



European Ombudsman

Emily O'Reilly
European Ombudsman

Mr Antoine Simon
Friends of the Earth Europe/Corporate Europe
Observatory

E-mail: antoine.simon@foeeurope.org

Strasbourg, 18/08/2015

Complaint 1100/2015/NF

Dear Mr Simon,

On 30 June 2015, you submitted, on behalf of Friends of the Earth Europe and Corporate Europe Observatory, a complaint to the European Ombudsman against the European Commission concerning the Commission's alleged failure to treat the European Science and Technology Network on Unconventional Hydrocarbon Extraction as an expert group and to ensure its balanced composition.

I have asked the Commission to submit an opinion on the following allegations and claims.

Allegations:

The Commission has

- 1.** failed to recognise that the European Science and Technology Network on Unconventional Hydrocarbon Extraction constitutes an expert group;
- 2.** failed adequately to respond to the complainants' concern that the composition of the European Science and Technology Network on Unconventional Hydrocarbon Extraction is unbalanced;
- 3.** wrongly allowed members associated with the shale gas industry to act as chairmen of the European Science and Technology Network on Unconventional Hydrocarbon Extraction.

Claims:

- 1.** The Commission should (i) recognise that the European Science and Technology Network on Unconventional Hydrocarbon Extraction is an expert group; (ii) enter the Network on the expert groups' register; and (iii) apply all



relevant rules applicable to Commission expert groups to the Network, including the rules on conflicts of interest.

1. Alternatively, in the event that the Commission refuses to accept that the European Science and Technology Network on Unconventional Hydrocarbon Extraction is an expert group, it should recognise that it is an entity similar to an expert group and should therefore, by analogy, apply to it the rules governing its expert groups, in particular as regards a balanced composition, conflicts of interest and transparency.

2. In the second alternative, the Commission should abolish the European Science and Technology Network on Unconventional Hydrocarbon Extraction.

In accordance with Articles 2(2) and 3(1) of the Statute of the European Ombudsman, I informed the President of the Commission of your complaint and invited him to submit an opinion on the allegations and claims included in my inquiry by 30 November 2015.

As soon as I receive the Commission's opinion, I will forward it to you with an invitation to make observations. Any observations Friends of the Earth Europe and Corporate Europe Observatory wish to make should be submitted to my office within one month of receiving the opinion.

Once my office receives your observations, or the deadline has passed, the Legal Officer responsible for your case, Ms Nastasja Fuxa (+ 32 (0)2 283 07 84), will then examine your file. Ms Fuxa is a member of Complaints and Inquiries Unit 4, headed by Ms Tina Nilsson, which is part of the Directorate. I will inform you if I need to inquire further into the complaint before making a decision on it.

Every effort is made to deal with cases as quickly as possible. I try to reach a preliminary conclusion in an inquiry on a complaint within one year of opening it.

Yours sincerely,

Emily O'Reilly