer (DPO) of the Commission: <u>DATA-PROTECTION-OFFICER@ec.europa.eu</u>

The European Data Protection Supervisor (EDPS): edps@edps.europa.eu.

9. Where to find more detailed information?

The Commission Data Protection Officer publishes the register of all operations processing personal data. You can access the register on the following link: http://ec.europa.eu/dporegister

This specific processing has been notified to the DPO with the following reference: DPO-2194.8.