



European Economic and Social Committee

TEN/556
Interoperability as a
means for modernising the
public sector

Brussels, 15 October 2014

OPINION

of the

European Economic and Social Committee

on the

Proposal for a Decision of the European Parliament and of the Council establishing a programme on interoperability solutions for European public administrations, businesses and citizens (ISA²): Interoperability as a means for modernising the public sector

COM(2014) 367 final – 2014/0185 (COD)

Rapporteur working alone: **Mr Etherington**

On 3 July 2014 and 17 July 2014 respectively, the European Parliament and the Council decided to consult the European Economic and Social Committee, under Articles 172 and 304 of the Treaty on the Functioning of the European Union, on the

Proposal for a Decision of the European Parliament and of the Council establishing a programme on interoperability solutions for European public administrations, businesses and citizens (ISA²): Interoperability as a means for modernising the public sector

COM(2014) 367 final – 2014/0185 (COD).

The Section for Transport, Energy, Infrastructure and the Information Society, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 1 October 2014.

At its 502nd plenary session, held on 15 and 16 October 2014 (meeting of 15 October), the European Economic and Social Committee adopted the following opinion by 151 votes with 5 abstentions.

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1. Conclusions and recommendations

1.1 Conclusions

- 1.1.1 The Committee welcomes the proposal for a new programme on interoperability solutions for European public administrations, civil society and citizens ("ISA²"). The proposal is well-argued and likely to contribute to the Digital Agenda for Europe by ensuring that public administrations can efficiently and effectively share data based upon common standards and tools.
- 1.1.2 Although public administrations are the focus of ISA², the EESC believes that there is potential benefit to civil society, and the Committee hopes that this benefit can be fully realised.
- 1.1.3 There are however two main concerns that, if addressed, might strengthen ISA².
- 1.1.4 Firstly, citizens are increasingly aware of, and concerned by, public administrations' collection and usage of personal data or data collected more broadly. They are also aware that greater interoperability has implications for how data can be shared and used. The proposal makes no mention of such risks and concerns, either to citizens or the successful delivery of ISA². The EESC would also draw attention to one of its earlier opinions in relation to data protection, and the view of the European Data Protection Supervisor, and highlight the need

to strengthen safeguards for citizens¹ (See letter from the European Data Protection Supervisor on the proposed General Data Protection Regulation: https://secure.edps.europa.eu/EDPSWEB/webdav/site/mySite/shared/Documents/Consultatio/Comments/2014/14-02-14_letter_Council_reform_package_EN.pdf).

1.1.5 Secondly, ISA² may have the potential to distort the current market for interoperability solutions, particularly via the operation of ‘incubator’ activities.

1.2 Recommendations

1.2.1 The EESC welcomes the ISA² programme on interoperability and supports this proposal.

1.2.2 The Committee recommends that the programme builds on the existing ISA programme and other programmes in order to help deliver the Digital Agenda for Europe.

1.2.3 The EESC would like to be kept informed of the progress made by ISA².

1.2.4 Public trust and confidence in public administrations and their ability to manage personal data and respect privacy is a cause for concern. The proposal does not mention public trust and confidence as a risk, nor does it note any other risks or disbenefits to interoperability. It should also take into account any concerns that the European Data Protection Supervisor may have regarding the processing of personal data in more than one Member State. These should be addressed more clearly in the activities of the programme.

1.2.5 A robust Citizens’ Summary should be developed in order to address concerns about value for money and to justify the social benefits claimed by the programme.

1.2.6 More practical use cases should be employed to demonstrate the practical need, from a citizen perspective, of interoperability between national public administrations.

1.2.7 The Committee recommends that particular effort is made to communicate the work undertaken in ISA² to civil society, as organisations may benefit from work on interoperability, or help to deliver the programme.

1.2.8 The operation of the "incubator" and "solution bridge" activities has the potential to be market distorting. Therefore:

- The Commission may need to satisfy itself that these activities will not distort the market and have the effect of reducing commercial supply of interoperability ICT solutions.

¹ [OJ C 229, 31.7.2012, p. 90-97.](#)

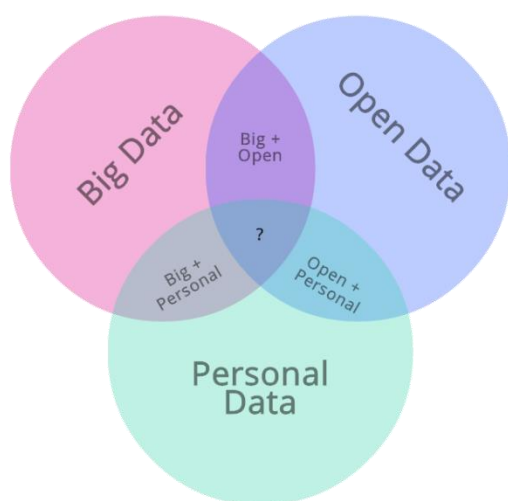
- The selection of new solutions, and the choice of solutions for longer-term support until sustainability, should be rigorously tested and evaluated in a process that stakeholders can be confident in.
 - If market distortion is a valid concern, then the incubator should instead focus on developing or adopting standards and utility libraries rather than providing "turn-key" solutions.
- 1.2.9 The restriction to non-commercial purposes may limit the impact of ISA²: if civil society cannot build upon the work of ISA² for commercial purposes they are less likely to engage with the programme.
- 1.2.10 For multilingualism reasons, every IT solution must be compatible to the Universal Character Set (Unicode, ISO/IEC 10646) (UCS), as demanded by the final report of the High Level Group on Multilingualism (2007). If there is a current or potential future legal requirement for European level interoperability, a subset of the UCS shall be specified for manageability.

2. Introduction

- 2.1 It has been widely argued that data has the potential to transform citizen services and the organisations that deliver them in the public and private sectors and across civil society. Data has the potential to drive research and development, and increase productivity and innovation. Not for nothing has the phrase "Data is the new natural resource" gained widespread currency. For example, see the article <http://www.forbes.com/sites/ibm/2014/06/30/why-big-data-is-the-new-natural-resource>.
- 2.2 Data is increasingly generated and collected from all aspects of our lives: from administrative processes such as electronic taxation forms, to passive collection of health data from a smart watch. So-called "big data", such as data from the users of public transport systems, has the ability to revolutionise the way we design and plan public services. Indeed, policy initiatives or public services increasingly depend upon digital capability. A current example in the UK is vehicle taxation: the replacement of the paper car tax disc depends upon the interoperability (for a definition of interoperability, see <http://www.ariadne.ac.uk/issue24/interoperability>) of insurance, ownership and "MOT" (safety check) databases. This has made application for car tax easier for citizens, whilst it is reported to increase compliance with the system. In short, we live in a digital society where it is possible to substantially improve our ability to provide digitally enabled, joined-up services. The EU has a range of programmes and a wider "Digital Agenda for Europe" that support the realisation of a digital economy and society (See <http://ec.europa.eu/digital-agenda>).
- 2.3 We can realise the benefits of a digital society, and more specifically digital government, by making data more readily accessible or, in some cases, easier to reuse because copyright holders have allowed its reuse without restrictions (open data; a definition can be found at

<http://theodi.org/guides/what-open-data>). Where data is available, we can set standards for *interoperability*: that is, make it easier for data to be exchanged and reused. This may be as simple as making data "machine readable" (instead of locked in proprietary formats such as PDF), or identifying common formats for the submission and collection of data (such as iXBRL for company accounts; see <http://en.wikipedia.org/wiki/ XBRL>). It is also worth noting for the purposes of this paper that much of the data collected by public administrations is personal, and private, in nature (see diagram). This is important, because the issue of personal data has implications for public understanding of interoperability and its application.

Figure 1: Big Data, Open Data, and Personal Data



- 2.4 The Commission argues that interoperability between nation states is a particular "e-barrier" to citizens' more effective use of public services such as health care, which now widely depend upon data and ICT capability. Lack of interoperability is also argued to be a barrier to EU-wide policy implementation. Conversely, policy initiatives such as the single market rely upon the interoperability of national business registers. In short, interoperability is critical to a modern, integrated Europe.
3. **Proposed ISA² programme on interoperability solutions for European public administrations, businesses and citizens**
- 3.1 The Commission has implemented programme to develop interoperability since 1995. This has included the development of an interoperability strategy and a framework (See http://ec.europa.eu/isa/documents/isa_iop_communication_en.pdf for an excellent overview). The Commission argues that supporting interoperability has been successful: it has enabled "efficient and effective electronic cross-border and cross-sectoral interaction between [...] administrations, [...] enabling the delivery of electronic public services supporting the implementation of EU policies and activities" (Cited in Decision Of The European Parliament And Of The Council: establishing a programme on interoperability solutions for European public administrations, businesses and citizens (ISA²) (p.3)).

- 3.2 The current programme, Interoperability Solutions for European public administrations (ISA), ends on 31 December 2015. There remains however much to do: "digital by default" is, in some areas, still in its infancy. And should the need for interoperability not be planned in and supported at the point where new legislation is proposed, it is likely that public administrations will not achieve the benefits of interoperability.
- 3.3 A new ISA² programme (http://ec.europa.eu/isa/isa2/index_en.htm.) is proposed to:
- map the interoperability landscape;
 - champion and support interoperability solutions;
 - support and champion the ICT implications of new legislation to encourage interoperability;
 - encourage the exchange and reuse of data across sectors and borders, particularly where it supports interaction between European public administrations and between these bodies, citizens and civil society.
- 3.4 The new ISA² programme has been widely consulted upon. Consultees responded that public administrations should remain the focal point of ISA. The most widely received response was that ISA should help to reduce duplication of effort and that ISA should focus on coordinating with other EU programmes.
- 3.5 The proposed programme has been designed in view of the evaluations of predecessor programmes. In particular, the proposed ISA will focus on providing interoperability solutions, and then provide these solutions to public administrations.
- 3.6 The proposed expenditure on the ISA² programme is EUR 131 million over the period 2014-2020.
- 3.7 It has been argued that should the ISA² not go ahead, a reduction in support for interoperability will lead to fragmentation of standards and systems, and wasteful duplication of effort in developing new solutions or systems. This will likely lead to reductions in efficiency as public administrations find it more difficult to transact with each other.

4. **General comments**

- 4.1 The continued encouragement for, and investment in, interoperability is both necessary and welcome. In order for the EU to pursue the Digital Agenda for Europe, ISA² will be needed. It will be necessary to ensure that stakeholders understand the links between the different programmes in order to avoid confusion (For example, please see the following link: http://ec.europa.eu/isa/documents/isa_the_difference_between_the_digital_agenda_isa_ego_v_action_plan_eis_eif_en.pdf which explains how ISA relates to the Digital Agenda for Europe.

- 4.2 If the experience of the UK is anything to go by, there is evidence that public administrators still need support and assistance in order to access and reuse data (see <http://theodi.org/blog/guest-blog-how-make-open-data-more-open-close-gaps>). This includes a need for technical skills. ISA² can help provide this.
- 4.3 As more and more public services become "digital by default" it is important to maximise the efficiency of public spending on ICT solutions. This should be facilitated by ensuring that their provision is planned in at a sufficiently early stage and, where possible, sharing and reusing solutions in order to maximise the value of public spending. ISA² makes a welcome contribution to this goal.
- 4.4 Although the focus of the proposed programme is public administrations, it is worth noting that civil society organisations are also likely to benefit from interoperability activities. In the case of civil society, there is increasing focus on co-production; and some of the most innovative developments in civil society are where co-production and technology solutions are being applied to areas of public service such as health or social care. The European Interoperability Reference Architecture will likely benefit this emerging landscape.
- 4.5 Public trust and confidence in public administrations and their ability to manage personal data and respect privacy is a cause for concern. The proposal does not mention public trust and confidence as a risk, nor does it note any other risks or disbenefits to interoperability.

5. **Specific comments on the proposed programme**

- 5.1 The Committee welcomes that the design of ISA² has taken into account the views of stakeholders and learning from previous programmes. It is further welcome that the programme builds upon existing work and does not seek to start from a completely new direction.
- 5.2 The emphasis on both championing interoperability and providing more practical advice and support is welcome. Given the long history of large-scale ICT problems in UK public administration, the focus on early stage planning for the impact on ICT of legislative change is particularly welcome.
- 5.3 The proposal would be strengthened if more practical use cases were employed to demonstrate the practical need, from a citizen perspective, of interoperability between nations. At the moment, it may appear to stakeholders that benefits only accrue to public administrators interested in cross-border harmonisation, rather than citizens using typical public services. A robust Citizens' Summary (The 2010 Citizens' Summary can be found at http://ec.europa.eu/isa/documents/isa_20101216_citizens_summary_en.pdf) should be developed in order to address concerns about value for money and to justify the social benefits claimed by the programme.

- 5.4 It has already been noted that those consulted during the development of ISA² responded that public administrations should remain the focal point of ISA. The EESC has similarly noted that civil society will benefit from interoperability. It may be the case that stakeholders in civil society were not sufficiently aware of the consultation, resulting in a focus on public administrations for ISA². It may be the case that a greater focus on communicating with civil society is required for ISA² to realise the impact of the programme expenditure.
- 5.5 The proposal proposes that ISA² should develop and build ("incubator") interoperability solutions. It further states that ISA² should be a "solution bridge" to ensure the sustainability of ICT solutions. The selection of new solutions, and the choice of solutions for longer-term support until sustainability, should be rigorously tested and evaluated in a process that stakeholders can be confident in.
- 5.6 The operation of the "incubator" and "solution bridge" activities has the potential to be market distorting. The Commission may need to satisfy itself that these activities will not distort the market and have the effect of reducing commercial supply of interoperability ICT solutions.
- 5.7 If market distortion is a valid concern, then the incubator should instead focus on developing or adopting standards and utility libraries rather than providing "turn-key" solutions. This will reduce the market distortion while still making it easy for standards to spread.
- 5.8 Article 13 states that solutions established or operated by the ISA² programme may be used by non-Union initiatives for non-commercial purposes. The restriction to non-commercial purposes may limit the impact of ISA²: if civil society organisations cannot build upon the work of ISA² for commercial purposes they are less likely to engage with the programme.
- 5.9 The public mood in relation to the digital capability of the state presents a risk to the success of interoperability proposals. As citizens have learnt more about the scope, nature and power of the "surveillance state", so they have become more concerned about the safeguards required to be in place (see <https://www.privacyinternational.org/blog/defining-the-surveillance-state>). Citizens are becoming increasingly concerned about their right to privacy and the ethical implications of connected, shared data, yet this proposal says virtually nothing about public understanding of connected data or interoperability. Similarly, the European Data Protection Supervisor has concerns regarding the processing of personal data in more than one European state, an activity that interoperability is likely to facilitate. The EESC would also draw attention to one of its earlier opinions in relation to data protection and highlight the need to strengthen safeguards for citizens in relation to their personal data², (See letter from the European Data Protection Supervisor on the proposed General Data Protection Regulation:

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[OJ C 229, 31.7.2012, p. 90-97.](https://www.privacyinternational.org/blog/defining-the-surveillance-state)

https://secure.edps.europa.eu/EDPSWEB/webdav/site/mySite/shared/Documents/Consultation/Comments/2014/14-02-14_letter_Council_reform_package_EN.pdf).

- 5.10 The proposal would be strengthened if it mentioned and addressed such concerns. Moreover, the programme design may be strengthened by more explicit mention of working with civil society organisations and academia in order to understand and address public understanding and to strengthen the ethical safeguards that are increasingly important to the reputation and public trust of public administrations.
- 5.11 The final detailed comment is of a technical nature. The Universal Character Set is crucial to multilingualism being applicable to written languages. The High Level Group on Multilingualism, set up by EU Education Commissioner Ján Figel' in autumn 2006, published on the European Day of Languages 2007 its final report (See <http://www.lt-innovate.eu/resources/document/ec-high-level-group-multilingualism-final-report-2007>). It contains the following recommendation: “... *the databases for internal document management and the interfaces of software application and hardware equipment have been built around Unicode, allowing representation of the alphabets of all languages. The Group appeals to those authorities in the Member States and webmail providers who have not yet done so to change over to Unicode in order to avoid continuing discrimination of EU citizens on the grounds of nationality or language. A subset of the UCS shall be specified for manageability: this could be a selection in the Latin script or the Latin, Greek and Cyrillic script (the UCS holds over 90.000 characters).*”
- 5.12 For multilingualism reasons, every IT solution must be compatible to the Universal Character Set (Unicode, ISO/IEC 10646), as demanded by the final report of the High Level Group on Multilingualism (2007). Therefore, if there is a current or potential future legal requirement for European level interoperability, it is recommended that a subset of the UCS shall be specified for manageability.

Brussels, 15 October 2014.

The President
of the European Economic and Social
Committee

Henri Malosse
