COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on interoperability solutions for European public administrations (ISA)

(presented by the Commission)

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<u>**EXPLANATORY MEMORANDUM**</u>

1. CONTEXT OF THE PROPOSAL

- **Grounds for and objectives of the proposal**

In today's Europe citizens are free to work and re-locate within the Union and enterprises free to trade and carry out business across the Union. When they do this, they frequently have to interact with Member States' administrations, which they increasingly do electronically. To facilitate the electronic interaction with citizens and enterprises, Member States have gradually transformed their administrations, improving their business processes and the way they interact with citizens and enterprises, thereby mostly reducing the administrative burden and costs while increasing the efficiency and effectiveness of the public services.

However, there is a high risk that electronic barriers ("e-barriers") will emerge from this transformation due to its national dimension and due to lack of interoperability at European level so that citizens and enterprises are not able to interact electronically with a national administration other than their own with the same ease as local citizens and enterprises. This could impede the good functioning of the internal market and the associated freedoms of movement with negative effects on the openness and competitiveness of markets and the mobility across borders as well as have impact on the delivery of some services of general interest to citizens and enterprises, whether economic or non-economic.

At the same time the challenges facing Europe today increasingly require common policy responses and consequently require Member States to join forces as far as the implementation of such common policy responses is concerned. The implementation of a broad range of legislative acts is, in fact, the shared responsibility of the Member States and the European Commission and requires interactions across borders and sectors by means of Information and Communication Technologies (ICT) which is today an integral part of most legislative acts and a key instrument for the interaction between administrations.

Member States and the Commission need to strengthen their efforts to achieve interoperability between national and Community ICT solutions, promote commonly agreed solutions and avoid path dependency with a view to ensuring efficient and effective interactions between European public administrations in support of the delivery of electronic public services and the implementation of Community policies and activities.

- **General context**

The programme on interoperable delivery of pan-European eGovernment services to administrations, businesses and citizens[1] (IDABC programme) has, as its predecessor

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[1]   L 144, 30.4.2004, as corrected in OJ L181, 18.5.2004, p. 25.

programme on interchange of data between administrations[2] (IDA programme), been instrumental to achieve a steady progress in the co-operation between the Commission and Member States administrations. The IDA and IDABC programmes have provided a forum for exchange of ideas and experience, and have lent support to the execution of Community policies through sectoral projects leading to the establishment of a wide portfolio of operational trans-European networks and services in traditional policy areas such as agriculture, fisheries, employment, as well as in newer policy areas such as home and justice affairs, communicable diseases and health and consumer protection.

Finally, the IDA and IDABC programmes have been providing administrative sectors and Member States with infrastructure services, i.e. frameworks, common services and generic tools, such as a communication platform known as sTESTA and characterised by a high level of security and availability, and several complementary tools aiming at achieving interoperability between the back-office administrative systems and processes, as well as between back- and front-office services. In doing so, the IDA and IDABC programmes have demonstrated that they have been able to add value to the exchange of information between administrative sectors compared to what could have been obtained from a separate and uncoordinated project approach. Capitalizing on the progress of existing initiatives, also in the Member States, the programmes have demonstrated that a co-ordinated approach can contribute to delivering results faster, with higher quality and meeting business requirements, by means of first and foremost frameworks, generic services and common tools developed as infrastructure services in cooperation with the Member States.

The IDABC programme comes to an end on 31 December 2009. The Commission now proposes a follow-on programme on interoperability solutions for European public administrations (ISA programme) focusing on back-office solutions supporting the interaction between European public administrations and the implementation of Community policies and activities. The ISA programme will contribute to meeting the challenges and ensuring continuity while providing a forum for exchange of ideas and experience.

- **Existing provisions in the area of the proposal**

In the same way as the IDABC programme and the ICT Policy Support Programme of the Competitiveness and Innovation framework Programme[3] (ICT PSP programme) presently complement each other in relation to a number of activities, with inter alia the ICT PSP programme launching pilot actions and the IDABC programme delivering input in support of the pilot actions, the ISA programme with its narrower focus will supplement the ICT PSP programme in certain areas, providing input as well as a framework for industrialising and operating results achieved through the ICT PSP pilot projects. This complementarity will allow for synergies between the two programmes.

The ICT PSP programme supports mainly pilot actions to show and validate the

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[2]   OJ L 203, 3.8.1999, p. 1. Decision as last amended by Council Regulation (EC) No 885/2004 (OJ L 168, 1.5.2004, p. 1). OJ L 203, 3.8.1999, p. 9. Decision as last amended by Council Regulation (EC) No 885/2004.

[3]   OJ L 310, 9.11.2006, p. 15.

importance of ICT solutions in real settings, both pilot actions addressing innovative solutions or replication of best practices and pilot actions building on Member States ongoing initiatives. The ICT PSP programme does not support the implementation of solutions, which might require an EU layer. This layer can be supported by the ISA programme which endeavours to establish common operational and reusable ICT solutions which respond to generic needs expressed by administrative sectors and Member States.

In addition, the ISA and ICT PSP programmes contribute to different objectives with different timelines and use different funding mechanisms. While the ICT PSP uses a co-funding mechanism based on calls for proposals, for piloting and developing common specifications, the ISA programme uses a fully funded mechanism via calls for tenders based on full and complete specifications for final implementation.

Consequently, the ISA programme basically acquires final products whose technical characteristics are known from the beginning, whereas the ICT PSP programme acquires potential results via projects defining the characteristics themselves. As a matter of fact, the ISA programme aims at supporting the implementation of solutions whereas the ICT PSP programme aims at identifying potential solutions.

The ISA programme will maintain the IDABC programme's strong focus on organisational governance and interactive establishment of solutions with the support of expert groups, to ensure close coordination, cooperation and dialogue with Member States and sectors on work programme actions. Whenever appropriate, cross-programme expert groups will be established as a platform for exchanging views and ensuring complementarity between the two programmes.

- **Consistency with the other policies and objectives of the Union**

Through facilitating the interaction between European public administrations, both by means of delivering common and shared services and tools and promoting interoperability, the ISA programme contributes to the reinforcement of the internal market by encountering the emergence of e-barriers that may hamper the good functioning of the internal market.

By the same means, the ISA programme contributes generally to ensuring a smooth implementation of Community policies and initiatives that in most cases imply ICT support and often also the exchange of information across borders and/or sectors.

In the same way as the IDABC programme is contributing to the implementation of the i2010 initiative and the related i2010 Action Plan, the ISA programme will contribute to implementing any follow-on initiative.

Consequently, the ISA programme is not only consistent with existing policies but also highly relevant for their implementation, achieving considerable synergies through coordination across sectors and borders.

2. CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT

- **Consultation of interested parties**

On the basis of a discussion paper prepared by the Commission for the second exchange of views on a follow-on programme with the Member States as represented in the IDABC management committee, the Commission prepared a paper which was presented at the IDABC mid-term conference in Slovenia on 12 and 13 February 2008 and discussed with the IDABC management committee in March 2008. Taking due account of further input received at these occasions, the Commission launched an ex ante evaluation, comprising desk research, pilot interviews, a survey of the Member States and workshops/working sessions, while initiating a formal stakeholder consultation with a view to ensuring that programme objectives and activities would take due account of needs expressed.

As the ISA programme is focusing on interactions between European public administrations, the formal consultation was limited to the Member States that each was requested to provide only one reply to the questionnaire. The consultation was conducted over the internet from 30 April to 20 June 2008. 26 Member States responded to the consultation.

The results of the consultation as well as the ex ante evaluation report are available on http://ec.europa.eu/idabc/en/document/7706.

Summary of responses and how they have been taken into account

25 Member States see a significant or clear need for the establishment and improvement of common frameworks. One sees no need.

25 Member States see a significant or clear need for supporting and promoting the assessment of ICT implications of proposed or adopted Community legislation as well as the planning of the implementation of ICT systems. One sees a slight need.

22 Member States see a significant or clear need for supporting and promoting the operation and improvement of existing common services established under the IDA and IDABC programmes and similar initiatives as well as the establishment, industrialisation, operation and improvement of new common services in response to new needs and requirements. Three see a slight need and one sees no need.

22 Member States see a significant or clear need for supporting and promoting the improvement of existing generic tools developed under the IDA/IDABC programmes and similar initiatives as well as the establishment, provision and improvement of new generic tools in response to new needs and requirements. Two see a slight need and two no need.

25 Member States see a significant or clear need for accompanying measures supporting other activities, whenever appropriate. One sees no need.

23 Member States agree or mostly agree that the activities specified above (and in Article 3 and 5(4) of the proposed Decision) cover the needs expressed by Member States. Three have no opinion.

25 Member States agree or mostly agree that the objective as specified in Article 1(2)

of the proposed Decision cover all activities specified above (and in Article 3 and 5(4) of the proposed Decision). One disagrees.

25 Member States agree or mostly agree that there is a need for an IDABC follow-on programme with the objective specified in Article 1(2) and covering the activities identified in Article 3 and 5(4). One disagrees.

Consequently, the needs expressed by Member States have been translated successfully into activities covered by the overall objective of a follow-on programme that is needed.

- **Collection and use of expertise**

There was no need for external expertise.

- **Impact assessment**

If the Community would not launch the ISA programme, existing solutions offered in support of the effective and efficient interaction between European public administrations would no longer be sustained, including solutions such as the European Interoperability Framework and sTESTA, without which the smooth functioning of, for instance, the Schengen agreement, the Visa Information System and other activities in the area of justice, liberty and security would be endangered. Furthermore, the proliferation of disparate solutions could inadvertently increase and result in the erection of e-barriers which could impede the smooth functioning of the internal market and the associated freedoms of movement. Likewise the establishment and operation of new solutions, whether common frameworks, generic tools or common services, would no longer contribute to ensuring an efficient and effective exchange of data between European public administrations. With no new programme, far fewer Community initiatives in support of interoperability at European level would be taken.

Based upon these considerations as well as the challenges and needs identified, the option of not taking any action was discarded of and the option of proposing the ISA programme selected.

By launching the ISA programme, the Community will make an important contribution to ensuring smooth interactions between European public administrations to the direct benefit of the Member States and the Community as such as well as to the indirect benefit of businesses and citizens as final beneficiaries.

The options of creating an agency was discarded of as the size of the programme would not reach a critical mass justifying the overheads and as the continuity of actions could not be ensured due to the time required for agreeing and setting up an agency.

The option of integrating the programme in the CIP ICT PSP was discarded of due to differences in objectives, focus, location of actions in the development/production chain, the timelines and funding mechanisms.

The programme will add financial value to the Community intervention by establishing common and reusable solutions allowing Member States and sectors to avoid duplication of efforts. Furthermore, reusable solutions will allow economies of scale.

The programme will add economic value by supporting the proper functioning of the internal market which could be impeded by the emergence of e-barriers caused by incompatible solutions chosen by individual Member States and sectors in the absence of common and shared solutions and by the lack of interoperability. Social value would be added in as far as the programme activities will indirectly support citizens and businesses as users of cross-border electronic public services making use of such common and shared solutions.

3.   **LEGAL ELEMENTS OF THE PROPOSAL**

- **Summary of the proposed action**

The ISA programme is to facilitate the efficient and effective electronic cross-border and cross-sector interaction between European public administrations enabling the delivery of electronic public services supporting the implementation of Community policies and activities by ensuring the availability of common frameworks, common services and generic tools and by increasing the awareness of ICT aspects of Community legislation.

- **Legal basis**

Article 156 TEC, as was the case for the IDA and IDABC programmes.

- **Subsidiarity principle**

The subsidiarity principle applies insofar as the proposal does not fall under the exclusive competence of the Community.

The objectives of the proposal cannot be sufficiently achieved by the Member States as Member States acting independently could not achieve the interoperability necessary for cross-border and cross-sector electronic public services and not establish common and shared solutions in support of the interaction between European public administrations.

Community action will better achieve the objectives of the proposal as the programme will establish and operate common services, generic tools and common frameworks in support of interoperability with a view to facilitating the smooth interaction between public administrations across borders and sectors enabling the delivery of electronic public services supporting the implementation of Community policies and activities. As such the programme has, by its very nature, a clear EU dimension.

The proposal therefore complies with the subsidiarity principle.

- **Proportionality principle**

The programme will support the provision of common and shared solutions, i.e. common frameworks, generic tools and common services, to be applied, whenever appropriate, by European public administrations for the exchange of information across borders and sectors. Unless otherwise foreseen, the application of such solutions is basically subject to Member States' decision.

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The establishment and improvement of common frameworks and generic tools will be financed via the programme, while the use of such frameworks and tools is to be financed by the users at any administrative level. The establishment, industrialisation, i.e. bringing solutions to a state of operational maturity, and improvement of common services will be financed via the programme whereas the operation of such services will only be financed via the programme to the extent that their use may serve Community interests. In other cases, the use of the services, including their operation on a decentralised basis, will be financed by the users.

The solutions established by the programme will basically reduce the financial and administrative burden falling upon European public administrations interacting with each other.

The proposal therefore complies with the proportionality principle.

- **Choice of instruments**

As it was the case for the IDABC programme, the legal act proposed is a Decision of the European Parliament and of the Council since the choice of a regulation or of a directive is not appropriate for implementing a Community programme.

4. BUDGETARY IMPLICATION

The financial envelope for the implementation of the ISA programme for the period 1 January 2010 to 31 December 2015 is set at EUR 164.1 million, of which 103.5 million is for the period until 31 December 2013 as foreseen in the financial programming 2007-1013.

Further details are provided in the Legislative Financial Statement accompanying the proposal.

5. ADDITIONAL INFORMATION

- **European Economic Area**

The proposed act concerns an EEA matter and should therefore extend to the European Economic Area.

- **Candidate countries**

The proposed act is opened to participation by candidate countries.

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on interoperability solutions for European public administrations (ISA)

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the first paragraph of Article 156 thereof,

Having regard to the proposal from the Commission[4],

Having regard to the opinion of the European Economic and Social Committee[5],

Having regard to the opinion of the Committee of the Regions[6],

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

(1)   In accordance with Article 154 of the Treaty, to help achieve the objectives referred to in Articles 14 and 158 thereof and to enable citizens of the European Union, economic operators and regional and local communities to derive full benefit from the setting up of an area without internal frontiers, the Community contributes to the establishment and development of trans-European networks, undertaking actions to promote interconnectivity, interoperability and accessibility.

(2)   The Council has stressed in its conclusions of 1 December 2005 on the Commission's Communication "i2010 – A European Information Society for growth and employment" that more focused, effective and integrated policies of information and communication technologies (hereinafter ICT) at both European and national levels are essential to achieving the goals of economic growth and productivity. The Commission was invited to encourage the efficient use of ICT in public services through the exchange of experience and to develop common approaches on key issues such as interoperability and effective use of open standards.

(3)   In the Manchester Ministerial Declaration of 24 November 2005, the Ministers responsible for ICT policies agreed, inter alia, to work together and with the Commission to share existing tools, common specifications, standards and solutions

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more effectively and to encourage collaborative development of solutions where necessary.

(4) In the Lisbon Ministerial Declaration of 19 September 2007, the Ministers invited the Commission to, inter alia, facilitate cooperation among Member States and the Commission to define, develop, implement and monitor cross-border, cross-sectoral interoperability, and stated that future Community legislation should, in particular, anticipate and assess its impact on ICT infrastructures and service transformation.

(5) With the rapid development of ICT, there is a risk that Member States opt for different or incompatible solutions and that new e-barriers could emerge that would impede the proper functioning of the internal market and the associated freedoms of movement. This could have negative effects on the openness and competitiveness of markets as well as have impact on the delivery of some services of general interest to citizens and enterprises, whether economic or non-economic. Member States and the Commission should increase their efforts to avoid market fragmentation, achieve interoperability and promote commonly agreed ICT solutions while ensuring the appropriate governance.

(6) The availability of common, reusable and interoperable solutions as well as interoperable administrative back-office processes is necessary for the efficient and effective delivery of public services to businesses and citizens across borders and sectors.

(7) Continuous efforts are needed for ensuring cross-border, cross-sector interoperability, exchanging experience, establishing and maintaining common and shared approaches, specifications, standards and solutions as well as assessing the ICT implications of Community legislation with a view to supporting efficient and effective cross-border interactions, inter alia, in the implementation of Community legislation, while reducing administrative burdens and costs.

(8) To meet these challenges such efforts should be made through close cooperation, coordination and dialogue between the Commission and the Member States, in close interaction with the sectors responsible for the implementation of Community policies and, whenever appropriate, with other stakeholders, giving due consideration to the priorities and the linguistic diversity of the Community.

(9) In line with Decision 2004/387/EC of 21 April 2004 on interoperable delivery of pan-European eGovernment services to public administrations, businesses and citizens (IDABC)[7] which requires the Commission to define mechanisms to ensure the financial and operational sustainability of infrastructure services, infrastructure services should be maintained and operated in a sustainable manner. Such infrastructure services have been agreed with Member States during the implementation of Decision 1719/1999/EC of 12 July 1999 on a series of guidelines, including the identification of projects of common interest, for trans-European networks for the electronic interchange of data between administrations (IDA)[8] and

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Decision 1720/1999/EC of 12 July 1999 adopting a series of actions and measures in order to ensure interoperability of and access to trans-European networks for the electronic interchange of data between administrations (IDA)[9] as well as during the implementation of the IDABC and other relevant programmes.

(10) The IDABC programme comes to an end on 31 December 2009 and should be succeeded by a Community programme on interoperability solutions for European public administrations (the ISA programme) meeting the challenges.

(11) The ISA programme should be based on the experience from the IDA and IDABC programmes which have demonstrated that a co-ordinated approach can contribute to delivering results faster, with higher quality and meeting business requirements, by means of common and shared solutions established and operated in cooperation with Member States. These activities have already delivered important contributions to ensuring interoperability in support of electronic exchange of information between European public administrations and are continuing to do so.

(12) To avoid fragmentation and ensure a holistic approach, due consideration should be given to the European Interoperability Strategy and the European Interoperability Framework when priorities are set for the ISA programme.

(13) Solutions established or operated under the ISA programme should be demand-driven and, to the extent possible, form part of a consistent eco-system of services facilitating interaction between European public administrations and ensuring, facilitating or enabling cross-border, cross-sector interoperability.

(14) The ISA programme should ensure the availability of common frameworks, common services and generic tools in support of cross-border and cross-sector interaction between European public administrations as well as support sectors in assessing the ICT implications of Community legislation and in planning the implementation of relevant solutions.

(15) Common frameworks should comprise, inter alia, common specifications, guidelines and methodologies as well as common strategies.

(16) While ensuring the operation and improvement of existing common services established under the IDA and IDABC programmes as well as similar initiatives, the ISA programme should support the establishment, industrialisation, operation and improvement of new common services in response to new needs and requirements.

(17) While ensuring the improvement of existing reusable generic tools established under the IDA and IDABC programmes as well as similar initiatives, the ISA programme should support the establishment, provision and improvement of new reusable generic tools in response to new needs or requirements, inter alia, established through the assessment of ICT implications of Community legislation.

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[9]   OJ L 203, 3.8.1999, p. 9. Decision as last amended by Council Regulation (EC) No 885/2004.

(18)   In the establishment, improvement or operation of common solutions the ISA programme should, whenever appropriate, build on or be accompanied by sharing of experience and solutions as well as exchange and promotion of good practices.

(19)   Solutions established or operated under the ISA programme should be based on the principle of technological neutrality and adaptability with a view to ensuring also that citizens, enterprises and administrations are free to choose the technology to be used.

(20)   The principles of security, privacy and protection of personal data should be taken into consideration in all activities covered by the ISA programme.

(21)   While the involvement of all Member States in actions under the ISA programme should be encouraged, actions comprising several Member States can be initiated. Member States not involved in such actions should be encouraged to join at a later stage.

(22)   The ISA programme should contribute to implementing any i2010 follow-on initiative, while taking into consideration other Community programmes in the field of ICT, notably the ICT Policy Support Programme of the Competitiveness and Innovation Framework Programme as provided for in Decision No 1639/2006/EC of 24 October 2006 establishing a Competitiveness and Innovation Framework Programme (2007-2013)[10], in order to avoid duplication of efforts.

(23)   Synergies with the private sector and other entities should be sought in order to, whenever appropriate, give priority to solutions available on and sustained by the market.

(24)   The ISA programme should be implemented in accordance with the rules of public procurement.

(25)   Since the measures necessary for the implementation of this Decision are management measures within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementation powers conferred on the Commission[11] , they should be adopted by use of the management procedure provided for in Article 4 of that Decision.

(26)   The ISA programme should be regularly monitored and evaluated in order to allow for readjustments.

(27)   International cooperation should be encouraged and in this respect the ISA programme should also be open to participation by the countries of the European Economic Area and the candidate countries. Cooperation with other third countries and international organisations or bodies should also be encouraged, notably within the framework of the Euro-Mediterranean Partnership and with neighbouring countries, in particular the Western Balkan countries.

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[10]   OJ L 310, 9.11.2006, p. 15.
[11]   OJ L 184, 17.7.1999, p. 23. Decision as last amended by Decision No 2006/512/EC (OJ L 200, 22.7.2006, p. 1).

(28)   In order to ensure the sound management of the financial resources of the Community and to avoid needless proliferation of equipment, repetition of investigations and divergent approaches, it should be possible to use solutions established or operated by the ISA programme by non-Community initiatives as long as no costs are incurred for the Community budget, and the main Community objective of the solution is not compromised.

(29)   A financial envelope constituting the prime reference, within the meaning of point 37 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management should be established for the entire duration of the programme. This envelope should also cover expenditure related to preparatory, monitoring, control, audit and evaluation measures directly required for the management of the programme and the achievement of its objectives, and in particular studies, meetings of experts, information and publication measures, expenses linked to IT systems and networks for the exchange and processing of information, together with all other technical and administrative assistance expenditures that the Commission may incur for the management of the programme.

(30)   Since the objectives of the action to be taken to facilitate the efficient and effective electronic cross-border and cross-sector interaction between European public administrations enabling the delivery of electronic public services supporting the implementation of Community policies and activities cannot be sufficiently achieved by the Member states and can therefore, by reason of the scale and effects, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that article, this Decision does not go beyond what is necessary in order to achieve those objectives,

HAVE DECIDED AS FOLLOWS:

Article 1
Subject matter and objective

1.   This Decision establishes, for the period 2010-2015, a programme on interoperability solutions for European public administrations, including Community institutions and bodies, providing common and shared solutions facilitating interoperability (hereinafter the "ISA programme").

2.   The objective of the ISA programme is to support the cooperation between European public administrations by facilitating the efficient and effective electronic cross-border and cross-sector interaction between such administrations enabling the delivery of electronic public services supporting the implementation of Community policies and activities.

Article 2
Definitions

For the purposes of this Decision, the following definitions shall apply:

(a)   "interoperability" means the ability of disparate and diverse organisations to interact towards mutually beneficial and agreed common goals, involving the sharing of information and knowledge between the organizations via the business processes they support, by means of the exchange of data between their respective ICT systems;

(b)   "solutions" means common frameworks, common services and generic tools;

(c)   "common frameworks" means strategies, specifications, methodologies, guidelines and similar approaches and documents;

(d)   "common services" means operational applications and infrastructures of a generic nature which meet common user requirements across policy areas;

(e)   "generic tools" means reference platforms, shared and collaborative platforms, common components and similar building blocks which meet common user requirements across policy areas;

(f)   "actions" means studies, projects and accompanying measures;

(g)   "accompanying measures" means strategic and awareness-raising measures, measures in support of the management of the ISA programme and measures in relation to sharing of experience as well as exchange and promotion of good practices.

Article 3
Activities

The ISA programme shall support and promote:

(a)   the establishment and improvement of common frameworks in support of interoperability across borders and sectors;

(b)   the assessment of ICT implications of proposed or adopted Community legislation as well as the planning of the implementation of ICT systems in support of the implementation of such legislation;

(c)   the operation and improvement of existing common services as well as the establishment, industrialisation, operation and improvement of new common services;

(d)   the improvement of existing reusable generic tools as well as the establishment, provision and improvement of new reusable generic tools.

Article 4
General principles

Actions launched or continued under the ISA programme shall, whenever appropriate, be based on the following principles:

(a)   the principle of technological neutrality and adaptability;

(b)   the principle of privacy and protection of personal data;

(c)   the principle of security.

Article 5
Actions

1.   The Community shall, in cooperation with the Member States, undertake the actions specified in the rolling work programme referred to in Article 9, in accordance with the implementation rules laid down in Article 8. Such actions shall be implemented by the Commission.

2.   A study shall have one phase and be concluded by the final report.

3.   A project shall, whenever appropriate, have three phases:

(a)   the inception phase that shall lead to the establishment of the project charter,

(b)   the execution phase, the end of which shall be marked by the execution report, and

(c)   the operational phase starting when a solution is made available for use.

The relevant project phases shall be defined when the action is included in the rolling work programme.

4.   The implementation of the ISA programme shall be supported by accompanying measures.

Article 6
Project charter and execution report

1.   The project charter shall comprise a description of:

(a)   the scope, objectives and problem or opportunity, including the expected beneficiaries and benefits of a solution as well as quantitative and qualitative indicators for measuring such benefits;

(b)   the approach, including the organisational aspects, such as phases, outputs and milestones, and, whenever appropriate, measures to facilitate multilingual communication;

(c)   stakeholders and users as well as the related governance structure;

(d)   details of the solution, including its coherence and dependencies with other solutions, a breakdown of expected costs, timing and requirements as well as an estimate of the total costs of ownership, including the yearly costs of operation, if any;

(e)   features;

(f)   constraints, including security and data protection requirements.

2.   The execution report shall comprise a description of:

(a)   the scope, objectives and problem or opportunity measured against the project charter;

(b)   the project effectiveness, including a measurement of achievements, incurred costs, actual timing and requirements against the project charter, an analysis of the expected return on investment as well as the total costs of ownership, including the yearly costs of operation;

(c)   organisational aspects, including the suitability of the applied governance structure and, whenever appropriate, recommendations for a post-execution governance structure;

(d)   whenever appropriate, the proposed plan for rolling out the solution to the operational phase as well as the service level indicators;

(e)   the end user and technical support material available.

Article 7
Solutions

1.   Common frameworks shall be established and maintained by means of studies.

       Studies shall also serve as means for supporting the assessment of ICT implications of proposed or adopted Community legislation as well as the planning of the implementation of solutions in support of the implementation of such legislation.

2.   Generic tools shall be established and maintained by means of projects. Projects shall likewise be a means of establishing, industrialising, operating and maintaining common services.

Article 8
Implementation rules

1.   In the implementation of the ISA programme due consideration shall be given to the European Interoperability Strategy and the European Interoperability Framework.

2.   Involvement of the largest possible number of Member States in a study or project shall be encouraged.

3.   The establishment or improvement of solutions shall, whenever appropriate, build on or be accompanied by sharing of experience as well as by exchange and promotion of good practices.

4.   To avoid duplication and to speed up the establishment of solutions, results achieved by other relevant Community and Member States initiatives shall be taken into account, whenever appropriate.

      To maximise synergies and ensure complementary and combined efforts, actions shall, whenever appropriate, be coordinated with other relevant Community initiatives.

5.   The initiation of actions, the definition of its phases and the establishment of project charters and execution reports shall be carried out and monitored by the Commission as part of the implementation of the rolling work programme established in accordance with Article 9.

Article 9
Rolling work programme

1.   The Commission shall establish a rolling work programme for the whole duration of this Decision for the implementation of actions.

2.   The Commission shall approve the rolling work programme and, at least once a year, any modification thereof.

3.   Without prejudice to Article 10(4), the procedure referred to in Article 12(2) shall apply in respect of the approval by the Commission of the rolling work programme and any modifications thereof.

4.   For each action, the rolling work programme shall, whenever appropriate, include:

      (a)   a description of the scope, objectives, problem or opportunity, expected beneficiaries and benefits as well as the organisational and technical approach;

      (b)   a breakdown of the expected costs and, whenever appropriate, the milestones to be reached.

5.   A project may be included in the rolling work programme in any of its phases.

Article 10
Budgetary provisions

1.   Funds shall be released on the basis of the reaching of specific milestones which shall be the following:

      (a)   for the initiation of a study, an accompanying measure or the inception phase of a project the milestone shall be the inclusion of the project in the rolling work programme;

      (b)   for the initiation of the execution phase of a project the milestone shall be the project charter;

(c)   for the initiation of the subsequent operational phase of a project the milestone shall be the execution report.

2.   Milestones to be reached during the execution phase as well as the operational phase, if any, shall be defined in the rolling work programme.

3.   If a project is included in the rolling work programme in its execution or operational phase, funds are released upon inclusion in the rolling work programme.

4.   Modifications to the rolling work programme concerning budgetary allocations of more than EUR 400.000 per action shall be adopted in accordance with the procedure referred to in Article 12(2).

5.   The ISA programme shall be implemented on the basis of the rules of public procurement.

Article 11
Community financial contribution

1.   The establishment and improvement of common frameworks and generic tools shall be funded fully by the ISA programme. The use of such frameworks and tools shall be financed by the users.

2.   The establishment, industrialisation and improvement of common services shall be funded fully by the ISA programme. The operation of such services shall be funded fully by the ISA programme to the extent that their use may serve Community interests. In other cases, use of the services, including their operation on a decentralised basis, shall be financed by the users.

3.   Accompanying measures shall be funded fully by the ISA programme.

Article 12
Committee

1.   The Commission shall be assisted by a committee called the committee on Cross-border Interoperability (hereinafter "the CIO committee"), composed of representatives of the Member States and chaired by the Commission.

2.   Where reference is made to this paragraph, the management procedure laid down in Articles 4 of Council Decision 1999/468/EC as last amended by Council Decision No 2006/512/EC of 17 July 2006 shall apply, in compliance with Article 7(3) and Article 8 thereof.

3.   The period laid down in Article 4(3) of Decision 1999/468/EC shall be three months.

4.   The CIO Committee shall adopt its rules of procedure.

Article 13
Monitoring and Evaluation

1. The Commission shall regularly monitor the implementation of the ISA programme. It shall explore synergies with complementary Community programmes.

   The Commission shall annually report to the CIO committee on the implementation of the ISA programme.

2. Solutions shall be subject to a review every two years.

3. The ISA programme shall be subject to an interim and a final evaluation, the results of which shall be communicated to the European Parliament and the Council by 31 December 2012 and 31 December 2015 respectively.

   The evaluations shall examine issues such as relevance, effectiveness, efficiency, utility, sustainability, coherence of the ISA actions and assess performance against the objective of the ISA programme and the rolling work programme. The final evaluation shall, in addition, examine the extent to which the ISA programme has achieved its objective.

   The evaluations shall also examine the benefits yielded by the actions to the Community for the advancement of common policies, identify areas for potential improvement and verify synergies with other Community initiatives in the area of cross-border, cross-sector interoperability.

Article 14
International cooperation

1. The ISA programme shall be opened, within the framework of their respective agreements with the Community, to participation by the countries of the European Economic Area and the candidate countries.

2. Cooperation with other third countries and international organisations or bodies shall be encouraged, notably within the framework of the Euro-Mediterranean Partnership and with neighbouring countries, in particular the Western Balkan countries. Related costs shall not be covered by the ISA programme.

Article 15
Non-Community initiatives

Without prejudice to other Community policies, solutions established or operated by the ISA programme may be used by non-Community initiatives, as long as no extra costs occur for the Community budget and the main Community objective of the solution is not compromised.

Article 16
Financial provisions

1.   The financial envelope for the implementation of the Community action under this Decision for the period from 1 January 2010 to 31 December 2015 is set at EUR 164.1 million, of which EUR 103.5 million is for the period from 1 January 2010 until 31 December 2013.

        For the period following 31 December 2013, the amount shall be deemed to be confirmed if it is consistent for this phase with the financial framework in force for the period commencing in 2014.

2.   The annual appropriations shall be authorised by the budgetary authority within the limit of the financial framework.

Article 17
Entry into force

This Decision shall enter into force on the twentieth day following its publication in the Official Journal of the European Union.

It shall apply from 1 January 2010 until 31 December 2015.

Done at Strasbourg, ….

For the European Parliament   *For the Council*
The President   *The President*

LEGISLATIVE FINANCIAL STATEMENT

1. **NAME OF THE PROPOSAL:**

Proposal for a Decision of the European Parliament and of the Council on interoperability solutions for European public administrations (ISA).

2. **ABM / ABB FRAMEWORK**

Policy Area(s) concerned and associated Activity/Activities:

Information and Communication Technologies – Operational programme under title 26 "Commission's administration"

Activity: 26 03 Interoperable Delivery of pan-European eGovernment services to public administrations, businesses and citizens

3. **BUDGET LINES**

3.1. **Budget lines (operational lines and related technical and administrative assistance lines (ex- B..A lines)) including headings:**

26 03 01 01 Interoperability Solutions for European Public Administrations (ISA)[12]

26 01 04 01 Interoperability Solutions for European Public Administrations (ISA) — Expenditure on administrative management

3.2. **Duration of the action and of the financial impact:**

Period of application: 1st January 2010 – 31st December 2015

Payments from the Community budget may be made beyond 31st December 2015 on amounts committed during the period of application.

3.3. **Budgetary characteristics:**

Budget line	Type of expenditure		New	EFTA contribution	Contributions from applicant countries	Heading in financial perspective
26030101	Non-comp	Diff[13]	YES	YES	YES	1A
26010401	Non-	Non-	NO	YES	YES	1A

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[12] This new budgetary item will replace the present budget line 26 03 01 01 "Pan-European eGovernment Services to Public Administrations, Enterprises and Citizens (IDABC)". Completion of IDABC actions will be covered by item 26 03 01 02 "Completion …"

[13] Differentiated appropriations

	comp	diff[14]				

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[14]   Non-differentiated appropriations hereafter referred to as NDA

4. SUMMARY OF RESOURCES

4.1. Financial Resources

4.1.1.   Summary of commitment appropriations (CA) and payment appropriations (PA)

EUR million (to 3 decimal places)

Expenditure type	Section no.		2010	2011	2012	2013	2014	2015 and later	Total
Operational expenditure[15]									
Commitment Appropriations (CA)	8.1.	a	23.00	25.20	26.00	26.10	28.50	30.50	159.3
Payment Appropriations (PA)		b	5.75	23.55	25.40	26.00	26.73	51.87	159.3
Administrative expenditure within reference amount[16]									
Technical & administrative assistance (NDA)	8.2.4.	c	0.8	0.8	0.8	0.8	0.8	0.8	4.8
TOTAL REFERENCE AMOUNT									
Commitment Appropriations		a+c	**23.80**	**26.00**	**26.80**	**26.90**	**29.30**	**31.30**	**164.1**
Payment Appropriations		b+c	**6.55**	**24.35**	**26.20**	**26.80**	**27.53**	**52.67**	**164.1**
Administrative expenditure <u>not</u> included in reference amount[17]									
Human resources and associated expenditure (NDA)	8.2.5.	d	2.141	2.191	2.191	2.191	2.191	2.191	13.097
Administrative costs, other than human resources and associated costs, not included in reference amount (NDA)	8.2.6.	e	0.046	0.049	0.049	0.049	0.049	0.049	0.291
Total indicative financial cost of intervention									
TOTAL CA including cost of Human Resources		a+c +d +e	25.986	28.240	29.040	29.140	31.540	33.540	177.488
TOTAL PA including cost of Human Resources		b+c +d +e	8.736	26.590	28.440	29.040	29.765	54.915	177.488

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[15]   Expenditure that does not fall under Chapter xx 01 of the Title xx concerned.

[16]   Expenditure within article xx 01 04 of Title xx.

[17]   Expenditure within chapter xx 01 other than articles xx 01 04 or xx 01 05.

The growth of the budget over the years reflects the operational costs for an expanding portfolio of common services and generic tools, put at the disposal of Commission services and Member States for the implementation of interoperable cross-border information systems.

Co-financing details

Not applicable.

4.1.2. *Compatibility with Financial Programming*

☒ Proposal is compatible with existing financial programming. For the period following 31 December 2013, the amount shall be deemed to be confirmed if it is consistent for this phase with the financial framework in force for the period commencing in 2014.

☐ Proposal will entail reprogramming of the relevant heading in the financial perspective.

☐ Proposal may require application of the provisions of the Interinstitutional Agreement[18] (i.e. flexibility instrument or revision of the financial perspective).

4.1.3. *Financial impact on Revenue*

☒ Proposal has no financial implications on revenue

4.2. **Human Resources FTE (including officials, temporary and external staff) – see detail under point 8.2.1.**

Annual requirements	2010	2011	2012	2013	2014	2015
Total number of human resources	20	21	21	21	21	21

5. **CHARACTERISTICS AND OBJECTIVES**

5.1. **Need to be met in the short or long term**

The ISA programme will have to meet the needs for common frameworks, awareness of ICT implications Community legislation, common services, and reusable generic tools.

These needs have been identified through exchanges of views with sectors and Member State representatives, the ex ante evaluation as well as the formal consultation as specified in the explanatory memorandum.

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[18] See points 19 and 24 of the Interinstitutional agreement.

The main beneficiaries of activities launched under the programme are European public administrations. Businesses and citizens will mainly benefit indirectly.

5.2.   Value-added of Community involvement and coherence of the proposal with other financial instruments and possible synergy

All the activity areas covered by the ISA programme fall under shared responsibility of Member States and Community. Therefore the ISA programme will only intervene where a demonstrable European added value is present, as specified in the explanatory memorandum. The management committee of the ISA programme will ensure coherence and complementarity with activities at Member States level. At Community level, inter-service coordination will ensure alignment of activities in sectors as well as with the ICT Policy Support Programme of the Competitiveness and Innovation framework Programme (CIP) with a view to maximising coherence and synergies. The close cooperation and coordination with Member States and sectors will help the programme constantly to assess actual needs, the proportionality of activities and the respect of subsidiarity.

As specified in the explanatory memorandum, the ISA programme will add primarily financial and economic value to the Community intervention and contribute to the reinforcement and implementation of Community policies and legislation, achieving considerable synergies through coordination across sectors and borders.

As likewise specified in the explanatory memorandum, the coherence with and complementarity to the ICT Policy Support Programme of the Competitiveness and Innovation framework Programme (CIP) is ensured and expected to lead to synergies.

5.3.   Objectives, expected results and related indicators of the proposal in the context of the ABM framework

The overall objective of the ISA programme is to facilitate the efficient and effective electronic cross-border and cross-sector interaction between European public administrations enabling the delivery of electronic public services supporting the implementation of Community policies and activities. As such its objective links in basically with all Community policies and contributes to their implementation. More specifically it supports the single market by contributing to preventing the emergence of e-barriers, while at the same time supporting the principles and needs underlying the Lisbon Strategy.

Please refer to the summary of the ex ante evaluation for details on expected results and indicators.

5.4.   Method of Implementation (indicative)

☒   *Centralised Management*

   ☒   directly by the Commission

   ☐   indirectly by delegation to:

      ☐   executive Agencies

□ bodies set up by the Communities as referred to in art. 185 of the Financial Regulation

□ national public-sector bodies/bodies with public-service mission

□ ***Shared or decentralised management***

□ with Member states

□ with Third countries

□ ***Joint management with international organisations (please specify)***

Relevant comments:

6. MONITORING AND EVALUATION

6.1. Monitoring system

Regular monitoring of the implementation of the programme is foreseen, in accordance with the principle of sound financial management and the Commission's administrative procedures. Monitoring includes an annual reporting to the management committee on progress made in implementing the supported activities.

For monitoring individual projects, detailed project charters and the execution reports are required, against which achievements will be measured. Funds are released on the basis of the reaching of these milestones.

Furthermore, solutions will be subject to a review every second year.

By means of the programme indicators specified in the summary of the ex ante evaluation, the programme achievements will, at regular intervals, be measured against the objectives and results.

6.2 Evaluation

6.2.1. *Ex ante evaluation*

The ex ante evaluation was used to formally verify that the intervention is based on a coherent strategy which is in line with the needs, problems and issues that it is supposed to address. It also helped to ensure that it is complementary to and coherent with other interventions and that the necessary monitoring and evaluation systems are designed into the implementation of the programme in order to facilitate the interim and final evaluations. It explains why the Commission opted for a programme of the nature defined in the proposal and presents the expected added value and impacts. Finally the ex ante evaluation estimates the required financial and human resources and provides a basic log frame comprising, inter alia, results and indicators.

The results of the ex ante evaluation have been fully integrated in the proposal in line also with the results of the consultation.

The full report is available on http://ec.europa.eu/idabc/en/document/7706 and a summary is annexed to the financial statement.

6.2.2. *Measures taken following an intermediate/ex-post evaluation (lessons learned from similar experiences in the past)*

The Communication from the Commission to the European Parliament and the Council on the evaluation of the implementation of the IDABC programme[19] concludes that the interim evaluation draws largely positive conclusions while highlighting a few shortcomings that it recommends for consideration in the

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[19]   COM(2006)   610   final,   http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0611:FIN:EN:HTML

implementation of the IDABC programme. All the recommendations that could be relevant for in the ISA programme are catered for.

The full report on the IDABC interim evaluation is available on http://ec.europa.eu/idabc/en/document/5707/3.

6.2.3. *Terms and frequency of future evaluation*

The ISA programme will be subject to an interim and a final evaluation, the results of which will be communicated to the European Parliament and the Council by 31 December 2012 and 31 December 2015 respectively.

The interim and the final evaluation as well as the necessary budgetary allocations will be included in the ISA work programme.

7. **ANTI-FRAUD MEASURES**

A large number of financial and administrative control mechanisms are provided for. The programme will be implemented through public procurement in accordance with the rules and procedures defined in the Financial Regulation. They apply throughout the process and include:

- Establishment of the work programme, subject to the opinion of the management committee, with milestones for the release of funding ensuring controllability of achievements and costs;

- Appropriate drafting of tender specifications ensuring controllability of the achievements of the required results and of the costs incurred;

- Qualitative and financial analysis of the tenders;

- Involvement of other Commission departments throughout the process;

- Verification of results and examination of invoices before payment, at several levels;

- Internal audit.

8. DETAILS OF RESOURCES

8.1. Objectives of the proposal in terms of their financial cost[20]

Commitment appropriations in EUR million (to 3 decimal places)

(Headings of Objectives, actions and outputs should be provided)	Type of output	Av. cost	2010		2011		2012		2013		2014		2015r		TOTAL	
			No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost	No. outputs	Total cost
OPERATIONAL OBJECTIVE [21]	The overall objective of the ISA programme is to facilitate the efficient and effective electronic cross-border and cross-sector interaction between European public administrations enabling the delivery of electronic public services supporting the implementation of Community policies and activities.															
Action 1.	Establishments and improvement of common frameworks															
Cost				2.0		2.0		2.0		2.0		2.0		2.0		12.0
Action 2.	Assessment of ICT implications of EC legislation															
Cost				2.0		2.0		2.0		2.0		2.0		2.0		12.0
Action 3.	Establishment , industrialisation, operation and improvement of common services[22]															
Cost				12.0		13.2		14.5		15.1		17.5		19.5		91.8
Action 4.	Establishment and improvement of re-usable generic tools															
Cost				3.0		4.0		3.5		3.0		3.0		3.0		19.5
Action 5.	Implementation of accompanying measures															

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[20] Compared with the "low" and "high" options in the ex ante evaluation, this breakdown takes the "high" option for those activities that are considered most useful by the Member States and the "low" options for the other activities (that are still considered useful by the Member States).

[21] As described under Section 5.3

[22] The increase in budget from 2014 onwards is the result of the start of operations of new services that will have been developed during the first years of the programme.

Cost				4.0		4.0		4.0		4.0		4.0		4.0		24.0
TOTAL COST				23.0		25.2		26.0		26.1		28.5		30.5		159.3

8.2. Administrative Expenditure

8.2.1. *Number and type of human resources*

Types of post		Staff to be assigned to management of the action using existing and/or additional resources (**number of posts/FTEs**)					
		2010	2011	2012	2013	2014	2015
Officials or temporary staff[23] (XX 01 01)	A*/AD	10	10	10	10	10	10
	B*, C*/AST	7	7	7	7	7	7
Staff financed[24] by art. XX 01 02		3	4	4	4	4	4
Other staff[25] financed by art. XX 01 04/05							
TOTAL		20	21	21	21	21	21

The need for human and administrative resources shall be covered within the allocation granted to the managing DG in the framework of the annual allocation procedure.

The allocation of posts in the period 2014-2015 should take into account a possible reallocation of posts between services on the basis of the next financial framework.

8.2.2. *Description of tasks deriving from the action*

- The AD posts cover the actual management of the programme: elaboration of the work programme, management of the budget, management of the public calls for tenders associated with the execution of the programme, management of the contract associated with the execution of the programme, follow-up of projects and studies, contacts with Commission services and Member State experts, organisation of expert meetings, workshops and conferences. Also included is the head of unit, the legal advisor to the programme and the secretariat of the management committee.

- The AST posts provide support in the following areas:

  - Secretarial tasks, organisation of missions (2 persons)

  - Budget management, calls for tenders, contracts and payments of invoices (2 persons)

  - Information dissemination and communication (2 persons)

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[23] Cost of which is NOT covered by the reference amount
[24] Cost of which is NOT covered by the reference amount
[25] Cost of which is included within the reference amount

- Logistics: organisation of meetings and workshops, invitations of experts, reimbursement of experts, document management (1 person)

- The END posts support the actual management of the programme, complementing the AD posts mainly in areas related to coordination with the Member States, the follow-up of projects and studies and the organisation of expert meetings, workshops and conferences.

8.2.3. *Sources of human resources (statutory)*

☒ Posts currently allocated to the management of the programme to be replaced or extended (20 including three ENDs that have at present contracts ending end 2009)

☐ Posts pre-allocated within the APS/PDB exercise for year n

☐ Posts to be requested in the next APS/PDB procedure

☒ Posts to be redeployed using existing resources within the managing service (internal redeployment)

☐ Posts required for year n although not foreseen in the APS/PDB exercise of the year in question

Remark: Due to synergies between the IDABC/ISA unit and the services/development units in the DG for Informatics, it is estimated that 4 to 6 posts foreseen in the ex ante evaluation for the establishment/operation of services and the establishments of tools will not be needed.

8.2.4. *Other Administrative expenditure included in reference amount (XX 01 04/05 – Expenditure on administrative management)*

EUR million (to 3 decimal places)

Budget line (number and heading)	2010	2011	2012	2013	2014	2015	TOTAL
1 Technical and administrative assistance (including related staff costs)							
Executive agencies[26]							
Other technical and administrative assistance							
- *intra muros (service contracts)*[27]	0.4	0.4	0.4	0.4	0.4	0.4	2.4
- *extra muros*							
2 Expert groups meetings, information and communication	0.4	0.4	0.4	0.4	0.4	0.4	2.4
Total Technical and administrative assistance	0.8	0.8	0.8	0.8	0.8	0.8	4.8

8.2.5. *Financial cost of human resources and associated costs <u>not</u> included in the reference amount*

EUR million (to 3 decimal places)

Type of human resources	2010	2011	2012	2013	2014	2015
Officials and temporary staff (XX 01 01)	1.989	1.989	1.989	1.989	1.989	1.989
Staff financed by Art XX 01 02 (auxiliary, END, contract staff, etc.) (specify budget line)	0.152	0.202	0.202	0.202	0.202	0.202
Total cost of Human Resources and associated costs (NOT in reference amount)	**2.141**	**2.191**	**2.191**	**2.191**	**2.191**	**2.191**

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[26] Reference should be made to the specific legislative financial statement for the Executive Agency(ies) concerned.

[27] Intra muros technical assistance (with very specific technical skills), assisting the Commission staff with the verification of the quality of services provided by contractors and/or to assist the Commission staff during the elaboration of technically complex documents.

	Calculation– **Officials and Temporary agents**

Calculation– **Officials and Temporary agents**

Number of posts as in point 8.2.1, times 117000 euro per post

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Calculation– **Staff financed under art. XX 01 02**

Number of posts as in point 8.2.1, times 50578 euro per END

8.2.6. Other administrative expenditure not included in reference amount

EUR million (to 3 decimal places)

	2010	2011	2012	2013	2014	2015	TOTAL
XX 01 02 11 01 – Missions	0.046	0.049	0.049	0.049	0.049	0.049	0.291
XX 01 02 11 02 – Meetings & Conferences							
XX 01 02 11 03 – Committees[28]							
XX 01 02 11 04 – Studies & consultations							
XX 01 02 11 05 - Information systems							
2 Total Other Management Expenditure (XX 01 02 11)	0.046	0.049	0.049	0.049	0.049	0.049	0.291
3 Other expenditure of an administrative nature (specify including reference to budget line)							
Total Administrative expenditure, other than human resources and associated costs (NOT included in reference amount)	0.046	0.049	0.049	0.049	0.049	0.049	0.291

Calculation - **Other administrative expenditure <u>not</u> included in reference amount**

700 euro per mission, 5 missions per year for AD/END staff (visits to member states, dissemination of results in workshops and conferences)

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[28]   2 Committee meetings per year (2*15000 euro) are included in 8.2.4.1.

<u>**Summary of the ex ante evaluation**</u>

(Full report available at http://ec.europa.eu/idabc/en/document/7706)

1. METHODOLOGY

The ex ante evaluation is a process that supports the preparation of proposals for new or renewed Community intervention. It aims at gathering information and carrying out analyses that help to define objectives, to ensure that these objectives can be met, that the instruments used are cost-effective and that reliable later evaluation will be possible.

The ex ante evaluation addresses the requirements of Article 27 of the Financial Regulation[29] as specified in Article 21 of the Commission Regulation on the implementation of the Financial Regulation[30].

The ex ante evaluation, which was carried out by external consultants, was based on desk research, interviews and two mini-surveys of Member States and IDABC staff as well as workshops/working sessions.

2. PROBLEMS ANALYSIS AND NEEDS ASSESSMENT

The pan European dimension of eGovernment and the concept of interoperability

Member States are increasingly making use of ICT in the provision of public services, aiming at increasing effectiveness and efficiency. Although the consumption of such eGovernment services at Member States level is increasing, the consumption at pan-European level remains low. However, when Member States need to interact across borders in support of such services or in support of the implementation of EU legislation, interoperability is a pre-condition.

General policy principles underlying a new public intervention

European strategies and policies have already identified and embedded the need for more interoperability and more efficient and effective delivery of public services. A new community action should be based upon the principles underlying such current policies and strategies (e.g. the enhancement of the Single Market and the Lisbon strategy).

Factors hampering cross-border and cross-sector interoperability in eGovernment

The pan-European dimension of e-government is hampered by various factors, some relating to institutional, cultural, legal and political differences between Member States, others to the lack of pan-European approach to common issues.

Identification of target groups and key actors

A follow-on action should focus on the primary beneficiaries, i.e. European administrations, that by means of interoperability will increase their efficiency and effectiveness through

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[29]   OJ L 248, 16.9.2002, p.1 as amended
[30]   OJ L 357, 21.12.2002, p. 1 as amended

improved interactions with other administrations, i.e. other Member States and EC sectors, on pan-European issues. Businesses and citizens will benefit indirectly.

Needs assessment for a community action

Some of the needs have already been addressed by past and current EC programmes, including the IDA and IDABC programmes, leading to the provision of common guidelines and frameworks as well as tools, services and infrastructures. Further action should build on these efforts. The need for renewed community actions has two sides:

- The continuity and sustainability of solutions developed, and

- The provision of responses to evolving or new needs expressed by Member States and/or sectors.

Actual needs are for:

- ensuring the coordination function

- raising awareness

- enhancing the dialog with industry stakeholders

- consolidating and re-using existing tools, services and infrastructures

- identifying ICT implications of EC legislation

- securing data and information exchange and securing systems

- establishing common frameworks, guidelines and specifications.

3.   ADDED VALUE OF THE COMMUNITY INVOLVEMENT

Although the legal competence in the field of the national delivery of public services to citizens and to business lies with the Member States, the responses to a survey sent to the members of the IDABC management committee has shown agreement on the added value of Community intervention.

Applying counterfactual arguments in assessing the need for Community action, the evaluation inter alia concluded that:

- Pan-European organisational interoperability would be difficult to achieve without European Community intervention.

- The technical infrastructure services established by past and current programmes would cease to exist without Community intervention, in which case Member States and sectors would need to find individual solutions.

- Common solutions that can be shared by the administrations in different Member States would not be developed without Community intervention.

- The coordination function at the European level would be difficult and costly to set up at the level of the Member States by Member States themselves.

4. OBJECTIVE OF THE COMMUNITY AND EXPECTED RESULTS

Using the objectives already identified by the Commission and the Member States (MSs) through initial discussions, six objectives for Community action are elaborated, one being strategic and five being operational:

- Develop a European Interoperability Policy;

- Enhance consideration of ICT dimensions within EU legislation;

- Foster the use of common frameworks;

- Increase the use of common services;

- Increase the use of reusable generic tools;

- Provide accompanying measures to support the overall action.

For each of these general objectives, specific objectives, expected results and related indicates have been developed in the ex ante evaluation. The outcome of this exercise can be presented as follows in a streamlined manner:

Objectives (activities)	Expected results	Indicators[31]
Establishment and improvement of common frameworks	Coherent set of frameworks creating a context in which Member States (MSs) and sectors can discuss cross-border and cross-sector interoperability Smoother implementation of PEGSs	Number of common specifications, guidelines, methodologies, strategies etc. Surveys (MSs & sectors): – Completeness – Relevance – Usage National and international referencing
Assessment of ICT implication of EC legislation	Smoother implementation of EC legislation through consideration of the ICT dimensions in design phase Identification of needs for services and tools supporting timely implementation of legislation Understanding of ICT dimensions of EU policies Smoother implementation of PEGSs	Number of relevant legislative acts identified Number of successful contacts between sectors and programme Number of new required solutions identified Number of solutions implemented Surveys (MSs & sectors): – Awareness – Completeness – Relevance – Usage – Timeliness
Establishment, improvement and operation of common services	Availability of a set of common services meeting needs of sectors and MSs Professional delivery of a coherent services portfolio Smoother implementation of PEGSs	Benchmark of the quality of common services Number of known users of common services Surveys (MSs and sectors): – Completeness – Relevance

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[31] The indicators for certain activities, e.g. coordination and cooperation activities are, by necessity, rather "soft". This is due to the fact that their direct impacts or outcomes are difficult to measure because (a) they are often influential in nature, rather than direct actions, (b) they are therefore difficult to isolate from contextual factors, and it is thus difficult to establish direct causal relationships, (c) the impact on final beneficiaries usually depends on subsequent implementation of solutions by Member States and sectors.

		– Usage
		– Adequacy
		Project specific indicators (to be determined)

Establishment and improvement of reusable generic tools	Availability of a set of tools meeting needs of sectors and MSs Professional delivery of a coherent tools portfolio Smoother implementation of PEGSs	Benchmark of the quality of generic tools Number of known users of generic tools Surveys (MSs and sectors): – Completeness – Relevance – Usage – Adequacy Project specific indicators (to be determined)
Implementation of accompanying measures		
Organisation of the exchange of information and sharing of best practices	Increased awareness of best practices Reuse of best practices	Number of platforms users Number and size of communities Actual reuse, sharing and collaboration (success stories) Surveys (MSs and sectors): – Usefulness of the platform for – finding information – sharing experiences – starting collaboration
Improvement of the coordination function	More synergies and less duplication of activities More harmonious and coherent approaches Common understanding among stakeholders More cross-sectoral cross-border collaborations when systems are being designed	Success stories Surveys (MSs and sectors): – Does the programme provide effective coordination and collaboration between MSs and sectors?

To increase the visibility of common services and of reusable generic tools	Increased awareness of common services by potential users (MSs and sectors) when designing PEGS Consideration of common services and tools	Number of contacts with the programme at the initiative of the DGs Number of PEGS using common services and tools
Strategic and support activities	Improvement of the programme	Evaluation reports

5. DELIVERY MECHANISMS, INSTRUMENTS FOR THE IMPLEMENTATION OF THE ACTION

In order to achieve the above-mentioned objectives, the action should make use of various types of delivery mechanisms, instruments and activities. The instruments should not differ from the IDABC instruments.

6. POLICY OPTIONS AVAILABLE AND COHERENCE OF THE ACTION

Three options were assessed in the ex ante evaluation. One option supposed that the activities would be transferred to a regulatory agency. As this option would imply too high overhead costs and could not be implemented timely enough to be operational end 2009, the option could not be recommended.

Another option would be to transfer the programme to the CIP ICT PSP, which could allow certain coherence and, possibly, synergies in activities. However, in spite of commonalities, there are important differences in objectives, focus, location in the development/production chain, the timelines and funding mechanisms. Advantages gained through this option would definitely be counterbalanced by disadvantages.

For these reasons, the ex ante evaluation concludes that the two programmes should not be merged and recommends keeping the baseline option, an independent programme.

However, strong cooperation would be needed at **operational** level to ensure awareness and coordination as well as at **strategic** level when work programmes are designed, first and foremost between the follow-on programme and the CIP ICT PSP programme, which should also cooperate when working groups are established.

7. VOLUME OF APPROPRIATIONS

Two proposals for the budget of the follow-on programme are made. The "low" option would require a budget of EUR 159 millions whereas the "high" option would require a budget of EUR 220 millions, broken down by objective:

Objectives	Million EUR *Low option*	Million EUR *High option*
1. Develop an European Interoperability Policy	3	6

2.	Enhance the consideration of ICT aspects in the EU legislation	6	12
3.	Foster the use of common frameworks	9	12
4.	Increase the use of common services	99	124
5.	Increase the use of reusable generic tools	18	30
6.	Accompanying measures	24	36
Total		**159**	**220**

The minimum staffs needed for the follow-on programme is estimated at 25 full time equivalents whereas the high option would be 32.

8.   CONCLUSION

Although preceding programmes have already greatly contributed to the extension, deepening and better functioning of the Single Market by making available IT solutions as well at to the efficient and effective cooperation between European public administrations, Community intervention would still be needed to ensure the continuity and sustainability of actions already established and for the provision of answers to evolving or new needs expressed by Member States and sectors.

The objectives should be to:

• develop a European Interoperability Policy

• enhance the consideration of ICT aspects in the EU legislation

• foster the use of common frameworks

• increase the use of common services

• increase the use of reusable generic tools.

In consideration of the activities and the delivery mechanisms needed to reach the objectives, the most appropriate policy option would correspond to the baseline option, i.e. a follow-on programme.

The budgets would be EUR 159 millions for a "low" option and EUR 220 millions for a "high" option. The staffs needed to implement the options would be 25 and 32 persons respectively.