

## NON PAPER

**from Belgium, The Netherlands, Luxembourg, Hungary, Latvia, Ireland, Cyprus, Finland, Greece, Sweden, Lithuania, Malta, Estonia, Croatia, Austria and Romania**

**on the representation of Member States in expert groups  
in particular for the Coordination Group in the legal proposal on Health Technology  
Assessment**

This Non Paper relates to the legal proposal on a Regulation on Health Technology Assessment and amending Directive 2011/24/EU which is currently in the phase of dialogues between the Council and the European Parliament. It concerns in particular on article 3, § 3, about the **voting mechanism** in case consensus within the Coordination group cannot be reached.

The original proposal of the Commission included the following: “*The Coordination Group shall act by consensus, or, where necessary, vote by simple majority. There shall be one vote per Member State.*”

In 2019, the previous European Parliament approved amendment 203, changing the simple majority to a qualified majority for decisions of the coordination group. No agreement was found in the Council on this matter. But we see a growing tendency in various proposals (HTA, Health Security Committee, EMA, HERA) in which there are also strong voices in Council to request a qualified majority for expert groups as well.

We do not wish to question in any way the importance of the qualified majority for Council decisions as provided for in Article 16 of the EU Treaty, but we wish to draw attention on the importance of maintaining the equality between experts of different EU Member States when determining voting procedures in technical expert groups.

Until now, in technical expert groups, equal weight has been assigned to the experts of the different Member States because technical expertise does not depend on the nationality of the expert concerned. In principle, a consensus is always sought in a technical expert group, otherwise decisions are taken by a simple majority. If it is considered to be important to provide for a larger majority, it is possible to opt for a 2/3 majority, whereby each expert always has an equal weight. This is important to valorise the expertise and to prevent technical expert groups from being politicized. It is not the Nationality of an expert that is important, but his expertise.

Therefore we want to draw attention to the important precedent value of this proposal on HTA and insist on maintaining the current balance that ensures that the expertise of all experts of each Member state is equally taken into account in technical expert groups.