



INFORMAL COMMISSION EXPERT GROUP “EU BIODIVERSITY PLATFORM”

TERMS OF REFERENCE

1. BACKGROUND

The EU Biodiversity Strategy for 2030¹ aims to ensure that Europe's biodiversity will be on the path to recovery by 2030. The Strategy announced the setting up of a new EU biodiversity governance framework to ensure that the EU would deliver on its biodiversity commitments.

A core component of the new biodiversity governance framework is an updated and improved structure of Commission expert groups, under the coordination of the EU Biodiversity Platform (EUBP). The EUBP succeeds the Coordination Group for Biodiversity and Nature established in 2011, with a broadened scope of work, strengthened representation of key stakeholder interests, an updated set of sub-groups and a more systematic approach to engaging with relevant expert groups and similar bodies in other relevant policy areas.

2. SUBJECT MATTER

The EU Biodiversity Platform (EUBP) is set up.

3. TASKS

The group's tasks shall be to:

1. Advise the Commission on the implementation of the EU Biodiversity Strategy for 2030 (“the Strategy”), including in relation to the preparation and implementation of key biodiversity legislative and policy initiatives, as set out in the Strategy. At the request of the Commission, the group may also discuss and provide advice in relation to initiatives and developments in other policy areas that are relevant for biodiversity. Its work programme will be guided by the timeline for the implementation of the Strategy, as well as by policy developments in other areas that are relevant for biodiversity.

The group will receive work plans and outputs of its sub-groups for information, feedback or endorsement as appropriate, and will provide recommendations to the Commission on their use.

2. Assist the Commission in ensuring coordinated implementation of the Strategy. The group will be the operational steering group between the Commission, the Member States and Stakeholders for the coherent and coordinated implementation of the Strategy through regular discussions, information and experience exchanges,

¹ [COM/2020/380 final](#)

identifying best practice as well as common implementation challenges and ways to address them.

Key implementation aspects in the group's focus of work will include:

- Progress monitoring, review and corrective action. The group will discuss and approve the progress monitoring framework for the Strategy, including the selection of indicators to track progress towards the quantified biodiversity commitments. The group will assist the Commission in strengthening links with national monitoring and reporting processes as appropriate. Based on the Commission's progress tracking and reporting, the group will regularly discuss progress in implementing the actions and in delivering on the commitments of the Strategy and may recommend possible measures to step up implementation.
- Biodiversity financing. The group will regularly discuss progress towards meeting the financing needs of the Strategy. Exchanges may be organised on biodiversity funding provided under different EU funding instruments, national budgets as well as national fiscal policy instruments and other tools to support voluntary contributions for biodiversity. The group will also discuss and provide input to the Commission on the integration of biodiversity objectives, nature-based solutions and do-no-significant-harm safeguards in relation to biodiversity in the range of EU funding instruments, as well as measures to identify and eliminate harmful subsidies.
- Multi-level governance for biodiversity. The group's Members will assist the Commission by communicating about EU biodiversity policy priorities, developments and biodiversity support opportunities to relevant authorities and stakeholders at the national and subnational levels. They may also bring to the EU level input from the regional and local levels in the Member States on challenges and successes in implementing the EU biodiversity policies. Following the adoption of the post-2020 global biodiversity framework at the 15th Conference of the Parties to the Convention on Biological Diversity, the group will promote coherent efforts at the EU, national and subnational levels in order to achieve the global biodiversity targets.

The group will communicate closely with the EU Nature Directors on issues that require strategic decisions or guidance with a view to including them in the agendas and documents for discussion at the regular meetings of the EU Nature Directors.

- Mainstreaming. The group and its sub-groups will engage in cooperation on biodiversity-relevant topics with other EU expert groups and bodies outside the biodiversity field as appropriate, in order to strengthen synergies and ensure mainstreaming of biodiversity, for example through ad-hoc or regular joint meetings, shared information and discussion platforms, or other mechanisms. Specific areas for cooperation will be considered by the Commission based on its programme of work and the individual groups' work plans. Relevant other expert groups and bodies may include those dealing with EU policies on climate change mitigation and adaptation, health, disaster risk management, chemicals and pollution, land use planning and management, transport, energy and extractive industries, marine and fisheries, water, science and research, business, finance, education and culture, development and trade. In particular, the group will seek close cooperation with expert groups overseeing the implementation of the EU

Farm to Fork Strategy in relation to common targets and commitments with the EU Biodiversity Strategy for 2030.

- Knowledge for evidence-based policy-making. The group will aim to strengthen an inclusive and evidence-based approach to policy-making, notably through regular interactions with (i) the Knowledge Centre for Biodiversity and its technical forum groups, in order to obtain specific concrete technical expertise in support of biodiversity policy discussions, and (ii) the Science Service established under Horizon Europe, in order to identify and fill knowledge gaps. The secretariats of the Knowledge Centre for Biodiversity and of the Science Service will be invited to participate in the group's meetings and to present technical notes or other contributions as requested.

4. CONSULTATION

DG ENV, in consultation with other Commission services, may decide to consult the group on any matter relating to the EU nature and biodiversity policy.

5. MEMBERSHIP

1. The group shall be composed of up to 80 members in total.
2. Members shall be Member States' authorities, organisations and other public entities.
3. Member States' authorities, organisations and other public entities shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. DG ENV may refuse the nomination by an organisation of a representative if it considers this nomination inappropriate in light of the requirements specified in the call for applications. In such case, the organisation concerned shall be asked to appoint another representative.
4. Organisations appointed as members who are no longer capable of contributing effectively to the expert group's deliberations or who, in the opinion of DG ENV, 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.

6. SELECTION PROCESS

1. To select members, DG ENV will assess the applications against the selection criteria listed in chapter 4 of this call, establish a list of the most suitable applicants, and appoint the members of the group. .
2. Registration in the Transparency Register is required in order for organisations to be appointed.
3. The members of the group shall be appointed by the Director-General of DG ENV from applicants with competence in the areas referred to in point 3 and who have responded to the call for applications.
4. Members shall be appointed for 5 years. They shall remain in office until replaced/until the end of their term of office. Their term of office may be renewed once for 5 years.

7. CHAIR

The group shall be chaired by a representative of DG ENV.

8. OPERATION

1. The group shall act at the request of DG ENV, in compliance with the horizontal rules².
2. Meetings of the group shall, in principle, be held on Commission premises or virtually, or they may take a hybrid physical / virtual format depending on the circumstances.
3. DG ENV shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the group and its sub-groups.
4. In agreement with DG ENV, the group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes from the discussion on each point on the agenda and on the opinions delivered by the 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 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. Members who have 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.]

9. SUB-GROUPS

1. DG ENV may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG ENV. 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 point 6 and the horizontal rules³.

10. INVITED EXPERTS

DG ENV 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.

11. OBSERVERS

1. Organisations and 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.

² C(2016) 3301, Article 13.1.

³ C(2016), Articles 10 and 14.2.

3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and sub-groups and provide expertise. However, they shall not participate in the formulation of recommendations by the group and sub-groups.

12. RULES OF PROCEDURE

On a proposal by and in agreement with DG ENV, the group shall adopt its rules of procedure by simple majority of its members at its first meeting, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules⁴. Sub-groups shall operate in compliance with the group's rules of procedure.

13. PROFESSIONAL SECRECY AND HANDLING OF CLASSIFIED INFORMATION

The members of the group 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) 2015/443⁵ and 2015/444⁶. Should they fail to respect these obligations, the Commission may take all appropriate measures.

14. TRANSPARENCY

1. The group and sub-groups shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups').
2. As regards the group and sub-groups composition, the following data shall be published on the Register of expert groups:
 - (a) the name of Member States' authorities;
 - (b) the name of other public entities;
 - (c) the name of member organisations; the interest represented shall be disclosed;
 - (d) the names 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 as well as via a link from the Register to a dedicated website where this information can be found. In particular, DG ENV shall publish 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 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) N° 1049/2001⁷.

⁴ See Article 17 of the horizontal rules.

⁵ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁶ 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).

⁷ 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.

15. MEETING EXPENSES

1. Participants in the activities of the group 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 group and 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.

Done in Brussels, on 20 January 2022.