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**COMMISSION DECISION**

**of 9.12.2020**

**on renewing the group of experts on alternative transport fuels  
(‘the Sustainable Transport Forum’)**

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### on renewing the group of experts on alternative transport fuels (‘the Sustainable Transport Forum’)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Directive 2014/94/EU of the European Parliament and of the Council<sup>1</sup> delegated power to the Commission to adopt acts in accordance with Article 290 of the Treaty in order to ensure adaptation of the provisions of that Directive to market developments and technical progress. The Commission is required to follow its usual practice and carry out appropriate consultations during its preparatory work, including at expert level.
- (2) On that basis, on 23 April 2015 the Commission set up a group of experts, the Sustainable Transport Forum, defining its tasks and structure by means of Commission Decision C(2015)2583 final.<sup>2</sup>
- (3) Decision C(2015)2583 final applies until 31 December 2020.
- (4) The market for alternative fuels vehicles and infrastructure is a fast-developing market. New technologies and solutions are continuously emerging and being rolled out in the market. The need to assess new market developments and their implications for technical specifications and relevant standards in the field of alternative fuels infrastructure calls for continued expert support to the Commission.
- (5) Market uptake of alternative fuels vehicles and infrastructure is expected to accelerate in the coming years, driven by the need for Member States and automotive manufacturers to comply with relevant legislative provisions for reducing greenhouse gas emissions from transport, including the recently revised CO<sub>2</sub> emission performance standards for cars and vans and heavy-duty use vehicles. Similarly, other modes of transport will have to increasingly deploy alternative fuels and powertrains and related infrastructure, such as in inland waterways, maritime, rail or aviation transport. The Green Deal communication<sup>3</sup> sets the objective of having at least one million public recharging and refuelling points on the roads in the Union by 2025. It is a clear European policy priority to ensure that recharging or refuelling alternative fuels vehicles is easy and related services and prices are transparent for consumers throughout the Union. This will bring with it new challenges regarding the interoperability of infrastructure, its user-friendliness (including for consumers with

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<sup>1</sup> Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, p. 1).

<sup>2</sup> Commission Decision C(2015) 2583 final of 23 April 2015 on setting-up an expert group on alternative transport fuels (‘the Sustainable Transport Forum’).

<sup>3</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions “The European Green Deal”, COM(2019) 640 final.

disabilities), cost-effectiveness as well as adequate consumer information, in respect of which further expert support is needed.

- (6) It is therefore necessary to renew the Sustainable Transport Forum, to facilitate the further implementation of Directive 2014/94/EU and any future Union legislation in the field of alternative transport fuels and infrastructure.
- (7) The Sustainable Transport Forum should continue to be composed of representatives of Member States' authorities, as well as representatives of public and private organisations with relevant expertise in the field of alternative transport fuels and infrastructure, alternative fuels market organisation and consumer services linked to the use of alternative fuels vehicles and infrastructure.
- (8) The Directorate-General for Mobility and Transport (DG MOVE) will prolong the mandate of the current members of the Sustainable Transport Forum by means of a separate decision of its Director-General until 31 December 2022, in line with Article 2.2 of the Call for applications launched on 24 April 2015<sup>4</sup>, at which point DG MOVE will assess the need to launch a new call for applications or extend the mandate of the members further, taking in particular progress relating to the announced proposal to revise Directive 2014/94/EU into account.
- (9) The provisions of Commission Decision C(2016) 3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups (the "horizontal rules") shall apply to this Decision.
- (10) Rules on disclosure of information by members of the group should be laid down.
- (11) Personal data should be processed in accordance with Regulation (EU) No 2018/1725 of the European Parliament and of the Council.<sup>5</sup>
- (12) 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 group of experts on alternative transport fuels, 'the Sustainable Transport Forum' ("the group"), is hereby renewed.

#### *Article 2*

##### *Tasks*

1. The group's tasks shall be:
  - (a) to assist the Commission in the preparation of policy initiatives in the field of sustainable mobility, and alternative transport fuels and infrastructure policy in particular;

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<sup>4</sup> Available here: <https://ec.europa.eu/transport/sites/transport/files/themes/urban/news/doc/2015-04-23-stf-call-for-applications/call.pdf>

<sup>5</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

- (b) to assist the Commission in the preparation of delegated acts under Directive 2014/94/EU;
  - (c) to establish cooperation/coordination between the Commission and Member States or stakeholders on questions relating to the implementation of Union legislation, programmes and policies in the field of alternative transport fuels and infrastructure policy;
  - (d) to assist the Commission in the early preparation of implementing acts, before submission to the relevant committee in accordance with Regulation (EU) No182/2011 of the European Parliament and of the Council<sup>6</sup>; and
  - (e) to bring about an exchange of experience and good practice in the field of alternative transport fuels, and infrastructure in particular.
2. As part of the tasks referred to in paragraph 1, the group shall in particular, upon request of the Commission:
- (a) provide advice and technical expertise to the Commission on the development and implementation of future proof and innovation friendly legislation, policies, projects and programmes in the field of alternative transport fuels and infrastructure in particular, for example in the form of opinions, reports or analyses, and contribute towards an energy-efficient, decarbonised transport sector;
  - (b) facilitate exchanges of information on initiatives, projects and partnerships dealing with alternative transport fuels and infrastructure.

### *Article 3*

#### ***Consultation***

The Commission may consult the group on any matter relating to alternative transport fuels and infrastructure policy in particular.

### *Article 4*

#### ***Membership***

1. The group shall be composed of up to 60 members. The Directorate-General for Mobility and Transport (DG MOVE) shall determine the composition of the membership and representation of each type. At least 30 places shall be reserved for the members referred to in paragraph 2, point b) and point c).
2. The group shall consist of the following types of members:
  - (a) Organisations active in or working on sustainable mobility (including *inter alia* environmental, mobility, consumer and civil society organisations, producers or suppliers of alternative fuels, manufacturers of alternative fuels vehicles, vessels, aircraft or related transport infrastructure, relevant transport operators and users, alternative fuels infrastructure operators and users, relevant mobility services providers, relevant academia or research and innovation organisations,

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<sup>6</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

standardisation bodies and, in each case, where applicable, by preference their sector or industry interest organisations at EU level)<sup>7</sup>;

- (b) Member States' authorities at national, regional or local level<sup>8</sup>; and
  - (c) Other public entities, such as third countries' authorities, including candidate countries' authorities, Union bodies, offices or agencies and international organisations.<sup>9</sup>
3. Organisations referred to in paragraph 2, point a) shall each nominate one representative and one alternate. The Directorate-General for Mobility and Transport (DG MOVE) may refuse a nomination if it considers the nomination to be inappropriate, in the light of the requirements specified in this Decision or in the related call for applications. Reasons for refusing a nomination include, *inter alia*: previous inappropriate, rude, harmful or discriminatory written or oral comments, statements or remarks by the nominee and suspected or alleged (sexual) harrassment, theft or other inappropriate or criminal behaviour, irrespective whether this occurred on Commission premises and in the context of execution of the tasks referred to in this Decision. Where a nomination is rejected, the organisation concerned shall nominate another representative. Selected organisations shall at all times be responsible for ensuring that their representatives provide a high level of expertise.
4. Member States' authorities and other public entities shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise.
5. Members who are no longer capable of contributing effectively to the expert group's deliberations<sup>10</sup>, who, in the opinion of DG MOVE, do not comply with the conditions set out in Article 339 of the Treaty 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 organisations referred to in Article 4(2) point a) 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').<sup>11</sup> 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 in relation to the work to be performed. The minimum deadline for applications shall be four weeks.
2. Registration in the Transparency Register is required in order for organisations to be appointed.

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<sup>7</sup> Referred to as Type C Members in Article 7, paragraph 2, point c) of the horizontal rules.

<sup>8</sup> Referred to as Type D Members in Article 7, paragraph 2, point d) of the horizontal rules.

<sup>9</sup> Referred to as Type E Members in Article 7, paragraph 2, point e) of the horizontal rules.

<sup>10</sup> This is for instance the case if a member is absent or indisposed for three consecutive meetings of the expert group or expert sub-group to which they are a member.

<sup>11</sup> Calls for applications are not used to select Member States' authorities and other public entities, as well as representative bodies established by Union legislation for advice in specific areas (see Article 10.1 of the horizontal rules).

3. The members of the group from organisations referred to in Article 4(2) point a) shall be appointed by the Director-General for Mobility and Transport (DG MOVE) from specialists with competence in the areas referred to in Article 2 and who have responded to the call for applications.
4. Organisations referred to in Article 4(2) point a) shall be appointed for a maximum of 5 years. They shall remain in office until replaced, for any of the reasons listed in Article 4(5), or until the end of their term of office. Their term of office may be renewed, in accordance with the terms of the relevant call for applications.
5. If more applications are received in response to the call for applications than there are places in the group, DG MOVE shall establish a reserve list of suitable candidates that may be used to appoint replacements of the member-organisations referred to in Article 4(2) point a). 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 the Commission.

#### *Article 7*

##### ***Operation***

1. The group shall act at the request of DG MOVE, in compliance with the horizontal rules.<sup>12</sup>
2. Meetings of the group shall, in principle, be held on Commission premises or in virtual form.
3. DG MOVE shall provide secretarial services, where required with the assistance of one or more contractors. 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 MOVE, 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 strive to 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 DG MOVE. Sub-groups shall operate in

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<sup>12</sup> See Article 13.1 of the horizontal rules.

compliance with this Decision and 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 Article 5 of this Decision and the horizontal rules.<sup>13</sup>

#### *Article 9*

##### ***Invited experts***

DG MOVE may invite experts with specific expertise regarding 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 may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
2. The organisations and public entities referred to in the first paragraph appointed as observers shall nominate their representatives in the relevant expert group or sub-group.
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 or amend 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.<sup>14</sup>

#### *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) 2015/443<sup>15</sup> and (EU, Euratom) 2015/444<sup>16</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

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<sup>13</sup> See Articles 10 and 14.2 of the horizontal rules.

<sup>14</sup> See Article 17 of the horizontal rules.

<sup>15</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

<sup>16</sup> 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).

### *Article 13*

#### ***Transparency***

1. The group and sub-groups shall be registered in the Register of expert groups.
2. As concerns the expert group composition, the following data shall be published on the Register of expert groups:
  - the name of the organisations referred to in Article 4(2) a); the interest represented shall be disclosed;
  - the name of the Member State authorities referred to in Article 4(2) b);
  - the name of the public entities referred to in Article 4(2) c);
  - the name of observers, if any.

Where Member States' authorities or third countries' authorities are appointed, it is sufficient to indicate the name of the country in question.

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.<sup>17</sup>

### *Article 14*

#### ***Meeting expenses***

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

### *Article 15*

#### ***Applicability***

This Decision shall apply from 1<sup>st</sup> January 2021 until 31 December 2030.

Done at Brussels, 9.12.2020

*For the Commission*

*Adina-Ioana VĂLEAN*

*Member of the Commission*

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<sup>17</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).