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COMMISSION DECISION

of 13.9.2018

**setting up the group of experts on digital freight transport and logistics: the Digital
Transport and Logistics Forum (DTLF)**

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THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Articles 90 and 100 of the Treaty on the Functioning of the European Union (EU) establish that the objectives of the Treaties concerning rail, road, inland waterway, sea and air transport are to be pursued within the framework of a common transport policy.
- (2) The efficiency of freight transport and logistics is crucial for the competitiveness of the Union economy, the functioning of the internal market and the social and economic cohesion of all regions of the Union.
- (3) The White Paper Roadmap to a Single European Transport Area – "Towards a competitive and resource efficient transport system"¹ highlights significant remaining barriers to the completion of the internal market for transport; it points out that larger volumes of freight and greater numbers of travellers should be carried jointly to their destination by the most efficient (combination of) modes; it further recognises that more efficient electronic information exchange is key to optimise freight transport efficiency by simplifying administrative procedures, providing for cargo tracking and tracing, and optimising schedules and traffic flows.
- (4) The Commission President's Political Guidelines for 2014-2019 – "A new start for Europe: Agenda for Jobs, Growth, Fairness and Democratic change"² set the creation of a connected digital single market as one of the ten Commission priorities for the 2014-2019 period and state that enhancing the use of digital technologies and online services should become a horizontal policy, covering all sectors of the economy and of the public sector.
- (5) The Council conclusions on the digitalisation of transport of 5 December 2017³ emphasise the importance of the digitalisation of transport and logistics for the European economy and competitiveness, and confirm the ambition of the Union to be a global leader in this field. The Council conclusions also call for the continuation of the work of the Digital Transport and Logistics Forum developing with all relevant stakeholders measures to support more systematic use and acceptance of e-documents and the harmonised exchange of information and data in the logistic chain.

¹ COM (2011) 144 final

² https://ec.europa.eu/commission/publications/president-junckers-political-guidelines_en

³ <http://www.consilium.europa.eu/en/press/press-releases/2017/12/05/digitalisation-of-transport-council-conclusions/>

- (6) The Digital Transport and Logistics Forum (hereinafter referred to as "the group") was set up by Commission Decision C(2015) 2259 until 30 June 2018.
- (7) The group is a collaborative platform, where Member States, other public entities and organisations exchange technical knowledge and coordinate with a view to formulate policy and technical recommendations for the European Commission as regards the digitalisation of the transport and logistics sector.
- (8) The group has proven to be an efficient tool for supporting the Union efforts in the field of seamless digital information exchange, including the preparatory work for the Commission Proposal for a Regulation of the European Parliament and of the Council on electronic freight transport information⁴, and the development of a concept for corridor freight information systems⁵. Activities pursuing those objectives should therefore continue.
- (9) Under a new mandate, the group should assist the Commission in advancing the implementation of the recommendations formulated under the previous mandate, to stimulate the digitalisation of information exchange in the logistics chain, thus supporting the building of the EU data economy and contributing to the completion of the Digital Single Market.
- (10) It is therefore justified to extend its mandate, to adapt its tasks and its structure and to acquire additional expertise, where deemed necessary, and in accordance with the specific policy needs, technological development and overall transport context. For reasons of clarity and in order to take into account the Commission's horizontal rules on expert groups⁶, a new decision setting up the group of experts, with the same name, should be adopted, instead of amending Decision C(2015) 2259.
- (11) The group should be composed of Member States authorities, other public entities, organisations in the broad sense of the word, individuals appointed in a personal capacity and individuals representing a common interest, as further outlined in Article 4, holding relevant technical expertise in the areas of information and communication technologies, digitalisation, transport, logistics and supply chain management.
- (12) Rules on disclosure of information by members of the group should be laid down.
- (13) Personal data should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council⁷.
- (14) Decision C(2015) 2259 should be repealed.

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

The group of experts on digital freight transport and logistics, called the 'Digital Transport and Logistics Forum' (the group), is set up.

⁴ https://ec.europa.eu/info/law/better-regulation/initiatives/com-2018-279_en

⁵ <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=3280>;

⁶ Commission Decision C(2016) 3301 final of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups

⁷ 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)

Article 2

Tasks

The group shall provide a platform for structural dialogue, exchange and provision of technical expertise, cooperation and coordination between the Commission, Member States and relevant stakeholders, with a view to assisting the Commission in the development and implementation of the Union's activities and programmes aimed at the digitalisation of the transport and logistics sector and at fostering a more efficient electronic exchange of information in transport and logistics.

Specifically, the group's tasks shall be:

- (a) to facilitate cooperation and foster coordination between the Commission, Member States and key stakeholders in the field of digital transport and logistics;
- (b) to provide advice and technical expertise, and to assist the Commission in the preparation, development and implementation of legislative proposals and policy initiatives in the field of digital transport and logistics;
- (c) to assist the Commission in the preparation of delegated acts in the field of digital transport and logistics;
- (d) to assist the Commission in the early preparation of implementing acts in the field of digital transport and logistics, before submission to the committee in accordance with Regulation (EU) N°182/2011;
- (e) to exchange information, experience and good practice in the field of digital transport and logistics;
- (f) to deliver opinions, reports, and develop and propose innovative solutions to the Commission, either at the latter's request or on its own initiative, on any matter of relevance to the digitalisation of the transport and logistics sector in the Union.

Article 3

Consultation

The Commission may consult the group on any matter relating to digital transport and logistics.

Article 4

Membership

1. The group shall be composed of up to 120 members.
2. Members shall be:
 - (a) organisations in the broad sense of the word, including companies, associations, Non-Governmental Organisations, trade unions, universities and research institutes, active in digital transport and logistics related areas, and covering a wide-range of expertise;
 - (b) Member States' transport and, where relevant, other sectorial authorities;
 - (c) other relevant public entities;
 - (d) individuals appointed in a personal capacity;
 - (e) individuals appointed to represent a common interest

3. Members appointed in a personal capacity shall act independently and in the public interest.
4. Members appointed to represent a common interest shall not represent an individual stakeholder, but a policy orientation common to different stakeholder organisations.
5. 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.
6. The Commission's Directorate-General for Mobility and Transport ('DG MOVE') may refuse the nomination of a representative by an organisation selected as part of the category referred to in point (a) of paragraph 2, if it considers that nomination inappropriate in light of the requirements specified in the call for applications referred to in Article 5. In such case, the organisation concerned shall be asked to appoint another representative.
7. Members who are no longer capable of contributing effectively to the expert group's deliberations, or who, in the opinion of DG MOVE, 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 5

Selection process

1. The selection of the group's members referred to in Article 4.2 (a), (d) and (e) 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. When defining the composition of the group, DG MOVE 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.
3. Individuals applying to be appointed as members of the group in a personal capacity 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')⁸.

⁸ Commission Decision C(2016) 3301, Article 11.

4. Registration in the Transparency Register is required in order for individuals representing a common interest and organisations to be appointed.
5. The members of the group shall be appointed by the Director General of DG MOVE from specialists with competence in the areas referred to in Article 2 and who have responded to the call for applications.
6. Members shall be appointed for 5 years. They shall remain in office until the end of their term of office or until replaced. Their term of office may be renewed.
7. DG MOVE shall establish a reserve list of suitable candidates that may be used to appoint members' replacements. DG MOVE shall ask applicants for their consent before including their names on the reserve list

Article 6

Chair

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

Article 7

Operation

1. The group shall act at the request of DG MOVE.
2. Meetings of the group shall, in principle, be held on Commission premises.
3. DG MOVE shall provide the secretariat.
4. Commission officials from other departments with an interest in the proceedings may attend meetings of the group and its sub-groups.
5. In agreement with DG MOVE, the group may, by simple majority of its members, decide that deliberations shall be public.
6. 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 DG MOVE.
7. 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 8

Sub-groups

1. DG MOVE may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the DG MOVE. Sub-groups shall operate in compliance with the horizontal rules⁹ 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 Article 5 and the horizontal rules.

⁹ Idem, Article 14.

Article 9

Invited experts

DG MOVE 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.

Article 10

Observers

1. Individuals, organisations and public entities other than Member States' authorities may be granted observer status, in compliance with the horizontal rules¹⁰, respectively as a result of a call for applications or by direct invitation.
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 11

Rules of procedure

On a proposal by and in agreement with DG MOVE 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.

Article 12

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) 2015/443¹¹ and 2015/444¹². Should they fail to respect these obligations, the Commission may take all appropriate measures.

Article 13

Transparency

1. The group 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 name of individuals appointed in a personal capacity;

¹⁰ Idem, Article 16

¹¹ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

¹² 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).

- (b) the name of individuals appointed to represent a common interest; the interest represented shall be disclosed;
 - (c) the name of member organisations; the interest represented shall be disclosed;
 - (d) the name of Member States' authorities;
 - (e) the name of other public entities;
 - (f) the name of observers;
 - (g) the name of third countries' authorities;
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) N° 1049/2001¹³.

Article 14

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 in principle shall not be reimbursed.

Article 15

Repeal

Decision C(2015) 2259 is repealed.

Done at Brussels, 13.9.2018

For the Commission

Violeta BULC

Member of the Commission

¹³ 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.