

**COMMISSION DECISION**  
**of 24 January 2017**  
**establishing the Commission Expert Group ‘Platform on Animal Welfare’**  
**(Text with EEA relevance)**  
(2017/C 31/12)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Article 13 of the Treaty on the Functioning of the European Union recognises animals as sentient beings and requires the Union and the Member States to pay full regard to the welfare requirements of animals in formulating and implementing Union agriculture, fisheries, transport, internal market, research and technical development and space policies while respecting the legislative or administrative provisions of the Member States relating in particular to religious rites, cultural traditions and regional heritage.
- (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) Article 26 of the Treaty on the Functioning of the European Union provides that the Union is to adopt measures with the aim of establishing and ensuring the functioning of the internal market with free movement of goods, persons, services and capital.
- (4) Article 38 of the Treaty on the Functioning of the European Union assigns the Union the task of defining and implementing a common agriculture policy.
- (5) Article 179 of the Treaty on the Functioning of the European Union provides that the Union has the objective of strengthening its scientific and technological bases by achieving a European research area. According to Article 180(b) of the said Treaty the Union is to promote the cooperation in the field of Union research, technological development and demonstration with third countries and international organisations.
- (6) In 2011 the Commission set up an expert group on animal welfare <sup>(1)</sup> with the aim of assisting and advising the Commission on issues relating to the animal welfare legislation and of facilitating the exchange of information, experience and good practices in the area of animal welfare legislation.
- (7) The European Parliament <sup>(2)</sup> and the Council of the European Union <sup>(3)</sup> have called for the establishment of a Union platform on animal welfare in order to improve dialogue among stakeholders as to share experience, expertise and views.
- (8) To answer Parliament’s and Council’s requests, a new expert group named ‘Platform on Animal Welfare’ (‘the Platform’) should assist the Commission and help to hold regular dialogue on Union matters directly related to animal welfare such as enforcement of the legislation, exchanges of scientific knowledge, innovations and good animal welfare practices/initiatives, or animal welfare international activities. The Platform should also assist the Commission on Union relevant topics which may interact with animal welfare issues such as trade, antimicrobial resistance, food safety, research or environment. Since the Platform will have the same mandate than the existing expert group on animal welfare it is not necessary to maintain the later one.
- (9) The Platform should work with due consideration to the activities of other relevant dialogue groups or networks on animal welfare such as working groups and networks of the European Food Safety Authority or the World Organisation for Animal Health Regional Platform on animal welfare for Europe.

<sup>(1)</sup> Expert group on animal welfare E02668.

<sup>(2)</sup> European Parliament resolution on a new Animal Welfare Strategy for 2016-2020 of 24 November 2015 (2015/2957(RSP)).

<sup>(3)</sup> 3464th Council meeting — Agriculture and Fisheries — 17 May 2016.

- (10) The Platform should be composed of representatives from competent authorities from all Member States, business organisations involved at the European Union level in the food supply chain as well as in keeping of animals for other farming purposes, organisations from the civil society involved at the European Union level in animal welfare as well as from academic and research institutes working on animal welfare sciences. The membership of the Platform should be also open to experts from the competent authorities from non-EU countries which are contracting parties to the Agreement on the European Economic Area as well from international inter-governmental organisations.
- (11) Rules on disclosure of information by members of the Platform should be laid down.
- (12) Personal data should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council <sup>(1)</sup>.
- (13) It is appropriate to fix a period for the application of this Decision. The Commission will in due time consider the advisability of an extension of the Decision,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### **Subject matter**

A group of experts named 'Platform on Animal Welfare' ('the Platform') is hereby set up.

#### *Article 2*

##### **Tasks**

The Platform's tasks shall be:

- (a) to assist the Commission with the development and exchange of coordinated actions which shall have the aim of contributing to the implementation and application of European Union legislation related to animal welfare and the understanding, within and outside the Union, of the Union legislation as well as international standards on animal welfare;
- (b) to facilitate the development and the use of voluntary commitments on animal welfare improvement by businesses;
- (c) to contribute to the promotion of Union standards on animal welfare as to valorise the market value of Union products at global level;
- (d) to encourage dialogue between competent authorities, businesses, civil society, academia, scientists, and international intergovernmental organisations on Union relevant topics related to animal welfare;
- (e) to promote exchange of experiences and good practices, scientific knowledge and innovations on related to animal welfare relevant for the Union;
- (f) to share information on policy development in the fields and on activities mentioned above.

#### *Article 3*

##### **Consultation**

The Commission may consult the Platform on any matter related to animal welfare relevant for the Union.

#### *Article 4*

##### **Membership**

1. The Platform shall be composed of not more than 75 members.

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<sup>(1)</sup> Regulation (EC) No 45/2001 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 (OJ L 8, 12.1.2001, p. 1).

2. The Platform shall comprise the following members:
  - (a) competent authorities of the Member States of the European Union and of those non-EU countries which are contracting parties to the Agreement on the European Economic Area ('the EEA members') responsible for animal welfare;
  - (b) business and professional organisations having activities at Union level in the food supply chain where animals or animal products are involved as well as in the keeping of animals for other farming purposes;
  - (c) organisations from the civil society having activities at Union level in relation to animal welfare;
  - (d) Independent experts from academic and research institutes having activities on animal welfare sciences which have an impact on Union policies;
  - (e) International intergovernmental organisations having activities on animal welfare <sup>(1)</sup>;
  - (f) the European Food Safety Authority.
3. Members listed under paragraph 2(d) are appointed in a personal capacity and shall act independently and in the public interest.
4. Members listed under paragraph 2(b) and (c), shall be selected according to the procedure laid down in Article 5. They shall nominate their representatives in the Platform at senior-level and shall be responsible for ensuring that their representatives are permanent and provide a sufficiently high level of expertise. The Commission may refuse a representative nominated by these members if it considers, on the basis of justified grounds specified in the rules of the call of applications of the Platform, that the nomination is not appropriate. In such case, the organisation concerned shall be asked to appoint another representative.
6. Members listed under paragraph 2(a), (e) and (f) shall nominate their representatives responsible for animal welfare and shall be responsible for ensuring that their representatives provide a sufficiently high level of expertise.
7. Members who are no longer capable of contributing effectively to the expert group's activities, who, in the opinion of Directorate-General for Food and Health Safety, 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 Platform and may be replaced for the remainder of their term of office.

#### Article 5

##### Selection process

1. The selection of the Platform's members listed under Article 4(2)(b) to (d) shall be carried out *via* 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 four weeks.

2. Members listed under Article 4(2)(d) shall disclose any circumstances that could give rise to a conflict of interest. In particular, the Commission shall require those individuals to submit a declaration of interests ('DOI') form on the basis of the standard DOI form for expert groups, together with an updated *curriculum vitae* (CV), as part of their application. Submission of a duly completed DOI form shall be necessary in order to be eligible to be appointed as a member in a personal capacity. The conflict of interest assessment shall be performed in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules') <sup>(2)</sup>.
3. Registration in the Transparency Register is required in order for organisations listed under Article 4(2)(b) and (c) to be appointed.

<sup>(1)</sup> E.g. World Organisation for Animal Health (OIE), the Food and Agriculture Organisation of the United Nations (FAO).

<sup>(2)</sup> Commission Decision of 30.5.2016 establishing horizontal rules on the creation and operation of Commission expert groups.

4. Members listed under Article 4(2)(b) to (d) shall be appointed by the Director-General for Health and Food Safety from applicants with adequate competence in the areas referred to in Article 2 and who have responded to the call for applications.
5. Members shall be appointed until 31 December 2019. They shall remain in office until the end of their term of office. Their term of office may be renewed.
6. As regards members listed under Article 4, paragraph (2)(d), the Director-General for Health and Food Safety shall appoint alternate members, in accordance with the same conditions as members, who shall automatically replace any members who are absent or indisposed. The Director-General shall also establish, after their consent, a reserve list of suitable candidates that may be used to appoint members' replacements.

#### *Article 6*

##### **Chair**

The Platform shall be chaired by the Director-General for Health and Food Safety or his/her representative.

#### *Article 7*

##### **Operation**

1. The Platform shall act at the request of the Chair, in compliance with the horizontal rules.
2. In principle, the Platform shall meet at least twice a year at the premises of the Commission and whenever the Commission considers a meeting necessary.
3. The Commission services shall provide secretarial services. Commission officials from other departments with an interest in the works of the Platform may attend meetings of the Platform and its sub-groups.
4. In agreement with the Chair, the Platform may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes on the discussion on each point on the agenda and on the conclusions of the debates shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
6. The Platform shall adopt reports or conclusions 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 corresponding report or conclusion.

#### *Article 8*

##### **Sub-groups**

1. The Director-General for Health and Food Safety may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission. Sub-groups shall operate in compliance with the horizontal rules and shall report to the Platform. They shall be dissolved as soon as their mandate is fulfilled.
2. The members of sub-groups that are not members of the Platform shall be selected via a public call for applications, in compliance with Article 5 and the horizontal rules<sup>(1)</sup>.

#### *Article 9*

##### **Invited experts**

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 Platform or the sub-groups, on an ad hoc basis.

#### *Article 10*

##### **Observers**

1. Individuals, organisations or public entities may be granted an observer status, in compliance with the horizontal rules, either by direct invitation or as a result of a call for applications.
2. Organisations or public entities appointed as observers shall nominate their representatives.

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<sup>(1)</sup> See Articles 10 and 14.2 of the horizontal rules.

3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the Platform and provide expertise. However, they shall not have voting rights and shall not participate in the drafting of reports or conclusions of the Platform.
4. The Platform shall not have more than five observers.

#### Article 11

### Rules of procedure

On a proposal by and in agreement with the Chair the Platform 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 Platform 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) 2015/443 <sup>(1)</sup> and (EU, Euratom) 2015/444 <sup>(2)</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

#### Article 13

### Relationship with the European Parliament

The European Parliament shall be kept informed of the Platform's work. Upon request of the European Parliament and in accordance with the modalities laid down in the Framework Agreement on relations between the European Parliament and the European Commission <sup>(3)</sup>, the Commission may invite the Parliament to send experts to attend the meetings.

#### Article 14

### Transparency

1. The Platform and sub-groups shall be registered in the Register of expert groups.
2. As concerns the group composition, the following data shall be published on the Register of expert groups:
  - (a) the names of individuals appointed in a personal capacity;
  - (b) the names of member organisations; the interest represented shall be disclosed;
  - (c) the names of other public entities;
  - (d) the names 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 *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, 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 defined in Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and Council <sup>(4)</sup>.

#### Article 15

### Meeting expenses

1. Participants in the activities of the Platform and the sub-groups shall not be remunerated for the services they offer.

<sup>(1)</sup> OJ L 72, 17.3.2015, p. 41.

<sup>(2)</sup> OJ L 72, 17.3.2015, p. 53.

<sup>(3)</sup> OJ L 304, 20.11.2010, p. 47.

<sup>(4)</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. 43).

2. Travel and subsistence expenses incurred by participants in the activities of the Platform and the sub-groups 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 16*

**Applicability**

This Decision shall apply until 31 December 2019.

Done at Brussels, 24 January 2017.

*For the Commission*  
Vytenis ANDRIUKAITIS  
*Member of the Commission*

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