COMMISSION DECISION

of 27 July 2017

setting-up the High-Level Commission Expert Group on radicalisation

(2017/C 252/04)

THE EUROPEAN COMMISSION,

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

Whereas:

(1) With a view to enhancing efforts to prevent and counter radicalisation leading to violent extremism and terrorism and to improve coordination and cooperation between all relevant stakeholders, in accordance with the calls for action set out in the European Agenda on Security ([1]), the Communication from the Commission on the prevention of radicalisation ([2]) as well as the revised EU Strategy on radicalisation and recruitment ([3]) and other relevant Council Conclusions on that matter ([4]), the Commission needs to call upon the expertise of high-level experts in an advisory body.

(2) It is therefore necessary to set up a group of high-level experts in the field of prevention and countering of radicalisation and to define its tasks and its structure.

(3) The group should contribute to the further development and implementation of Union prevent policies, instruments and initiatives, including by elaborating a set of guiding principles and recommendations for further work on preventing and countering radicalisation at both Union and national level and by supporting the work on assessing the need for more structured cooperation mechanisms for prevent work at Union level taking also into account the external dimension.

(4) With a view to gathering the relevant European and national perspectives and expertise, the group should be composed of the Member States' competent authorities, the European Union Agency for Law Enforcement Cooperation ([5]), the European Union's Judicial Cooperation Unit ([6]), the European Union Agency for Fundamental Rights ([7]), the European Union Agency for Law Enforcement Training ([8]), the Radicalisation Awareness Network Centre of Excellence ([9]), the European External Action Service ([10]) and the EU Counter-Terrorism Coordinator ([11]).

([1]) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'The European Agenda on Security', COM(2015) 185 final, Strasbourg, 28.4.2015.

([2]) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions supporting the prevention of radicalisation leading to violent extremism, COM(2016) 379 final, Brussels, 14.6.2016.

([3]) 9956/14 JAI 332 ENFOPOL 138 COTER 34.

([4]) See in particular Conclusions of the Council of the European Union and of the Member States meeting within the Council on enhancing the criminal justice response to radicalisation leading to terrorism and violent extremism of 20 November 2015 (14419/15), Council Conclusions on Developing media literacy and critical thinking through education and training of 30 May 2016 (9641/16), Council conclusions on the role of the youth sector in an integrated and cross-sectorial approach to preventing and combating violent radicalisation of young people of 30 May 2016 (9640/16), Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the prevention of radicalisation leading to violent extremism of 21 November 2016 (14276/16), European Council conclusions of 22 and 23 June 2017 (EUCO 8/17) and Council Conclusions on EU External Action on Counter-terrorism of 19 June 2017 (10384/17).

([5]) Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53).

([6]) Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime (OJ L 43, 6.3.2002, p. 1).

([7]) Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights (OJ L 53, 22.2.2007, p. 1).

([8]) Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA (OJ L 319, 4.12.2015, p. 1).

([9]) Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions 'Preventing Radicalisation to Terrorism and Violent Extremism: Strengthening the EU's Response' COM (2013) 941 final, 15.1.2014.

([10]) Council Decision (2010/427/EU) of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, p. 30).

([11]) European Council declaration on combating terrorism, 25 March 2004.

(5) More specifically, the Union agencies provide their expertise from the law enforcement and criminal justice perspective while taking into account the fundamental rights dimension and the need for capacity-building. The Radicalisation Awareness Network Centre of Excellence provides its unique Union-wide independence in addressing radicalisation, its understanding of the practitioner's needs and expectations and its experience in transnational stakeholder cooperation. The European External Action Service contributes with its experience and expertise in relation to the external dimension of the Union's efforts drawing from and contributing to cooperation with third countries and international organisations. The EU Counter-Terrorism Coordinator contributes with expertise based on his overarching view of the relevant policy instruments.

(6) Rules on disclosure of information by members of the group should be laid down.

(7) 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,

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

The High-Level Commission Expert Group on radicalisation ('the group') is hereby set up.

Article 2

Tasks

The group's tasks shall be:

(a) to advise on how to improve cooperation and collaboration among the different stakeholders and in particular with Member States on matters related to preventing and countering radicalisation leading to violent extremism and terrorism;

(b) to advise and assist the Commission in the further development of Union policies aiming at preventing and countering radicalisation leading to violent extremism and terrorism, including by elaborating a set of principles and recommendations taking into due consideration findings of existing and future EU-funded research in the area, for the implementation of targeted and effective measures to prevent and counter radicalisation at both Union and national level comprising more targeted use of Union funding programmes;

(c) to advise and assist the Commission in exploring options for future more structured cooperation mechanisms at Union level in the area of preventing and countering radicalisation leading to violent extremism and terrorism, building on existing approaches to exchanges of best practices, networking and empowerment of stakeholders.

Article 3

Membership

1. The group shall be composed of the following members:

(a) the Member States' competent authorities;

(b) the European Union Agency for Law Enforcement Cooperation;

(c) the European Union's Judicial Cooperation Unit;

(d) the European Union Agency for Fundamental Rights;

(e) the European Union Agency for Law Enforcement Training;

(f) the Radicalisation Awareness Network Centre of Excellence;

(g) the European External Action Service;

(h) the EU Counter-Terrorism Coordinator.

2. The members of the group shall nominate one high-level representative and one alternate. Each of the high-level representatives or alternates may be accompanied by one expert in the prevention of radicalisation.

3. Members who are no longer capable of contributing effectively to the expert group's deliberations, who, in the opinion of the Commission department concerned, 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

Chair

The group shall be chaired by a high-level representative of the Directorate-General for Migration and Home Affairs ('DG HOME') of the Commission.

Article 5

Operation

1. The group shall act at the request of its chairman in compliance with Article 13.1 of the Commission's horizontal rules for expert groups ('the horizontal rules') ([1]).

2. Meetings of the group shall, in principle, be held on Commission premises.

3. DG HOME shall provide secretarial services. Commission officials from other departments with an interest in the proceedings shall be invited to attend meetings of the group and its subgroups.

4. In agreement with DG HOME, the group 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 opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

6. 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 shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

Article 6

Sub-groups

1. DG HOME may set up sub-groups for the purpose of examining specific topics 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 group. They shall be dissolved as soon as their mandate is fulfilled.

2. The members of the group may nominate representatives for sub-groups with a high level of technical expertise.

Article 7

Invited experts

DG HOME may invite experts, including from the private sector, with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or subgroups on an ad hoc basis.

([1]) Commission Decision C(2016) 3301 final of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

Article 8

Observers

1. Individuals, organisations and public entities may be granted an observer status, in compliance with the horizontal rules, by direct invitation from the Chair.

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 provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

Article 9

Rules of procedure

On a proposal by and in agreement with DG HOME 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, in compliance with the horizontal rules ([1]).

Article 10

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 obligations 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 ([2]) and (EU, Euratom) 2015/444 ([3]). Should they fail to respect these obligations, the Commission may take all appropriate measures.

Article 11

Transparency

1. The group and its subgroups shall be registered in the Register of expert groups.

2. As concerns the group composition, the name of the members as well as of the observers shall be published on the Register of expert groups.

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 of the Council ([4]).

Article 12

Meeting expenses

1. Participants in the activities of the group and subgroups shall not be remunerated for the services they offer.

2. Travel and subsistence expenses incurred by participants in the activities of the group and subgroups 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.

([1]) Article 17 of the horizontal rules.
([2]) Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).
([3]) 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).
([4]) 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).

Article 13

Applicability

This Decision shall apply until 31 December 2018.

Done at Brussels, 27 July 2017.

For the Commission

Dimitris AVRAMOPOULOS

Member of the Commission