



**To: Mr. Verheugen, Vice-President of the European Commission**  
**Re: Open Letter to Commissioner Verheugen concerning  
the Expert Groups Formed by DG Enterprise**

Brussels, 8 August 2008

Dear Mr Verheugen,

In May this year, representatives from the Alliance for Lobbying Transparency and Ethics Regulation in the EU (ALTER-EU) met with Vice President Kallas to raise our concerns about the composition of some of the Commission's Expert Groups. Mr. Kallas told the meeting that responsibility for ensuring that Expert Groups are balanced lies with the Commissioner in whose field of responsibility the group works.

As the Commissioner responsible for providing political guidance to the Directorate-General for Enterprise and Industry, this would make you responsible for the 127 expert groups registered on-line as operating under your directorate.<sup>1</sup>

President Barroso and Vice President Kallas had announced that the names of individuals and organisations participating in all Expert Groups would be published by summer 2008.<sup>2</sup> ALTER EU has today also written to them concerning progress on this. Up to now, very little progress appears to have been made regarding the transparency of the DG Enterprise and Industry Expert Groups; only 19 of the 127 expert groups listed include membership details. The membership of 108 groups (85%) remains unknown to the public.<sup>3</sup>

ALTER EU is concerned that a number of these groups are dominated by particular sectors. An example is the Expert Group on Biotechnology (CBAG) which has 20 industry representatives, just six academics and no NGOs.

The 2002 Commission Communication that set up CBAG said that "*ethical and societal implications and concerns must be addressed*", but such an industry-dominated group cannot possibly give a balanced view of these concerns, as was reflected in the call for a light regulatory approach in their report. No reference was made to the ecological threat posed by GMOs or the ethical concerns around biotechnology.<sup>4</sup> Yet the Commission seems to have taken CBAG's advice very seriously.<sup>5</sup>

The High Level Group on textiles and clothing is also heavily dominated by corporate interests.<sup>6</sup> The Expert Group on combined products (medical devices & pharmaceuticals) is currently carrying out a consultation on behalf of governments and the Commission but is only consulting the views of business. The European Security Research Advisory Board similarly provides governments and the Commission with an industry-biased perspective<sup>7</sup> as does the High Level Group on Competitiveness, Energy and the Environment<sup>8</sup>; and the High Level Group on the Competitiveness of the European Chemicals Industry.<sup>9</sup>

Both the lack of transparency and the privileged access of business groups in advisory bodies are at odds with the Commission's White Paper on Good governance (latest version: 25.07.2001) which emphasises the intention to "reduce the risk of the policy-makers just listening to one side of the argument or of particular groups getting privileged access." The dominance of business representatives among other non-governmental actors in certain groups is also at odds with the Commission's codes of conduct on consultation and use of expertise.

We would therefore like to ask

- What measures you intend to take to ensure that Expert Groups include all relevant interests in society in a balanced proportion?
- How do you intend to address the above mentioned (and other) examples of clearly imbalanced Expert Groups in order to bring them in line with the Commission's codes of conduct on consultation and use of expertise?

We would like to know what you intend to do specifically to tackle the one-sided composition of the 'The Competitiveness in Biotechnology Advisory Group with Industry and Academia' (CBAG) and the High Level Group on textiles and clothing. ALTER-EU urges you to dissolve these groups and make the advice received from this group public.

ALTER-EU is contacting other Commissioners on the lack of transparency and privileged access of business groups to advisory bodies that fall under their direct competence. Moreover, we are calling on the College of the Commissioners to develop a common, coordinated approach on transparency and balanced composition of the Commission's expert advisory bodies.

Yours sincerely,

On behalf of the Steering Committee of ALTER-EU



Erik Wesselius  
Corporate Europe Observatory

**Contact:**

Erik Wesselius (Corporate Europe Observatory)  
De Wittenstraat 25, 1052 AK Amsterdam, The Netherlands  
Tel: + 31 - 30 - 2364422 ; E-mail: erik@corporateeurope.org

## Notes

- <sup>1</sup> Accessed on 8 August 2008 – <http://ec.europa.eu/transparency/regexpert/search.cfm?l=all>.
- <sup>2</sup> ‘The process of collecting and publishing the names of members of the different groups shall be completed by the summer’, said Mrs Rampi to FT Europe (25/3). On the same date Associated Press and the International Herald Tribune wrote: ‘EU Commission spokeswoman Valerie Rampi told reporters the EU’s executive office was going to make public online the names of expert group members and who they represent by the summer’.
- <sup>3</sup> Accessed on 8 August 2008 – <http://ec.europa.eu/transparency/regexpert/search.cfm?l=all>.
- <sup>4</sup> [www.alter-eu.org/en/system/files/publications/expertgroupsreport.pdf](http://www.alter-eu.org/en/system/files/publications/expertgroupsreport.pdf), p. 17.
- <sup>5</sup> In the working document prepared for its Mid Term Review of the Strategy on Life Sciences and Biotechnology in April 2007, it acknowledged that CBAG’s three reports “*have served as input for the Commission’s annual progress reports on the biotechnology strategy and action plan,*” and that its “*relevant policy advice on competitiveness issues (...) have served as input for the mid term review*”. [Commission Staff Working Document, On the Mid Term Review of the Strategy on Life Sciences and Biotechnology, Document Accompanying the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, Brussels, 10 April, 2007 – [http://ec.europa.eu/biotechnology/docs/commission\\_staff\\_working\\_document\\_sec\\_2007\\_441\\_en.pdf](http://ec.europa.eu/biotechnology/docs/commission_staff_working_document_sec_2007_441_en.pdf).
- <sup>6</sup> [http://ec.europa.eu/enterprise/textile/documents/hlg\\_members.pdf](http://ec.europa.eu/enterprise/textile/documents/hlg_members.pdf).
- <sup>7</sup> [www.alter-eu.org/en/system/files/publications/expertgroupsreport.pdf](http://www.alter-eu.org/en/system/files/publications/expertgroupsreport.pdf), p. 19 – 27.
- <sup>8</sup> 14 of the 21 participants that do not represent governments or European institutions come from big companies and trade associations – [http://ec.europa.eu/enterprise/environment/hlg/doc\\_07/hlg\\_list\\_of\\_members.pdf](http://ec.europa.eu/enterprise/environment/hlg/doc_07/hlg_list_of_members.pdf).
- <sup>9</sup> Eight of the 13 participants that do not represent governments or European institutions come from big companies – [http://ec.europa.eu/enterprise/chemicals/hlg/hlg\\_members\\_final\\_list.pdf](http://ec.europa.eu/enterprise/chemicals/hlg/hlg_members_final_list.pdf).