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Who are the experts?

Daniel Freund · Monday, April 25th, 2016

The term “expert group” evokes images of scientists in white coats with test tubes explaining complex equations to politicians in suits. The reality is quite different. Expert groups are a mix of industry lobbyists, NGOs, trade unions and other practitioners chosen to advise the European Commission on policy developments.

It’s a healthy part of the decision making process to get input from those who may be affected by legislation and those who have the knowledge to help shape it accurately. No Commission official can claim to have a full overview of every subject matter. So the thinking goes that a group of distinguished experts can provide the best possible advice to shape the best possible policy ideas.

However, if those providing advice on financial regulation exclusively come from investment banks or if only car manufacturers provide expertise on emissions testing there clearly is a problem. This expert advice is not neutral. When tobacco industry experts negated the health risks of cigarettes in the past or if scientists financed by oil companies deny man-made climate change, expertise is inherently political.

It’s essential that the work of expert groups is transparent and that their inputs can be scrutinised by the public. But the 826 expert groups which advise the European Commission suffer from a severe lack of transparency. For a long time even the names of members of expert groups were not made public.

Since then, the names have been released and we now see that 98% of the experts advising DG TAXUT come from the industry it is supposed to regulate. Many other areas suffer from the problem of imbalance. We have also seen industry employees sitting in as member state experts without the Commission or other members of the expert group knowing that they are not dealing with a civil servant from a ministry. Conflicts of interest are not properly managed.

At Transparency International EU we have [highlighted these problems](#) for years. The European Parliament [froze the Commission’s budget](#) over this issue in 2012 and 2014. The European Ombudsman launched an [inquiry](#) and made specific [recommendations](#).

The Commission has repeatedly made promises for reform. In 2013 it promised to link the expert group registry with the lobby register. It also promised open calls for applications for expert group membership. Not much has happened since.

There now is a new push for reform. Harmonised rules are proposed for all expert groups. But, unfortunately the Commission has not sought the advice from those concerned or from those who have long criticised the system. This is ironic given the important role the Commission attributes to stakeholder consultation as part of its better regulation agenda.

We at Transparency International EU along with other campaigners have outlined our proposals on how to better balance the composition of expert groups and how to prevent conflicts of interests of members in a [letter](#) to Commission Vice-President Timmermans. We also ask that expert group discussions and recommendations be transparent by default so that everyone can scrutinise them.

It is time to open up expert groups. With a healthy dose of transparency and balance we can put the expertise into the right context. With more transparency hopefully we will have better expertise and better regulation in the future.

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