e-SENS white paper
D3.4 Preliminary Proposal for a governance body – Instruments
Deliverable 3.4, version 3

Abstract of the Deliverable 3.4, version 3:

The deliverable D3.4v3 presents a concrete proposal for a European IT governance model for interoperable cross-community and cross-border technical solutions in the long-term (beyond 2020). The document explains in detail the underlying principles and the organisation of a long-term governance structure, the activities which need to be carried out and the tools which might be used to ensure the long-term sustainability of the technical solutions across communities[1] and borders. Besides that the document elaborates on the transition of the CEF governance model (mid-term) to the long-term e-SENS proposal and builds on the previous e-SENS findings.

White paper:

e-SENS – Electronic Simple European Networked Services – is a Large Scale Pilot (LSP) aimed at promoting interoperability between public services in Europe based on the results of the previous LSPs: PEPPOL, SPOCS, STORK/ STORK 2.0, epSOS and e-CODEX. The technical building blocks (BBs) developed and piloted by those LSPs are consolidated, improved and extended to new domains by e-SENS. The project focuses on the high-level BBs: e-ID, e-Signature, e-Documents and e-Delivery. One objective of e-SENS is the long-term governance and maintenance of the cross-community and cross-border technical solutions, which enable cross-border services.

The purpose of the European long-term governance model proposed by e-SENS is to coordinate and to ensure coherence and sustainability of the technical solutions used in the EU to facilitate cross-border public electronic services. e-SENS proposes a governance model that supports technical

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[1] This term encompasses BB communities (like e-ID, e-Signature, e-Delivery) as well as domain communities (like e-Health, e-Justice, e-Procurement). These are communities consisting of the EC, MS, private stakeholders, standardisation organisation etc., which are involved in the development, maintenance, implementation and operation of technical solutions necessary to fulfil public electronic services. Communities are independent entities, with their own way of working, funding etc. There might be overlaps between a BB community and a domain community (e.g. in the field of e-Delivery since most of the domains use e-Delivery).

communities and domain communities in aligning their respective evolutions and creating new synergies. Technical communities surround the common BBs, such as e-ID, e-Signature, e-Delivery or e-Documents (on the bottom of the figure below). Domain communities foster the use of the BBs to deliver better integrated public e-Services in their field, such as e-Health or e-Justice (at the top of the figure below).
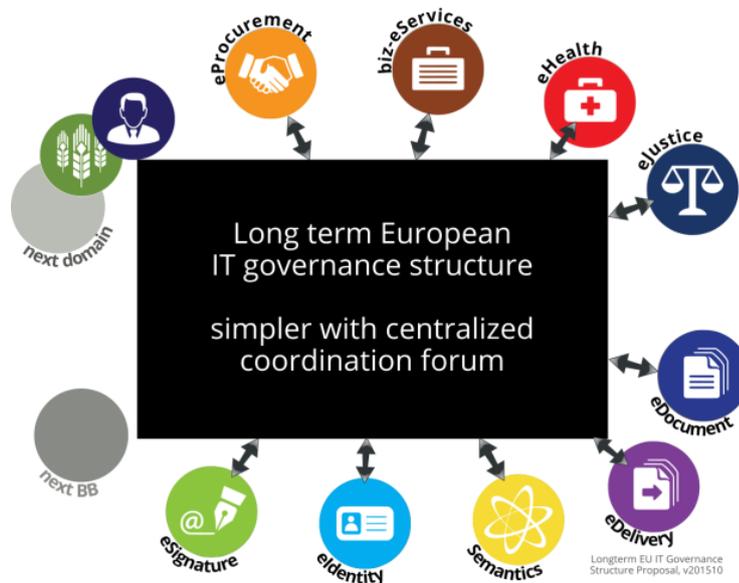
❖ **Functions**

The governance model will enable synergies across communities on policy, organisational and technical level in a flexible, self-adapting and efficient way. The long-term governance model will support the delivery of integrated and interoperable public electronic services in the EU by the communities, and will support new potential BBs and domain communities to become mature in order to join the shared governance structure. The provided cross-border and cross-community public services contribute to the establishment of the European Digital Single Market.

A long-term IT governance model is planned to:

- provide central coordination that helps communities share information and solve problems in a coherent and efficient way
- be flexible and able to adapt to changes of technical and political nature yet unknown
- fit into a variety of local legal and technical environments
- be able to support and incorporate political agendas

❖ **Communities**

The proposed governance model would be in charge of ensuring proper information and knowledge sharing in a pro-active manner amongst all interested communities to assure proper coordination. It would ensure a strong alignment of communities' decisions when they have a strong impact on

cross-domain matters. Such decisions would be taken within this forum by representatives of the interested communities and governments. The communities will remain autonomous and keep on operating in their respective fields, with full responsibility for maintaining and developing the use of common solutions they deem useful.

Regardless of the actual community legal, organisational or operational structure, it is expected that each BB and domain community is able to (and aims to) *deliver* public electronic services or cross-domain BBs, and *cooperate* with other communities in the joint governance model.

From the experiences gathered in multiple Large Scale Pilots and in the course of e-SENS, it has been of major importance that each BB and domain community:

- is able to *operate and deliver*, meaning either handling the development and support for a BB, or providing public electronic services that rely on these BBs, usually via service providers and other industry players in the field
- is able to *influence the policy making* in its field at the EU level, for instance via a strong commitment or ownership of one (or more) EC DG in the field
- has a clear and known *responsible entity*, which is efficient and pro-active and acts as a first contact point to facilitate contacts. It should have a good knowledge and vision of the stakes and works of the whole community to efficiently route information. A possible option is to set up a permanent secretariat
- *involves interested experts* in defining the evolution of the community, including interested MS, Standardisation Organisations and sometimes (public) users representatives, to ensure societal, technical and organisational (in one word: political) relevance of the community actions

❖ Key topics

From the e-SENS experience, experience of other Large Scale Pilot projects and the feedback of Member State and Associated Countries experts, a selection of key topics has been made on which coordination is more likely to bear important positive impact:

- identifying and defining new BBs or domain communities to be integrated, prioritising these integrations and helping finding funding for the needed integration and maturation efforts, in short: coordinating the efforts to expand the governance structure
- managing choices on architectural interoperability of BBs and coherent evolution thereof, in short: coordinating the architecture
- creating synergies in delivering the needed e-Services and support to (public) users, in short: governing the electronic services
- mutually supporting the marketing efforts of each community, creating synergies to share an existing users base and expand market and take up of available BBs, in short: coordinating the business development efforts

❖ Structure

The above four topics, in the proposed long term governance model, would be coordinated by strategic boards (Expansion Board, Architecture Board, Solution Servicing Board, Business Development Board). The overall tasks of the different boards will be to reach joint agreements on cross community decisions, align decisions and share knowledge and information proactively. Each board will be assigned with specific tasks and instruments in order to facilitate the maintenance and governance of the technical solutions. In the light of subsidiarity, each board shall define its own internal structure and consequently select the instruments, which would be adequate to carry out particular tasks. In order to ensure effective functioning and cooperation between the boards, board leaders (either MS representatives or EC representatives) will be appointed.

Cost effectiveness, the reduction of bureaucracy and an efficient, but consensual decision making are all key practical concerns for implementing the governance model.

To reach these goals, the long-term governance model relies on the principle of subsidiarity, as a universal and omnipresent rule. Subsidiarity is a founding principle of the EU, whereby decisions are made at the most operational level that can perform the tasks. On the other hand, the governance structure will coordinate on the key topics across communities. The communities around BBs and domains will take care of all main decisions, operating, implementing, delivering and further improving their field, as illustrated in the figure below:
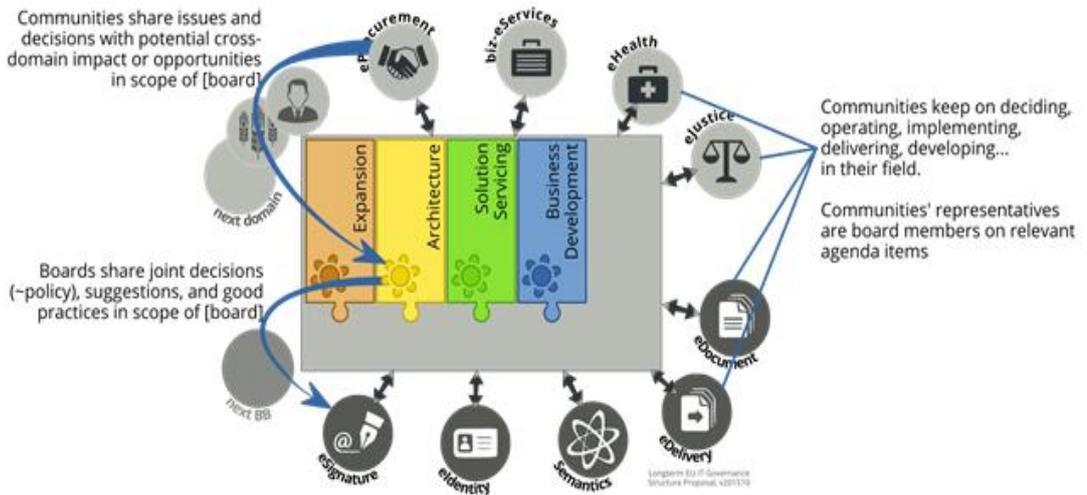
The governance model shall mainly rely on the principle of reciprocity, which is a powerful and sustainable value creation mechanism to ensure a natural balance between contribution and obtained value. Light instruments and rules can be designed to foster reciprocity and achieve a "reasonable balance" to compensate major contributors and help less active observers become active contributors. Finding acceptable terms for these "reasonable balance" mechanisms across communities and/or countries is thus identified as another key coordination topic in the long term governance model. Therefore, a dedicated Reciprocity Board is proposed to coordinate efforts to design, implement and improve reasonable balance mechanisms across BBs and domain communities, illustrated in the figure below.
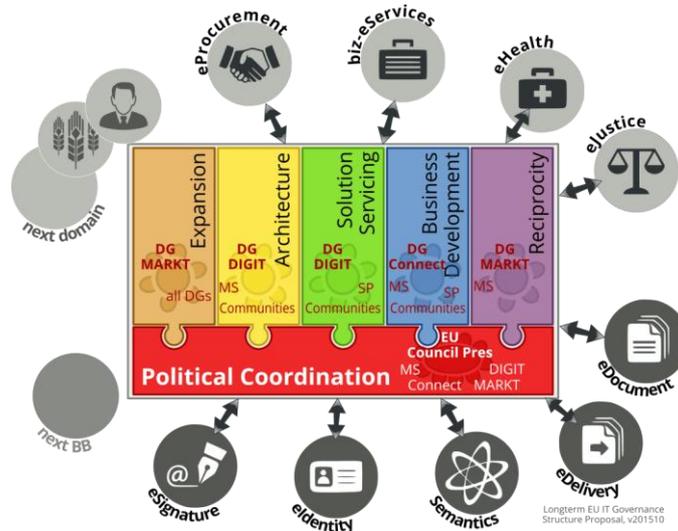
In case of divergent views between the different Strategic Boards, a Political Coordination Board may serve as cooperation, conflict solving and escalation mechanism. The Political Coordination Board provides a link to the EC and to the formal representations of the Member States. This is mainly relevant as concerning the flow of information between boards or more political aspects. The other role for the Political Coordination Board is to support boards for seamless communication. This communication can be handled by the Political Coordination Board itself or rather be handled in the groups and supervised by the Coordination Board being in charge of communicating for transparency.

❖ **Funding**

Considering that in the long-term non-monetary contributions would be needed, the funding structure proposed for the whole governed ecosystem successively evolves from the current set of projects[2] into a hybrid schema that aggregates revenues of different nature to finance its operations and development:

1. Countries (via their administrations) and enterprises contributing in nature: in expertise, BB components, training material and more.
2. Public funds used to fund important efforts, such as the integration of a new (BB or domain) community.
3. Commercial revenues generated from provisioned services (co-designed /standardised in the long-term) and the licensing of assets.

In due time the proposed basis for the funding should become non-monetary contributions from the different players within the ecosystem of the relevant communities of the BB's and domains, complemented with extra funds for integration efforts. To put this more schematically, three sources of funding are described and the development in a timeline in a figure below:
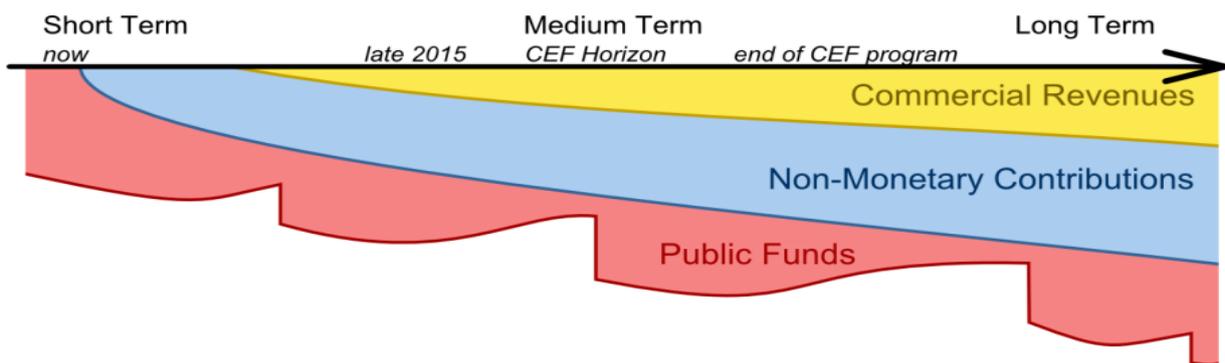
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❖ **Transition from the CEF governance model (mid-term) to the e-SENS proposal**

Since the short and medium-term preferences on a governance structure are already covered by e-SENS and the CEF, the e-SENS proposal is focusing on a long-term governance structure, meaning beyond 2020, after the expiration of the CEF. There is a strong link between e-SENS and the CEF due to the fact that the CEF Building Block DSIs have emerged from the Large Scale Pilots, which are related to e-SENS. As a logical consequence, e-SENS - inter alia - monitors and considers the developments in the framework of the CEF. The CEF has already implemented a mid-term governance structure, which shall exist until the expiration of the CEF. The deliverable elaborates on the transition of the CEF mid-term governance model to the long-term e-SENS proposal in order to achieve alignment and come up with realistic and implementable ideas. D3.4v3 analyzes the similarities and differences of the models and mentions possible risks. The analysis enables an outline of the main activities needed for the transition from the mid-term to the long-term model. In summary, the activities are:

- The focus of the mid-term model is on establishing the organisational governance structure, while the long-term model focuses on maintaining and improving it. This difference in objectives should have focus during the transition from the mid-term and long-term model.
- The different terminology (DSIs and BBs) may create confusion. Therefore a clear definition of the terms is needed.
- The set of CEF building block DSIs in the mid-term model should be taken up in the long-term model.
- The EC is leading the decision-making processes in the mid-term, with Member States/ Associated Countries and other stakeholders acting more on tactical/operational/advisory (or sometimes even also strategic) level ensuring subsidiarity as a fundamental EU value. According to the findings of the previous WP3 deliverables[3], the EC shall rather have a coordinating role (thus not operating or 'taking over' organizing) in the long-term.
- The structure, tasks and division of responsibilities is different for the mid- and long-term model. The experts responsible within the mid-term model may already consider and integrated the suggestions provided in this deliverable since this eases the transition process and the transition would be more cost-effective in the end.

A list of activities is mentioned in D3.4v3 to achieve a successful transition from the mid-term to the long-term governance structure.

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[3] In particular D3.5v2 and D3.6v2.

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❖ **Conclusion**

Across the EU, there are numerous policy initiatives that are creating cross-border and cross-domain digital tools that will help create a digital single market. Initiatives like CEF, ISA etc. and many Large Scale Pilots are all working to facilitate better electronic services across borders. However, when these initiatives come to the end, the tools and solutions being developed shall continue to work together.

The proposed governance model creates coordination between distinct and independent groups and actors. It helps solving problems and facilitates escalation if really needed, without creating undue administrative burden or bureaucratic processes for the communities themselves. Its structure enables the coordination on key technical, business and political topics, while keeping the bureaucracy and overhead to a strict minimum. It is inherently flexible, able to include new common technical components that facilitate public e-Services in Europe, and able to foster their use in new administrative domains.

e-SENS has been tasked to come up with ideas for the long-term governance of cross-domain and cross-border BBs in the EU. e-SENS is, at the time of writing this document, the only group considering how common interoperable BBs will be maintained and coordinated after 2020.