

Rules of procedure of the European Scientific Advisory Board on Climate Change

Established under Article 10a of Regulation (EC) No 401/2009 ⁽¹⁾

**Adopted by the members of the European Scientific Advisory Board on Climate Change
on 26 August 2022 (amended on 20 December 2022 and on 18 December 2023)**

THE EUROPEAN SCIENTIFIC ADVISORY BOARD ON CLIMATE CHANGE,

Having regard to Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network (codified version) ('EEA Founding Regulation'),

Having regard to Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law'), and in particular Articles 3 and 12 thereof,

Whereas:

- (1) Article 10a of Regulation (EC) 401/2009 lays down the principles which shall govern the membership, obligations and functioning of the European Scientific Advisory Board on Climate Change (hereinafter referred to as 'the Advisory Board'), and provides for the adoption of rules of procedure.
- (2) These rules of procedure shall supplement the 'European Climate Law' and the 'EEA founding Regulation' and the terms contained therein shall have the same meaning as those in the 'European Climate Law' and in the 'EEA Founding Regulation'.

HAS ADOPTED THESE RULES OF PROCEDURE:

Article 1

Election of Chair and vice-Chair of the Advisory Board

1. The members of the Advisory Board shall elect amongst themselves a Chair and two vice-Chairs.

⁽¹⁾ Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network, as amended by Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law')

2. The term of office of the Chair shall be four years and shall expire when he/she ceases to be member of the Advisory Board. Re-election for an equivalent term of office is possible once.
3. The term of office of the vice-Chairs shall be two years and shall expire when they cease to be members of the Advisory Board. Re-election for an equivalent term of office is possible.
4. To the extent possible, the Advisory Board members shall seek to ensure a varied disciplinary and sectoral expertise, as well as gender and geographical diversity in electing their chair and vice-chairs.
5. The elections of the Chair and vice-Chairs shall be by secret voting, using a ranked voting procedure. Each member of the Advisory Board shall rank the candidates by preference on their vote. If a candidate wins an outright majority of first-preference votes (i.e., 50 percent plus one), he/she will be declared elected. If, on the other hand, no candidate wins an outright majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated. All first-preference votes for the failed candidate are eliminated, lifting the second-preference choices indicated on those ballots. A new count is conducted to determine whether any candidate has won an outright majority of the adjusted voters. The process is repeated until a candidate wins a majority of votes cast. If possible, the elections can be conducted electronically.
6. If the office of the Chair or that of one of the vice-Chairs falls vacant before the end of the term of office, the Chair or the longest serving vice-Chair or, in the event of equal length of service, the oldest longest serving vice-Chair, as the case may be, shall convene a meeting to elect a successor, to be held within a maximum of three months. The member then elected shall serve as Chair or vice-Chair for a full term of office or until the end of his/her membership of the Advisory Board, whichever is earlier.
7. At the initiative of at least one-third of its members, the Advisory Board may request a vote on the withdrawal of its Chair or one of its vice-Chair. The vote shall be organised as soon as possible and no later than within maximum three calendar months following the submission of the request. The vote shall be adopted by a majority of the members constituting the Advisory Board.

Article 2

Role of the Chair and vice-Chairs of the Advisory Board

1. The Chair shall ensure that the Advisory Board complies with the provisions set out in the European Climate Law and the present rules of procedure. He/She shall lead the meetings of the Advisory Board with the assistance of the secretariat referred to in Article 3. If the Chair is unable to attend a meeting, the meeting shall be chaired by the longest serving vice-Chair or, in the event of equal length of service, by the oldest of the longest serving vice-Chair.
2. The Chair shall be the legal representative of the Advisory Board. The Chair shall be responsible for:
 - organising the work of the Advisory Board,

- proposing the time, place and agenda for the meetings of the Advisory Board,
 - convening the meetings of the Advisory Board, at its own initiative or, alternatively, at the request of at least one third of the Advisory Board members,
 - representing the Advisory Board and speaks on its behalf on official occasion,
3. The Chair can delegate any of its tasks to one of the vice-Chairs, other Advisory Board members, or the secretariat referred to in Article 3.
 4. In agreement with the Chair, the Advisory Board may be represented by one of its other members, and in certain contexts, by the Head or another staff member of the secretariat referred to in Article 3. The Chair may decide that the Advisory Board may in certain contexts be represented by the Head of the secretariat or another staff member of the secretariat.
 5. One of the vice-Chairs shall automatically take the place of the Chair if he/she is prevented from attending his/her duties. To that end, the vice-Chairs shall work closely with the Chair of the Advisory Board to establish a constructive relationship, share responsibilities and deputise for the Chair in his/her absence.
 6. The Chair, the vice-Chairs and any other members of the Advisory Board shall undertake to act independently and outside any influence in the performance of their duties. Members of the Advisory Board shall take steps to avoid conflicts of interest and the appearance of such conflict. To that end, the Chair, the vice-Chairs and any other members of the Advisory Board shall, upon designation and annually thereafter, fill out and sign a declaration of commitment and declaration of interest according to the templates provided in annexes 1 and 2 to these rules of procedures.
 7. Any member of the Advisory Board shall refrain from any action or behaviour which might reflect adversely upon his/her position. A member of the Advisory Board may have his/her mandate withdrawn if the work and/or conduct in the discharge of his/her duties is proving obviously inadequate. In such a case, Article 1(7) shall apply *mutatis mutandis*.

Article 3

Secretariat of the Advisory Board

1. The Advisory Board shall be assisted in its functions by a secretariat.
2. EEA staff members assigned to the secretariat of the Advisory Board shall prepare, organise and support the execution of the Advisory Board's work programme, under the direction of the Head of the secretariat.
3. The support provided by the secretariat to the Advisory Board may include activities, such as performing analysis, drafting reports and briefing notes, monitoring policy developments, participating in relevant expert meetings, and liaising with relevant stakeholders.
4. The secretariat shall take care of organising the practical aspects of Advisory Board meetings, travels, conferences and the like.

5. Correspondence intended for the Advisory Board shall be addressed to the secretariat.
6. The secretariat shall maintain an archive of Advisory Board reports and advice delivered.
7. At the invitation of the Chair, the Head or staff members of the secretariat can participate in external meetings and workshops as well as give presentations based on the Advisory Board's work.

Article 4

Programming of the work of the Advisory Board

1. The Advisory Board shall establish its annual work programme independently, upon consultation with the Management Board of the European Environment Agency.
2. The Chair of the Advisory Board shall inform the Management Board of the European Environment Agency and its Executive Director of that annual work programme and its implementation.

Article 5

Meetings of the Advisory Board

1. The Advisory Board shall, in principle, meet on a regular basis at least six times per year. Meetings shall be convened by the Chair on his/her own initiative or, alternatively, at the request of at least one-third of its members.
2. The Chair, or one of the vice-Chair or the secretariat, as the case may be in accordance with Article 2(3), shall notify each Advisory Board member of the date of a meeting at least fifteen calendar days prior to each meeting.
3. Where at least one-third of the members of the Advisory Board request a meeting, the Chair shall convene a meeting within thirty calendar days and in accordance with the terms of paragraph 2 of this article.
4. Between any two meetings of the Advisory Board, urgent business may be submitted to the Advisory Board by convening an extraordinary Advisory Board meeting following the procedure set out in paragraph 2 of this article. In case of an extraordinary meeting, the timelines related to the provision of documents and minutes to the members of the Advisory Board set by these Rules may be shortened.
5. Meetings of the Advisory Board may be held physically or virtually with members participating to the meeting through a remote connection.
6. The working language of the Advisory Board is English.

Article 6

Agenda of Advisory Board meetings

1. A draft agenda shall be drawn up by the Chair of the Advisory Board. It shall be forwarded to the members of the Advisory Board at least seven calendar days prior to each meeting, accompanied by the relevant material for agenda points subject to decision-making. The agenda shall be adopted at the beginning of each meeting.
2. Any request by one or more of the members of the Advisory Board for the inclusion of an item in the agenda or the deletion or substitution of an item shall state the reason for the request and shall be sent in writing to the Chair at least five working days prior to the meeting. The Chair shall immediately bring any such request to the notice of the other members.
3. If the Advisory Board so decides, urgent questions may be added to the agenda at any time prior to the end of the meeting, and items on the agenda may be deleted or carried over to a subsequent meeting.

Article 7

Proceedings of the Advisory Board meetings

1. The Chair shall direct the proceedings, giving precedence to those who wish to raise a point of order or a preliminary matter.
2. If the Chair or any Advisory Board member disputes the admissibility of a motion proposed by another member during the proceedings, the matter shall be put to a vote. The substance of such a motion may be discussed only with the consent of the majority, within the meaning of Article 9(1) hereto.
3. If the Chair considers that a motion may impede the proceedings, he/she shall forthwith put the matter to a vote without debate.
4. The Advisory Board may decide to invite other persons to attend its meetings if it deems appropriate to do so.
5. The Chair may move the closure of the debate when he/she considers that all members have had an opportunity to express their views. The members may also move for closure.
6. Any members asking to speak on closure shall be given precedence.

Article 8

Quorum

The quorum necessary for a meeting to be valid shall be achieved when at least the majority of all members of the Advisory Board are present or connected remotely. If the quorum is not achieved, the Chair shall close the meeting and convene another meeting as soon as possible.

Article 9
Adoption of scientific advice

1. The Advisory Board strives to adopt scientific advice by consensus. The aim is for all members of the Advisory Board to support the work of the Advisory Board.
2. If consensus cannot be reached on scientific advice upon a specified deadline, the Chair can insert a footnote in the scientific advice to reflect this lack of consensus.
3. In case an advice cannot be adopted during a meeting, due for example to time constraints, it can also be adopted by written procedure pursuant to Article 11
4. In case of a written procedure, an advice shall be considered adopted unless an objection is raised by at least one member within seven calendar days from the day on which the proposed advice was communicated to the members. In that case, the advice will be put on the agenda of the next Advisory Board meeting. The Chair can decide ad hoc to shorten the time period within which objections can be raised.

Article 10
Voting of the Advisory Board

1. Decisions of the Advisory Board, other than scientific advice, shall be adopted by a simple majority of all voting members.
2. In addition to his/her own vote, each voting member may cast a maximum of two votes that he/she has received by proxy. The name of the proxy shall be notified to the Chair at the latest at the beginning of the meeting and shall be recorded in the minutes.
3. Unless the point put to vote involves an individual or a secret ballot is requested by at least one-third of the voting members present, votes shall be taken by show of hands or, in case a meeting is held virtually, by means of an appropriate functionality of the remote conferencing system used. When electing the Chair or vice-Chairs of the Advisory Board, a secret ballot is used, which may be provided by means of an appropriate online tool.
4. When a meeting is held virtually and Advisory Board members are connected remotely, decisions taken by the Advisory Board may be confirmed in a written procedure or by way of members casting their votes using appropriate online voting tools. Exceptionally, in case a member of the Advisory Board temporarily faces difficulties to connect remotely, his/her vote may be cast via email before the voting is closed.

Article 11
Decisions by written procedures

1. Between two meetings of the Advisory Board, or in case of an inability to convene meetings, urgent business may be submitted to the Advisory Board by written procedure when an

agenda point with an imminent deadline could not be concluded at the previous meeting or if a decision cannot be postponed until the next meeting.

2. When an Advisory Board meeting is held virtually, written procedures may be launched to confirm the decisions taken by the Advisory Board.
3. A written procedure shall be initiated by the Chair with the assistance of the secretariat referred to in Article 3. Draft decisions shall be addressed to the Advisory Board members after approval of the Chair. A proposal for decision to be taken by written procedure shall not be subject to amendment; it shall be approved or rejected in its entirety.
4. Votes shall be cast by return email sent to the secretariat of the Advisory Board or by online voting, if available, within ten working days, which can be extended by the Chair. When a written procedure is launched pursuant to paragraph 2 of this Article, the timeline for casting votes and raising objections may be shortened. The vote of any Advisory Board member with voting right who does not express his or her position will not be taken into account for determining the outcome of the procedure (no tacit agreement applies). Articles 8 and 9 apply *mutatis mutandis*.
5. Written objections shall be raised within seven calendar days unless otherwise specified depending on the urgency of the matter. In case of serious objections, the Chair shall decide whether the written procedure should be suspended and convene an extraordinary Advisory Board meeting or whether the draft decision, together with the serious objections, should be re-circulated to all members of the Advisory Board. In that case, the deadline for adoption shall be seven calendar days.
6. A full report on the outcome of the written procedure shall be made the latest at the following meeting.

Article 12

Records of Advisory Board meetings

1. Minutes shall be made of each meeting of the Advisory Board and shall include:
 - the list of attendees;
 - a summary record of the proceedings;
 - the decisions taken, conclusions reached, and advices adopted by the Advisory Board, with a record of the voting figures for each vote where relevant;
 - any conflict of interest declared by the Advisory Board members regarding any items on the agenda;
 - a list of agreed follow-up actions.
2. The draft minutes shall be forwarded to the Advisory Board members for adoption no later than four weeks after that meeting and at least seven calendar days prior to the next meeting. Should this draft not have been forward timely, the adoption shall be held over until the following meeting.

3. The minutes may be adopted by written procedure in accordance with Article 11(3).
4. The final text of the minutes shall be forwarded to the members of the Advisory Board after its approval.
5. The adopted agenda and minutes of each meeting shall be made accessible to the public through the Advisory Board's website.

Article 13

Coverage of expenses and remuneration of Advisory Board members

1. When a meeting is held physically at the premises of the European Environment Agency in Copenhagen or in another location, Advisory Board members shall receive travel and subsistence allowance as laid down in the EEA meeting reimbursement policy.
2. In addition, members of the Advisory Board shall be remunerated with the sum of €400 for each full day of participation in Advisory Board meetings, adjusted in proportion to the duration of the meeting, plus a sum equivalent to half of this remuneration for preparing to these meetings. The same rules apply to virtual meetings.
3. In case the participation of an Advisory Board member to a meeting is specifically requested by the Chair, and where such participation requires that Advisory Board member to travel, he/she shall receive travel and subsistence allowance, as laid down in the EEA meeting reimbursement policy, and be remunerated with the sum of €400 for each full day of participation.
4. Starting from 2026, the level of remuneration shall be adjusted periodically, every 4 years in line with the term of designation to the Advisory Board, to reflect the cumulative inflation over such period.

Article 14

Amendments to the rules of procedure

1. The Advisory Board shall review these Rules of Procedure and the annexes thereto at least every two years and adopt any amendment as necessary pursuant to Article 9.
2. Adopted amendments shall take effect from the date of the next meeting of Advisory Board.

Article 15

Annexes

The following annexes form an integral part of these rules of procedure:

- Annex 1: Annual declaration of commitment
- Annex 2: Annual declaration of interest

Annex 1: Annual declaration of commitment

Declaration of commitment to the activities of the European Scientific Advisory Board on Climate Change

First name:

Surname:

Date of designation as member of the European Scientific Advisory Board on Climate Change:

24/03/2022

I, the undersigned, declare that I will actively participate in the work of the European Scientific Advisory Board on Climate Change.

Date:

Signature:

Annex 2: Annual declaration of interest

Declaration of interests

First name:

Surname:

Date of designation as member of the European Scientific Advisory Board on Climate Change:
24/03/2022

I, the undersigned, hereby declare to the best of my information, knowledge and belief, that:

I have no interests to declare in the field of activities of the Advisory Board ⁽²⁾.

I have recorded the following interests in the field of activities of the Advisory Board ⁽³⁾.

Personal data protection

- Filling out this declaration of interests involves the recording and processing of personal data.
- Such data will be processed pursuant to Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of their personal data by the Union institutions, bodies, offices and agencies, and on the free movement of such data.
- Unless indicated otherwise, any personal data requested are required to prevent and manage potential conflict between private interests you may hold and your duties in the Advisory Board to make impartial and objective decisions, opinions and recommendations and will be processed solely for that purpose by the Secretariat to the Advisory Board, the EEA legal service and the EEA Management Board.
- Under the data protection Regulation (EU) 2018/1725, you are entitled to obtain access to your personal data on request and to rectify any such data that is inaccurate or incomplete. If you have any queries concerning the processing of your personal data, you may address them to the Head of the Secretariat.
- You have the right of recourse at any time to the European Data Protection Supervisor (edps@edps.europa.eu; <https://edps.europa.eu>) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Advisory Board. You may also contact the EEA's Data Protection Officer (DPO@eea.europa.eu) in case of any queries relating to the processing of your personal data.

Please provide information on all interests that are or might be perceived as related to the activities of the Advisory Board and which may thus lead to any actual or potential conflict of interest prejudicial to your independence in the performance of your duties as a member of the Advisory Board. Please add

⁽²⁾ If you have no interests to declare, tick here, date, sign and return the form to the Secretariat.

⁽³⁾ If you have interests to declare, please complete, date, sign and return the form to the Secretariat.
The guidance to the declaration of interests is annexed below.

as many rows to the table below as necessary. Annexed to the form you will find the **Declaration of Interests guidance** that you are requested to read and follow when filling in the form below.

Title/function + own/family member	Period of activity	Company/ organisation	Activity	Relevance to Advisory Board
1. Employment with a company or organisation, including any contractual link (e.g. leave on personal grounds/secondment)				
2. Member of a governing body or equivalent structure of a company or organisation				
3. Other membership or affiliation				
4. Research funding from a company or organisation, including any contractual link (e.g. grants, rents, sponsorships, fellowships, non-monetary support > 10,000 EUR per year)				
5. Intellectual property rights (e.g. patent, trademark, copyright or proprietary know-how)				
6. Investments in a company or organisation, including holding of stocks and/or shares, stock options, equity, bonds, partnership interest in the capital of such undertaking, one of its subsidiaries or a company (> 10,000 EUR per commercial entity)				
7. Public statements and positions				
8. Other relevant information that could be seen as jeopardising your independence as the Advisory Board Member				

I hereby declare that I have read the Advisory Board policy for the prevention and management of conflict of interest and the Declaration of Interests guidance and that to the best of my information, knowledge, and belief the information above is true and complete.

I am aware that I am exclusively responsible for the complete and truthful declaration of the interests held by my family members.

I acknowledge that I will immediately inform the Head of the Secretariat of any change in my situation resulting in additional relevant interests and that I will fill out and sign a new declaration of interests accordingly.

Signature:

Date: