

THE EUROPEAN UNION AND
ITS EGOVERNMENT
DEVELOPMENT POLICY
Following the Lisbon Strategy Objectives
Antonio Alabau



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*To the Commission's officials,
who know a lot about European Programmes,
yet, sometimes it seems,
not so much about Community Policies*

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FOREWORDS

It is a reality that Information and Communication Technologies (ICTs) are having a growing influence upon our everyday life. Their ubiquity, ease of access and flexible designs, to name but a few, are some of the reasons why they have become far more than just a tool. On account of their present capacities and, above all, the countless fields in which they are going to be deployed, they are set to mark the degree of development and social cohesion among citizens, and even among societies themselves.

The fact that ICTs are present wherever one turns means that constant efforts must be made to bring them to everyone's notice. An arduous task in which, luckily to say, we can rely on the work of first-rate experts, among whom I am delighted to mention Professor Antonio Alabau.

Consequently, for both the Vodafone Spain Foundation and myself personally it is an honour to present this volume, which is a brilliant compilation of the Brussels-driven initiatives to implement e-Government, and provides the depth of analysis necessary in such a unique subject matter. Professor Alabau has engaged extensively in fostering the dissemination of telecommunications, and his efforts have won him well-deserved recognition. From his observatory at the Jean Monnet Chair of European Union Telecommunications and Information Society Policy, at Valencia Polytechnic University, Antonio has forged a long career path that is acknowledged not only by his friends, one of whom I am honoured to be, but also by all the ICT industry players.

This third partnership between Professor Alabau and the Vodafone Spain Foundation follows in the wake of two other volumes ("The European Union's Telecommunications Policy" –1998- and "The European Union and its Information Society Policy" –2002) that were warmly welcomed and had a widespread repercussion. In my mind, this new publication is bound to be just as successful. My congratulations go to Antonio Alabau for this new volume, which the Vodafone Spain Foundation is pleased to present.

Prof. JOSÉ LUIS RIPOLL GARCÍA
Director General
Vodafone Spain Foundation

Chapter 1
INTRODUCTION



Does the European Union have a policy for the development of electronic Government?

Readers may find it surprising for a book to begin with a question that may seem to call the veracity of its title into question; surprising it may be, but we must confess that trying to answer this question was the reason that led us to write the book. Thus, readers will have to accept the fact that we will not reveal the answer until the end; or better still, we encourage readers to look for it themselves while reading.

To make headway in our undertaking, we will start by dissecting the title and the question in their two fundamental parts: “European Union policy” and “electronic Government” which we will have to analyse separately. So let’s start at the end, which is how important matters must be begun.

The only definition of electronic Government or eGovernment (as we shall refer to it from now on) that we have found in the repertoire of Community institutions is the one recently given¹ by the European Commission, which seems appropriate to us: eGovernment is defined here as **“the use of information and communication technologies in public administrations combined with organisational change and new skills in order to improve public services and democratic processes and strengthen support to public policies”**

Based on this definition, we can pose the above question in another way.

Does the European Union have a policy aimed at getting the public administrations to use information and communication technologies, carry out organisational changes, improve public services and democratic processes and develop their public policies?

Let us see, then, what the Treaty, from which all Community powers emanate, says:

If we review the third part of the Treaty establishing the European Community, we will find that none of its 21 Titles, in which community policies are described, refer to eGovernment; therefore, we will have to conclude that this subject does not, indeed, form part of the major policies of the European Union. Nevertheless, this should not prevent us from speaking about a community policy, as the Telecommunications Policy and the Information Society Policy do not appear in that list, either, and no one would dare to doubt their existence; the Treaty has sufficient resources to have formulated and developed them^{2,3}.

Thus, the question that concerns us would have to be rephrased as follows:

Does the Treaty have sufficient powers and instruments for the European Institutions to get the European Union’s public administrations to use information and communication technologies,

¹ COM(2003) 567. The Role of eGovernment for Europe’s Future. Brussels, 26 September 2003

² Alabau A. La Unión Europea y su Política de Telecomunicaciones. En el camino hacia la Sociedad de la Información. Ed. Fundación Airtel. Madrid. 2001

³ Alabau A. The European Union and its Information Society Policy. On the threshold of a new European Governance. Ed. Fundación Vodafone. Madrid 2002

carry out organisational changes, improve public services and democratic processes and develop their public policies?

However, additional clarifications are required to address the answer to this question.

Neither the Treaty on European Union nor the Treaty establishing the European Community contains any power related to the operation of the public administrations of its Member States, their regions and their municipalities. These administrations are autonomous and independent in their structure and operation and in adopting decisions that affect how they conduct their affairs, including decisions relating to the use of information and communication technologies. This is an axiom in European politics.

Thus, the same as in the cases of the Telecommunications and Information Society Policies, the only instruments that the European Union would be in a position to use to act in the area of eGovernment would be those for which the Treaty grants it powers: The Industrial Policy, the Trans-European Networks Policy, the Research and Technological Development Policy, the Internal Market Policy, the Competition Policy and the Regional Development Policy, among others.

Based on the above, our question should be rephrased:

Can the European Union, using instruments from its Industrial, Trans-European Networks, Research and Technological Development, Internal Market, Competition and Regional Development Policies, get public administrations to use information and communication technologies, carry out organisational changes, improve public services and democratic processes and develop their public policies?

This is the real question we have tried to answer in this book, because that is exactly what the European Union has been trying to do for more than a decade.

A difficult task, you may well say, and you would be quite right. It is very difficult to try to solve a problem without the right tools.

It is true that the European Institutions, and in particular the Commission, are accustomed to tackling impossible tasks; and in these undertakings spectacular challenges with strong media impact usually arise. This was the case of the Lisbon Strategy and the eEurope initiative of the year 2000, which defined the endeavour to make the European Union the most advanced knowledge-based economy in the world, no less, by the year 2010. We will not be the ones to say that it cannot be done.

And for this purpose, it is clear that all instruments become good ones, even if they are not the most suitable ones, or, on occasion, the appropriate ones.

The development of eGovernment in the European Union was associated with the challenge of the Lisbon Strategy, and all available instruments in existing Community programmes have been used in that endeavour; however, self-suggestion, self-encouragement and Ministerial Declarations were also used to make up for *quod Tractatus non dat*⁴. And with that plethora of arguments, the Commission is trying, time and time again, to give the impression that it is on the right track, all the more so when critical voices to question it are scarce. And it must be acknowledged that the Commission is a master in this business.

⁴ Anything not in the Treaty.

In this book, we have tried to analyse, in a detailed manner, the actions as a whole that the European Union is carrying out in its effort to achieve the development of eGovernment. We have structured it as follows:

Chapter 2 deals with the analysis of the different frames of reference on which the eGovernment policy that the European Union is carrying out is based.

Chapter 3 analyses the relationship between the Information Society and Telecommunications Policies and eGovernment.

Chapter 4 summarises the most recent attempts by the European Commission to define an eGovernment Policy.

Chapter 5 studies eGovernment-related actions in the Trans-European Networks Policy, in particular through the eTEN Programme.

Chapter 6 details the contents of the activities of the Policy on the Interchange of Data between Public Administrations, through the IDA Programme.

Chapter 7 explores actions relating to eGovernment through the different Framework Programmes for Research and Technological Development that the Commission's eGOV Unit currently manages.

Chapter 8 rounds out the above panorama by reviewing eGovernment-related actions carried out from the Internal Market and Regional Development Policies.

Chapter 9 compares the different actions analysed in the book through the use of a Reference Scheme that we describe in detail in Appendix II.

And finally, in Chapter 10 we outline what, in our opinion, the objectives of a European policy for the development of eGovernment might be.

We have rounded out the book with three Annexes:

Appendix I, which is devoted to summarising actions by other supranational organisations regarding the matter at hand;

Appendix II, which presents a Reference Scheme for the analysis of eGovernment action plans;

And Appendix III, which reproduces the strategic approach of the Research and Technological Development Policy in the area regarding the use of mobile communications in eGovernment.

This book is the result of the research work that we have been carrying out since the end of 2001 within the framework of the Jean Monnet Chair that the European Commission created at the Polytechnic University of Valencia.

The book's contents follow on from previous studies on the European Union's Telecommunications and Information Society Policies, whose results were published in this same collection. We would, therefore, first like to express our thanks to the Vodafone Foundation, and very particularly to its Director General, José Luis Ripoll, for having encouraged us once again to undertake this book.

We had occasion to carry out a very significant part of this work during our stay at the Free University of Brussels from March to July 2003, as part of a collaboration agreement with the

e-Forum Association. A result of this stay was the publication of a monograph on which we relied for the preparation of this book⁵. We would, therefore, like to thank Professor François Heinderyckx for his help and hospitality, and the Chief Executive of the e-Forum, Baudouin de Sonis, for his support.

We would also like to express our gratitude for the warm welcome we received from European Commission officials, very especially Paul Timmers, Head of the eGOV Unit; Manuela Finetti, Head of the IDA Unit; Valentine Riley of the eTEN Unit; Olivier Pascal of the Directorate-General for Regional Policy; and Bernard Clements, Head of the Information and Communication Technologies Unit of the Institute for Prospective Technology Studies – IPTS, which the European Commission has in Seville; and many others.

We would also like to extend our thanks to Edwin Lau of the OECD Governance Unit, and to Alexander Ntoko, Head of the E-Strategy Unit at the Telecommunication Development Bureau of the ITU.

We cannot forget to mention our long conversations about these Community policies with Christine Leitner at the European Institute of Public Administration in Maastricht, one of the few people we have met who is truly interested in these subjects.

And now, closer to home, we must once again express our thanks for the support received from the Secretariat for Telecommunications and the Information Society of the Valencian Regional Government and its Directorate-General for Telecommunications and Research. We have coincided with Blanca Martínez de Vallejo and José Benedito in many matters in these areas, and they know they have had our recognition for a long time.

At the Polytechnic University, in this and in many other things, we have had the ongoing collaboration of Professor Luis Gujarro, whom we would like to thank for his continued support, and in particular for always arriving in time for coffee at ten o'clock.

Finally, we must say that our stay in Brussels would not have been possible without the support of the Ministry of Education, Culture and Sport of Spain, nor that of the Office of the Vice-Chancellor for Research of the Polytechnic University of Valencia, who made the necessary resources available to us to stay six months there. We must acknowledge the fact that living at a one-euro distance from the Commission was extremely helpful to us in getting to know it better.

⁵ Alabau A. Understanding the e-Government Policy of the European Union. A comparative analysis with the e-Government policies of some supra national Organizations. CJM-UPV. Ref PTSI/24. Valencia 30 July 2003.

Chapter 2

FRAMES OF REFERENCE OF THE EUROPEAN UNION'S EGOVERNMENT DEVELOPMENT POLICY

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 - 5.3. **Budgetary Aspects**
6. CONCLUSIONS

1. INTRODUCTION

This chapter analyses the main frames of reference in which the actions that the European Institutions are carrying out for the development of eGovernment are defined.

The first frame of reference we will address refers to the reshaping currently underway within the European Union. Its' nearly fifty years of operations and successive enlargements have made it necessary to update the procedures used to achieve the founding goals.

The second frame of reference that we will discuss is the one regarding the movement to reform the public administrations. Even though the Treaty does not grant any powers in these matters to the European Institutions, we feel it is worth analysing so as to highlight both the European Union's real possibilities and its limitations in implementing an eGovernment development policy.

The third frame of reference studied refers to the different Community policies through which actions are carried out in the area of eGovernment, which will be further developed in subsequent chapters of this book.

Finally, the fourth frame of reference broaches the spheres of action of Community policies. Once again, we will outline the powers vested in the European Institutions by the Treaty, in order to better understand the scope of their different actions in this field.

This chapter seeks to provide an overview of the problem so as to shed appropriate light both on the EU's objectives and on the hurdles that it is facing in developing a coherent policy that will spur the development of the use of information and communication technologies within public administrations.

2. FIRST FRAME OF REFERENCE. THE RESHAPING OF THE EUROPEAN UNION

The first frame of reference we will deal with is specific to the European Union and its Institutions, and refers to the current overhauling of both their structure and the way they operate, fifty years after their founding.

1999, the year of the German and Finnish Presidencies, was one of the most unfortunate periods for the European Union in recent times, because the Commission headed by Jacques Santer resigned in mid-March, taking this Institution's level of credibility to an all-time low. During that long transition period, the Council of the European Union took centre stage to a hitherto unseen extent. Finally, in May 1999 Romano Prodi was elected President of the European Commission and the Parliament accepted the new members of the Commission in September of that same year. As we will now see, both circumstances would turn out to be significant keys to what has been occurring in recent years.

In June 1999, the European Council met in Cologne¹ and the new President of the Commission attended for the first time. Prodi took the opportunity to outline the future Commission's new policy to the Council, although the Commission was not approved by Parliament until the month of September. The

¹ [Cologne European Council - Presidency Conclusions](#), 2-4 June 1999.

European Council adopted the decision to call an Intergovernmental Conference to address a reform of the European Institutions in view of the then-upcoming expansion. This was followed by two initiatives, both geared at achieving a revitalisation of the European Union, and which have been taking place in parallel to date; the first was promoted by the Commission and the second sponsored by the Member States.

In this context, the new Commission clearly saw that its first and most urgent task was to set an exciting project in motion that would enable this institution to regain its credibility. It clearly stated this in the document² entitled “Shaping the new Europe,” in which it defined its strategic objectives for the five years of its term. The strategic objectives defined at that time were as follows: To promote new forms of European governance; and second, to achieve a stable Europe and boost its voice in the world; to work towards a new economic and social agenda; and finally, to achieve a better quality of life for its citizens.

The main initiatives that have dominated the European scene for the last few years were triggered by the situation we have just summarised. Two of these initiatives were structural in nature, with medium and long-term objectives, and a third was much more conjunctural in nature, with (obviously) short and medium-term objectives.

The two structural initiatives are: first, the reform of the Treaties and the development of a European Constitution; and second, the definition of new forms of governance in the European Union. It should be recalled that the former was sponsored by the Council and the latter by the Commission.

The conjunctural initiative led to the Lisbon European Council’s projects, which did win the backing of both European Institutions, the Council and the Commission.

We will refer to all of them in the following sections.

2.1. The reform of the Treaties and the development of a Constitution for Europe

In accordance with the guidelines of the Cologne European Council (June 1999), the Finnish Presidency drafted a document on the Intergovernmental Conference that outlined the future Treaty reform, which it presented at the Helsinki European Council (December 1999)³.

This signalled the start of the Intergovernmental Conference’s work, which concluded with the presentation of the new Treaty reform that was approved in Nice⁴ in December 2000. This involved introducing those reforms in the Treaty that were considered urgent, in particular those that were felt to be necessary to deal with the expansion process that was going to take place during 2004. The Treaty of Nice entered into force on 1 February 2003.

Nevertheless, the process was not considered to be complete in the least. The Nice European Council itself included a Declaration⁵ which indicated that the debate process should continue and suggested the preparation of a proposal on the way it should be done, which was to be presented during the six-month Swedish Presidency, which is what happened. The Laeken European

² COM(2000)154. Strategic Objectives 2000-2005. Shaping the new Europe. Brussels, 9 February 2000

³ Helsinki European Council: Presidency Conclusions. Helsinki, 10-11 December 1999.

⁴ Nice European Council: Presidency Conclusions. 7-9 December 2000.

⁵ Nice European Council: Presidency Conclusions. Declaration on the future of the European Union. 7-9 December 2000.

Council (December 2001) adopted a new Declaration⁶ proposing a Convention on the Future of Europe⁷, presided over by Valéry Giscard d'Estaing, which would have extensive participation and should end with the preparation of a new Treaty reform proposal to be presented to a new Intergovernmental Conference. The Convention began its work in February 2002.

It is curious to observe the evolution of the terminology used to refer to this new reform; first there was talk of "constitutional provisions", then the term "constitutional Treaty" soon began to be used, and finally, the term "Constitution for Europe" was coined⁸. The Convention completed its work in mid-2003.

During the European Council of Thessaloniki⁹, held in June 2003, the draft text of the Constitutional Treaty was presented; and in the six-month Italian Presidency, the Council of the European Union¹⁰, at its 29 September 2003 meeting, adopted the decision to convene the Intergovernmental Conference once again¹¹ to approve the new Treaty reform and its transformation into a Constitution for Europe.

After a first unsuccessful attempt to approve the European Constitution during the Italian Presidency, the Intergovernmental Conference finally approved the European Constitution at the end of the Irish Presidency, on 18 June 2004.

It must be stressed that, as with the current Treaties, the new Constitution does not grant the European Institutions any specific powers in matters relating to how the public administrations operate, which has represented the main drawback to providing consistency to the European Union's attempts to develop a policy in the field of eGovernment, as we will have occasion to analyse in this book. Nevertheless, for the first time ever it does open up quite a significant possibility.

In Part III of the approved Constitution text, section 7 entitled Administrative Cooperation includes article III-285, which indicates that "*the Union may support the efforts of Member States to improve their administrative capacity to implement Union law*". As soon as it entered into force, this mandate became highly useful for orienting Community activities in the development of eGovernment, though it may have come too late.

2.2. The Definition of New Forms of Governance in the European Union

In the document in which President Prodi defined the strategic objectives of the Commission¹² for its entire term, he included the following as the first of its objectives: "Promoting new forms of European governance". It should be recalled that the situation of discredit into which the Commission had fallen fully justified it.

⁶ Laeken European Council: Presidency Conclusions. The Future of the Union. Laeken Declaration. 14-15 December 2001

⁷ The European Convention. <http://european-convention.eu.int/>

⁸ The European Convention. [Draft Treaty establishing a Constitution for Europe](#). 18 July 2003

⁹ Thessaloniki European Council: Presidency Conclusions. 19-20 June 2003.

¹⁰ 2526th Council meeting on General Affairs. Brussels, 29 September 2003

¹¹ Intergovernmental Conference 2003. http://ue.eu.int/cms3_fo/showPage.asp?id=251&lang=en&mode=g

¹² COM(2000) 154. Strategic objectives 2000-2005. Shaping the New Europe. Brussels, 9 February 2000

The first thing the new Commission did was to tackle its own reform¹³ before moving onto a further-ranging reform process that included a period of reflection regarding what the new governance in the European Union should be¹⁴.

This process involved the drafting of a White Paper, and began in October 2000 with the publication of the Work Programme¹⁵ which the Commission proposed for that purpose. Intense though perhaps selective activity was immediately initiated to try to define the scope of the process, giving rise to a significant number of documents that were later issued by the Commission¹⁶.

Based on the aforementioned preparatory work, the by-then eagerly awaited White Paper on Governance appeared in July 2001¹⁷. In this document, the Commission put forward a series of proposals for improving the ways that government tasks are carried out in the European Union, which it summarised as follows: better involvement of all social actors; better policies, regulations and delivery; the European Union's contribution to global governance; and refocused policies and Institutions.

As expected, the White Paper triggered extensive debate in a public consultation process which ended in March 2002. Finally, in December 2002, the Commission published its report on the results of that debate¹⁸ and provided its own conclusions. In order to interpret them, it is worth recalling the context in which this initiative took place, as well as its objectives.

As we pointed out at the beginning, the strategic initiative of analysing European governance arose from the Commission as part of its Work Programme, and was carried out in tandem with the Council's other strategic initiative of conducting an in-depth reform of the Treaties. Three years later, it is the latter initiative that has taken shape and culminated in the approval of a Constitution for Europe; therefore it must be understood that the Commission's White Paper has been pushed into the background. The Commission was aware of this, as it stated in its conclusions to the report on the debate on the White Paper, which, once again, ended up becoming a document praising the Commission itself and its work. As we have mentioned on other occasions, the immodest and petulant style that the Commission uses in its documents, which lack any trace of self-criticism, can be quite infuriating.

Finally, in mid-2002 the Presidency of the Commission commissioned a report¹⁹ from a group of experts led by Professor Sapir to assess the consequences of two of the European Union's strategic objectives for the decade ending in 2010: to become the most dynamic and competitive economy in the world and to successfully complete the expansion process. The report's conclusions stress the need to adapt the European Union's governing instruments to the new situation, and advocates an in-depth reconsideration of the distribution of responsibilities among the Member States, the European Institutions and any autonomous organizations that may be

¹³ COM(2000) 200. Reforming the Commission - A White Paper. Part I, Brussels 5 April 2000 and Part II, Brussels, 1 March 2000

¹⁴ Governance in the European Union. http://europa.eu.int/comm/governance/index_en.htm

¹⁵ SEC(2000) 154. White paper on European Governance. Enhancing democracy in the European Union. Working Programme. Brussels, 11 October 2000.

¹⁶ European Governance. Preparatory work for the White Paper. Office for Official Publications of the European Communities. Luxembourg 2002.

¹⁷ COM(2001) 428. European Governance. A White Paper. Brussels, 25 July 2001.

¹⁸ COM(2002) 705. Report from the Commission on European Governance. Brussels, 11 December 2002

¹⁹ The Sapir Report "An Agenda for a Growing Europe". Oxford University Press 2004

created to perform specific tasks. It must be said that the most controversial point of the report refers to the restructuring of the Community budgets, which seems unlikely to prosper; however, this matter does not form part of this book's objectives.

In the context of a future scheme of European governance, which will inevitably be complex and multilateral, there is no denying that the implementation of eGovernment is a necessary instrument; and in this regard, a future European Union policy in this respect has a wide-open field of action before it.

2.3. The Strategy of the Lisbon European Council

In addition to the long-term initiatives analysed in the preceding sections, in 1999 the European Union needed a specific project that would enable it to not only to stop feeling so despondent, but also to propose specific objectives towards which to gear its efforts and resources in coming years. In this regard, the Commission and the Council reached a consensus on common proposals that led to the agreements adopted at the Lisbon European Council, and which have marked an important objective in the Community Institutions' courses of action over these last few years.

The process was, more or less, as follows: During the first six months of 2000, the Portuguese Presidency of the EU took the initiative of holding an extraordinary Council meeting in Lisbon on employment, economic reform and social cohesion, thus prompting an intense preparatory phase. The goal at that meeting was to define what the objectives of a strategy for the Union's socioeconomic policies should be. The euphoria of the new millennium greatly contributed to this objective.

From among the many documents drafted in the Council's preparatory phase, one worthy of mention is a first and very early proposal that the Presidency²⁰ put forward in January 2000, in which it stated that the new strategic objective for the next decade should make the European Union the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion; this is a sentence that has prospered, and has become a motto since then. The European Commission presented its proposals in a document in February²¹, and the Lisbon European Council was finally held in mid-March 2000.

The document containing the Presidency Conclusions²² of this Council meeting has become a true benchmark for later European Union actions; and in this regard, the Council itself thereafter decided to devote all of its Spring meetings to evaluating the follow-up on what would become known as the Lisbon Strategy²³. The results of these Councils appear in a summary document²⁴ of special interest.

²⁰ Council of the European Union, Doc Ref. 5256/00. Document from the Presidency. Employment, Economic Reforms and Social Cohesion. Lisbon, January 2000

²¹ Council of the European Union. Ref n° 6602/00. Preparation of the European Council of Lisbon. Contribution of the European Commission to the Special European Council of Lisbon. Brussels 28 February 2002

²² Lisbon European Council : Presidency Conclusions. Lisbon, 24-25 March 2000.

²³ The Lisbon Strategy. http://europa.eu.int/comm/lisbon_strategy/index_en.html

²⁴ Presidency conclusions on the Lisbon strategy 2000-2003 by theme. December 2003. http://europa.eu.int/comm/lisbon_strategy/pdf/thematic_lisbon_conclusions_1203_en.pdf

It was at the Lisbon European Council when the eEurope initiative for the development of the Information Society was presented, and it would be at the Council of Feira (June 2000) when the eEurope Action Plan would be approved. And it was in this initiative that the Commission grouped together its different actions relating to eGovernment, as we will have occasion to analyse in detail throughout the book.

The Lisbon Strategy has served, more than anything else, to bring together proposals, programmes and projects that the European Union might possibly have carried out anyway; however, it has involved a clear *leitmotiv* that has contributed to stimulating them.

As we will see further on, the impact of the Lisbon Strategy on eGovernment policy has had very debatable results, because three years after its launch, it is still nearly as fragmented as it might have been at the outset. Nevertheless, a path has been travelled from which good lessons for the future can and should be learned.

3. SECOND FRAME OF REFERENCE. THE PROCESS OF MODERNISING PUBLIC ADMINISTRATIONS

The second frame of reference governing the European Union's eGovernment-related activities refers to the adaptation and modernisation process that, for different reasons, public administrations are undergoing.

The moves aimed at decentralising the public administrations, boosting the private sector's participation in providing public services and all of the activities included in what one might call the State reform process are fundamental in the period in question.

However, despite the fact that both the structure and the way European public administrations operate are the competence of each administration itself within the framework of each Member State, one must be aware of the fact that the division of functions among the different public administrations and the trends that they are following are elements that are increasingly important in shaping Community policies.

We will try to briefly deal with all of these subjects in the sections below.

3.1. The State reform process. Decentralisation and Privatisation

The constant and ongoing modification of State structures has certainly accelerated since the end of the 1980's as a result of the fall of the Berlin Wall and the disappearance of the East-West bipolarity in the developed world.

Due to the growth of the globalised economy and the gradual lifting of world trade tariff barriers, organisational structures emerged to manage an increasingly globalised market, one such example being the creation of the World Trade Organization²⁵ in 1993.

In addition, neoliberal theses about the reduction of the role of the State and its participation in economic activities and the management of public services have gradually gained ground during

²⁵ WTO - World Trade Organisation. <http://www.wto.org>

this period, and therefore many of the aspects of the welfare state accepted as fact for quite some time by European society have been called into question. The privatisation of economic activities in which the public sector had participated up until now, and what is more, of social and service-provision functions, traditionally managed by the public administrations, are also growing trends.

Furthermore, the Stability and Growth Pact²⁶ that most of the European Union's Member States accepted to facilitate the adoption of the euro, as well as the subsequent public deficit limitations, involved cutting government spending and the resulting need to review both its activities and its mode of operation. Despite the problems some of the Member States faced in meeting the goals of the Pact in 2003, it remains another benchmark to be taken into consideration.

At the same time, and in many cases as a counter-reaction, European nations have been imbued with movements for the decentralisation of political and administrative tasks in favour of a strengthening of regional administrations, to the detriment of the administrations of their respective States²⁷. It should be recalled that regional structure in the European Union has always been one of the cornerstones of its economic and social cohesion policy.

In this context, changes in the functions that had been carried out by the State and the increase in the number and type of public and private entities participating in the management of common interests have spurred an ongoing trend towards the transformation of the functions of the State itself, moving from its traditional role as a direct manager of public affairs towards one as a regulator of the way others must deal with managing them. Interest in developing regulatory policies and putting them into practice has increased in recent years in head-on opposition to the trends towards deregulating economic and social activities, trusting in the virtues of the market²⁸.

It should be pointed out that the Organisation for Economic Cooperation and Development (OECD), through the Directorate for Public Governance and Territorial Development²⁹, has dedicated significant efforts to analysing some of these phenomena^{30, 31}. The United Nations, within the framework of its Division for Public Administration and Development Management³², is also dealing with these matters³³. We will discuss this in greater detail in Appendix 1 of this book.

All of the above situations, which this book cannot and does not purport to analyse in depth, form part of the State reform process that must be taken into consideration in any reasoning on the development of eGovernment. eGovernment is increasingly appearing as a magnificent tool for modernising public administrations and State reform, but it is clear that the decisions that affect its development will undoubtedly be heavily conditioned by the ideological aims that govern said public reform.

²⁶ Resolution of the European Council on the Stability and Growth Pact Amsterdam, 17 June 1997. OJ C 236, 2 August 1997. P. 1

²⁷ Les autres visages de la gouvernance publique. Agences, autorités administratives et établissements publics. OCDE 2002.

²⁸ Martín Seco J.F. La farsa neoliberal. Ed Temas de Hoy. Madrid 1995

²⁹ OECD - Organisation for Economic Cooperation and Development. <http://www.oecd.org>

³⁰ Government of the future. OECD 2000

³¹ Regulatory Policies in OECD Countries. OECD Reviews of Regulatory Reform. OECD 2002

³² United Nations. Division for Public Administration and Development Management. DPADM <http://www.unpan.org/dpepa.asp>

³³ United Nations. Global Forum on Re-inventing government. <http://www.unpan.org/globalforums.asp>

3.2. The Introduction of the Information Society in Public Administration

It should be recalled that the use of information and communication technologies (ICT) in public administrations is not a new process, as it began with the onset of information science and has steadily and progressively developed since then; thus, there is a more than 40-year-old tradition of modernising public sector functions through the use of ICT.

From the outset, the States³⁴ started equipping themselves with instruments to deal with the introduction of computerisation in their own administrations, and very early on saw the need to promote international collaboration in this field. Institutions such as the International Council for Information Technology in Government Administration (ICA)³⁵, still active, or the Intergovernmental Bureau for Information Technology (IBI), created as part of UNESCO and in operation until 1989, date from the late 1960's; many of the latter's activities were incorporated into the Division for Public Administration and Development Management (DPADM) on the Department of Social Affairs³⁶, of the General Secretariat of the United Nations.

The appearance of the Internet, the development of mobile communications and the profusion of terminals of different types among ordinary citizens and companies have undoubtedly sped up the deployment of ICT in public administrations and, from the late 1990's onwards, enabled the concept of eGovernment to take root, as a continuation of both the aforementioned activities and the experience gleaned over four decades³⁷.

Also worth mentioning in this context are the United Nations' efforts to speed up the building of the Information Society and spread its benefits to all countries. In this regard, the UN organised the World Summit on the Information Society (WSIS) in Geneva in December 2003, which will continue in Tunis in 2005³⁸.

3.3. Ensuring new citizens' rights

The increase in private management of services hitherto considered public that was mentioned in the previous section involves regulating citizens' rights in each of the areas that are no longer managed by the Administration; the conceptual leap between public service and universal service is by no means devoid of ideological content³⁹.

In this regard, perhaps as a counterpoint to the State reform processes and in response to the possible threat of a gradual disappearance of some areas of protection that citizens were ensured

³⁴ Consejo Superior de Informática y para el impulso de la Administración Pública. Ministerio para las Administraciones Públicas. España. <http://www.csi.map.es/>

³⁵ ICA. International Council for Information Technology in Government Administration <http://www.ica-it.org/index.html>

³⁶ United Nations. Department of Economic and Social Affairs. DESA. <http://www.un.org/esa/desa/htm>

³⁷ World Public Sector Report 2003. E-Government at the crossroad. http://www.unpan.org/dpepa_worldpareport.asp

³⁸ World Summit on the Information Society. <http://www.itu.int/wsis/>

³⁹ ARIÑO G. et al. El nuevo Servicio Público. Ed Marcial Pons. Madrid. 1997.

by the public administrations, a trend towards the positive formulation of new individual rights has gathered pace⁴⁰.

The highlight with regard to the Information Society sector has been the formulation and implementation of universal service in telecommunications as of 1998, which initially included the right of all European Union citizens to have access to the fixed telephone network, with Internet access included as of 2003, always in equitable and accessible conditions and regardless of geographic location⁴¹. There are also certain initiatives to lay down a more general and comprehensive set of minimum rights regarding access to communications to which every citizen of the planet should be entitled⁴².

Yet the development of the Information Society not only has a bearing on citizens' individual rights, but also on their democratic rights. The Internet is fast becoming a means for citizens to make their opinions known to their representatives and as a mechanism for exercising their right to vote in elections and public consultations. Electronic democracy is a field of growing interest to everyone.

As discussed in the previous section, the OECD, in its process of analysing State reform, has recently undertaken the analysis of citizen participation in the future tasks of public administrations⁴³, and the United Nations⁴⁴, in turn, within the framework of its Millennium Declaration⁴⁵, also emphasized the importance of information and communication technologies in achieving the progress of peoples.

eGovernment and electronic democracy may certainly also be instruments to revitalise citizen participation in managing public matters.

4. THIRD FRAME OF REFERENCE. COMMUNITY POLICIES

The third frame of reference that must be analysed in order to position the European Union's eGovernment activities is the one that refers to the Community policies themselves.

As indicated earlier on, powers over the way public administrations are organised and operate correspond are vested in the administrations themselves and their States, and under no circumstances do the European Institutions have any say in such matters; thus, any decision regarding whether or not information and telecommunication technologies are used in managing the affairs of the different public administrations lies with the administrations themselves, within the framework of each Member State's legal system.

⁴⁰ BORJA J. et al. *La ciudadanía europea*. Ed. Península. Barcelona. 2001

⁴¹ Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive). OJ L 108. 24 April 2002. P. 51

⁴² People's Communications Charter. <http://www.pccharter.net>

⁴³ OECD. *Citizens as partners. Information, consultation and public participation in policy making*. OECD 2001

⁴⁴ United Nations. Economic and Social Council. *The role of information technologies in the context of a knowledge based global economy*. July 2000. <http://www.un.org/documents/ecosoc/docs/2000/e2000-52.pdf>

⁴⁵ United Nations. *Millennium Declaration*. <http://www.un.org/millennium/declaration/ares552e.htm>

So it may seem a paradox that the European Union is trying to develop a policy in an area in which the Treaties do not grant it any powers, but that is exactly what is happening in the case of eGovernment.

Yet despite such a huge and almost insurmountable hurdle, the European Union has tried to devise a policy for promoting the development of eGovernment, and has done so by availing itself of the possibilities afforded by other Community policies, as we shall see in greater detail throughout this book. These are summarized in this section.

4.1. The Information Society and Telecommunications Development Policy

To date, the European Union has regarded its actions promoting eGovernment development as just another part of its Information Society development policy, at the same level as others aimed at introducing the use of ICT in schools, the healthcare system or commercial transactions. This point becomes clearly evident when the different initiatives are analysed, eEurope in particular.

It is worth recalling again that the European Union' Policy for the Information Society⁴⁶ has been and continues to be an instrument with multiple goals, in particular economic development and development of the telecommunications sector.

As far as economic development is concerned, it must be said that in its first conception, in 1993, the development of the Information Society was a strategic action proposal to contribute to solving the growth, competitiveness and employment problems that were hampering the European Union at the time. In its most recent interpretation, during the Lisbon European Council in 2000, the promotion of the Information Society appeared as one of the keys to achieving the economic development goals that were set there for the time horizon of 2010. To this one should add the undeniable interest of promoting public procurement of ICT equipment and applications at a time when the sector is in difficulty.

As for the relationship with telecommunications, it is clear that the 1993 proposals sought to argue the need to accelerate the liberalisation process and include opening up telecommunications infrastructures to competition among its goals as a means of favouring economic development. Along these same lines, underlying the eEurope proposal is the boost that the development of the Information Society would give to the telecommunications industry, among other things to the development of broadband infrastructures.

In this context, actions to develop eGovernment as part of the Information Society Policy seem to depend on achieving the goals we have summarised in previous sections, with the achievement of what should be its fundamental goals—the modernisation of the functions and services of the public administrations—taking second place.

⁴⁶ Alabau A. *The European Union and its Policy for the Information Society*. Ed. Fundación Vodafone. Madrid 2002.

4.2. The Research and Technological Development Policy

eGovernment also forms part of the European Union's Research and Technological Development (RTD) Policy, as part of the Information Society Technologies (IST) programme, in particular in the Fifth and Sixth Framework Programmes.

It should be pointed out that there are no technologies specific to eGovernment, as in short it merely entails applying information and telecommunications technologies to solving problems and providing services from the public sector; thus, R&D activities in this field have been aimed at solving problems inherent to this sector.

The focus that was initially given to eGovernment-related research and development programmes was the development of applications projects, in line with the spirit of the Fifth Framework Programme. It was a question of promoting the development of specific applications in the hope that they might immediately result in industrial products benefiting the sector. As in other fields dealt with in this Framework Programme, here, too, it has been shown that success with this strategy is very difficult, and that the results of many of the projects undertaken were diluted by their very lack of definition.

At the time the Sixth Framework Programme was proposed, the situation was different, for at least two reasons: first of all, because due to the shift in direction of the aims of the European Union's research strategy, and secondly, as a result of the fact that the eGovernment sector had, logically, matured. Nor did technologies specific to public sector functions appear at this time, although well-characterised problems did, related (among other things) to interoperability, information and knowledge management, and the use of open source technologies in public administrations, towards which the efforts of the current Community RTD activities in this field seem to be heading.

As we will see further on, the direction taken in eGovernment research activities has sought to strike a balance between their contribution to solving problems in the sector and their participation in creating the European Research Area in the European Union, without yet having found that exact point.

We must add that, to date, eGovernment RTD activities focused on purely technological issues, without showing much interest in problems relating to the implementation of these solutions by the public administrations themselves, which represents a definite weakness of this Community policy. In this respect, a divergently overlapping situation is seen between certain activities carried out within the framework of this eGovernment Research and Technological Development Policy and others that are being carried out as part of the IDA Programme, which we will discuss later on. We believe that it would be a cause for concern if this divergence became more pronounced in the future, with the opportunities to consolidate a coherent and efficient, and at the same time effective, European policy in this field being wasted.

4.3. The Trans-European Networks Policy

Interest in the development of eGovernment also appears in the European Union's Trans-European Networks Policy, included in the Treaty after the Maastricht reform of 1992, although suggested by the Commission some years before that.

The objective of this Community policy was, and still is, to create favourable conditions for the consolidation of the single European market, as well as to promote industrial competitiveness; over time, this has given rise to two specific Commission programmes: on the one hand, the programme for the Interchange of Data between Public Administrations (IDA), and on the other, the Trans-European Telecommunications Networks Programme, (eTEN), which we will discuss below.

The IDA Programme has existed since 1995, and its founding goal, and still the fundamental one, is to foster the deployment of telecommunications networks that allow public administrations (mainly administrations of the Member States and Community agencies) to exchange data in order to carry out specific activities provided for in other European Union policies. Thus, only telecommunications networks resulting from decisions included in legal acts adopted by the Community Institutions may be financed through this programme.

Nevertheless, the IDA Programme has evolved over time, and its administrators have cleverly managed to orient it towards other areas of interest to the public administrations, which is how it moved fully into the field of eGovernment; and once inside, has expanded its goals to the study of problems of general interest, such as interoperability and open source technology platforms, in particular those for free software. Despite their different origins and regulatory frameworks, the convergence between the IDA Programme and the eGovernment RTD Programme is ever increasing. Their actions are clearly advancing towards complementarity, and this would be desirable, no matter how hard the European Commission apparatus tries to keep them quite separate.

The eTEN Programme, an example of a balancing act for Community survival, describes itself as a programme aimed at promoting the deployment of Information Society applications (of a trans-European nature, it is to be understood) for the provision of any public interest services that are proposed by public or private entities. The eTEN Programme includes actions in the field of eGovernment as one of its priorities, among other things.

It seems clear that both IDA and eTEN are important parts of the policy to develop eGovernment in the European Union, though up until now there has been an evident lack of coordination.

4.4. The Internal Market Development Policy

eGovernment-related activities can also be found in the Policy for the Development of the Internal Market, albeit to a lesser extent than in those discussed in previous sections.

The aims of this Community policy are broad and encompass actions and programmes of the most diverse types, including those related to the development of the information market, which are increasingly important and evident within the framework of the development of the Information Society. This policy covers certain actions that can be deemed part of the eGovernment development policy: namely the programme for the development of digital content (eContent) and the provisions regarding the use of information held by the public sector.

The eContent programme is recent and falls within the framework of actions geared towards developing the eEurope initiative. However, it is the heir and continuation of previous Community

content development programmes that began in 1984. This programme seeks to support the production, use and distribution of digital content, which often involve activities in which the public administrations participate; hence its relationship to eGovernment in its information distribution aspect, which, though important, is not regarded as crucial.

Another activity worth mentioning here is the European Union's approach to access to and reuse of information held by the public sector. The fact is that the content development policy referred to in the previous section spurred the sector's players' interest in gaining access to the information accumulated by the public administrations in the course of their duties. This interest gradually became an obsession for the Commission, finally giving rise to a Directive by which a series of rules was defined to facilitate the use of information held by public administrations, evidently except for that information subject to specific privileges which prevent or limit its dissemination.

4.5. The Economic and Social Cohesion Policy

The European Union's regional policy would not, in principle, have any significant relationship with eGovernment if it were not for the fact that applications for the modernisation of public administrations which are intended for use with information and communication technologies are included in the list of activities for which beneficiary administrations may apply for financing through the Structural Funds, the main instrument of the Economic and Social Cohesion Policy.

It should be recalled that each administration is responsible for deciding which projects are included in the regional operational programmes integrated in each Member State's Community Support Frameworks, and therefore is also solely and exclusively responsible for how it uses the funds available to carry out activities relating to the implementation of its eGovernment strategies. Consequently, the range of activities carried out by the European regions in this field and charged to the regional policy budget is broad and varied. The use of Structural Funds to spur the development of telecommunications networks and advanced services, specifically broadband, which is of particular interest to the Commission, deserves special mention. However, as previously indicated, the final decision in this case also lies, for the time being, in the hands of the administrations who benefit from these European funds.

4.6. Responsibilities for the eGovernment policy in the European Commission

The responsibility for implementing each of the Community policies mentioned in the preceding sections lies with different departments of the European Commission, as indicated in Table 2.1, below.

Table 2.1. EGOVERNMENT POLICIES AND PROGRAMMES IN THE EUROPEAN COMMISSION

Policy	Programme	Unit	Directorate-General
Information Society and Telecommunications	eEurope	A1. - eEurope, Analysis and Planning	Information Society
Research and Technological Development	eGovernment - IST	C6. - eGovernment	Information Society
Trans-European Networks	IDA	D2. - Networks between Public Administrations	Enterprise
	eTEN	D6. - eTEN	Information Society
Internal Market Development	eContent	E4. - Information Markets	Information Society
Economic and Social Cohesion	Information Society in the Regions	DG Regional Development Units	Regional Development

5. FOURTH FRAME OF REFERENCE. THE EUROPEAN UNION'S SPHERES OF ACTION

The fourth frame of reference for the formulation and implementation of an eGovernment development policy refers to the European Union's spheres of action, which constitute the aspects around which any Community policy is structured: strategic aspects, regulatory aspects and budgetary aspects, which are discussed below.

5.1. Strategic Aspects

As it lacks specific powers that would allow it to develop a direct, complete and coherent eGovernment development strategy, the European Union, and the Commission in particular, has approached the issue from different angles, seeking to take advantage of any loopholes in the Treaty and any related policies. This has evidently prompted a proliferation of actions and programmes in this area, the lack of a single strategy, and as a result, there is no true European Union policy on the subject.

Since the Lisbon European Council in March 2000, when the first faint signs of the Community's interest in developing eGovernment began to emerge, the European Commission has been devising and implementing very partial strategies in this field, always starting on the different fronts where it has been able to do so; in other words, from the different Community programmes and initiatives that allowed this in one way or another: Information Society, Trans-European Networks, Regional Development or Internal Market, as we discussed in earlier sections, and which we will analyse in detail throughout this book. The result of this situation has been the lack of a single, coherent strategy in eGovernment matters, as well as the lack of coordination of actions by the different units responsible for the implementation of Community programmes and initiatives relating to this subject.

It was not until September 2003, when the Commission adopted a Communication⁴⁷ regarding the role of eGovernment in Europe's future, that what could be considered an outline of strategy in this area was defined for the first time. The document was endorsed by the Council⁴⁸, so it can be said that the European Union thus began to equip itself, albeit in an embryonic way, with the basic elements to develop a future policy in this field.

Despite all of this, we feel that the European Institutions, and in particular the Commission, still have a long and way to go before they manage to consolidate a single, coherent eGovernment strategy; this will undoubtedly entail reconsidering the activities being carried out by the units involved and, in any case, strict coordination of the activities they carry out and promote.

⁴⁷ COM(2003) 567. The role of eGovernment for Europe's Future. Brussels, 26 September 2003

⁴⁸ 2543rd Council session on Transport, Telecommunication and Energy. Brussels, 20 November 2003

5.2. Regulatory Aspects

Given the lack of specific powers regarding the way public administrations operate, none of the Community's eGovernment promotion actions can be based on regulatory measures, nor can the Community enforce provisions to harmonise national legislation in these areas.

Furthermore, the very nature of eGovernment-related activities makes it very difficult, if not impossible, for non-legislative procedures to be applied, such as those provided for in the Open Method of Coordination, as any powers that the Community Institutions might have to deal with this matter are also very limited. Thus, eGovernment development actions can only be carried out on the basis of voluntary and flexible agreements between the public administrations and the Institutions of the European Union.

It should be emphasized that each of the specific policies through which the Commission is carrying out its eGovernment activities is governed by specific powers enshrined in the Treaty and by legal acts that have been adopted and that condition the scope of their activities. As we will have occasion to analyse later on, the European Union's current eGovernment activities are based on its Industrial policy, Research and Technological Development policy, Trans-European Networks policy, Internal Market Development policy and on its Economic and Social Cohesion policy. Currently existing programmes are legally, statutorily and economically based on different Community policies, which makes it possible to explain, although not to justify, the difficulties involved in their coordination.

5.3. Budgetary Aspects

As there is no specific eGovernment policy, the European Union does not have a specific budgetary item for these activities, either. The economic resources that the European Union allocates to its eGovernment activities come from budgetary items earmarked for the policies mentioned in the preceding section, thus hampering their coordination right from the start.

In addition, as will be seen further on, the amounts are very limited, and both modest in the Community budget and insignificant in relation to the volume of resources that the public administrations of the Member States are allocating and are expected to allocate to these matters. On the one hand, this circumstance tremendously limits the activities the Commission can carry out in this field; and on the other, it curbs the impact of these actions on the future of the development of eGovernment in Europe.

The European Union needs not only to coordinate its different actions in order to be able to structure a policy on eGovernment matters, but also in order to use the scant resources it has available to carry it out as coherently as possible.

6. CONCLUSIONS

Throughout this chapter, we have tried to outline the undoubtedly complex and complicated setting in which the European Union has been carrying out its activities to develop eGovernment. The consequence has been that its activities are highly fragmented and not coordinated properly.

The cause of this situation, as we have reiterated on many occasions, is none other than the lack of specific powers in the Treaties and the resulting difficulties in carrying out actions, strategies and regulations, and budgets that depend entirely on European State, regional and municipal administrations.

It is thus clear from the outset that at this time, the European Union has no coherent and well-defined policy to promote the development of eGovernment in Europe; and if it does wish to have one, it will need to find efficient and, above all, effective solutions to the actions and situations that we have outlined in this chapter and will address in depth throughout the book.

Chapter 3

EGOVERNMENT IN THE INFORMATION SOCIETY AND TELECOMMUNICATIONS POLICY

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1. INTRODUCTION

The aim of this chapter is to analyse the advent and progression of the European Union's interest in eGovernment as part of the initiatives for the development of the Information Society and Telecommunications.

Over the last ten years, the European Union has tried to implement a policy for the development of the Information Society and Telecommunications, to whose analysis we have devoted an earlier book in this same collection,¹ to which any interested reader may refer. This undoubtedly heterogeneous policy may be regarded as the aim, excuse or justification, as you prefer, of most of the activities the Commission has been promoting in this field, including the endeavour to foster the development of eGovernment.

To make this easier to grasp, we believe it is worth looking at the process as a whole, by standing back and briefly reviewing the European Information Society policy from its beginnings, with the understanding that this will help those who are broaching these issues for the first time and may serve as a reminder for others who may already be familiar with them.

Therefore, first we will analyse how eGovernment is dealt with in the different Information Society development policy actions, in particular in the eEurope initiative within the framework of achieving the goals of the Lisbon Strategy.

Secondly, we will refer to the activities carried out to date in order to evaluate the results of the progress made in implementing eGovernment in the European Union, in line with the premises resulting from the attempt to apply the open method of coordination.

Thirdly, since the Telecommunications Policy appears to have a life of its own (as we have already extensively analysed in an earlier book also published in this collection²), no matter how hard the Commission tries to consider it part of its Information Society Policy, we will analyse its relationship with the proposals for the development of eGovernment, which may also be of interest.

In order to better deal with the issues we have mentioned, we will begin by recalling the frame of reference in which these Community actions are being carried out, as we will also do in the remaining chapters of the book.

2. FRAME OF REFERENCE

As we indicated in Chapter 2, it is advisable to analyse the strategic, statutory and budgetary aspects of the EU Institutions' actions, bearing in mind the scope of each one in accordance with

¹ ALABAU A. The European Union and its Information Society Policy. Ed. Fundación Airtel Vodafone. Madrid 2002

² ALABAU A. La Unión Europea y su Política de Telecomunicaciones. Ed. Fundación Airtel. Madrid 1998

the provisions of the Treaty. This is exactly what we shall do with regard to the Information Society and Telecommunications Policies.

2.1. Strategic Aspects

The European Union began formulating its policy for the development of the Information Society in 1993, at the end of President Delors' term, as part of its long-term strategy for the economic and social revitalisation of Europe. These proposals were very premature and tried to copy the steps that the Clinton Administration had taken months earlier. At that time, it was vehemently postulated, advocated and affirmed that the private sector would be the undisputed driving force behind the Information Society, and that public administrations should play only as supporting role in this process. From then on, fairly lukewarm proposals on this subject began to appear in the Commission. While none of them had spectacular results, they did pave the way for later actions.

It was in 2000, at the start of President Prodi's term, and within the framework of the strategy developed at the Lisbon European Council in March of that same year, that the EU adopted the eEurope initiative, heralding the clear and decisive revitalisation of the new strategy for the development of the Information Society in the European Union.

By that time, there was no longer any argument over the fact that in this new era, the public administrations had to lead the way forward in building the Information Society, and it was in this context that the first initiatives aimed at developing eGovernment or Government online appeared.

It is well-known that since the mid-1980's, the European Union, and in particular the Commission, has been very active in devising and developing a policy for implementing free competition in the telecoms sector. The reason was none other than compliance with the principle of free movement of services included in the 1986 reform of the Treaty establishing the European Community, as well as the application of the commitments adopted for compliance with the international free trade agreements in telecommunications resulting from the General Agreement on Trade in Services (GATS) signed within the framework of the World Trade Organization.

However, once free competition was established in the telecommunications sector from 1998 onwards, and the very limited investment initiative by new operators was confirmed, an evident need emerged for Community authorities to spur the development of broadband infrastructures, in order to enable access to new, future services that were increasingly demanding higher communication speeds.

Hence the Commission has been developing a strategy to foster the development of broadband, with the public administrations playing a decisive role and the initiatives to develop broadband have become part of the strategy to develop eGovernment in the European Union.

2.2. Regulatory Aspects

Broadly speaking, the Information Society Policy was devised and developed with a range of basic and general powers enshrined in Articles 2, 3 and 4 of the European Community Treaty

which empower its Institutions to carry out a set of policies aimed at achieving, among other things, a *harmonious, balanced and sustainable development of economic activities* in the Community. This explains why eEurope is an initiative rather than a specific programme, so the implementation of the proposals it contains should be based on specific regulatory powers according to the nature of the planned actions.

Therefore the EU has had to resort to the powers for the promotion of industrial competitiveness laid down in Article 157 of the Treaty in order to carry out actions promoting the eEurope initiative itself. In this context, the specific actions promoting eGovernment included in eEurope have no specific backing other than the goodwill and predisposition of the Member States. Aware of this situation, the Lisbon European Council decided to achieve its goals through non-legislative measures, which is why it devised and implemented the open method of coordination, to which we will refer later on.

The telecommunications liberalisation policy was very solidly based on Article 14, which regulates the free movement of services, among other things, and on Article 86, which justified the intervention of the Commission in adopting the liberalisation Directives. The terms of Article 95, regulating the adoption of provisions for the harmonisation of national legislation, were used to adopt the rest of the regulatory framework for telecommunications.

In that context, the EU lacks any direct powers to implement its broadband promotion strategy, particularly since, as telecommunications are services subject to free competition, Title VI of the Treaty itself prohibits and, if applicable, strictly regulates state intervention.

In short, the European Union's activities to develop actions promoting eGovernment within the framework of its Information Society and Telecommunications Policies are openly at odds with its Institutions' lack of specific and direct powers to carry them out.

2.3. Budgetary Aspects

The lack of eGovernment-related powers means that there is no specific budgetary item for these tasks and no specific administrative unit in the European Commission to take charge of administering both powers and budget, as is usual in other fields. Nevertheless, the Commission, adept at managing budgets, has managed to find sources of financing to carry out its initiatives in this field.

The Commission's first actions to promote the Information Society drew on the multiannual 1998-2002 PROMISE programme, with a budget of EUR 25 million. The legal basis that justified this Council decision was the convenient Article 308 (then 235) of the Treaty, which, in the absence of specific powers, enables the European Institutions to adopt whatever provisions they deem fit in order to develop the internal market.

During 2003, the Commission proposed the adoption of a new multiannual programme for the period 2003-2005, which it called MODINIS and for which it requested EUR 25 million; it was approved in December 2003³ with a budget of only EUR 21 million. The objectives of this plan, as

³ Decision No 2256/2003/EC of the European Parliament and of the Council of 17 November 2003 adopting a multiannual programme (2003-2005) for the monitoring of the eEurope 2005 action plan, dissemination of good practices and the improvement of network and information security (MODINIS). OJ. L 336, 23 December 2003. P 1.

its title indicates, are primarily to monitor the eEurope 2005 action plan, disseminate good practices and improve network and information security. This time, the legal basis that justified its approval is to be found in Article 157 of the Treaty, included in Title XVI, Industry, which makes actions to promote the competitiveness of the Community's industry possible.

So it is clear that the few eGovernment-related actions that can be included in this multiannual programme, specifically the analysis of the extent to which the Lisbon Strategy goals have been met and the dissemination of good practices in this field, can be financed through the budgetary item earmarked for promoting the European Union's Industrial Policy.

3. EGOVERNMENT IN INFORMATION SOCIETY INITIATIVES

This section looks at how eGovernment has been dealt with in the different European initiatives for the development of the Information Society. It also aims to show how, with the passage of time, the confirmation of the true situation and, one has to admit, the onset of crises, interest has grown and the importance of the public sector's participation in the process of introducing information and communication technologies in Europe has been underscored.

3.1. Background

As we have had occasion to analyse elsewhere⁴, the Bangemann Report⁵, which in 1994 sought to advise the European Council on the way to implement the development of the Information Society⁶, already pointed towards the development of projects in the public administrations' areas of competence, although it emphasized the importance of private initiative in this new process:

"In this sector, private investment will be the driving force... The situation here is completely different from that of other infrastructural investments where public funds are still crucial

.....

The prime task of government is to safeguard competitive forces... so that demand-pull can finance growth, here as elsewhere"

It must be pointed out that in that atmosphere of strong neoliberal ideological influence, the role of the public administrations was discreetly relegated to the background.

It was not until 1997, when the High Level Group of Experts⁷, set up in 1995 to analyse the Social and Societal Aspects of the Information Society considered in the Action Plan⁸ proposed by

⁴ ALABAU A. La Unión Europea y su Política para la Sociedad de la Información. Ed. Fundación Airtel Vodafone. Madrid 2002.

⁵ Europe and the global information society. Recommendations to the European Council. Brussels, 26 May 1994. <http://europa.eu.int/ISPO/docs/basics/docs/bangemann.pdf>

⁶ COM(93) 700. Growth, Competitiveness, Employment: The Challenges and Ways Forward into the 21st Century - White Paper. Brussels, 5 December 1993.

⁷ Building the Information Society for us all. Final Report of the High-Level Expert Group. Brussels, April 1997. http://europa.eu.int/comm/employment_social/knowledge_society/buildingen.pdf

⁸ COM(94)347. Europe's way to the Information Society. An Action Plan. Brussels, 19 July 1994.

the Commission, came right out and proclaimed the role that the public sector ought to play in this process, including the following recommendation:

“Public services as an engine of growth in the emerging Information Society”

Though there was yet no talk of eGovernment, the fact was that the lists of proposals and projects that had appeared until then included an extensive list of activities that were the responsibility of the public administrations, which made the importance of their role undeniable. In fact, throughout the 1990's, many state, regional and local governments were drawing up their own plans to develop the Information Society, perceiving with increasing clarity their dual role as, on the one hand, promoters of the development of the Information Society in their economic and social environment, and on the other, as users of information and communication technologies to perform their own activities. It would be this latter role that would finally become known as eGovernment.

3.2. The context of the eEurope 2002 Initiative

One of the first actions of the new Commission headed by Romano Prodi was the launch of the eEurope initiative⁹, which it presented at the Helsinki European Council in December 1999. This document indicated that:

“The objective of the eEurope initiative is ambitious. It aims to bring everyone in Europe – every citizen, every school, every company – on line as quick as possible”

However, the true launch of the European strategy for the development of eGovernment arose from the eEurope 2002 Initiative adopted during the Lisbon European Council in March 2000¹⁰, which would be further defined at the European Council of Santa María de Feira¹¹ in June of that same year. With regard to this matter, the Conclusions of the Lisbon European Council indicate that:

9)..... *Real efforts must be made by public administrations at all levels to exploit new technologies to make information as accessible as possible.*

11)..... *the Member States to ensure generalised electronic access to main basic public services by 2003*

Yet it was the document with a detailed description of the Action Plan¹², which put forward the Commission's proposal for the eEurope 2002 Initiative, that included the proposals for the development of what it calls government online and which are worth analysing in-depth.

The first thing that is worth pointing out is the fact that the European Commission associated its strategy to stimulate the Information Society with the development of the Internet. In this regard, the plan was structured around three fundamental objectives:

1. A cheaper, faster and secure Internet
2. Investing in people and skills

⁹ CON(99) 687, Europe. An information society for all. Brussels, 8 December 1999.

¹⁰ Lisbon European Council. Presidency Conclusions. 23-24 March 2000

¹¹ Santa María de Feira European Council. Presidency Conclusions. 19-20 June 2000

¹² European Commission. eEurope 2002. Action Plan. Brussels, 14 June 2000.

3. Stimulate the use of Internet

In this latter section, the following aspects were included:

- a. Accelerating eCommerce
- b. Government online. Electronic access to public services
- c. Health online
- d. European digital contents for global networks
- e. Intelligent transport systems

The document went on to state that:

“The challenge of administrations is to adapt quickly to the new methods of working and enable new innovative ways of working, including partnership with the private sector”

In addition, and as is usual in its documents, the Commission, which is so good at in writing between the lines (though it might be more accurate to say between the paragraphs), took the opportunity to state those subjects that interested it: its obsession with opening up access to the information held by the public sector, the IDA Programme, and to a lesser degree, the Framework Programme for Research and Technological Development.

Finally, Table 3.1, which is taken from the Action Plan document, lists the eGovernment development actions that the Commission proposed.

Table 3.1.
eEUROPE 2002 ACTION PLAN ACTIONS RELATING TO GOVERNMENT ONLINE

Objective 3: Stimulate the use of the Internet			
Line b: Government online: Electronic access to public services			
Action	Actors	Deadline	
Essential public data online, including legal, administrative, cultural, environmental and traffic information	Member States, supported by European Commission	End 2002	
Member States to ensure generalised electronic access to main basic public services	Member States	End 2002/3	
Simplified online administrative procedures for business, e.g. fast-track procedures to set up a company	Member States, European Commission	End 2002	
Promote the use of open source software in the public sector and eGovernment best practice through exchange of experiences across the Union (through the IST and IDA programmes).	European Commission, Member States	During 2001	
All basic transactions with the European Commission must be available online (e.g. funding, research contracts, recruitment, procurement).	European Commission	End 2001	
Promote the use of electronic signatures within the public sector	Member States, European Institutions	End 2001	

One only has to read the contents of the table to realise what a varied set of actions the Commission had proposed and that the deadlines were too tight to be met; but that is what there was, and the only thing there was, at that time.

Once the Action Plan was approved, the Commission began to take action to implement its proposals, and kept the rest of the European Institutions informed as to its progress.

The first document presenting the activities carried out^{13, 14} was prepared by the Commission for the Nice European Council, which took place in December 2000. It must be said that, despite the interest the eEurope initiative still aroused, the Member States' representatives had a much more important mission to carry out in Nice, so the Commission's document, certainly premature, went virtually unnoticed¹⁵.

Even so, the Commission continued endeavouring to carry out the Action Plan and informing the European Council, adhering to its commitment to do so at its spring meetings. Thus, the next document worth discussing is the one the Commission presented¹⁶ at the Stockholm European Council, which was held in March 2001¹⁷. In this Commission document, the mention that is made of the progress of projects in the eGovernment area is purely perfunctory:

"EU institutions and national public administrations should make every effort to use information technology to develop efficient services for European citizens and business."

And after enumerating what it regarded as the duties of the public administrations, it adds:

"The IDA Programme is a valuable tool in supporting the development of pan-European interactive public services as well as ensuring exchange of best practice between Member States"

Readers will agree that this last sentence adds nothing new; however, as the Commission never writes anything in vain, we will see later on, when we analyse the evolution of the IDA programme, what its intention was in including it.

Let us continue, then, with our analysis of the evolution of the eEurope 2002 initiative, leaving the analysis of its benchmarking for later.

One year later, the Commission prepared another report about the evolution of the eEurope 2002 initiative¹⁸, which it presented at the spring meeting of the Barcelona European Council¹⁹, held in March 2002.

¹³ COM(2000)783. The eEurope 2002 update prepared by the European Commission for the European Council in Nice, 7-8 December 2000. Brussels, 29 November 2000

¹⁴ European Commission. Report of the Commission Services. Progress achieved in the eEurope actions. Document complementary to COM(2000) 783, prepared for the European Council of Nice. Brussels, November 2000

¹⁵ France, at loggerheads with Germany at the time, was determined to defend its weight in the European Institutions. See VERNET D. En décembre 2000, affrontement franco-allemand produit un traité de Nice alors encensé. *Le Monde*. 12 December 2003

¹⁶ COM(2001) 140. eEurope 2002: Impact and Priorities A communication to the Spring European Council in Stockholm, 23-24 March 2001. Brussels, 13 March 2001.

¹⁷ Stockholm European Council. Presidency Conclusions. 23-24 March 2001

¹⁸ COM(2002) 62. eEurope Benchmarking Report - eEurope 2002. Brussels, February 2002.

¹⁹ Barcelona European Council. Presidency Conclusions. 15-16 March 2002

This document skimmed over all of the points of the 2000 Action Plan, almost obliquely, and the Commission limited itself to highlighting the importance of eGovernment and echoing the results of the last report, published weeks before, about the measurement of the indicators²⁰ developed to evaluate the progress of this activity; we will refer to this report later on in this chapter.

Finally, in the spring of 2003, the Commission published the Final Report on the eEurope 2002 initiative²¹. This was a Communication in which the Commission, with apparent reluctance, reported on the results obtained. With regard to eGovernment, the document once again refers to the results of the benchmarking mentioned in the previous section. All of the above did not prevent it from concluding its report by saying:

"This evaluation has shown that eEurope 2002 achieved its main objectives and that these represent important steps towards the knowledge-based economy which is at the centre of the Lisbon strategy"

And it added:

"Basic e-government services are online. Now they need an increasing degree of interactivity and require back-office reorganisation to fully achieve efficiencies"

The Commission would never again formally report on the achievement of the initial objectives of the eEurope 2002 initiative indicated in Table 3.1. Interested readers can find more information about this process on the web page about eGovernment in eEurope 2002²², which the Commission still maintains.

3.3. The context of the eEurope 2005 Initiative

Before the end of eEurope 2002's effective period, the Commission prepared a continuation of this initiative, which it called eEurope 2005²³, and which was presented at the Seville European Council in June 2002.

The initiative had been accepted by the Barcelona European Council in March 2002²⁴ and the Presidency Conclusions state that:

"40.- For the next phase, the European Council...

- calls on the Commission to draw up a comprehensive eEurope 2005 Action Plan, to be presented in advance of the Seville European Council, focusing on the abovementioned priorities and the security of networks, eGovernment, elearning, eHealth and eBusiness"

²⁰ EGovernment Indicators. http://europa.eu.int/information_society/eeurope/action_plan/pdf/basicpublicservices.pdf

²¹ COM(2003) 66. eEurope 2002. Final report.

http://europa.eu.int/information_society/eeurope/2002/news_library/documents/acte_eEurope_2002_en.doc

²² European Commission. eEurope 2002 web site http://europa.eu.int/information_society/eeurope/2002/index_en.htm

²³ COM(2002) 263. eEurope 2005: An information society for all - An Action Plan to be presented in view of the Seville European Council, 21-22 June. Brussels, 28 May 2002

²⁴ Barcelona European Council. Presidency Conclusions. 15-16 March 2002

Logically, the status of the implementation of the Information Society had evolved since 2000 when the first initiative was launched, and the Commission's objectives along with it. The European Union's concern was no longer about promoting the use of the Internet, but dealing with the problem of the development and use of broadband, which had begun to be a nightmare in the European telecommunications policy, as we will see further on.

In this context, the European Commission, following the mandate of the Barcelona European Council, prepared an Action Plan proposal for eEurope 2005²⁵ in May 2002, which it presented to the Seville European Council held in the month of June.

In this document, the Commission indicated that:

"This action plan will succeed the eEurope 2002 action plan endorsed by the Feira European Council in June 2000"

And it added:

"The objective of this Action Plan is to stimulate secure services, applications and content based on a widely available broadband infrastructure.

The eEurope action plan is based on two groups of actions which reinforce each other. On the one hand, it aims to stimulate services, applications and content, covering both online public services and e-business; on the other hand it addresses the underlying broadband infrastructure and security matters".

The document also stated:

"By 2005, Europe should have:

- modern online public services
 - e-government*
 - e-learning services*
 - e-health services**
 - a dynamic e-business environment*
- and, as an enabler for these*
- widespread availability of broadband access at competitive prices*
 - a secure information infrastructure*

The objective of the proposal for action in the eGovernment area was developed in a specific Action with the same name. The description that accompanied it reviewed what had been achieved under eEurope 2002, recalled the role that the IDA programme and the IST actions of the Fifth Framework Programme for RTD had played in that task, and did not waste the opportunity to refer to the importance of the exploitation of public sector information, which continued to be a veritable obsession for the Commission.

²⁵ COM(2002) 263. eEurope 2005: An information society for all - An Action Plan to be presented in view of the Seville European Council, 21-22 June. Brussels, 28 May 2002.

Table 3.2
eEUROPE 2005 ACTION PLAN EGOVERNMENT RELATED PROPOSALS

Objective 1: Modern online public services		
Line 1.1: e-government		
Action	Actor	Deadline
<p>Broadband connection</p> <p>Member States should aim to have broadband connections for all public administrations. Since broadband services can be offered on different technological platforms, national and regional authorities should not discriminate between technologies when purchasing connections (using open bidding procedures, for example)</p>	Member States	Before end 2005
<p>Interoperability</p> <p>The Commission will issue an agreed interoperability framework to support the delivery of pan-European e-government services to citizens and enterprises. It will address information content and recommend technical policies and specifications for joining up public administration information systems across the EU. It will be based on open standards and encourage the use of open source software.</p>	Commission	Before end 2003
<p>Interactive public services</p> <p>The Member States should have ensured that basic public services are interactive, where relevant, accessible for all, and exploit both the potential of broadband networks and of multi-platform access. This will require back-office reorganisation (re-engineering of related internal administrative processes) which will be addressed in the good practice exercise. It also implies addressing access for people with special needs, such as persons with disabilities or the elderly. Commission and Member States will agree on a list of public services for which interactivity and interoperability are desirable.</p>	Member States	Before end 2004
<p>Public procurement</p> <p>Member States should carry out a significant part of public procurement electronically. The experience of the private sector shows that reducing costs is most efficiently achieved through the use of the internet in supply chain management, including e-procurement. Council and Parliament should adopt as quickly as possible the legislative package on procurement.</p>	Member States. Council and Parliament	Before end 2005
<p>Public Internet Access Points (PIAPs)</p> <p>All citizens should have easy access to PIAPs, preferably with broadband connections, in their municipalities. In establishing PIAPs, Member States should use structural funds and work in collaboration with the private and/or voluntary sector. The Commission intends to continue to support technology development in the research programme and good practice showcases to the extent possible through the follow-up programme to the PROMISE programme (MODINIS).</p>	Member States European Commission	
<p>Culture and tourism</p> <p>The Commission, in cooperation with Member States, the private sector and regional authorities, will define e-services to promote Europe and to offer user-friendly public information. These e-services should be deployed by 2005 and build on interoperable interfaces, use broadband communication, and be accessible from all types of digital terminals.</p>	Member States, Commission, regional authorities and private sector	2005

In comparing these objectives with those of eEurope 2002, it is clear that the main interest of this new edition was no longer in encouraging the use of the Internet, but in promoting the use and development of broadband. However, in both cases, the development of services and applications, including those for eGovernment, appeared as a means of achieving the initiative's primary objective and not so much as an end in itself.

Another important nuance of the document is the fact that it differentiates between what it calls Modern online public services, and what it calls eGovernment. Thus, it is clear that the role of the public sector and its contribution to the initiative's objectives is considered crucial.

Finally, a reading of the list of proposed actions in eEurope 2005 makes not only the Commission's interests evident, but also, essentially, its own limitations in undertaking actions in the field of eGovernment. The Commission was aware that the ultimate responsibility lay with the public administrations of the Member States, and that its possibilities were limited to creating an environment conducive to the adoption of any decisions necessary to develop eGovernment for anyone who might have the capacity to do so.

It is also evident that in mid-2002, when the eEurope 2005 document was drawn up, the European Union did not have a real eGovernment development policy, and it still considered actions in this field to be mere instruments for trying to achieve, in general, the objectives of the Lisbon Strategy²⁶, and in particular, to promote the development of the information technology and telecommunications sector through public sector actions. In our opinion, the strategy proposed by the Commission for both eEurope 2002 and eEurope 2005 was definitely weak and tremendously biased, as we have had occasion to point out.

The Seville European Council²⁷ of June 2003, referred to this initiative in the following terms:

"Economic reform, innovation and competitiveness.

54.- The Barcelona European Council stressed the need for a strong drive towards reform and highlighted several priority areas. Considerable progress has already been made, as is shown in the Presidency report. The economic reform agenda launched at the Lisbon summit must be vigorously pursued so as to achieve the Union's strategy goals. The European Council accordingly:

•

• endorses the objectives of the Commission's Action Plan for eEurope 2005 as an important contribution to the Union's efforts to bring about competitive, knowledge-based economy, calls upon all institutions to ensure that it will be fully implemented by the end of 2005 and invites the Commission to present in good time for the spring European Council in 2004 a mid term review to evaluate progress and, if necessary, make proposals to adapt the Action Plan."

In its conclusions, the Seville European Council made no reference to eGovernment, nor to any specific aspect of the contents of the initiative.

²⁶ Extracts from presidency Conclusions on the Lisbon Strategy by Theme. European Councils. Lisbon to Thessaloniki. June 2003

²⁷ Seville European Council. Presidency Conclusions. Brussels, 24 October 2002

The way in which the text of the Presidency Conclusions of the Seville European Council was worded, stating “*endorses the objectives of the Commission’s eEurope 2005 Action Plan*” rather than “endorses the eEurope 2005 Action Plan” raised comments among the experts about what the Council had really approved, as some countries had apparently shown their reticence towards the Commission’s proposal. Be that as it may, the actions went ahead.

This situation of ambiguity would go to explain why, some months later, the Council of Telecommunications Ministers, during their December 2002 meeting in Brussels, was forced to adopt a Resolution²⁸ regarding the eEurope 2005 Action Plan in very general terms, but ones that made it possible to dispel any doubts about what had been approved and what had not. In this document, the Council of Ministers indicated (among other things) that:

“Welcomes the intentions of the Commission

- to establish a steering group (dealing with eEurope initiative)*
- to ensure the allocated Community funds contribute to achieving the objectives of the eEurope Action Plan*
- to present a midterm review of eEurope 2005 Action Plan in advance of the Spring European Council 2004-09-16 to identify, analyse and disseminate good practice in close cooperation with the Member States”*

After this Resolution, the Commission was still due to give an account in spring 2004; however, as the aforementioned Council of Ministers had asked the Commission to report on the situation of the telecommunications sector before the spring 2003 European Council, the Commission took this opportunity to once again refer to the eEurope 2005 initiative.

Thus, in February 2003, the Commission issued a Communication²⁹ entitled: “Electronic communications,” in which it referred to the situation of the sector within the framework of eEurope 2005 and announced the schedule of activities it planned to carry out by the end of 2005. This document does not expressly refer to activities in the field of eGovernment, although it does very directly mention the importance of public services in developing telecommunications, as well as the benefits that can be obtained from the latter, in particular broadband and third-generation mobile communications, although we will discuss all this in greater detail later on.

In the Commission’s best style, this mention gave it the opportunity to refer to the eGovernment Conference that was to be held in Como in July 2003. This Communication was echoed by the spring European Council³⁰, which was held in Brussels in March 2003, once again emphasizing the importance of developing telecommunications as a tool for growth, competitiveness and the creation of jobs.

²⁸ 2472nd Council meeting - Transport, Telecommunications and Energy - Brussels, 5-6 December 2002 Resolution on the implementation of eEurope Action Plan.

²⁹ COM(2003) 65. Electronic Communications: the Road to the Knowledge Economy. Brussels, 11 February 2003.

³⁰ Brussels European Council. Presidency Conclusions. 20-21 March 2003.

3.4. The eEurope 2005 Mid-term Review

The next step was the preparation of the mid-term review that the Council had requested. For its preparation, the Commission called for a period of consultation between June and September 2003 in order to ascertain the sector's opinion; the results were made public in October of that same year. In analysing the document issued by the Commission³¹, the small number of responses received, twenty in all, is surprising. Based on the opinions received, the Commission finally issued this mid-term review³² in February 2004, in time to be included on the agenda of the spring European Council that was going to take place in March.

In its conclusions, the document expressed moderate euphoria (one might even say very moderate, compared to what is habitual in Commission documents) about the results achieved by the initiative, as you can see:

"At mid-term of the eEurope 2005 Action Plan important progress has been made. The eEurope 2005 targets remain valid, in the context of the enlargement of the EU to 25 members and the consultation revealed that it has acted as a stimulus to many national and regional efforts. Significant developments in the areas of broadband and e-government have been supported by increased political support at the national and EU levels.

Achieving the goals of eEurope 2005 requires strong political leadership and commitment at all levels. There are many areas of success - broadband connectivity is rising, government services are increasingly fully on-line.

However, in many fields progress is still supply driven, concentrating on technology, applications and initiatives. A concerted effort is needed from all sides if we are to achieve the productivity gains and job creation expected from eEurope. This push to maturity means emphasising the delivery of solutions and on scaling up fast from success stories to critical mass."

It is surprising to observe that eGovernment is included among the types of activities considered successful; however, in reading the section that the document devotes to this subject, we can see that the euphoria we mentioned earlier is definitely moderate.

"2.1 .e-government

It is now widely acknowledged that e-government is a key tool for public sector reforms. The strong political support in Member States is indicated by all of them having active e-government policies. ICT is seen as a catalyst for administrative modernisation and service improvement. e-Government is at the core of national policies for the Information Society.

Benchmarking shows that government basic services fully available online grew from 17% to 43% between October 2001 and October 2003, although wide differences persist between Member States, ranging between 72% to 15% of services fully

³¹ European Commission. eEurope 2005 Mid Term Review. Summary on public consultations. Brussels, 10 October 2003 http://europa.eu.int/information_society/europe/2005/doc/all_about/031007_public_consultation_summary.doc

³² COM(2004) 108. eEurope 2005 Mid-term Review. Brussels, 18 February 2004.

available online in October 2003. [4] There is, meanwhile, a noted need for better ICT tools and interoperability, better skills and integration of back and front office.

The eEurope 2005 targets for e-government remain valid and Member States have agreed on a number of new joint initiatives at the EU level since the adoption of the Action Plan. Good progress is being made in most Member States on the number of broadband connections for administrations, interactive public e-services, and Public Internet Access Points (PIAPs), as well as e-procurement availability.

Responses to the consultation called attention to the following issues for the review of the eEurope 2005 Action Plan:

- **Benchmarking**, it is important that e-government is not only about implementing technologies and supplying services but that it provides solutions. Supply is growing but demand lags behind [6]. The factors that will drive demand need to be better understood. This calls for increased efforts to measure the social and economic impact of e-government and the drivers of demand for e-government. Complementary quantitative and qualitative measures are needed to meet these concerns..

- **Exchange of good practices**: accumulated experience permits the identification of good practices and success factors. In addition to instruments such as conferences and awards, more structured exchange on best practice and transferability of lessons is required. Some Acceding and Candidate Countries requested guidance on e-government implementation.

- **Reinforced co-operation at EU level on policy orientation and financial support**: areas cited were trust and security (& identity management), standardisation and open source software, inclusive accessibility (& multi-platform access) and innovation. Many Member States also identified interoperability (e.g. common citizen identifiers, e-authentication and data vocabularies). Interoperable pan-European services might be targeted for development where there is a match with EU policy objectives and the needs of European citizens.”

In light of its contents, this report could be classified as a mere formality, as it does not even mention the activities carried out in this field by the different services of the Commission, as is usual in this type of compilation document.

The Spring European Council³³, which took place in Brussels in March, does not seem to have paid much attention to this document prepared by the Commission; and referring to the report about the progress of the Lisbon Strategy³⁴, which the Commission had also prepared, it postponed its in-depth analysis until the meeting that would be held in the spring of 2005.

3.5. The updated eEurope 2005 Action Plan

In May 2004, the Commission presented a Communication³⁵ to the Council in which it updated the eEurope 2005 Action Plan. With regard to eGovernment, the Commission focused on the

³³ Brussels European Council. Presidency Conclusions. 25-26 March 2004.

³⁴ COM(2004) 29. Report from the Commission to the Spring European Council. Delivering Lisbon. Reforms for the enlarged Union. Brussels, 20 February 2004.

³⁵ COM(2004) 380. eEurope 2005 Action Plan. An Update. Brussels, 17 May 2004.

aspects relating to establishing a good practice framework, in accordance with its Communication of September 2003 and the Conclusions of the Council of November of that same year. In this regard, the Commission added the following new line of action to the eEurope Action Plan:

“ Action 5: Bringing the good practice framework for e-government to full operation by middle of 2005, through:

- Facilitating the exchange of good practices and learning from experiences at local, regional, national, European and international level.*
- Providing continuity in good practice exchanges.*
- Addressing critical issues that hamper the transfer of good experiences such as the legal aspects of the process of re-using successful developments, the ownership of the systems and their relationship with the public tendering procedures to be followed, and procedures for engaging in public-private partnerships.”*

In its June 2004 meeting³⁶, the Council of Telecommunications Ministers analysed the Commission's proposal and once again insisted on the importance of matters relating to interoperability and the transfer of good practices, and underlined the importance of Member States continuing to maintain their commitment to implementing the eEurope 2005 Action Plan. It also stressed the need to prepare strategic guidelines on the Information Society to foster the Lisbon Strategy.

We would like to see the words of the Council as an attempt to take the initiative on the eve of the change in the Presidency and the members of the Commission. Nevertheless, with a new Portuguese President of the Commission, we feel that the continuity of the Lisbon Strategy can be considered to be ensured.

3.6. Comments

The eEurope initiative represents one of the frameworks that justifies the activities of European Commission's eGovernment programmes and in which these activities are carried out, as part of its policy for the development of the Information Strategy within the framework of the Lisbon Strategy. However, as we will have occasion to analyse further on, all of the programmes we have mentioned already existed before the Lisbon Strategy was formulated, which seems a paradox yet is quite understandable within the way the Community operates. The eEurope initiative was going to be implemented through the Commission's ordinary avenues of action, with the budgets that were already approved and available for them.

Thus, it is clear that the eEurope initiative was a strategic approach with which Community programmes related to its objectives will have to comply. This situation is one of its strengths as far as strategic aspects are concerned, but at the same time a clear weakness with regard to regulatory and budgetary aspects; in other words, what was defined in the eEurope initiative must be subject to regulatory frameworks and must be financed with budgetary items that fall outside the scope of the initiative.

³⁶ 2589th Transport, Telecommunications and Energy Council Meeting - Luxembourg, 10 - 11 June 2004

That is precisely the situation of eGovernment-related activities. The IDA and eTEN programmes and the IST actions of the Framework Programme for Research, among others, will gradually find their place under the protective umbrella of eEurope, and quite rightly so; but they will maintain their independence and their specificity, which will represent a nearly insurmountable barrier to the development of a true European Union policy regarding eGovernment, as we will have occasion to point out throughout the book.

4. MEASURING THE DEVELOPMENT OF EGOVERNMENT

In this section, we will try to summarize the main activities carried out by the Commission in order to evaluate the progress of the development of eGovernment in the Member States, the reasons that have forced the Commission to perform these activities and the conclusions that may be derived from the results obtained.

This activity takes place within the framework of the Lisbon Strategy, so we must recall some important basic aspects of this strategy. It is, undoubtedly, another important aspect of the European Union's policy on this subject.

4.1. Open Method of Coordination

As we have analysed elsewhere³⁷, when the Lisbon Strategy was launched, the European Union's Institutions were aware that they lacked the regulatory framework required to undertake the implementation of the eEurope initiative with any guarantee of success, and that the bulk of the execution of any decisions that might be adopted was going to depend on the actions of the Member States, no matter how much the Commission might insist otherwise. It was in this context that the decision was adopted to rely on non-legislative instruments that would make it possible to follow up, to a certain degree, the results of the proposals that were going to be approved. The solution consisted of adopting what was known as the open method of coordination, inspired by the provisions of Article 137 of the Treaty, referring to the European Union's Social Policy.

The Lisbon European Council³⁸ referred to the open method of coordination in the following terms:

*"5. The Union has today set itself a **new strategic goal** for the next decade: to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion. ...*

6. This strategy is designed to enable the Union to regain the conditions for full employment, and to strengthen regional cohesion in the European Union....

*7. Implementing this strategy will be achieved by improving the existing processes, introducing a **new open method of coordination** at all levels, coupled with a stronger guiding and coordinating role for the European Council to ensure more*

³⁷ Alabau A. The European Union and its Information Society Policy. Ed. Fundación Vodafone. Madrid 2002.

³⁸ Lisbon European Council. Presidency Conclusions. 23-24 March 2000

coherent strategic direction and effective monitoring of progress. A meeting of the European Council to be held every Spring will define the relevant mandates and ensure that they are followed up.

Further on, it added:

“Implementing a new open method of coordination

37. Implementation of the strategic goal will be facilitated by applying a new open method of coordination as the means of spreading best practice and achieving greater convergence towards the main EU goals. This method, which is designed to help Member States to progressively develop their own policies, involves:

- fixing guidelines for the Union combined with specific timetables for achieving the goals which they set in the short, medium and long terms;*
- establishing, where appropriate, quantitative and qualitative indicators and benchmarks against the best in the world and tailored to the needs of different Member States and sectors as a means of comparing best practice;*
- translating these European guidelines into national and regional policies by setting specific targets and adopting measures, taking into account national and regional differences;*
- periodic monitoring, evaluation and peer review organised as mutual learning processes*

Taking these conclusions from the Lisbon European Council as a basis, the Commission began the process of defining the indicators necessary to carry out the aforementioned evaluation.

4.2. eGovernment indicators

Two supplementary aspects must be distinguished in analysing the indicators used in the framework of the evaluation of the European Union’s activities in eGovernment: the indicators for the eEurope initiative, and the indicators for eGovernment services, whose analysis we will undertake next.

Indicators for the eEurope initiative

In the Communication³⁹ that the Commission prepared in May 2000 and which contained the first Action Plan proposal for the eEurope 2002 initiative, an Annex listed twenty-seven possible indicators to be taken into account in evaluating the results of the set of actions included in the initiative. Based on that proposal, the Nice European Council⁴⁰ in December 2000 adopted a list of only twenty-three, which were specified in the supporting document prepared by the Permanent Representatives Committee⁴¹. The definitive list was approved by the Council of Internal Market Ministers⁴² in November 2000.

³⁹ COM(2000) 330. eEurope 2002 - An Information society for all - Draft Action Plan prepared by the European Commission for the European Council in Feira - 19-20 June 2000. Brussels, 24 May 2000

⁴⁰ Nice European Council. Presidency Conclusions. 7-9 December 2000.

⁴¹ COREPER Ref. 13493/00. Liste des indicateurs d’étalonnage pour le Plan d’Action eEurope. Bruxelles 20 Novembre 2000.

⁴² Doc. Ref 13493/1/00. List of Benchmarking indicators for eEurope Action Plan. 2315th Council meeting- Internal Market, Consumers and Tourism. Brussels, 30 November 2000

This list included only three related to eGovernment:

“Government on-line

- *Percentage of basic services available on-line*
- *Public use of government on-line services for information/for submission of forms*
- *Percentage of public procurement which can be carried out on-line”*

In line with these criteria, the Commission presented a first eEurope 2002 Benchmarking Report⁴³ in February 2002. In this regard, it must be said that the Commission published the results of the benchmarking performed using these indicators⁴⁴ in 2000, 2001 and 2002.

This list soon seemed insufficient, and the Commission itself, coinciding with the presentation of the eEurope 2005 initiative, presented a Communication⁴⁵ in which the expansion of the list was suggested, leaving the final version as follows:

“eGovernment

Policy indicator:

*D.1 No. of basic public services fully available on-line*⁴⁶

Supplementary statistical indicators:

D.2 Percentage of individuals using the Internet for interacting with public authorities broken down by purpose (purposes: obtaining information, obtaining forms, returning filled in forms)

D.3 Percentage of enterprises using the Internet for interacting with public authorities broken down by purpose (purposes: obtaining information, obtaining forms, returning filled in forms)

Additional supplementary indicators to be the subject of pilot studies with a view to examination of their feasibility at the mid-term review or earlier if possible:

D.4 No. of available basic public on-line services with integrated digital back office processes

D.5 Public procurement processes that are fully carried out online (electronically integrated) in % (by value) of overall public procurement

D.6 Percentage of public authorities using open source software”

In accordance with this proposal, the Council of Telecommunications Ministers adopted a Resolution⁴⁷ in which it accepted the Commission's proposal and called upon it to use the proposed list of indicators in the next evaluations of the eEurope initiative's progress.

It is thus surprising that in the mid-term review of the eEurope 2005 Action Plan which we mentioned earlier, the new battery of indicators was not used; it is likely that the Commission is saving it for what it calls the *thorough evaluation* it has announced for 2004 in this document.

⁴³ COM(2002) 62. eEurope Benchmarking Report - eEurope 2002. Brussels, 5 February 2002.

⁴⁴ eEurope Benchmarking. http://europa.eu.int/information_society/eeurope/2002/benchmarking/index_en.htm

⁴⁵ COM(2002) 655. eEurope 2005: Benchmarking Indicators. Brussels, 21 November 2002.

⁴⁶ The 20 basic services, as approved by the Internal Market, Consumer Affairs and Tourism Council on 12 March 2001, for the first benchmarking exercise for eEurope.

⁴⁷ Council Resolution of 18 February 2003 on the implementation of the eEurope 2005 Action Plan. OJ C 48, 28 February 2003. P. 2.

Indicators for eGovernment Services

In the general framework described in the preceding section, and in order to specify the way in which first the generic indicators are measured: *Percentage of basic public services available online*, the European Commission developed and published a list of 20 public services⁴⁸ that should be evaluated in detail. Table 3.3 shows the aforementioned list of public services.

Table 3.3
LIST OF BASIC PUBLIC SERVICES ONLINE

Services for Citizens	
1	Income Taxes; Declaration, notification of assessment
2	Job search services by Labour offices
3	Social Security contributions – (3 out of the following 4) unemployment benefits, child allowances, medical costs, student grants.
4	Personal documents – (Passport and Driver's licence)
5	Car registration (new, used and imported cars)
6	Application for building permission
7	Declaration to the police (e.g. in case of theft)
8	Public libraries (availability of catalogues, search tools)
9	Certificates (birth and marriage) request and delivery
10	Enrolment of high education/ university
11	Announcement of moving (change of address) Change of address
12	Health-related services (indicative advice on the availability of services in different hospitals; appointments for hospitals)
Services for businesses	
13	Social contributions for employees
14	Corporation tax: declaration, notification
15	VAT: declaration, notification
16	Registration of a new company
17	Submission of data to statistical offices
18	Customs declarations
19	Environment-related permits (incl. reporting)
20	Public procurement

⁴⁸ European Commission. eGovernment indicator for benchmarking eEurope. Brussels, 22 February 2001.

The first benchmarking that was done using the status of eGovernment in the European Union was carried out by IDA in 2000, very shortly after the approval of the battery of indicators we have just mentioned. Because of the nature of this Programme, it must be pointed out that of the 20 services proposed, only the 13 that in some way were pan-European in nature⁴⁹ were analysed; as far as we know, this work has had no continuity.

Since 2001, the Commission has been conducting a systematic analysis of the evolution of the 20 services indicated, publishing the results on a regular basis⁵⁰ (in October 2001, April 2002, October 2002 and October 2003). The results of these benchmarking studies are the only ones available to date.

4.3. Comments

The analyses of the results of the benchmarking studies ordered by the Commission using the indicators discussed may be debatable, but their timeliness must be acknowledged. Given the lack of information about the progress of the implementation of eGovernment in the European Union, this data is undoubtedly of interest.

What is more questionable is the use of these measurements in the framework of the application of the open method of coordination to the case of eGovernment. As we previously recalled, the complete open method of coordination process is made up of different stages which are successive and linked: a) Establish EU guidelines; b) Establish indicators; c) Translate these European guidelines into national policies; and d) Periodically organise monitoring and evaluation.

In the case of eGovernment, the indicators policy meets the objectives of points b) and d) in the general scheme of the open method of coordination, but as the steps in points a) and c) are lacking, these indicators and their measurements lose all significance.

Given the absence of any type of European powers in the area of public administrations, it is certainly utopian to speak of applying the open method of coordination in these matters.

5. EGOVERNMENT IN TELECOMMUNICATIONS PROGRAMMES

5.1. Background

Ever since the project to develop the Information Society in the European Union was first put forward in 1993, its objectives have always taken second place to those of the Telecommunications Policy.

Apart from acknowledging the timeliness of the Presidency of the Commission's proposal to the European Council regarding the need to undertake the development of the Information Society

⁴⁹ Benchmarking of electronic services delivery in the public sector. TietoEnator, May 2001. Developed under contract no 503336 with IDA. <http://europa.eu.int/ISPO/ida/jsps/index.jsp?fuseAction=showDocument&documentID=386&parent=chapter&preChapterID=0-17-53>

⁵⁰ eGovernment. Results of measurement http://europa.eu.int/information_society/eeurope/2002/action_plan/egov/index_en.htm

as a means of helping to solve the problems of growth, competitiveness and jobs that the European Union already faced at that time, one must also assume that this noble objective was used as a powerful argument in deciding the liberalisation of telecommunications infrastructures, to thus tackle the last stage in the process of opening up the sector to competition. This is neither the time nor the place to take stock of how wise this decision was, although it is appropriate to recall this circumstance.

The fact is that until the telecommunications liberalisation process was completed and competition was established in 1998, neither the European Union nor the Member States seemed to make much of an effort to launch the development of the Information Society, not even to acknowledge the inevitable fact that it was going to grow with the use of the Internet. The proof is that for this and other reasons, evidently, the eEurope initiative was not proposed until the year 2000, and Member State plans prior to that date were few in number.

The European Commission's position in the area of Telecommunications and the Information Society has always been, in our opinion, ambivalent, naturally to the detriment of the Information Society. We must confess that we have never been very clear on whether the Information Society development policy has an end in itself or whether it has primarily been considered a means to spur the development of telecommunications, fill networks with content and thus contribute to the consolidation of this sector that was just becoming open to competition. Indeed, the fact that both responsibilities are in the same Directorate-General and under the authority of the same Commissioner has only served to favour this.

Whether or not the above is true, the indisputable fact is that in the documents relating to the Telecommunications Policy, we feel that this has been reflected; and with regard to its impact on eGovernment, this circumstance is demonstrable, as we will have occasion to point out in this section.

Telecommunications are, of course, fundamental to the development of eGovernment in that they make remote access to public administration services possible; however, it is equally true that this is no more than a minor part of the process, which is never enough to determine it. The process of modernising and computerising the public administrations began long before the liberalisation of telecommunications, the advent of the Internet and the mass use of mobile communications, and this fact must constantly be kept in mind during this analysis.

5.2. The Process of Reviewing the Regulatory Framework for Telecommunications. Actions in the Context of the eEurope 2002 Initiative

The package of directives that made the liberalisation of the telecommunications sector and the harmonisation of national legislation⁵¹ in this area possible included a mandate for the Commission to initiate a process analysing the impact of these directives during 1999. In accordance with this principle, the Commission initiated the process of reviewing the regulatory framework in 1999.

⁵¹ Alabau A. La Unión Europea y su Política de Telecomunicaciones. Ed. Fundación Airtel. Madrid 1998.

At the time the review process was initiated⁵², the Commission announced its intention to propose a reconsideration of this package of directives with the dual aim of consolidating legislation developed over the course of nearly ten years and of adapting it to the sector's new circumstances, once the course of competition had been set; it also announced that this process should take place as soon as possible. This objective appeared in the Commission's proposals, which the Lisbon European Council⁵³ did not hesitate to adopt as its own:

"11. The European Council calls in particular on:

... ..

- the Council and the European Parliament to conclude as early as possible in 2001 work on the legislative proposals announced by the Commission following its 1999 review of the telecoms regulatory framework; the Member States and, where appropriate, the Community to ensure that the frequency requirements for future mobile communications systems are met in a timely and efficient manner. Fully integrated and liberalised telecommunications markets should be completed by the end of 2001;"

This request was sufficient reason for the Commission to introduce this proposal among the first ones of the eEurope 2002 Action Plan, in the terms reproduced in Table 3.4

Table 3.4

eEUROPE 2002 ACTION PLAN TELECOMMUNICATIONS-RELATED ACTIONS

Objective 1: Stimulate the use of the Internet		
Line b: Cheaper and faster Internet access		
Action	Actors	Deadline
Action: Adopt the five directives for the new framework for electronic communications and associated services	Council, European Parliament and European Commission	As soon as possible in 2001
Adopt the new Commission Directive on Competition in Communication Services.	European Commission	End 2001

From the facts we have just summarised, we can deduce that, once again, the development of the Information Society is tagging along with the telecommunications regulation process which, yet again, appeared as one of the top priorities for the Commission, and we believe also for the Member States.

With regard to eGovernment, we must remember that, as indicated in section 3.3.2, the actions planned for eEurope 2002 were included under the objective of *Stimulating the use of the Internet*, which is rather significant.

⁵² COM(1999) 539. Towards a new framework for Electronic Communications infrastructure and associated services - The 1999 Communications Review. Brussels, 19 November 1999.

⁵³ Lisbon European Council. Presidency Conclusions. 24-25 March 2000.

The process of adopting the new directives was a little longer than expected, but was finally completed during the year 2002⁵⁴ with the adoption of the new package of directives:

1. The Commission Directive consolidating the liberalisation process
 - Directive regarding competition⁵⁵
2. The directives of the Parliament and Council which modified the ones regarding harmonisation of national legislation
 - Directive regarding the regulatory framework⁵⁶
 - Directive regarding access and interconnection⁵⁷
 - Directive regarding authorisation⁵⁸
 - Directive regarding universal service⁵⁹
 - Directive regarding the protection of privacy⁶⁰

The Member States had until July 2003 to transpose this new package of directives into national legislation.

5.3. The Concern over Broadband. Actions in the Context of eEurope 2005

The completion of the review of the regulatory framework for telecommunications which we mentioned in the previous section coincided with the launch of the eEurope 2005 initiative, and at that time the telecommunications authorities had other strategic priorities. The limitations of existing infrastructures and operators' lukewarm interest in stimulating the development of other, more advanced ones had begun to be obvious.

Plainly speaking, one might say that it became clear that it was no longer possible to rely on continuing to live off of the income from telecommunications infrastructures amassed during the time of the monopoly, and that the new operators were not showing much interest in mass investments in developing more advanced infrastructures, in particular at a time when the sector was undergoing

⁵⁴ European Commission. Today's Framework. http://europa.eu.int/information_society/topics/ecommerce/all_about/todays_framework/index_en.htm

⁵⁵ Commission Directive 2002/77/EC of 16 September 2002 on competition in the markets for electronic communications networks and services. OJ L 249, 17 September 2002. P. 21.

⁵⁶ Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive). OJ L 108, 24 April 2002. P. 33

⁵⁷ Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive). OJ L 108, 24 April 2002. P. 7

⁵⁸ Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive). OJ L 108, 24 April 2002. P. 21

⁵⁹ Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive). OJ L 108, 24 April 2002. P. 51

⁶⁰ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications). OJ L 201, 31 July 2002. P. 37

difficulties. Traditional operators were suffering from the difficulties of decapitalisation resulting from the huge sums paid to the public administrations in order to obtain UMTS licences, and new operators, still with very low rates of penetration in the market, did not seem to be in the best position to invest in infrastructures that would not bring them immediate profitability.

It was evident that public intervention was becoming necessary, not only to spur the development of new broadband infrastructures, but also to promote their use, in order to prevent the difficult circumstances the sector was going through from slowing down the development process begun years before. It was as if the Commission, and especially the Member States, had begun to recognize their huge mistake in having encouraged operators to pay such enormous sums for UMTS licences—a mistake which, naturally, they were never going to explicitly acknowledge.

In this context, the Commission echoed the problem in a report about the progress of eEurope 2002 which it presented to the Council of Barcelona (March 2002), which expressed the problem in the following terms:

“40.- Further progress is needed. For the next phase, the European Council:

- Attaches priority to the widespread availability and use of broadband networks throughout the Union by 2005*
- Calls on the Commission to draw up a comprehensive eEurope 2005 Action Plan, to be presented in advance of Seville European Council, focusing on the abovementioned priorities and the security of networks and information, eGovernment, eLearning, eHealth and eBusiness”*

In this context, when drawing up the proposal for the new eEurope 2005 initiative, the Commission could not help but take the European Council’s opinions into account and clearly reflect them in the document.

This explains why, as we pointed out in Table 3.2 when referring to actions in the field of eGovernment, the Commission included a very clear Action in this regard:

“Broadband connection

Member States should aim to have broadband connections for all public administrations. Since broadband services can be offered on different technological platforms, national and regional authorities should not discriminate between technologies when purchasing connections (using open bidding procedures, for example)”

The next step in the Telecommunications policy was the presentation of a Communication⁶¹ in which the Commission took stock of the activities carried out and stated what its next steps would be:

“This Communication does not launch new policies. It reminds Member States of the need to complete rapidly the process of defining and implementing the actions already planned and complementing these where necessary. Concretely, governments should aim to:

.....

⁶¹ COM(2003) 65. Electronic Communications: the Road to the Knowledge Economy. Brussels, 11 February 2003.

(ii) encourage the use of electronic communication technologies through broadband and multi-platform access, as outlined in the eEurope 2005 Action Plan, to improve public services and, ultimately, to reorganise business and administrative processes to increase productivity and growth."

With regard to broadband, it added:

"Broadband provides important new options in terms of the quality of services delivered. Distance education (using e-learning), access to government services (e-government), healthcare (e-health), entertainment, videoconferencing, e-commerce, etc. become more practical and often feasible only through the high speed provided by broadband access.

.....

In many rural and remote regions, geographical isolation and low density of population can make the cost of upgrading telephone lines to broadband capability unsustainable. Here, the Structural Funds can be used to increase infrastructure availability. As the mid-term review of Structural Funds programs will take place in 2003, this would provide an opportunity for Member States to give greater emphasis to this priority on the basis of an assessment of the regional needs.

By Spring 2003, the Commission will provide Member States with guidelines on criteria and modalities of implementation of Structural Funds in support of the electronic communications sector, notably broadband fixed and wireless infrastructure.

The development of broadband services constitutes an important source of revenue growth both for fixed line communication companies and cable operators who are facing stagnating demand for their other services. Increases in broadband connections also generate significant demand for specific equipment, benefiting manufacturers.

The combination of economic and societal interest in the development of high-speed connections has led many governments to take specific actions to encourage its deployment. Many Member States have elaborated specific 'broadband strategies'."

So as to make headway in this process, the Commission specified the following in the document:

"By Spring 2003, the Commission will provide Member States with guidelines on criteria and modalities of implementation of Structural Funds in support of the electronic communications sector, notably broadband fixed and wireless infrastructure"

The Commission, not without some difficulty, has been promoting its strategy for the development of broadband, primarily on the strength of words and documents, as it usually does in areas where it has no regulatory or direct budgetary powers. Finally, in the report on the status of the telecommunications sector⁶², published in November 2003, the Commission outlined the far-from-promising reality of the situation.

⁶² COM(2003) 715. European Electronic Communications Regulation and Markets 2003 - Report on the Implementation of the EU Electronic Communications Regulatory. Brussels, 19 November 2003.

In this context, the Commission has been shaping its broadband development strategy⁶³, which is available on the Internet, and to which we refer interested readers.

5.4. Comments

It is clear that the Telecommunications policy has been of great interest to the European Commission since the 1990's, and one on which the Commission has shown itself to be expeditious and aggressive, and continues to act in this manner. Thus, it is hardly surprising that it seizes upon any reason or action to consolidate it.

In this context, and from this standpoint, the entire Information Society policy, and in particular the eGovernment-related actions, can be considered subordinate to the Telecommunications policy in that they enable and encourage the development of content and, in short, the use of communications services; we have seen this in the preceding analysis, and this is how the documents relating to the eEurope initiative were written: first it was the promotion of the use of the Internet, and then the development of broadband.

The explanation for this situation is quite simple: the Telecommunications policy is strong and important in the Community framework, and the eGovernment policy is non-existent. In context, it is clear that the approaches and actions of the Community Institutions with regard to both strategies have been, are, and will most likely continue to be different in degree and intensity.

6. CONCLUSIONS

In this chapter, we have analysed some of the most significant elements in the European Union Institutions' eGovernment-related actions, within the framework of the policy to develop the Information Society and telecommunications.

The eEurope initiative, the implementation of the Lisbon Strategy and the Telecommunications Policy are certainly important in analysing Community actions relating to eGovernment, but they are not the only ones. In Chapter 4, we will analyse some others that are no less significant.

With this cyclic approach, we plan to define the general frame of reference in which we will insert each of the specific programmes that are most directly related to eGovernment, which we will analyse throughout the remaining chapters of this book.

Finally, in order to gradually fill in the pieces of the puzzle, we have prepared the outline in Table 3.5 showing the main events we have referred to in this chapter. We will use this on other occasions in upcoming chapters until we complete the overall panorama of actions that the European Institutions are carrying out in the area of eGovernment.

⁶³ European Commission. Broadband strategy. http://europa.eu.int/information_society/eeurope/2005/all_about/broadband/index_en.htm

Table 3.5.
CHRONOLOGY OF EVENTS RELATING TO THE INFORMATION SOCIETY AND TELECOMMUNICATIONS POLICIES

Year	Presidency of the European Council	Presidency of the Commission	Information Society Policy	eEurope and eGovernment Indicators	Telecommunications Policy
1999	Germany				Start of the process to review the Regulatory Framework
	Finland	Prodi			
2000	Portugal		eEurope 2002		
	France			Approval of the list of Indicators	
2001	Sweden				
	Belgium			1 st Benchmarking	
2002	Spain		eEurope 2005	2 nd Benchmarking	Adoption of the package of directives regarding the review of the Regulatory Framework
	Denmark			3 rd Benchmarking	Commission's Broadband Strategy
2003	Greece				
	Italy			4 th Benchmarking	
2004	Ireland		Updated eEurope 2005 Action Plan		
	Netherlands	Barroso			
2005	Luxembourg				
	United Kingdom				

Chapter 4

THE ATTEMPTS TO DEFINE A EUROPEAN UNION EGOVERNMENT DEVELOPMENT POLICY

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1. INTRODUCTION

The aim of this chapter is to continue analysing the actions that might be of use in completing the panorama in which the European Union has attempted to define an eGovernment development policy.

Despite the repeated mentions of eGovernment in the Information Society initiatives, nothing of what we saw in the previous chapter could lead us to believe that the European Union has a clear strategy in this field. Nevertheless, both the Member States and the European Institutions have been endeavouring to define it, as we will try to explain in the next sections.

First of all, we will discuss the work that the Ministers responsible for Public Administration in the Member States have been doing, through the European Public Administration Network (EPAN). This is an informal association of those responsible for public administration-related matters in the Member States who, in light of the fact that there is no European Union Council of Ministers to deal with these affairs, have been collectively attending to matters of interest to them, including eGovernment-related issues.

Secondly, we will analyse the first attempts of the European Institutions, spurred by the Commission and seconded by the Council, to develop a coherent eGovernment strategy. These actions, in our opinion, are the only ones that allow a glimpse of the Community's desire to develop a policy in this field.

Although the actions described in the previous section did not take place until the end of 2003, we have brought them up at this point, before analysing each of the eGovernment-related programmes in the next chapters. This is in order to give readers teleological arguments that will make it easier to understand the evolution of these programmes, as well as the meagre achievements that the European Institutions, fighting among themselves, have managed to attain after ten long years of actions in this field.

Although technically and legally speaking, the actions of the European Public Administration Network and the European Institutions are well differentiated, common sense would dictate that they should be capable of carrying out coordinated actions in their efforts to promote the development of eGovernment, as they both represent the interests of citizens and States forming part of the European Union; however, this has yet to be seen.

Nonetheless, apart from its formal relations with EPAN, the Commission has managed to mobilise Ministers to endorse its actions through pompous Ministerial Declarations, when it has been in its interests to do so. The tactic of using Ministerial Declarations drawn up from drafts suggested by the Commission is far from being equivalent to the adoption of formal decisions by the European Union's Council of Ministers; but we will also deal with this subject in this chapter.

2. THE EUROPEAN PUBLIC ADMINISTRATION NETWORK'S EGOVERNMENT ACTIONS

Despite the fact that, as we indicated earlier, there is no European Union Council of Ministers of Public Administration, for many years those who are responsible for these matters in each of the Member States, either as Minister or Director-General, have been holding meetings from time to time as an informal means of coordinating their activities, within the framework of the European Public Administration Network (EPAN)¹. The resolutions adopted are clearly not binding on its members.

The issues addressed at these meetings include eGovernment matters, which we will analyse in this section insofar as they shed light on the European Union's actions in this field.

The following sections summarise the main actions carried out by EPAN since it began to formally take an interest in eGovernment at the end of 2000.

2.1. The French Presidency of the 2nd half of 2000. The Strasbourg Declaration of 2000

During 2000, many European Union governments had begun to present their plans to develop eGovernment; and as we saw in the preceding chapter, the Portuguese Presidency in the first half of the year saw the approval of the eEurope initiative, whose objectives included eGovernment.

In this context, the 8th meeting of the Ministers responsible for Public Administration took place in Strasbourg on 7 November 2000, coinciding with the French Presidency. At this meeting, the Ministers approved a Resolution regarding eGovernment² which undoubtedly heralded the start of definitely ambiguous relations between this informal body of the Member States and the European Commission; we will spell out the extent of this ambiguity throughout this section.

The Resolution adopted by the Ministers in Strasbourg began by emphasising the interest and importance of eGovernment and mentioned the eEurope initiative that had recently been approved at the Santa María de Feira European Council, and which adopted the following conclusions, among others:

- *Emphasises the importance of having indicators to measure and compare advances in this field and asks its group of Directors General to participate actively in these activities. (These activities gave rise to the proposed set of indicators referred to in Chapter 3).*
- *Urges the creation of a European eGovernment Forum, open to the both administrations and the private sector, to act as a consultative body for the development of eGovernment in Europe.*
- *Is pleased at the forthcoming launch of the European Administration Portal, in the framework of the Community's IDA Interchange of Data between Administrations Programme.*

¹ At the end of 2004 the European Public Administration Network, formerly EPAN, has been renamed EUPAN: <http://www.eupan.org>

² 8eme Réunion des Ministres responsables des Administrations Publiques. Resolution concernant l'e-gouvernement. Strasbourg, 7 Novembre 2000

As a result of this Resolution, at the 35th meeting of the Directors-General of the Public Service, which took place in the same city of Strasbourg on 9 and 10 November, EPAN created an eGovernment Working Group under its auspices, to which it assigned the following tasks:

- *Follow up the actions taken by the member States in the development of eGovernment.*
- *Reflect on e-Government indicators*

As regards the aforementioned Resolution, the European Union Public Services portal was developed as planned and began operating in 2001³, and that the Commission based itself on this Resolution to promote the creation of a European Forum⁴ to bring together public administrations and eGovernment-related enterprises, which years later ceased to interest it.

2.2. The Swedish Presidency of the 1st half of 2001

During the term of the Swedish Presidency, the eGovernment Working Group began its activities and reported on them at the 36th meeting of Directors-General, held in Uppsala on 17 and 18 May, 2001.

We have the impression that those who attended the meeting were more interested at the time in developing indicators to measure public administration activities than they were in other matters; in fact, a significant boost was given at this meeting to the project to create what would later be the Common Assessment Framework (CAF) for public services⁵ and the European Benchmarking Network (EBN).

During this session, a first report⁶ summarising the incipient state of the initial eGovernment applications in the Member States, in accordance with the Activities Plan of the Working Group created in Strasbourg, was presented and discussed.

2.3. The Belgian Presidency of the 2nd half of 2001. The Brussels Declaration of 2001

The Belgian Presidency was very productive in terms of reports and declarations, as we will have occasion to analyse. In the following sections, we will first refer to EPAN's ordinary activities, and then to the meeting of Ministers organised by the European Commission.

The EPAN Meeting

The 37th meeting of the Directors-General of the Public Service was held in Bruges on 26 and 27 November. Participants at this meeting discussed eGovernment matters (among others), and broached the state of affairs of systems for the identification of citizens and organisations used in the European Union, whose preparation had been assigned to the Working Group at the Strasbourg meeting.

³ Website of European Public services: <http://europa.eu.int/public-services/>

⁴ e-Forum Association. Forum for European Public Services: <http://www.eu-forum.org/>

⁵ CAF. The Common Assessment Framework for public services: <http://www.eipa.nl/CAF/CAFmenu.htm>

⁶ European Institute of Public Administration. Public e-Services within the European Union Today. 36th Conference of the Directors General of the Public Services. Uppsala 17-18 May 2001.

In the report⁷ prepared for the occasion by the European Institute of Public Administration (EIPA), the situation of identification systems used in the European Union was extensively analysed with an eye to the future introduction of electronic identification, as distant as it would be difficult.

We must point out the fact that, on this occasion, the Ministers responsible for Public Administration did not meet; however, as we shall see in the next section, there was no shortage of Ministers for the occasion.

The Ministerial Conference of Brussels. Ministerial Declaration of November 2001

The European Commission, independently of EPAN, had launched a call for entries some months before to select and give awards to eGovernment projects carried out by the different administrations in the European Union. For the presentation of the awards, an Exhibition and Conference was organised in Brussels from 29 - 30 November 2001, to which Ministers of the Member States were invited. It must be said that this was not one of the meetings of the Ministers responsible for Public Administration, nor was it an ordinary Council meeting.

This meeting was attended by the Ministers that each State saw fit to send, mainly those in charge of the development of the Information Society. The Commission was in charge of coordinating the activities, which is very important to keep in mind. This meeting would inaugurate a series that would continue with the one held in Como in 2003, and the one scheduled to be held in London in 2005.

Naturally, a Ministerial Declaration⁸ on eGovernment was adopted at this meeting.

In this Declaration approved by the Ministers, as in all the ones the European Commission has a hand in drawing up, one should look for those subjects that the Commission usually suggests should be proposed to it, so it can later say that these subjects have been proposed. In searching through the document, we have found the following ones:

- **“Ensuring Inclusion.** *The ministers expressed concern about dependences on single ICT service-providers and producers, and called for more competition. Ministers agreed to share experiences, and asked the Commission to stimulate the development of open-source alternatives where necessary....*
- **Promoting trust and security.** *Ministers invited the Commission to establish a group of national experts to survey national electronic identification and authentication systems and tools and to explore the possibilities for measures to promote policy coherence in these areas at the European Union level*
- **Building on best practices.** *Ministers took note of the good practices identified and... invited the Commission to further refine assessment methodologies.....Ministers acknowledged that information and communication technologies (ICT) provide unprecedented opportunities for easier access to authenticated public-sector information. Ministers agreed to give urgent attention to the proposals by the European Commission in this area. Ministers*

⁷ EIPA and Federal Ministry of the Civil Services of Belgium. The Electronic identification of Citizens and Organizations in the European Union: State of Affairs. 37th Meeting of the Directors-General of the Public Service. Bruges- 26 and 27 November 2001.

⁸ eGovernment Ministerial Conference. Ministerial Declaration. Brussels 29 November 2001.

agreed ... to establishment of an eGovernment platform, building on the European Forum on eGovernment and the eGovernment Observatory (supported by IDA programme).

• Looking to the future. *Ministers invited the European Commission to make the necessary investment in research and technological development, in particular in the sixth Framework Programme, to ensure interoperability and dependability in the next generations of infrastructures and open systems.....*

In its later documents, the Commission made repeated references to this Ministerial Declaration in order to justify some of the actions of its eGovernment Programmes.

2.4. The Spanish Presidency of the 1st half of 2002

During the Spanish Presidency, the 9th meeting of Ministers responsible for Public Administration was held at the Monastery of San Millán de la Cogolla on 27 May 2002⁹; eGovernment-related matters were also discussed. It had just been decided at the Barcelona European Council in March that the Commission would present an Action Plan for the eEurope 2005 initiative, and the reference was more than mandatory. The following can be highlighted from among the conclusions of the meeting relating to eGovernment:

3) eGovernment

.....

- *Agree on the benefits of sharing experience on issues relating to internal re-organisation of public administrations in the context of the introduction of e-government*
- *Agree on the need for public coherence at the European Union level in the area of electronic identification and authentication systems to ensure privacy and secure access to on-line public services.*
- *Recognise the need to co-ordinate and strengthen the participation of all levels of public administration (local, regional, national, European) and private sector for the improvement of services delivery.*
- *Consider the need for combining the technical advances on electronic services delivery with the technical advances on services delivered in the presence of the citizens..*

The 38th meeting of the Directors-General that was held immediately afterwards¹⁰ reviewed the activities of the eGovernment Working Group, among others. The Directors-General insisted on the considerations expressed by their Ministers, confirmed the importance of exchanging views and experiences in the field of eGovernment and recognised the need to strengthen the working relationship between the Directors-General themselves and the eGovernment Working Group.

Finally, in view of the work done and the progress made since this e-Government Working Group was formed, they decided to refocus its objectives towards aspects of more specific interest

⁹ 9th Meeting of Ministers responsible for Public Administration. San Millán de la Cogolla. Spain. 27 May 2002

¹⁰ e-Government. Draft resolution of Directors General responsible for Public Administration. La Rioja. Spain 28 and 29 May 2002.

to public administrations; this once again demonstrates how difficult it is to work in the European framework.

During the meeting, two new studies made by the Working Group were presented. The first one reviewed the status of the different activities carried out by the European Institutions in the area of eGovernment in the European Union¹¹ and concluded with the need to rationalise these activities, conclusions with which we could not agree more. The second study was devoted to analysing the evolution of eGovernment in the European Union Member States¹².

2.5. The Danish Presidency of the 2nd half of 2002

During the six-month Danish Presidency, the Ministers did not meet, but the 39th meeting of the Directors-General did take place¹³, in Elsinore, in November 2002.

At this meeting, a study directed by the Danish Ministry of Finance regarding the creation of value through eGovernment projects¹⁴ was presented, which demonstrates the interest of public administrations in the benefits that their activities in this field may yield, beyond the simple delivery of services to citizens and enterprises.

2.6. The Greek Presidency of the 1st half of 2003

The term of the Greek Presidency witnessed another meeting of the Ministers, at which eGovernment-related matters, among others, were addressed. In their declaration¹⁵, the Ministers reiterated their conviction regarding the importance of advancing in this field, as was customary, but also added:

"D) eGovernment

... ..

• Observe the successful steps have been taken within the European Union to make eGovernment a reality and express their belief in the existence of common ground and need for co-operation in the field of performance value assessment of e-projects applied in EU public sector.

¹¹ Rationalising eGovernment policies in the European Union. A review of eGovernment Working Groups.. Ministerio de Administraciones Públicas of Spain and Fundación Retevisión Madrid. 25-26 April 2002 http://www.csi.map.es/csi/pdf/eGovEngl_definitivo.pdf

¹² Evolution of eGovernment in the European Union. Ministerio de Administraciones Públicas of Spain and Fundación Retevisión Madrid 25-26 April 2002 http://www.csi.map.es/csi/pdf/eGovEngl_definitivo.pdf

¹³ 39th Meeting of the Directors-General responsible for Public Administration in the European Union. Elsinore. Denmark, 26 November 2002.

¹⁴ Value creation in eGovernment projects. An exploratory analysis conducted for the Danish presidency of the eGovernment workgroup of Directors General. November 2002 http://www.e.gov.dk/sitemod/upload/Root/English/Value_Creation_in_eGovernment_projects.pdf

¹⁵ 10th Meeting of Ministers responsible for Public Administration in the European Union. Rhodes, 6 June 2003. <http://www.eu2003.gr/en/articles/2003/6/9/3021/>

- *Encourage EU member states to explore appropriate process and methodologies concerning both the cost-benefit analysis of eGov projects and the evaluation of public policies for eGov initiatives.*

We would like to see these words as a call for closer collaboration among European administrations as a whole, including with the Community Institutions.

At the meeting held by the Directors-General days later¹⁶, the participants, among other things, reiterated the need for greater cooperation and to carry out an analysis of areas relating to the costs and benefits of eGovernment projects.

2.7. The Italian Presidency of the 2nd half of 2003. The Como Declaration of 2003

The term of the Italian Presidency was abundant in declarations about eGovernment, both at the extraordinary meeting held at the Commission's urging and at the ordinary EPAN meeting, as we shall soon have the opportunity to discover.

The Ministerial Conference of Como. Ministerial Declaration of 2003

Following the experience of the 2001 Brussels Conference, the Commission had organised a project competition called the eEurope Awards, in order to again give prizes to the projects that seemed to be most interesting. The prize-giving ceremony, which was the first act of the Italian Presidency, included an Exhibition of the shortlisted projects and a formal Conference¹⁷, both of which took place in Como on 7 and 8 July 2003. These acts were attended by Ministers of the Member States and of those that would be Member States a few months later.

The Ministers, adroitly steered by the Commission, prepared a new Ministerial Declaration regarding eGovernment¹⁸.

In their Declaration, the Ministers acknowledged the importance of developing eGovernment, congratulated themselves on what had been accomplished to date, and stated how much remained to be done. And, as usual, the Commission managed to have said what it wanted to have said, including the following:

- *Ministers invited the Commission in close collaboration with Member States to identify a list of pan-European services that can be deployed in the next years, notably in the context of the possible successor of the IDA programme, and identify the necessary to advance pan-European services.*

... ..

- *Ministers welcomed the Working Paper on Interoperability in support of eGovernment provided by the Commission as an input to the Conference and restated their desire to see the Commission in close cooperation with their*

¹⁶ 40th Meeting of Directors General responsible for Public Administration in the European Union and the European Trade Unions. Athens. Greece 20 June 2003.

¹⁷ LEITNER C. (Editor). eGovernment in Europe: the State of Affairs. European Commission and EIPA. 7-8 July 2003.

¹⁸ Ministerial Declaration. European eGovernment Conference 2003. Como, 7-8 July 2003. http://europa.eu.int/information_society/eeurope/egovconf/index_en.htm

Countries, deliver the interoperability framework for pan-European services by the end of 2003, as announced in eEurope 2005 and eEurope 2003+.

.....

- *The achievement of the eEurope 2005 Action plan is closely related to making a European eGovernment strategy a success. The Action plan has been approved by the Heads of States and eGovernment, which gives it undeniable political force. The EU offers a wide range of programmes related to eGovernment, in such as MODINIS, IDA, FP6(IST), eTEN, eCONTENT, Safer Use of Internet and support through structural funds. ... **Ministers recognised that these programmes should coherently contribute towards the achievement of eEurope 2005 goals and agreed that the needs of the public administration have to be taken into account to define the relevant priorities in view of the further development of these programmes and the assignation of their financial instruments.***

- *Ministers... invited the Commission to consider in the forthcoming Communication on eGovernment mechanisms to provide coherent strategic guidance to and exploitation of these programmes in order to maximise their joint effect.*

... ..

- *Public sector information is an important content resource. Information resources held by the public sector can be an asset for the creation of added-value services by private companies. Ministers committed themselves and invited the Commission to enhance activities in this direction. ...*

Perhaps, at this early stage of the book, the importance of some of the references to the work being carried out by the Commission at that time, which is mentioned in the Ministerial Declaration, might escape the reader's notice; however, we are sure that as we go along, it will be readily apparent.

However, this time the Ministers included other things in their Declaration which, apparently, the Commission seems to ignore:

- *Ministers recognised that the implementation of eGovernment requires a profound reorganisation within the administrations, The European Public Administration Network (EPAN) will propose organisational recommendations and will enable the exchange of best practices among the European Countries on this topic.*

... ..

- *Ministers invited the European Public Administration Network to enhance and sustain the exchange of experience concerning innovative and more efficient models for a modern administration for EU citizens, making specific reference to co-ordination/co-operation, enabled by eGovernment, between European, national and regional/local administrations and look forward to strengthen cooperation with the Commission on these issues, where relevant.*

The Ministers said many other things in their Declaration, but we felt it was important to focus on the analysis of those referring to the Commission's work, to EPAN's activities, and to the collaboration between the two.

The EPAN Meeting

The Ministers responsible for Public Administration had their 11th ordinary meeting in December¹⁹, at which they naturally made explicit reference to the event and to their Ministerial Declaration of Como. Likewise, the Ministers noted the recent presentation of the European Constitution proposal.

Judging by the contents of the published text, the Italian Presidency decided to reactivate the activities of the European Public Administration Network (EPAN), and also to publish its conclusions and documents, which from that moment would appear on the web site of the European Institute of Public Administration (EIPA)²⁰.

However, the Ministers also approved the new priorities of the Network, calling for more cooperation, in particular in the framework of the expansion that was to take place a few months later.

The Directors-General also had their twice-yearly meeting, the 41st in the series, in this case with rather more substantial results than those of previous ones. These Directors-General approved a long Resolution on eGovernment²¹. It is a tremendously enthusiastic document, clearly calling for collaboration at all levels, in particular with the European Commission. In this regard, the following points are worth highlighting:

Resolution on eGovernment

.....

- *The Directors General welcome the Communications of the Commission (following the Ministerial Declaration adopted in the Como ministerial meeting) on “The Role of eGovernment for the Europe’s future”, and the possibility of a deeper collaboration between the Commission and the eGovernment Working Group on the appropriate issues.*

... ..

- *The Directors general ask the Working Group to contribute to the identification and development of prior pan-european services taking into account activities in the European Programmes.*

... ..

- *The Directors General consider the exchange of experiences and practices as the main instruments of the EPAN cooperation. The Directors General ask the Working Group to contribute to the activities of the Commission aiming at establishing a framework for the transfer of good practices.*

However, the important thing about the document in question was the Plan of Activities for the eGovernment Working Group for 2004 and 2005.

¹⁹ 11th Meeting of European Ministers responsible for Public Administration. Rome 1 December 2003. http://www.funzionepubblica.it/docs_pdf/ris%20min%20final%20ing.pdf

²⁰ Information about EUPAN: <http://www.eupan.org>

²¹ Resolution on e-Government. 41st Meeting of the European Directors General responsible for Public Administration. Rome 2-3 December 2003.

Among other things, this Plan of Activities for the Working Group insists several times on the need to maintain a dialogue with the European Commission in order to coordinate their respective eGovernment activities, as the Commission itself had acknowledged in its recently published Communication, which we will deal with further on. The Plan of Activities mentions the following work areas as priorities:

- Inter & intra governmental collaboration, interoperability and pan-European services
- Organisational and policy perspective of identity management
- Organisational changes, skills and the role of leadership required by eGovernment.
- Delivering on user needs
- Monitoring and evaluation of eGovernment performance and benefits.

In addition, the tasks for subsequent stages were established:

- During the Irish Presidency in the 1st half of 2004, the Working Group would address interoperability issues.
- During the Dutch Presidency in the 2nd half of 2004, the Working Group would focus on efficacy and transparency, the benefits and requirements of eGovernment.

The work carried out by the Italian Presidency brings together all the ingredients to mark a turning point in eGovernment policy in the European Union. The gauntlet of collaboration between EPAN and the European Commission had been thrown down, and in our opinion, it was up to the Commission to pick it up.

2.8. The Irish Presidency of the 1st half of 2004

The Irish Presidency witnessed the holding of the 42nd meeting of the Directors-General of the Public Service, as well as several meetings of the eGovernment Working Group.

The Working Group's activities focused on interoperability, and in this regard, the Group was willing to collaborate with the European Union under the Interoperability Framework developed by the IDA Programme.

At the time this document was completed, an interesting document prepared by eGovernment Working Group of EPAN, entitled "Key Principles of an Interoperability Architecture, had just been published"²².

2.9. Comments

After analysing the activities that the Ministers, Directors-General and officials responsible for eGovernment in the Member States have been carrying out, one quickly reaches the conclusion that it is absolutely essential for this organisation and the Units of the European Union responsible for managing eGovernment programmes to establish a permanent relationship. The difficulties that may arise in formalising agreements among entities so different in nature matter little; in the absence of any other alternative, it is reasonable to at least try.

²² European Public Administration Network eGovernment Working Group. Key Principles of an Interoperability Architecture. <http://www.reach.ie/publications/downloads/PrinciplesofInteroperability.pdf>

This is just as or even more necessary when the Commission has had no objection to mobilising the Ministers of the Member States, independently of the Council, and basing itself on their Declarations to carry out the matters that have interested it, every time it has had an interest in doing so.

3. THE FORMULATION OF AN eGOVERNMENT STRATEGY FOR THE EUROPEAN UNION

As we tried to make clear in Chapter 3, the different activities that the European Union Institutions, and in particular the Commission, had been carrying out in the field of eGovernment cannot be considered in the least as parts of a coherent strategy that would withstand a minimally critical analysis. On the other hand, as discussed in the previous section, the Member States, within their means, were intensifying their efforts to carry out a joint endeavour in the area of eGovernment, and had shown their interest and willingness to collaborate with the Commission.

In this context, the European Commission tried to lay the groundwork for an eGovernment strategy, the result of which was a Communication on eGovernment which it issued at the end of September 2003. The Communication drew a quick reaction from the Council, which debated on and adopted conclusions barely two months later.

In this section, we will analyse the contents of both documents mentioned above, as these are the two most solid pieces of what we could call the embryo of a future European Union policy on eGovernment.

3.1. The Commission's Communication

As we have mentioned, and we will have occasion to establish later on, the activities that the Commission had been carrying out in the area of eGovernment until mid-2003 were very fragmented and lacked the coherence needed to make them seem like a clear strategy, in keeping with the importance that was being given to this matter.

In recent years, the Commission's different Units dealing with eGovernment-related issues—IDA, eTEN and the IST eGovernment Unit of the Research and Technological Development Framework Programmes—had managed to find enough justification and resources to continue carrying out their activities according to the Commission's logic, in which, in most cases, justification and resources are reason enough for their continued existence.

In this regard, and faced with the lack of clear mandates from the Treaty, the backing that it had managed to introduce in the Ministerial Declarations had sufficed for it to continue subsisting. However, an effort had to be made to give greater coherence to all these activities, failing which someone might ask for explanations as to why it had not been attempted.

Therefore the Commission drew up and adopted a Communication entitled "The Role of eGovernment for Europe's Future"²³ in September 2003, in which it would try to summarise its eGovernment strategy.

²³ COM(2003) 567. The Role of eGovernment for Europe's Future. Brussels, 28 September 2003.

Contents of the Communication

In the classic style of Community documents, the Communication began by trying to focus the problem in the following terms:

“Expectation is growing that, as it is a major economic actor for boosting economic growth, the public sector can and will play a strong role in realising the Lisbon strategy for economic, social and environmental renewal.

Within the public sector, public administrations are facing the challenge of improving the efficiency, productivity and quality of their services. All these challenges, however, have to be met with unchanged or even reduced budgets

Information and communication technologies (ICT) can help public administrations to cope with the many challenges. However, the focus should not be on ICT itself. Instead it should be on the use of ICT combined with organisational change and new skills in order to improve public services, democratic processes and public policies. This is what eGovernment is about.

eGovernment is a central element in the eEurope 2005 Action Plan. It is the only area of eEurope where governments not only need to ensure that the enabling conditions are in place, but where they alone are responsible for making it happen. The recent eGovernment conference, part of the eEurope 2005 Action Plan [1], and its Ministerial Declaration demonstrated the benefits of making eGovernment a reality in Europe.

The eGovernment 2003 Ministerial conference was jointly organised by the Italian Presidency of the Council and the Commission. This Communication, building upon that Conference, EU programmes, national, regional and local strategies and initiatives, and the work of the Network of Public Administrations, analyses the current state of play in eGovernment, identifies key issues and barriers, and presents a coherent set of actions that reinforce eGovernment within the eEurope 2005 context.

This Communication signals the importance the Commission attaches to eGovernment as a means to establish world-class public administrations at all levels in Europe that fully contribute to the Lisbon strategy through new and better public services for citizens and businesses. It calls upon Member States to express political commitment and leadership and to step up efforts with all actors in the private and public sector”

From our point of view, the arguments are impeccable, although to be completely true to reality, the Commission would have had to acknowledge the absence of powers in the Treaty for matters relating to the public administrations. In our opinion, the Commission has omitted this detail because if it had not, it would have been obliged to raise the issue of its true role in this area, and of its chances, undoubtedly very limited, of achieving convincing results. It would have meant acknowledging an undeniable weakness, and the Commission is not given to acknowledging weaknesses, no matter how undeniable and definitive they may be, as in this case.

From the approach discussed in the preceding sections, one could deduce that the Commission had all the means to achieve the definitive implementation of eGovernment in the European Union, but nothing was further from the truth.

In the Communication, the Commission defined eGovernment as follows:

“eGovernment is defined here as the use of information and communication technologies in public administrations combined with organisational change and new skills in order to improve public services and democratic processes and strengthen support to public policies”

After analysing the benefits that the implementation of eGovernment would mean for citizens, enterprises and the public administrations themselves, it goes on to analyse the problems it regards as most significant, and to propose the solutions it feels are the most appropriate, in the following terms:

“4.2.- Issues and Actions.

4.2.1. Inclusive access

Increased participation through online services means that all citizens need to be provided with full opportunities for access

4.2.2.- Trust and confidence

Public services can be offered only within an environment where trust and confidence flourish. Such environment should always guarantee secure interaction and access for citizens and businesses.

4.2.3.- Better use of public sector information

Re-using the content resources the public sector holds in areas such as geographical information, tourist information, meteorological information, statistics etc.

4.2.4.- Public procurement

One area where significant gains can be achieved is public procurement

4.2.5.- Strengthening the Internal Market and European Citizenship through Pan-European Services

Citizens are free to work and re-locate within the EU. Enterprises trade and carry out business across the Union. They then often have to interact with national public administrations..

4.2.6.- Interoperability

In Europe, the provision of public services is still often rather fragmented and people have to go from one 'counter' to another (whether physical or on the web). Companies and citizens would much benefit from public services that are provided seamlessly online and for which they do not need to know the different departments involved.

4.2.7.- Organisational change

The introduction of ICT is only one ingredient of eGovernment. Organisational change and acquisition of new skills with a change of mindset are equally important. ...

The European Public Administration Network (of Ministers of Public Administration) will propose organisational recommendations and will enable the exchange of best practices.

4.2.8.- Performance and benefits of eGovernment

eGovernment can contribute to improving the productivity of public administrations.”

To address its resolution, the Commission put forward a series of proposals that are listed in Table 4.1, indicating the date and the Community Institution responsible for carrying it out, whose scope we will discuss later on.

Table 4.1.
SUMMARY OF THE ACTIONS PROPOSED IN THE COMMUNICATION ON eGOVERNMENT

Action	Date	Actor
Inclusive Access		
1. Inclusive multi-platform access should be reinforced in national eGovernment action plans, supported by best practice exchange.	End 2003	Council
2. New, advanced forms of interactivity in public services, stimulated by broadband and multi-platform access, should be addressed in EU R&D, piloting and implementation programmes.	2004	Commission
Trust and Confidence		
3. Privacy-enhancing technologies in eGovernment should be promoted, inter alia, through the relevant EU programmes.	2003-	Council + Commission
4. eGovernment strategies at all levels should advance trust and confidence in public services and in online democratic participation.	2004	Council
5. Identity management in the EU should be advanced by addressing interoperability as well as future needs will taking into account differences in legal and cultural practices, and EU framework for data protection. EU programmes for research & development, deployment and implementation should contribute coherently (ie. FP6/IST, eTEN, IDA).	2004	Commission
Better use of public sector information		
6. A swift adoption and transposition of the Directive on the re-use of public sector documents. Pilot projects that ease cross-border barriers and the spread of good practices throughout the EU should be promoted.	2003	Parliament and Council
Public Procurement		
7. The Commission is considering proposing in 2004 a comprehensive three-year action plan to accompany the implementation of the new provision on electronic public procurement.	2004	Commission
Strengthening the internal market and European citizenship through Pan-European services		
8. eGovernment services should be designed to be open to users in other Member States and accessible seamlessly, regardless of whether the service is under the responsibility of a local, regional and national public administration, or a European institution or agency.	2003-	Council

Action	Date	Actor
9. Task is now for Member States and European institution to ensure that pan-European services are defined, developed, deployed, implemented, enriched with content and promoted.	End 2003	Council + Commission
10. Rapid adoption of the proposed IDAbc programme will enable the implementation of pan-European services that help implementing Community legislation, for administrations business and citizens.	End 2003	Council and Parliament
11. Rapid adoption of the proposal for the revision of the Financial Regulations for eTEN for an increase of the funding ceiling to 30% to accelerate deployment of pan-European services.	July 2004	Council and Parliament
Interoperability		
12. Exchange of experience in the use of open standards and open source amongst administrations to be promoted amongst others through the relevant EU programmes.	2003-	Commission
13. The "interoperability framework in support of the delivery of pan-European eGovernment services to citizens and enterprises" as referred to in eEurope 2005, to be adopted in its first version by the end of 2003.	End 2003	Commission
Organisational change		
14. The EU FP6 programme will support R&D into the combination of technological and organisational innovation in public administration, towards a European Research Area in eGovernment.	2003-	Commission
Performance and benefits of eGovernment		
15. New approaches to benchmarking and research into the economies of eGovernment with a view to a better assessment of benefits and performance of eGovernment	2003-	Council + Commission

Once the specific problems were analysed, the document added the following horizontal actions that should be implemented along with those specified above:

"5.- An eGovernment roadmap

eGovernment can deliver many benefits but there are also many barriers to be overcome. Its full-scale implementation is not easy and requires commitment from the very top of public administrations and, indeed, from the political level.

The eGovernment roadmap proposed here includes the actions identified before. These are to be complemented by two horizontal actions, namely reinforcing the exchange of good practice across the various aspects of eGovernment and leveraging investment in eGovernment in Europe. This roadmap aims at reinforcing and implementing the eEurope 2005 Action Plan and thus makes a significant contribution to the Lisbon strategy.

5.1. Reinforcing the exchange of good practice

In order to deepen and strengthen the eEurope approach for leveraging good practices a further reinforcement of exchange of good practice in eGovernment is necessary... ..

5.2. Leveraging investment

A range of European initiatives and programmes exist that can address eGovernment, from research to implementation. These comprise parts of the Sixth Framework, eTEN and IDA programmes, as well as the investment in regional priorities through the Structural Funds.... ..

The same as in the previous case, a set of specific actions was proposed, which we reproduce in Table 4.2.

*Table 4.2.
SUMMARY OF THE HORIZONTAL ACTIONS PROPOSED
IN THE COMMUNICATION ON eGOVERNMENT*

Horizontal actions	Date	Actor
Reinforcing the exchange of good practice		
16. Through a comprehensive framework the exchange of good practices in eGovernment will be reinforced.	End 2003	Commission
Leveraging investment		
17. A first step to increasing the synergy and impact of the EU programmes will be to provide a one-stop approach (common entry point) for the potential users of these programmes.	End 2003	Commission
18. The role of a shared approach amongst Member States with a view to supporting and boosting investment in eGovernment to be explored.	2003-	Council + Commission

Analysis of the Contents of the Commission's Communication.

In order to make an initial assessment of the contents of the Commission's Communication, it is worth analysing its scope in relation to the most significant strategic aspects of the development of eGovernment, in order to evaluate to what point and to what extent it takes them into consideration. To perform this analysis, we have used the Reference Scheme described in Appendix II of this book, on which we have tried to project, with varying success, the different actions proposed by the Commission in its Communication; the results are presented in Table 4.3.

The conclusion drawn from this analysis is that the problems highlighted and the actions proposed by the Commission only address, and very partially, some of the basic aspects of an eGovernment development strategy; this was only to be expected, given the Commission's limited scope of action in this field, which is constrained to the programmes on which this development is based.

It is thus surprising that the Commission addresses issues relating to the approach of the strategy when it can barely address some related to its implementation. In light of this surprising fact, one might wonder why the Commission is trying to give this impression. Here is our interpretation.

There is no doubt that the Commission's Communication on eGovernment is the most important item in the Commission's repertoire of strategic documents on this subject, both because of its timing and intentions; therefore its contents must be analysed in greater detail, from a Community strategy perspective, so as to relate it to the rest of the events we have mentioned elsewhere in this book.

As for its timing, the Communication appeared after the Como Declaration, in the midst of the process of refocusing the Commission's activities in this field, which we will have occasion to analyse in subsequent sections and which we will now briefly mention:

- the IDA Programme was seeking to expand its field of action, enabling it to go beyond its initial objectives;
- the eTEN Programme wanted to have its project funding conditions modified;
- the eGOV Programme for Research and Technological Development in eGovernment needed to refocus its objectives, which had been inherited from the Fifth Framework Programme, and adapt them to the possibilities of the Sixth Programme, now in force.

Furthermore, the Commission was aware that its eGovernment-related actions were still an uncoordinated set of programmes whose only reason for being was that they all fell under the umbrella of the eEurope initiative, under which it strove to achieving the objectives of the Lisbon Strategy. This reason was extremely weak, in particular in a field such as this one where the responsibility undoubtedly devolves upon each and every one of the public administrations in the European Union. This must be kept very much in mind, because it would be naïve to analyse a Commission document without properly establishing the surrounding conditions and their situation at that time.

In our opinion, the Commission's different actions evidently needed to be more coherent; and meanwhile, the different Commission departments involved were vying to spearhead the definition and implementation of the future eGovernment strategy. We think that the latter of these two issues was more significant, given the fact that once it was resolved, dealing with resolving the other one could be very easy; but there lay the difficulty.

Table 4.3.
ANALYSIS OF THE CONTENTS OF THE COMMUNICATION ON eGOVERNMENT

Actions of a Strategic Plan	Communication
APPROACH	
A. Strategic Aspects	
A.1. Political responsibility	
A.2. Responsibility for implementation	
A.3. Legal framework	C. Better use of public sector information
A.4. Impact on the Administration's structure	G. Organisational changes
A.5. Impact on citizens and society	B. Trust and Confidence A. Inclusive Access
B. Operational Aspects	
B.1. Planning Mechanisms	
B.2. Development Mechanisms	
B.3. Citizens' and Enterprises' Participatory Mechanisms	
B.4. Budgetary Mechanisms	
B.5. Assessment Mechanisms	H. Performance and benefits of eGovernment
IMPLEMENTATION	
C. Corporate Aspects	
C.1. Unified end-user services	D. Public Procurement
C.2. Centralised resources provided to departments	F. Strengthening the internal market and European citizenship through Pan-European services
C.3. Interoperability criteria and common technical standards	F. Interoperability
C.4. Departmental activity planning criteria	
C.5. Budgetary resources and issues	
D. Departmental Aspects	
D.1. Departmental plans	
D.2. Specific departmental services	
D.3. Budgetary resources and issues	
D.4. Departmental organisational incidents	
D.5. Impact on the provision of services	

It should be recalled once again that the lack of powers in matters relating to the way the public administrations operate results in a lack of specific human and budgetary resources for these undertakings. Under these circumstances, the Commission had resorted to different sectoral policies—Industrial, Trans-European Networks and Technological Development—in order to carry out its eGovernment actions. This fact made it very difficult, if not impossible, to place all of the Commission's programmes in this field under a single authority.

The Commission faced the difficult task of developing a coherent strategy from something that was going to be implemented under different regulatory and budgetary regimes, a fact that, in light of the Commission's internal operating methods, raises barriers that are nigh impossible to overcome. Programmes with a different legal basis, with different periods of validity and separate budgets to justify them are very hard to coordinate in the Commission, particularly as the zeal of the officials responsible for their implementation usually complicates things even further.

In this context, it might be much easier to understand the analysis of the contents of the Commission's Communication, which we have summarised in Tables 4.1 and 4.2.

The Commission proposes two types of actions in its Communication: some (the majority) are very specific and related to actions already underway and planned ones, and which are easily recognised by the mention of specific Commission programmes; and others (the minority) are far more generic in nature, specifically those numbered 1, 4 and 8, in which the Commission seems to go so far as to address the Member States, through the Council, to remind them of some of their obligations.

As usual, the Commission developed a strategy from the perspective of the interests of its Units, which are responsible for negotiating the contents of this kind of strategic documents: they all want the document to say what they want to be said so that no one can question it when it comes time to implement it. In this era of cloning, one gets the impression that, faced with the absence of powers in the Treaty and, therefore, with the impossibility of receiving a mandate from the Council and from the Parliament in the process of defining a Community eGovernment policy, the Commission resorted to the procedure of parthenogenesis²⁴ to ensure its survival.

In any case, we must say that the Commission's Communication fulfilled its mission to strengthen the actions that had been carried out to date, and guaranteed its presence in the eGovernment arena, which was exactly what the Commission had sought to do; however, it fortunately triggered something else, as we will see in the next section.

3.2. The Council's Conclusions

Even though it had no obligation to do so, the Council responded to the Commission's Communication, analysing its contents and making its conclusions public. This took place at the

²⁴ Parthenogenesis: from *parthenos* (παρθένος) = virgin and *genesis* (γένεσις) = origin: The production of new individuals from virgin females by means of ova which have the power of developing without the intervention of the male element; the production, without fertilization, of cells capable of germination.

Source: Webster's Revised Unabridged Dictionary, © 1996, 1998.

<http://dictionary.reference.com/search?q=parthenogenesis>

Council of Transport and Telecommunications Ministers²⁵ that was held in Brussels in November 2003. The document adopted by the Council of Ministers is a simple statement of the conclusions of its deliberations, naturally without any type of legal force.

In its Conclusions document, the Council, after recalling the importance of eGovernment, invites the Commission and the Member States to perform a series of actions, some of which we will discuss below:

“ 4.- Invites the Commission , the Member States and the Acceding Countries:

- to launch in 2004 a set of pan-European eGovernment pilot projects with benefits to citizens and companies*
- to explore, by the end of 2004, possible interoperable solutions for citizens' and companies authentication for eGovernment in the Internal Market in order to facilitate mobility in Europe and providing cross-border services on line,*
- to ensure that the creation, development and implementation of these services should be accompanied by joint actions to be build up experience and validate advanced solutions*

5.- Invites the Member States and Acceding Countries:

- to identify remaining legal and regulatory barriers to eGovernment and to begin the process of developing a way forward to eliminate them,*
- to explore the potential in eGovernment innovation at national level as well as creating expertise centres, and a pool of excellence in eGovernment through cooperation on a voluntary basis at European level with the support of the Commission,... ..*

6.- Invites the Commission:

- to identify remaining legal, regulatory and organisational barriers to eGovernment at European Level, on the basis of the proposed studies and pilot projects, and to suggest solutions in order to overcome them,;*
- to reinforce in 2004 coordination processes in order to ensure common priorities across and greater synergy between eGovernment-related EU programs, which allows for close cooperation with Member States and Acceding States and which takes into account the needs of public administrations,*
- to provide practical guidance to Member States, Acceding States and relevant stakeholders on access to existing financing instruments and to explore other financing modalities, including, where appropriate, public-private partnerships, that promote the development of eGovernment and social and regional cohesion within European Union,*
- to continue the assessment of economic and social impact of pan-European eGovernment services within the context of the eEurope 2005 Action plan, as well as of existing or planned programs and to propose a roadmap for further advancing pan-European eGovernment services,*

²⁵ 2543rd Council session on Transport, Telecommunications and Energy. Council Conclusions on eGovernment. Brussels, 20 November 2003.

- *to support, as far as appropriate, the development of synergies between national research and innovation efforts in eGovernment, using the instruments of the EU's Sixth Framework programme for Research and Technological development,*
- *to investigate, further to the analysis of the Communication "On the role of eGovernment for Europe's future", overall expenditure on eGovernment for the modernisation of public administration and present a report on the situation in 2004.*
- *To make available, in 2004 and based on existing efforts, a framework for the exchange of best practices, in order to increase possible synergies and to promote and facilitate the reuse of implemented eGovernment solutions.*
- *To review, following from the analysis in the Communication "On the Role of eGovernment for Europe's Future", the benefits and economics of eGovernment (the cost of "non-eGovernment") and to propose on this basis benefits, performance and usage-based indicators to Council in course of 2004.*

In our opinion, the Council responded appropriately in this document to the strategy declaration contained in the Commission's Communication; and aware of this declaration's possibilities and limitations, tried to set the record straight.

We should emphasise that, in the first place, the lack of coordination of the Commission's different programmes was mentioned, and the Commission was asked to first put its affairs in order. Next, it was invited to carry out reasonable actions, within its means, with repeated calls for coordination with the public administrations of the Member States, the true agents of eGovernment. Finally, it was asked, and quite rightly so, to focus its activities on Pan-European affairs.

3.3. Comments

There is no doubt that both the Commission's Communication and the Council's Conclusions are important elements in the process of defining a European Union eGovernment policy, primarily because they make it possible to set the record straight.

As may be seen from the above analysis, the Commission, in its usual all-encompassing style, tried to address the problem as a whole in its document, though in the end it finally stated, and very clearly, what its real possibilities were and what the true scope of its actions was.

Yet again, the Commission gave the impression of being far from modest in its plans and absolute in its approach to the problem, basically because here it also needed the assurance and, if possible, certainty that its plans would not be called into question, in particular in a matter that is falls outside the scope of the Treaty.

The European Commission does not usually take criticism well, in particular when it comes from echelons that can in no way be branded as anti-European. And, as is also usual, the Commission avoids explicitly acknowledging its weaknesses, of which it has many in the field of eGovernment.

As for relations with the Member States, it is very true that the Commission's Communication mentions the European Public Administration Network (EPAN); however, our opinion is that this was

only in passing and was lacking in enthusiasm, making little reference to the recommendations of the Member States contained in the Como Declaration and in the December 2003 document from the Ministers responsible for Public Administration, which we mentioned earlier.

This attitude is perfectly comprehensible in the Commission's logic, as a body that is independent of the national governments. As the executive power of the European Union, the Commission carries out the tasks assigned to it by the legislative power—Parliament and Council—with the independence it is guaranteed by the Treaty. A problem arises when, as in this case, it tries to go beyond what the Treaty regulates.

In this context, the Commission has been seeking support to justify and legitimate both its actions and its future plans, naturally through the Ministerial Declarations of the Member States; however, once this support is achieved, it seems as if the Commission dissociates itself from the resulting commitments. It is as if the Commission used only those parts of the Ministerial Declarations in its favour, relativising the rest of the parties' opinions, as they are non-binding.

As we have also sought to emphasise, the Council, in less need of justifications, tried to set the record straight with its Conclusions, establishing the real areas where the Commission's work could be of greater use.

In short, our understanding of the Council's message to the Commission was that, in the field of eGovernment, it should out some order into what it had been doing up to that point, bring its programmes in line with the Member States', and acknowledge and accept the fact that the Member States have a lot of say in eGovernment-related matters.

In our opinion, if the Commission, as it is wont to do, only uses the Council's suggestions to consolidate its usual way of doing things and does not go any further as has been suggested, it will have wasted a magnificent opportunity to focus its eGovernment strategy, once and for all.

4. CONCLUSIONS

Throughout this chapter, we have tried to analyse two essential aspects of the panorama in which the European Commission's activities in eGovernment matters are being carried out. First of all, we summarised the sequence of actions taken by the Member States and their representatives, through the European Public Administration Network (EPAN). Next, we reviewed the contents of the Commission's and Council's most recent documents relating to eGovernment.

These elements complement the ones analysed in the preceding chapter, and make it possible to clearly establish the backdrop against which the eGovernment-related actions of the European Commission's programmes have been carried out; we will analyse these actions in detail in upcoming chapters. In the interest of clarity, we felt it necessary to carry out this diachronic analysis, even though we were aware that we were jumping ahead to things that we had not yet had the opportunity to analyse in detail.

To help readers follow the thread of the narrative and see when each event and action took place, we have backed up our explanation with the chronological summary in Table 4.4, which we will continue to use and expand on throughout the rest of the book.

Table 4.4.
CHRONOLOGY OF EVENTS AND ACTIONS OF THE EUROPEAN INSTITUTIONS AND GOVERNMENTS

Year	Presidency of the European Council	Presidency of the Commission	Information Society Policy	EPAN Meetings		Ministerial Declarations	Actions of the Commission	Actions of the Council
				Ministers	Directors-General			
1999	Germany							
	Finland	Prodi						
2000	Portugal		eEurope 2002					
	France			8 th meeting Strasbourg Declaration and creation of the eGovernment Working Group	35 th meeting			
2001	Sweden				36 th meeting			
	Belgium				37 th meeting	Brussels		
2002	Spain		eEurope 2005		38 th meeting			
	Denmark				39 th meeting			
2993	Greece				40 th meeting			
	Italy			11 th meeting Acceptance of the Como Declaration	41 st meeting 2004-2005 Work Programme	Como	Communication on eGovernment	Conclusions on eGovernment
2004	Ireland		eEurope 2005 update		42 nd meeting			
	Netherlands	Barroso						
2005	Luxembourg							
	United Kingdom							

Chapter 5

EGOVERNMENT IN THE TRANS-EUROPEAN NETWORKS POLICY

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6. CONCLUSIONS

1. INTRODUCTION

This chapter analyses the eGovernment development activities that the European Union is carrying out through the Trans-European Telecommunications Networks Programme. This programme was long known as TEN-TELECOM, but has recently been redubbed as eTEN, undoubtedly more evocative.

The Trans-European Telecommunications Networks Programme (TEN-TELECOM)¹ is a Community action whose aim is to co-fund projects to deploy trans-European telecommunications networks in order to promote the consolidation of the internal market and help achieve social and economic cohesion objectives in the European Union.

First, we will briefly summarise the frame of reference in which this programme is being carried out, from the strategic, regulatory and budgetary standpoints.

Next, we will briefly recall the policy for the development of Trans-European Networks as a strategic element for the structuring of the European Union's internal market.

After that, we will focus on the TEN-TELECOM Programme and its evolution towards eTEN, within the framework of the development of the Information Society.

Finally, to complete the chapter, we will discuss those actions directly relating to the development of eGovernment which have been taking place within the framework of the eTEN Programme.

The eTEN Programme is based on the European Union policy for the development of Trans-European Networks, which is also the regulatory basis for the programme for the Interchange of Data between Administrations (IDA), which we will deal with in the next chapter. This is the reason why we feel, from a methodological perspective, that we should analyse it first, even though it is not one of those with the most intense eGovernment-related activity.

2. FRAME OF REFERENCE

2.1. Strategic Aspects

With the approval of the first reform of the Treaty, the Single European Act of 1986, the (then) European Communities sought to spur the development of the internal market in order to make it a reality by 1993. In this context, one of the actions adopted was to promote the development of trans-European infrastructure networks for transport, energy and telecommunications, which they

¹ Alabau A. El proyecto europeo de redes transeuropeas de telecomunicaciones TEN TELECOM. Una visión de conjunto. Jornadas las redes transeuropeas y el modelo federal de la unión europea. Una visión desde Euskadi. Consejo Vasco del Movimiento Europeo. Bilbao, 20 - 22 January 2000

made possible through a greater and better structuring of Europe. This objective took shape in 1993 when the Maastricht reform incorporated the new Trans-European Networks (TEN) Policy into the Treaty, and created the Cohesion Fund to contribute to its financing.

Nevertheless, the telecommunications liberalisation process, which culminated in competition being established in the sector, including infrastructures, in 1998, hindered the implementation of a true European trans-European telecommunications networks policy and the use of Community funds to finance it, for obvious reasons.

Despite all of the above, the term Trans-European Telecommunications Networks (TEN-TELECOM) had already been coined, and in the Commission's logic, it was not at all advisable to miss out on the chance, nor on the available funds, to carry out activities. However, as the initial direction of the Programme had completely changed, it was necessary to gradually refocus its objectives and its content, in a demonstration of skill in Community matters. The impossibility of financing true telecommunications networks was obviated by modifying, for the purposes of this programme, the definition of telecommunications networks to encompass, without any circumlocution, telematics applications, naturally with a trans-European dimension.

With the launch of the eEurope initiative, the TEN-TELECOM Programme became known as eTEN, more in keeping with the times; and with the advent of interest in eGovernment, applications in this field, obviously with a trans-European dimension, were finally included among its objectives.

Thus, eTEN is a programme aimed at co-financing the deployment of systems that make it possible to offer e-services with a trans-European dimension, including those relating to eGovernment. It is not, therefore, a programme to fund research projects, but real applications, in accordance with the original spirit of the Trans-European Networks Policy.

Nevertheless, due to the way it has evolved, it is a Community programme laden with contradictions that the Community Institutions have been skilfully dealing with in order to make it viable, as we will try to analyse throughout this chapter.

2.2. Regulatory Aspects

The regulatory basis of the Trans-European Telecommunications Networks Programme (eTEN) is Title XV – Trans-European Networks, of the Treaty establishing the European Community, which states, among other things:

"Art. 154.

1.- ...the Community shall contribute to the establishment and development of trans-European networks in the areas of transport, telecommunications and energy infrastructures.

2.- Within the framework of a system of open and competitive markets, action by the Community shall aim at promoting the interconnection and interoperability of national networks as well as access to such networks. It shall take account in particular of the need to link island, landlocked and peripheral regions with the central regions of the Community.

Art. 155.

1.- In order to achieve the objectives referred to in Article 154, the Community:

- shall establish a series of guidelines covering the objectives, priorities and broad lines of measures envisaged in the sphere of trans-European networks; these guidelines shall identify projects of common interest,
- shall implement any measures that may prove necessary to ensure the interoperability of the networks, in particular in the field of technical standardisation,
- may support projects of common interest supported by Member States, which are identified in the framework of the guidelines referred to in the first indent, particularly through feasibility studies, loan guarantees or interest-rate subsidies; ...

Art. 156.-

1.- The guidelines and other measures referred to in Article 155(1) shall be adopted by the Council

Thus, in accordance with the Treaty, the Council and the Parliament adopted in 1997, and later would modify in 2002, the Decision² that established the guidelines for the Trans-European Telecommunications Networks Programme. It was precisely in the 2002 reform that eGovernment applications were specifically included among the projects eligible for financing under the eTEN Programme.

2.3. Budgetary Aspects

In 1995, in accordance with the provisions of the Treaty, the Council, together with the Parliament, adopted the Regulation³ by which the general rules for granting financial support to trans-European network projects, which would necessarily be applied to telecommunications projects, were determined; this Regulation was later modified in 1999.

This Regulation stated the following:

Art. 4.- Forms of aid

1. Community aid for projects may take one or several of the following forms:

(a) co-financing of studies related to projects, including preparatory, feasibility and evaluation studies, and other technical support measures for these studies. Community participation may in general not exceed 50% of the total cost of a study. In exceptional, duly substantiated cases, at the initiative of the Commission and with the consent of the Member States concerned, Community participation may exceed the limit of 50%.

² Decision No 1376/2002/EC of the European Parliament and of the Council of 12 July 2002, amending Decision No 1336/97/EC on a series of guidelines for trans-European telecommunications networks. OJ L 200, 30 June 2002. P. 1

³ Regulation (EC) No 1655/1999 of the European Parliament and of the Council of 19 July 1999 amending Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks. OJ L 197. 29 June 1999. P. 1

.....

(d) direct grants to investments in duly justified cases;

However, the Regulation added:

Art. 5.- Conditions for Community aid

- 1. Community aid shall be granted, in principle, only if achievement of a project meets financial obstacles.*
- 2. Community aid shall not exceed the minimum considered necessary for the launch of a project.*
- 3. Regardless of the form of intervention chosen, the total amount of Community aid under this Regulation shall not exceed 10% of the total investment cost.*

For the period from 2003-2006, the Programme has a budget of EUR 172.5 million, which is equivalent to an average of around EUR 43 million per year.

During 2003, the Commission proposed⁴ raising the Community's contribution ceiling from the current 10% to 30%, which would no doubt make the Programme much more attractive.

In case any readers are wondering, we must say that this Programme has no relationship whatsoever with the Structural Funds, which, in accordance with the Treaty, are reserved for co-financing trans-European environmental and transport networks.

3. THE TRANS-EUROPEAN NETWORKS DEVELOPMENT POLICY

3.1. The Trans-European Networks Programme

Community actions in the area of Trans-European Telecommunications Networks must first be analysed in the framework of European initiatives to promote the development of trans-European networks as a medium for consolidating the internal market, as well as for structuring the Union's socioeconomic activities.

In analysing this frame of reference, two stages can be differentiated: a first stage, which would begin after the approval of the Single European Act, and a second one, which would begin with the entry into force of the Maastricht Treaty.

Once the Single European Act entered into force in July 1987, the European Commission redoubled its efforts to create the conditions necessary for the development of the internal market. One of the actions it chose was to propose the development of trans-European infrastructure networks that would make it possible to structure the Community territory, over and above the actions of the Member States.

⁴ Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation No. 2236/95/EC laying down general rules for the granting of Community financial aid in the field of trans-European networks. Brussels, 29 April 2003.

As a result of a series of internal reflections⁵, the Commission prepared a first proposal regarding the interest in developing trans-European networks in Community territory⁶ for the Strasbourg European Council meeting⁷ of December 1989. After its approval by the European Council, the Council of Ministers adopted a Resolution⁸ at a meeting in January 1990 in which it recognised the need to spur the development of trans-European networks in the areas of air traffic control, energy distribution, transport infrastructure and in telecommunications, and urged the Commission to prepare a work programme before the end of 1990.

Immediately afterwards, the Commission prepared a Report⁹ issued in July 1990, and finally, in the early days of 1991, the document that contained the Community Action Programme on Trans-European Networks¹⁰ that the Council had requested.

However, in order to be able to move forward on the Trans-European Networks Programme, obviously the Community needed to, first, have the powers to implement it, and second, to have the budget necessary to carry it out. Up to then, under the Treaty that was in force, none of this was possible. Thus, it was necessary to introduce the pertinent modifications, taking advantage of the Maastricht Treaty.

The Maastricht reform incorporated Title XV regarding Trans-European Networks, made up of Articles 154 to 156, into the Treaty. After it entered into force in November 1993, the European Community had the powers necessary to “*contribute to the establishment and development of trans-European networks in the areas of transport, telecommunications and energy*”.

With regard to the availability of financial resources, the Maastricht Treaty incorporated Article 161, in which the Cohesion Fund earmarked for providing “*a financial contribution to projects in the fields of environment and trans-European networks in the area of transport infrastructure.*” was created.

It should also be recalled that the White Paper on Growth, Competitiveness and Employment¹¹ of December 1993, which was the main programmatic document for actions after the Maastricht Treaty, also emphasised the importance of trans-European networks and urged the European Council to act quickly in this regard.

Based on all of the above, in 1994 the Commission prepared a proposal for a Council Regulation¹² which, after successive debates, gave rise to the first Regulation on financing trans-European networks¹³, which was adopted in September 1995.

⁵ SEC(89) 1670 Working document on Trans European networks. Brussels, 4 October 1989.

⁶ COM(89) 643. Draft Council Resolution on the Trans-European Networks. Brussels, 6 December 1989

⁷ European Council. Presidency Conclusions. Strasbourg, 8-9 December 1989.

⁸ Council Resolution of 22 January 1990 concerning Trans- European Networks. OJ C 27. 6 February 1990. P. 8.

⁹ COM(90) 310. Towards Trans-European Networks: Progress Report. Brussels, 18 July 1990.

¹⁰ COM(90) 585. Towards Trans-European Networks for a Community Action Programme Brussels, 23 January 1991

¹¹ COM(93) 700. Growth, Competitiveness, Employment - The Challenges And Ways Forward Into The 21st Century - White Paper. Brussels, 5 December 1993.

¹² COM(94) 62. Proposal for a Council Regulation laying down general rules for the granting of Community financial aid in the field of trans-European networks. OJ. C 89, 26 March 1994. P. 8.

¹³ Council Regulation No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks. OJ L 228, 23 September 1995. P. 1.

This Regulation defined the conditions, modes and procedures for granting Community aid for projects of common interest in the field of trans-European networks regarding transport, energy and telecommunications infrastructures.

In this respect, it should be emphasised that the 1995 Regulation established that:

- Projects shall be submitted by the Member States or by the body directly concerned, with the agreement of the Member State.
- Community aid may only be granted to projects of common interest, in accordance with the provisions of Article 155 of the Treaty.
- Projects which have financing from the Member States or regional or local authorities, or from bodies comparable to public entities, are eligible for aid.
- The aid will primarily be earmarked for the co-financing of studies, subsidies of the interest on bank loans, and in duly justified cases, to direct grants to investments.
- In principle, Community aid would only be granted if the implementation of the project were hindered by financial difficulties.
- The total amount of the Community aid may not exceed 10% of the total investment cost.
- The budget approved for the period from 1995-1999 was EUR 2.345 billion.

It is also worth emphasising the fact that, in the explanatory statement of the aforementioned document, it was noted that the Commission should ensure effective coordination in the different Community actions that might affect trans-European networks, especially among the resources granted for the financing of these networks and those granted by the Structural Funds and by the European Investment Bank.

At the end of the effective period of the 1995 Regulation, the Commission initiated the process of modifying its contents, and prepared two successive proposals, issued during 1998¹⁴ and 1999¹⁵. Finally, in July 1999, the Council adopted a new Regulation¹⁶ that amended the 1995 Regulation, discussed in the preceding paragraphs. Its contents include the following noteworthy points:

- Community aid was expanded to risk-capital participation for investment funds or comparable financial undertakings focussing on providing risk capital for trans-European network projects; the conditions of this aid were explained in an Annex.
- It was indicated that of the total budget, at least 55% would be devoted to railways and a maximum of 25% to road projects.
- It modified the procedures relating to granting financial aid to the projects.
- It established a budget of EUR 4.6 billion for the period from 2000-2006.

¹⁴ COM(98) 172. Proposal for a Council Regulation (EC) amending Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks. OJ C 175, 9 June 1998.

¹⁵ COM(98) 723. Amended proposal for a Council Regulation (EC) amending Council Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks. OJ C 27, 2 February 1999.

¹⁶ Regulation (EC) No 1655/1999 of the European Parliament and of the Council of 19 July 1999 amending Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks. DO L 197, 29 July 1999. P. 1.

As we will have occasion to see further on, the Commission proposed a new reform of this Regulation in April 2003 to make it possible to raise the ceiling on Community aid from the current 10% to 30% of the total investment cost.

Thus, this is one of the frameworks for the analysis of the Trans-European Telecommunications Networks Programme, but it is not the only one.

3.2. The Trans-European Networks Programme and Telecommunications

The second framework that must be taken into consideration in analysing the TEN-TELECOM Programme is the one relating to the European Institutions' actions as a whole in the areas of telecommunications and the Information Society. In fact, the development of the Trans-European Networks Programme coincided with the regulatory change process in the telecommunications sector, which led to the establishment of full competition as of 1998.

Apart from this circumstance, Community actions regarding the ISDN, Research and Technological Development programmes and actions relating to mobile telephony should also be reviewed.

In this regard, it should be recalled that in a 1980 Communication on Telecommunications¹⁷, the Commission had already pointed out the need to implement harmonisation actions in this sector, among other things, through the creation of "*a set of harmonised telematic services in the Community*"; this proposal gave rise to a Recommendation that the Council adopted in 1984¹⁸. Immediately thereafter, in December 1984, the Council adopted an Agreement on Telecommunications¹⁹, in which it included a proposals in this sense.

After the Single European Act entered into force, the regulatory change process in the telecommunications sector was initiated, which would culminate in the establishment of full competition as of 1998. The decision to liberalise telecommunications infrastructures negated any possibility of carrying out any public intervention in this field contrary to the rules of competition.

It was right around this same time that planning began for the Trans-European Telecommunications Networks Programme.

Thus, a contradiction arose: how could a European programme to promote trans-European telecommunications networks be undertaken if the European Institutions themselves had just decided that by definition, telecommunications networks, in other words, the infrastructures, were going to be solely and exclusively a private responsibility?

The Commission, which usually has a solution for nearly everything that interests it, found the key by expanding the meaning of the word "network," as we shall see next. From that time onwards, and this is how it appears in Commission documents²⁰, the following would be considered Trans-European Telecommunications Networks:

¹⁷ COM(80) 422. Recommandations concernat les telecommunications. Bruxelles, 1 septembre 1980.

¹⁸ Council Recommendation of 12 November 1984, concerning the implementation of harmonisation in the field of telecommunications. OJ L n° 298. 16 November 1984. P 49

¹⁹ 979ème Session du Conseil. Industrie Syderurgie. Bruxelles, le 17 decembre 1984

²⁰ European Commission. Telecommunicatios Trans European Networks. Work Programme. Brussels, 14 November 1997.

- Applications, defined as “Systems or services offering users dedicated solutions enabling access to information through telecommunications and information technologies.”
- Generic Services, defined as “Services, either conversational, messaging, retrieval or groupware, of direct usage for a large number of users, which provide common tools for development and implementation of applications, whilst aiding their interoperability.”
- Basic Networks, defined as “The telecommunication infrastructures that provide physical access, transport and connectivity.”

Thus, it was an elegant way out of a legislative contradiction, upon which everyone agreed. Trans-European Telecommunications Networks were going to be Services and Applications (which is really still a contradiction).

Evidently, in this new conceptual framework developed by the Commission, the preparation of a Trans-European Telecommunications Networks Programme was beginning to be viable, even though based on very weak arguments; there was nothing special in it to distinguish it from many other telematics applications programmes managed by the Commission, only the chance to argue for the allocation of a Community budgetary item using the undeniable interest in trans-European networks as an excuse.

3.3. The Trans-European Networks Programme and the technological evolution in telecommunications

A third frame of reference that must be considered in analysing the TEN-TELECOM Programme is the one relating to Community actions of a technological nature, specifically those relating to the Integrated Services Digital Network (ISDN), Research and Technological Development programmes, actions in the area of mobile telephony, and finally, the Internet.

The European Institutions' actions in the area of the ISDN are old and, we would dare say, rather unsuccessful, as we shall now see.

The development of the ISDN goes back to the early 1980's, within the framework of the International Telecommunications Union's (ITU) proposals for the development of digital communications. In Europe, the European Conference of Postal and Telecommunications Administrations (CEPT), with the collaboration of the (then) National Telecommunications Administrations, began to carry out this work. Its deployment in each State was, obviously, the task of the National Administrations themselves, who were responsible for managing their respective telecommunications monopolies.

As a result of the agreements of the Stuttgart European Council in June 1983, which gave rise to the drafting of the 1985 White Paper on the Internal Market, the Commission issued a Communication²¹ in September 1983 in which it highlighted the interest in ISDN as a future broadband communications network in Europe, and showed (not without reason) its concern over the differences that existed in the deployment schedules in the different Member States.

²¹ COM(83) 573. Communication de la Commission au Conseil sur les Telecommunications. Bruxelles, 29 septembre 1983

As a result of the actions arising from the 1984 Council Agreement regarding the harmonised development of new telecommunications services in the Community, and at the Commission's proposal, the Council adopted a Recommendation²² in December 1986, aimed at the Member States, regarding the coordinated introduction of ISDN in the Community, in accordance with a series of criteria that were included in the document. This Council Recommendation gave rise to the signing of a Memorandum of Understanding (MoU) among the Telecommunications Administrations in April 1989 at the CEPT, regarding the coordinated introduction of the ISDN. At its meeting in that same month of April, the Council would insist on the need to intensify the efforts for the coordinated development of ISDN²³ in the European Community. Meanwhile, the Commission continued to make progress reports on the Introduction of the ISDN²⁴.

The situation we have just outlined coincided with the implementation of the 1987 Telecommunications Programme, and in particular, with the adoption of the ONP Directive for harmonisation of telecommunications; it seemed that the latter would be the ideal instrument to stimulate the development of the ISDN²⁵. However, the problem of the divergence of the different versions of ISDN deployed throughout this time in the Member States was an additional obstacle that had to be overcome.

The solution consisted of defining, from among all of the possibilities of this new network, a subset of functions called Euro-ISDN, which would be the ones that would be guaranteed in all Member States. The Council dealt with this problem through a Resolution²⁶ adopted in June 1992, in which, among other things, it invited the Commission to present a proposal for the development of ISDN in the recently defined Trans-European Networks framework.

This led the Commission to present a Communication²⁷ in September 1993 which contained a series of guidelines for the development of ISDN as a trans-European telecommunications network (TEN-ISDN), and a proposal for a Decision in this regard, which the European Parliament and the Council would adopt in 1995²⁸. In 1997, the first call for proposals²⁹ for actions in the TEN-

²² Council Recommendation of 22 December 1986 on the coordinated introduction of the integrated services digital network (ISDN) in the European Community. OJ L 382, 31 December 1986. P. 36.

²³ Council Resolution 89/C 196/04 regarding the strengthening of the further coordination of the ISDN in the European Community up to 1992; DO C 196, 1 August 1989.

²⁴ COM(88) 589 y COM(90) 123. Reports on ISDN.

²⁵ Council Recommendation of 5 June 1992 on the provision of harmonized integrated services digital network (ISDN) access arrangements and a minimum set of ISDN offerings in accordance with open network provision (ONP) principles. OJ L 200, 19 July 1992. P. 10.

²⁶ Council Resolution of 5 June 1992 on the development of the integrated services digital network (ISDN) in the Community as a European-wide telecommunications infrastructure for 1993 and beyond. OJ C 158, 25 June 1992. P. 1.

²⁷ COM(93) 347. Proposal for a Council Decision on a series of guidelines for the development of ISDN as trans-European network. OJ C 259, 23 September 1993

²⁸ Decision No 2717/95/EC of the European Parliament and of the Council of 9 November 1995 on a set of guidelines for the development of the EURO-ISDN (Integrated Services Digital Network) as a trans-European network OJ L 282, 24 November 1995. P 16.

²⁹ Call for proposals in the domain of Euro-ISDN as a trans-European telecommunications network . OJ C 84 de 15 March 1997. P. 12.

ISDN Programme, which was later included in the TEN-TELECOM Programme, was published. The Commission issued periodic reports on this progress of this initiative³⁰.

Thus, this is the route through which ISDN-related projects came to be included among the objectives of the Trans-European Telecommunications Networks Programme, even before it was formally approved.

In addition, the Community Research and Technological Development Policy relating to Integrated Broadband Communications (IBC) systems presented some issues that should also be taken into consideration with regard to the Trans-European Telecommunications Networks Programme.

One outcome of the 1984 Telecommunications Agreement adopted by the Council and mentioned before, was the announcement in July 1985 of the definition phase of a programme for Research and technology development in Advanced Communications technologies in Europe (RACE)³¹, as part of the First Framework Programme for Research and Technological Development.

Once the Single European Act was approved, which meant the inclusion of Title XV (now Title XVIII): Research and Technological Development (RTD) in the Treaty, and in the context of the Second RTD Framework Programme³², the Council adopted a decision³³ regarding the launch of the RACE Programme. The aim of the RACE Programme was the development of Integrated Broadband Communication (IBC) technologies.

The RACE Programme was succeeded by the RACE II Programme, included in the Third RTD Framework Programme³⁴, and the latter was followed by the Fourth RTD Framework Programme³⁵, which included the Advanced Communications Technology and Services (ACTS) Programme³⁶ and the Telematics Applications Programme.

With regard to the ACTS Programme, it should be recalled that one of its objectives was *“the consolidation of the internal market: research and technology development is an essential*

³⁰ European Commission. Status of Euro RDSI 1997/1998.

³¹ Council Decision of 25 July 1985 on a definition phase for a Community action in the field of telecommunications technologies - R & D programme in advanced communications technologies for Europe (RACE). OJ L 210. 7 August 1985

³² Council Decision of 28 September 1987 concerning the framework programme for Community activities in the field of research and technological development (1987 to 1991) . OJ L 302, 24 October 1987. P.1.

³³ Council Decision of 14 December 1987 on a Community programme in the field of telecommunications technologies - research and development (R&D) in advanced communications technologies in Europe (RACE programme). OJ L 16, 21 January 1988. P 35

³⁴ Council Decision of 23 April 1990, concerning the framework Programme of Community activities in the field of research and technological development (1990 to 1994). OJ L 117. 8 May 1990. P.28

³⁵ Decision No 1110/94/EC of the European Parliament and of the Council of 26 April 1994, concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration. DO L 126. 18 May 1994. P.1.

³⁶ Council Decision of 27 July 1994 adopting a specific programme for research and technological development, including demonstration, in the field of advanced communication technologies and services (1994- 1998). DO L 222. 26 August 1994. P. 35.

underpinning to the development of trans-European networks and services.” In this respect, the Commission had published a Call for Proposals³⁷ in July 1993 for preparatory actions in the field of Trans-European Networks based on Integrated Broadband Communications (TEN-IBC).

Finally, in 1998, once liberalisation of telecommunications had taken place, the Fifth RTD Framework Programme³⁸ for the period 1998-2002 was adopted, one of whose main lines of action was the Information Society Technologies (IST) Thematic Programme³⁹; this programme longer contained any mention of the development of trans-European telecommunications networks, except in an accompanying measure entitled “Research Networks,” one of whose objectives is the development of broadband interconnections between public and private research centres.

Community efforts in the development of broadband communication technology have undoubtedly been significant, although the results perhaps not as much so.

In addition, it should also be recalled that one of the most successful actions aimed at creating true trans-European telecommunications networks has been the European policy regarding GSM mobile communications. It is widely known that the success of GSM service as a trans-European mobile telecommunications network was a result of both the interest shown by the agents in the sector—Member States, operators and equipment manufacturers—and of the astute implementation of a series of actions by the European Institutions and Member States.

Finally, it is necessary to briefly discuss the phenomenon of the Internet.

In the mid-1990's, the Internet burst onto the European scene. This network's potential as a means of communication, not only European but worldwide, raised doubts about any attempt to promote the development of genuinely trans-European telecommunications networks and made it necessary to take this phenomenon into consideration in the plans for the TEN-TELECOM Programme.

4. THE TEN-TELECOM PROGRAMME

4.1. The Beginnings of the TEN-TELECOM Programme in 1997

After its 1993 publication of a first document regarding preparatory actions⁴⁰ for a trans-European telecommunications networks programme, and in particular in accordance with Council Regulation 2236/95 on the financing of trans-European networks, in May 1995 the Commission

³⁷ Call for Proposals in July 1993 for preparatory actions in the field of Trans-European Networks based on Integrated Broadband Communications. Brussels, 24 July 1993.

³⁸ Fifth Framework Programme (FP&) website. <http://www.cordis.lu/fp5>

³⁹ The Sixth Framework Programme (FP6). Information Society Technologies website <http://www.cordis.lu/ist/home.html>

⁴⁰ COM(93) 372, Communication on Preparatory Actions in the field of Trans-European Networks: Integrated Broadband Communications (TEN-IBC). Brussels, 22 July 1993

presented a Communication⁴¹ that contained a proposal for a Parliament and Council decision regarding a series of guidelines for the Trans-European Telecommunications Networks Programme. Reflecting the suggestions received, the Commission modified the content of this Proposal and presented a new text⁴² in 1996.

Based on the Commission's second proposal, the European Parliament and Council, in accordance with the provisions of Article 156 of the Treaty, adopted a Decision⁴³ regarding the TEN-TELECOM Programme in June 1997. This document stated:

"Art. 1

This Decision establishes guidelines covering the objectives, priorities and broad lines of measures envisaged in the sphere of trans-European networks in the area of telecommunications infrastructure".

The explanatory statement of this document is highly illustrative, like most of the ones the Commission prepares in its documents. It mentions the most significant aspects of the complex framework surrounding the TEN-TELECOM Programme, which we have tried to summarise in the preceding sections.

Based on the content of the aforementioned Council Decision, the Commission prepared the TEN-TELECOM Work Programme⁴⁴, which we will briefly discuss in the following sections. The three-year Programme began in 1998, which made it possible to publish calls for proposals in 1998 and 1999.

We must say that, eight years after having first raised the issue of the need for trans-European telecommunications networks, the Community Institutions were finally in a position to have an appropriate regulatory framework that would let them begin to take action. At that time, on the threshold of full liberalisation in the industry, the technological and regulatory panorama in telecommunications had changed to such an extent that doubts began to surface over whether the projects that would be eligible for financing through this Programme were going to be the ones that would contribute to the economic and social structuring of the Community, as planned in 1989.

Contrary to what one might imagine, the TEN-TELECOM Programme not only did not vanish at the end of its first stage, but surged ahead, even stronger than before. In March 2000, the Commission approved a new Work Programme⁴⁵ for the period 2000-2001, and from that point the Programme took firm root. This document contains the following:

"TEN-Telecom (trans-European Telecommunications Networks) is a Community action supporting the trans-European deployment of e-society applications and services.

⁴¹ COM(95) 224. Proposal on a series of guidelines for trans-European telecommunications networks. Brussels, 31 May 1995. OJ C 302, 14 November 1995 P. 23

⁴² COM(96) 108. Amended proposal on a series of guidelines for trans-European telecommunications networks. OJ C 175. 18 June 1996.

⁴³ Decision No 1336/97/EC of the European Parliament and of the Council of 17 June 1997, on a series of guidelines for trans-European telecommunications network. OJ L 183. 11 July 1997. P 12.

⁴⁴ TEN TELECOM. Work Programme. European Commission. DG XIII. Brussels, 7 January 1998.

⁴⁵ TEN Telecom Work Programme. European Commission. March 2000.

... TEN-Telecom does not provide support for the deployment of physical infrastructures.

TEN-Telecom adopts the users' point of view and hence the multi-network approach: the focus is not on a single bearer telecommunications network but on a service which seamlessly integrates, when necessary, fixed and mobile network components. Likewise, TEN-Telecom favours applications based on interoperable, standardised solutions."

Later, the Commission published a call for project proposals⁴⁶ for the period 2001-2002, to which it allocated a budget of EUR 20 million.

With this content, the Programme could well have been called "Trans-European Applications and Services"; however, that name would have made it harder to justify its financing under trans-European network regulations. In our opinion, the European Commission once again demonstrated its ability to juggle words and budgets, and it seems that everyone was in agreement.

Readers will find full information about this Programme on its web site⁴⁷.

4.2. The Evolution of the TEN-TELECOM Programme. The 2002 modification

Following the approval of the eEurope initiative, the Trans-European Telecommunications Networks Programme began to undergo changes embodied in a proposal put forward in a Communication adopted in December 2001⁴⁸. In this document, the Commission offered a very interesting analysis of the evolution of the Programme since its beginnings.

The aforementioned contradictions made it evident that the programme needed refocusing for two reasons: first, so that it could gear its activities towards telematics applications, rather than telecommunications infrastructures in the strictest sense of the word, since they had already been liberalised; and second, to try to raise the number of deployment projects as opposed to feasibility studies that rarely led to actual developments.

In addition, the Programme needed to be coordinated with others being carried out by the European Union, in particular with the Information Society Technologies (IST) programmes of the Research and Technological Development Framework Programme.

Finally, this programme had to be brought in line with the eEurope initiative. In this regard, the Commission suggested a change of acronym, so that, from that time onwards, the TEN-TELECOM Programme would be known as eTEN, certainly in line with eEurope. The Commission argued for this change in a rather surprising way, once again demonstrating its skill in using language to defend its interests:

⁴⁶ Trans-European Telecommunications Networks. Call for proposals for projects of common interest in the field of trans-European telecommunications networks - Generic services and applications. Call TEN-Telecom 2001/1 (OJ 2001/C211 of 28 July, 2001).

⁴⁷ Information about TEN-Telecom. http://europa.eu.int/information_society/programmes/eten/index_en.htm

⁴⁸ COM(2001) 742. Report on the implementation of Decision No 1336/97/EC on a series of guidelines for trans-European telecommunications. Brussels, 10 December 2001.

"This will involve re-branding the Programme as 'e-TEN' in order to capture the notion of applications and services and lessen the connotation of telecommunications infrastructure."

The Commission's Communication contained a proposal to amend the Decision adopted in 1997, in particular its Annex regarding the identification of projects of common interest eligible for financing under the Programme. The Commission's proposal was finally adopted by the Parliament and the Council, which adopted a Decision⁴⁹ in June 2002.

The text in this Decision enabled the Commission, from that time forward, to refocus the Programme by definitively distancing it from its original objectives is worth highlighting. The amendment to Article 1 makes this reorientation clear in the following terms:

"For the purpose of this Decision, 'telecommunications infrastructure' shall refer to the electronic data transmission networks and the services which make use of them."

The problem of programme actions in the field of telecommunications infrastructures, and their possible conflict with the rules of competition, was thus definitively resolved.

In its new focus, the eTEN Programme defined projects of common interest that were eligible for financing, in accordance with Annex I of the Decision, in the following terms:

"The projects of common interest described below shall be on three levels, forming a coherent structure.

(i) Applications

Applications serve user needs, taking into account cultural and linguistic differences and the requirements for accessibility, in particular for disabled people. Where it is applicable, they shall accommodate the specific needs of less developed or less populated regions. They shall use the potential of broadband, mobile and other communications networks as appropriate.

(ii) Generic Services

Generic Services shall support applications' common requirements by providing common tools for the development and implementation of new applications based on interoperable standards. They shall provide services for the transfer and integrity of data across networks, including broadband and mobile communication networks.

(iii) Interconnection and interoperability of networks.

Support will be provided for the interconnection, interoperability and security of networks underpinning the operation of specific public interest applications and services.

It should be emphasised that the action line entitled "Interconnection and interoperability of networks" replaced the "Basic networks" one that appeared in the text of the previous Decision; thus, the main contradiction of the programme was formally removed.

⁴⁹ Decision No 1376/2002/EC of the European Parliament and of the Council of 12 July 2002 amending Decision No 1336/97/EC on a series of guidelines for trans-European telecommunications networks. OJ 200, 30 July 2002. P.1

4.3. The 2003 Proposal to Amend the eTEN Programme

Once the Programme had been oriented towards the field of telematics applications and services, another equally important issue, which had been present since the beginning and was related to the Programme's financing, surfaced. The 1995 Regulation⁵⁰ said the following in this regard:

Article 4. Forms of aid

1. Community aid for projects may take one or several of the following forms:

(a) co-financing of studies related to projects, including preparatory, feasibility and evaluation studies, and other technical support measures for these studies. Community participation may in general not exceed 50% of the total cost of a study. In exceptional, duly substantiated cases, at the initiative of the Commission and with the consent of the Member States concerned, Community participation may exceed the limit of 50%;

b) subsidies of the interest on loans granted by the European Investment Bank or other public or private financial bodies. As a general rule, the duration of subsidy shall not exceed five years;

(c) contributions towards fees for guarantees for loans from the European Investment Fund or other financial institutions;

(d) direct grants to investments in duly justified cases;

Article 5. Conditions for Community aid

1. Community aid shall be granted, in principle, only if achievement of a project meets financial obstacles.

2. Community aid shall not exceed the minimum considered necessary for the launch of a project.

3. Regardless of the form of intervention chosen, the total amount of Community aid under this Regulation shall not exceed 10 % of the total investment cost.

4. The financial resources provided for under this Regulation shall not, in principle, be assigned to projects or stages of projects which benefit from other sources of Community funding.

As clearly indicated in these two articles, the total amount of Community aid was limited to 10% of the total investment cost of the project, and direct grants to investment, charged to the Community budgets, were provided for as another mode of financing, only in duly justified cases.

It was clear that these modes of financing were considered to be the appropriate ones for the type of projects initially included in the objectives of the development of trans-European networks, i.e., true infrastructures with high investment volumes, for whose deployment Community aid would constitute a necessary incentive.

⁵⁰ Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks. OJ L 228, 23 September 1995 P. 1

However, as we pointed out earlier, the Trans-European Telecommunications Networks Programme had, in the first place, distanced itself from infrastructures, and secondly, had become an instrument for the implementation of the eEurope initiative. It was thus clear that the objectives greatly differed from the initial ones for trans-European networks, and therefore, their mode of financing was also not appropriate for this new proposal.

The Commission stated this in a Report⁵¹ presented to the Commission and the Council, issued in April 2003, which contained a proposal for amending the 1995 Regulation. The aim of this proposal was to raise the funding ceiling on Community aid from the 10% stipulated since 1995 to a maximum of 30%.

In its explanatory memorandum, the Commission openly stated the following:

"1. eTEN at the heart of the eEurope Action Plan 2005.

.....

It is in promoting the deployment of the services explicitly covered by the eEurope Action Plan 2005 that a re-oriented eTEN program will be principally active."

and went on to say:

"eTEN has been re-oriented to become a key implementing tool for eEurope 2005: its main focus will therefore be the practical realisation of eEurope general interest services objectives. This global reorientation towards eEurope 2005 and the specific need to ensure that funds contribute to meeting objectives find practical expression in this proposal by the Commission to raise the funding ceiling for projects from 10% to 30%"

The Commission's proposal was crystal-clear from the first line, and is argued in the rest of the document, in which the Commission went on to say that the percentage of funding was "*clearly insufficient to stimulate the deployment of services*", pointing out the imbalance in the portfolio of eTEN projects, as market validation studies accounted for 95% and service deployment projects for only 5%. With the proposed reform, the Commission hoped to achieve a 50-50 balance between the two, which we do not doubt is possible.

In other words, the Commission openly confessed that 95% of the Programme's budget was devoted to financing feasibility studies for projects that were never feasible, somewhat less than stellar results for such a contradictory programme.

The essence of the Commission's proposal was a single amendment to the 1995 Regulation, in the following terms:

"Article 1

Regulation (EC) No 2236/95 is hereby amended as follows:

In Article 5(3) the following subparagraph is added:

In the case of projects of common interest identified in Annex I to Decision 1336/97/EC [14], the total amount of Community aid granted under this regulation may reach 30% of the total investment cost."

⁵¹ COM(2003) 220. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2236/95/EC laying down general rules for the granting of Community financial aid in the field of trans-European networks. Brussels, 29 April 2003.

With the mention of Decision 1336/97, it was clear that the measure would affect only trans-European telecommunications networks, and not the rest of the networks provided for in the Regulation.

Our question is: to what extent is this proposal by the Commission coherent? As we have been pointing out throughout this chapter, the Trans-European Telecommunications Networks Programme has been, and still seems to be, one of the most contradictory ones in the myriad of programmes being carried out by the Commission. Little is left of the initial spirit of trans-European networks, and it is clear that the whole focus is now the section regarding actions for the development of the Information Society.

Formally, it tries to fill the gap in the implementation of trans-European projects promoted by public and private initiatives for the cross-border deployment of applications whose promoters face difficulties finding financial backing, which is quite a praiseworthy objective. Up to here, we have no objection; however, let us recall what the Commission itself said in the Report we are analysing:

"The support by eTEN has made the study and validation of these services possible. Unfortunately, however, due to the low level of financial support, deployment has so far taken place only to a very limited extent"

This type of comment is typical of Community projects, and points to a discouraging reality. It would be worrying if the Programme ended up as a haven for the all-too-frequent projects that are devised for the sole purpose of obtaining Community financing, only to later declare that their implementation is not feasible. We trust this will not happen.

4.4. eTEN Programme Management

Unit D6 - eTEN, which belongs to Directorate D - Communication Networks, Security & Software Applications, which in turn forms part of the Information Society Directorate-General, is responsible for managing the eTEN Programme. This Programme was previously the responsibility of the Trans-European Telecommunications Networks Unit, belonging to the Directorate for Information Society Technologies: Technological Development of a Generic Nature and Horizontal Actions, also belonging to the Information Society Directorate-General.

It is worth noting that this Programme shares its administrative space with others that are funded by the IST Programme of the Research and Technological Development Framework Programme, and this has always contributed to emphasise its uniqueness.

5. EGOVERNMENT IN THE eTEN PROGRAMME

5.1. The beginnings

The Annex of the 1997 Decision⁵², which identified projects of common interest with a view to their participation in the TEN-TELECOM Programme, naturally made no explicit mention of

⁵² Decision No 1336/97/EC of the European Parliament and of the Council of 17 June 1997 on a series of guidelines for trans-European telecommunications networks. OJ L. 183, 11 July 1997 P. 12

eGovernment; however, the Applications section listed subjects that were evidently related to the activities carried out by the public administrations, among which the following is worthy of note (among others):

“Applications:

- *Electronic tendering: a trans-European electronic tendering network should be set up, based on electronic procedures for the award of public contracts involving public administrations and suppliers in the Community.*

Logically, in the Work Programmes published by the Commission for 1998-1999⁵³ and for 2000-2001⁵⁴, made no specific mention of this subject, either.

Finally, in the shadow of the eEurope initiative, the reform of the Decision⁵⁵ on the Trans-European Telecommunications Networks Programme, adopted in 2002, revised the Annex of Projects of Common Interest and introduced eGovernment among the Programme’s objectives, in the following terms:

Applications

- *e-Government and e-Administration: more efficient, interactive, and integrated governmental services benefiting citizens and SME’s constitute a major opportunity for the information society. On-line services including those in the field of electronic procurement, secured access to on-line public services for citizens and SME’s, personal security, environment and tourism, business support for SME’s (including information services and electronic commerce), and services aimed at broadening participation in the democratic decision-making process will be supported at all levels: European, national, regional and local. Services may be provided by, or with the support of, public authorities as a service in the public interest benefiting citizens and SME’s.*

From that moment onwards, eGovernment began to appear in successive eTEN Work Programmes.

5.2. eGovernment in the eTEN Work Programme for 2002

The eTEN Work Programme for 2002⁵⁶ mentioned eGovernment as follows:

I.- Applications

- e-Government and e-Administration:

Applications in the area aimed at more efficient. Interactive and integrated governmental services benefiting citizens and SMEs. On-line services include, but are not limited to:

⁵³ TEN-TELECOM- Work Programme. 1998-1999.

⁵⁴ TEN-TELECOM. Work Programme. 2000-2001

⁵⁵ Decision No 1376/2002/EC of the European Parliament and of the Council of 12 July 2002 amending Decision No 1336/97/EC on a series of guidelines for trans-European telecommunications networks. OJ 200, 30 July 2002. P.1

⁵⁶ eTEN. Work Programme 2002

- Those in the field of electronic procurement,
 - secured access to on-line public services for citizens and SME's,
 - personal security, environment and tourism,
 - business support for SME's (including information services and electronic commerce), and
 - services aimed at broadening participation in the democratic decision-making process
- These will be supported at all levels: European, national, regional and local where there is a trans-European element. Services may be provided by, or with the support of, public authorities as a service in the public interest benefiting citizens and SME's..."*

This was clearly a proposal for transition between the contents of previous Programmes and what should be, specifically, eGovernment. In the same action, the Commission included areas that are genuinely the responsibility of the public administrations and others relating to enterprise, underscoring its obsession with small and medium-sized enterprises and, logically, putting forward very flexible project-funding eligibility requirements.

5.3. eGovernment in the eTEN Work Programme for 2003

In the Work Programme for Calls published in 2003⁵⁷, eGovernment was once again mentioned, in the following terms:

Action Line 1: eGovernment (eAdministration):

Is defined to include:

- on-line public services,
- culture, tourism,
- transport and mobility
- environment and
- services aimed at broadening participation in the democratic process.

The principal objective is to realise seamless eGovernment (eAdministration) enabling administrations, citizens, NGOs, business suppliers and other public sector bodies in Europe to interact. ..."

In this call for proposals, the Commission seems to better focus the objectives of this action line of the Programme on services that are the responsibility of the public administrations, no longer insisting on SMEs.

The indicative budget for the eTEN Programme for 2003 was EUR 38.5 million.

5.4. eGovernment in the eTEN Work Programme for 2004

The eTEN Programme for Calls published in 2004⁵⁸ also included eGovernment, in similar terms to those of the year before:

⁵⁷ eTEN. Work Programme 2003

⁵⁸ eTEN. Work Programme 2004

Theme 1: eGovernment

Is defined to include::

- *On-line services provided by or for public administrations at all levels (local, regional and national);*
- *Services aimed at broadening participation in the democratic process;*
- *Support to government process transformation.*

The primary objective is to realise seamless eGovernment (eAdministration) enabling administrations, citizens, NGOs, business, suppliers and other public sector bodies in European Union to interact electronically”

The text of this call for proposals certainly seems much better focused, although there are still aspects that are surprising in relation to what is normally understood by eGovernment. Notice the text regarding the first of the types of services included: “*On-line services provided by or for public administrations at all levels*”. One might wonder since when services provided for the administrations are considered eGovernment.

The indicative budget for the eTEN Programme for 2004 was EUR 43 million.

6. CONCLUSIONS

Throughout this chapter, we have analysed the eGovernment-related activities carried out in the framework of the Trans-European Telecommunications Networks Programme (eTEN); to make it easier to understand, we went back to the origins of this Community initiative.

From the very outset, the eTEN Programme’s evolution has been truly complex, and we wanted to make this clear. The Programme was devised for one purpose, yet evidently ended up being used for another quite different one, in our opinion at least; but that is how Community affairs often are.

Throughout its entire existence, the eTEN Programme’s greatest asset has been having a source of financing that conformed to the contents of the Treaty, and in a Community context, that means a great deal indeed. In the Commission, having a specific budgetary item guarantees there will be a Unit in charge of its administration. An annual budget of around EUR 40 million is a significant amount in Community terms.

The problem of orienting Programme activities towards coherent objectives has been one of the Commission’s concerns, but in our understanding, it does not seem to have been the greatest one. Community procedures always give priority to the process’ efficiency over the product’s effectiveness; the fairness of the procedure used to administer the money matters far more than the results that might be achieved. Since the scandals of 1999, the Commission’s internal audit services have been contributing to foster this situation. Nevertheless, we must say that the Commission has really made an effort to adapt the objectives of the eTEN Programme to reality.

In our opinion, however, as we have been able to see throughout this chapter, the Programme’s main problem does not stem from the definition of the objectives, but from the type

of projects that have been financed to date. According to the Commission itself, in recent years only 5% of the budget has been allocated to co-financing the actual deployment of services, while 95% has been used to pay for market validation studies, with 50% of the cost financed. More than EUR 35 million a year to finance market validation studies for applications and services that have little chance of ever being deployed seems like too much; but our task here is not to judge the results of Community actions.

The Commission is clearly aware of this problem, and in this regard, has proposed an amendment to the financing procedure to the Parliament and the Council, in order to raise the ceiling on the Community's contribution to 30% of the investment cost. However, it is not clear that this is the solution.

We have serious doubts about the effectiveness and, to put it another way, about the usefulness of the eTEN Programme, in particular in the field of eGovernment. We hope that the Commission, aware of the problem, manages to find appropriate solutions and carry them out, or that it simply devotes these efforts to other endeavours.

Table 5.1. CHRONOLOGY OF THE TRANS-EUROPEAN TELECOMMUNICATIONS NETWORKS PROGRAMME

Year	Presidency of the Council	Presidency of the Commission	Information Society Policy	Trans-European Networks Programme	TEN-TELECOM eTEN after 2000
1993			Delors White Paper	Maastricht Treaty: Inclusion of trans-European networks in the Treaty	
1994					
1995				Regulation on financial aid to trans-European networks	
1996					
1997					Decision regarding trans-European telecommunications networks
1999	Germany	Prodi		Reform of the Regulation on financial aid to trans-European networks	
	Finland				
2000	Portugal		eEurope 2002		
	France				
	Sweden				
2001	Belgium				
2002	Spain		eEurope 2005		Amendment of the 1997 Decision regarding trans-European telecommunications networks
	Denmark				
	Greece				
2003	Italy				
2004	Ireland		eEurope 2005 update	Proposal for the reform of the Regulation on financing trans-European networks (30%)	
	Netherlands	Barroso			
	Luxembourg				
2005	United Kingdom				

Chapter 6

EGOVERNMENT IN THE POLICY ON THE ELECTRONIC INTERCHANGE OF DATA BETWEEN ADMINISTRATIONS

1. INTRODUCTION
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3. THE EVOLUTION OF THE PROGRAMME FOR THE INTERCHANGE OF DATA BETWEEN ADMINISTRATIONS
 - 3.1. **The Origins of the IDA Programme**
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 - 3.3. **The IDA Programme and the eEurope Initiative**
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 - 3.7. **IDA Programme Management**
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 - 4.1. **The Projects of Common Interest**
 - 4.2. **The Horizontal Activities**
5. CONCLUSIONS

1. INTRODUCTION

This chapter analyses the eGovernment-related activities that the European Union is carrying out through the Programme for the Interchange of Data between Administrations (IDA).

IDA is by far the European Commission's oldest programme for developing and implementing pan-European telematic networks for public administrations, and as a result, the oldest eGovernment-related programme. Proposed in 1991, the Programme was set in motion in 1995, in tandem with the trans-European network-related activities that would eventually provide its legal basis.

Over nearly ten years, the IDA Programme has managed to consolidate itself and has evolved into one of the most coherent of all the Commission's programmes in this field.

The primary purpose of the IDA Programme is to co-finance projects for the implementation of sectoral pan-European telematic networks for the interchange of data between public administrations, resulting from legislative acts adopted by the European Institutions. Nevertheless, the IDA Programme has gone even further, and has undertaken an extensive series of eGovernment-related activities, in particular ones to facilitate interoperability, as we will have occasion to analyse in the next sections.

First, we will briefly summarise the frame of reference in which this programme is being carried out, from the strategic, regulatory and budgetary standpoints.

Next, we will analyse the evolution of the IDA Programme from its inception in 1991 right up to its latest reorientation in the year 2004, trying to show how the Programme has managed to gradually adapt to the circumstances around it and to European Union initiatives, in particular to eEurope.

Finally, we will analyse the activities that the Programme has been carrying out specifically relating to eGovernment, and we will discuss what future actions can be expected.

The IDA Programme, the same as the eTEN Programme analysed in the previous chapter, is based on the EU's Trans-European Networks Policy, although with its own characteristics and nuances that clearly set it apart from the others we are analysing in this book.

2. FRAME OF REFERENCE

2.1. Strategic Aspects

The Programme for the Interchange of Data between Administrations (IDA) began in 1995, for the period from 1995-1999, and its main founding goal was to improve the telematic interchange of information between the Member States, and between the latter and the Community Institutions.

Its objectives were first refocused in 1999 when, at the proposal of the Commission, the Programme approved the IDA II Programme for the period from 1999-2004, with its initial objectives divided into two

major categories. The first focused on participation in projects of common interest relating to pan-European networks for electronic data interchange between public administrations, and the second was aimed at implementing a series of measures designed to ensure the interoperability of the pan-European telematic networks for the interchange of data between public administrations.

When the eEurope initiative was approved at the Lisbon European Council in 2002, the IDA Programme adapted to this new circumstance with the aim of becoming a key instrument for the development of the European Union's strategy in eGovernment matters, within the framework of the eEurope initiative.

With regard to the projects of common interest, since 1999 the IDA Programme has been co-financing only proposals for the development and implementation of telematic networks and services resulting from the adoption of Community legislative acts for the development of any of the European Union's sectoral policies. As far as the Programme's remaining activities are concerned, the development of a European Interoperability Framework for the telematic networks between public administrations and the promotion of the use of open source software are worthy of note, among many others.

In 2004, the EU approved yet another reorientation of IDA, which became known as the "Interoperable Delivery of pan-European eGovernment Services to Public Administrations, Businesses and Citizens (IDABC) Programme," with a new effective period from 2005-2009.

In carrying out the IDA Programme, the Commission is assisted by a consultative body called the Telematics between Administrations Committee (TAC), made up of representatives from the Member States.

2.2. Regulatory Aspects

In its first stage, the IDA Programme, adopted in 1995, found its legal basis in what is now Article 308 (then Article 235) of the Treaty, which, in the absence of specific powers, makes the adoption of legislative acts possible when these are necessary in the course of the operation of the common market.

Following a ruling by the Court of Justice in response to an appeal brought by the European Parliament, the IDA Programme and its successor, IDA II, had to be based on Article 156 regarding Trans-European Networks; however, IDA was never subject to the specific regulations adopted for trans-European telecommunications networks, as it had its own regulatory framework contained in two Decisions of the Parliament and the Council adopted in 1999.

The Decision regulating the performance of its activities cites Articles 3 and 4 of the Treaty, which guarantees it the ability to participate in carrying out any of the sectoral policies and other activities of the European Union.

The new IDABC Programme adopted in 2004 maintains the same regulatory basis as the IDA II Programme, yet extends it to other activities that might be considered of interest in the field of eGovernment development, citing for this purpose the principle of subsidiarity regulated in Article 5 of the Treaty. This would undoubtedly enable it to extend its field of activity to the limits authorised by the legislative power.

2.3. Budgetary Aspects

The IDA Programme budget falls under the budgetary item for implementing the internal policies of the European Union allocated to the Enterprise Directorate-General for that purpose.

The different Decisions have regulated the total amount of the budgets available for each of the stages of the programme, with an estimated annual budget in the last stage of around EUR 25 million. The new IDABC Programme budget for the period 2005-2009 is EUR 146 million.

The Community can only co-finance up to 50% of project costs. As explained earlier, the IDA Programme can only finance projects of common interest that stem from the adoption of Community acts, as regulated in the Decisions mentioned in previous sections.

3. THE EVOLUTION OF THE PROGRAMME FOR THE INTERCHANGE OF DATA BETWEEN ADMINISTRATIONS

3.1. The Origins of the IDA Programme

The first signs of interest in the project for the Interchange of Data between European Institutions (IDA) go back to 1991, when the Commission published a working document in which it argued the need to promote and coordinate the interchange of information between Administrations¹, in the context of activities aimed at creating the single European market as of 1993.

In this regard, in December 1992 the Council adopted a Resolution² relating to promoting the Single Market in which it invited the Commission “to exercise the powers of implementation conferred on it and to submit any further proposals necessary to ensure the completion of the Single Market;”

In response to the Council's invitation, the Commission presented a Communication³ that outlined two proposals for a Council and Parliament Decision; the first related to a series of guidelines for trans-European telematic networks between administrations, and the second referred to the establishment of a multi-annual programme to support the implementation of these networks.

The aim of this Communication was:

“to propose a set of measures which, through the establishment and use of suitable trans-European networks, allow national administrations and community institutions and bodies to try to exchange the information necessary for the operation of the internal market and the application of common policies”.

¹ SEC(91) 1752. European Commission Working Document on the need for information exchange between administrations to guarantee the operation of the internal market. Brussels, 3 October 1991.

² Council Resolution of 7 December 1992 on making the Single Market work. OJ C 334, 18 December 1992. P. 1

³ COM(93) 69. Communication on trans-European data communications networks between administrations. Brussels, 12 March 1993. DO C 105, 16 April 1993. P 10.

The text referred to the work underway relating to trans-European networks and contained two Proposals for a Decision, addressed to the Council, suggesting the creation of the IDA Programme for trans-European telematic networks between public administrations.

The Telecommunications Council debated this proposal at its December 1993 meeting⁴ and called upon the Permanent Representatives Committee to study the Commission's proposal. The result was the adoption of a Resolution⁵ by the Telecommunications Council at its May 1994 meeting, which the Official Journal published in June of that same year. Part of this document read as follows:

“(THE COUNCIL) CONSIDERS THAT THE FOLLOWING OBJECTIVES SHOULD BE PURSUED:

5.- coordination of all activities relating to the introduction and operation of communications and information exchange systems between administrations, at both Community and national levels;

6.- setting up of a common framework, complying with the relevant international or European standards, for the future development of systems for communication and information exchange between administrations;

7.- progressive introduction, in appropriate areas corresponding to identified needs, of operational communication and information exchange systems between the administrations involved in the Community's operation;”

During the second half of 1994, the proposal relating to Community actions in the field of the interchange of data between administrations received the backing of the German Presidency of the European Council, and in this regard, the Council of Telecommunications Ministers once again debated the matter at its November 1994 meeting⁶; the sole issue that remained to be settled was the estimated amount required to implement this project. Finally, nearly one year later, in November 1995, the Council adopted a Decision⁷ that established the Community contribution to the IDA Programme for 1995-1997, with a budget of EUR 60 million (Ecus at that time) for the period 1995-1996.

It is worth recalling the fact that the IDA Programme took shape at the same as time as the negotiation of the financial framework for the Trans-European Telecommunications Networks, which would give rise to the September 1995 Regulation⁸ mentioned in the previous chapter.

Also worth adding is that the Parliament appealed this Decision to the Court of Justice, not on the grounds that its content was inappropriate, but that the procedure used for its approval was.

⁴ Session 1717. Council of Telecommunications. Telematic networks between Administrations. Brussels, 7 December 1993

⁵ Council Resolution of 20 June 1994 on coordination with regard to information exchange between administrations. OJ C 181. 2 July 1994. P. 1

⁶ Session 1802. Council of Telecommunications. European Telematic networks between Administrations (IDA). Brussels, 17 November 1994.

⁷ 95/468/EC: Council Decision of 6 November 1995 on a Community contribution for telematic interchange of data between administrations in the Community (IDA). OJ L 269. 11 November 1995. P. 23

⁸ Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks. OJ L 228, 23 September 1995. P. 1

The reason for this lies in the consequences of the entry into force of the Maastricht Treaty, specifically in the application of the codecision procedure between Council and Parliament.

If the Decision was enforced under Article 235 (now Article 308), which regulates actions in cases where the Treaty does not make provisions for the necessary Community powers, it was up to the Council alone to adopt it; while if it was enforced under Article 129D (now 156), belonging to Title XV – Trans-European Networks, the procedure to be applied had to be the codecision procedure between Council and Parliament, established in Article 251 of the Treaty. The Council had chosen the first option, while the Parliament considered otherwise and rightly sought to assert its rights by appealing to the Court of Justice. In 1998, the Court found in the Parliament's favour and annulled the Council Decision as inapplicable, although the ruling was not enforced, among other things because the 1995-1997 IDA Programme had already finished.

Apart from underscoring the slowness of Community court proceedings, this event also highlights the differences in criteria for determining the legal basis of the IDA Programme. The Commission and the Council, with their proposal to separate the IDA Programme from the general trans-European networks framework, successfully sought to obtain different financial conditions for the IDA Programme from the general ones approved for trans-European network-related actions.

Consequently, the IDA Programme regulations established that the Community could co-finance up to 50% of a project's total cost, whereas the ceiling applicable to trans-European telecommunications networks was 10%. The reason for this difference was very clear: while the trans-European energy and telecommunications networks were considered to be liberalised, and thus subject to free competition, the telematic networks of the IDA Programme were, by definition, projects of the public administrations, so there was no risk that the Community's financial participation might infringe the rules of competition.

The first edition of the IDA Programme in 1995 included the following objectives:

- practical introduction of electronic mail on the basis of X400,
- improvement in the telematic interchange of data among Member States and between Member States and the Community Institutions,
- facilitating the Community decision-making process. i.e., mainly the communication and management of official documents,
- progress in the field of the following horizontal activities:
- provision of generic services such as message transfer, file transfer and data base access,
- data structure and reference model involving definition of common architecture rules, standardisation activities and practical implementation, in particular NSPP (National Service Pilot Projects),
- legal and contractual framework and quality control,
- support for preparatory measures for telematic interchange of data of the European Environment Agency, The Office for Harmonization in the Internal Market (trade marks and designs), the European Agency for the Evaluation of Medical products and the translation Centre for Bodies of the Union, upon the request of these bodies.

The 1995 Decision left the approval of the projects to be financed in the hands of the Commission and a Committee made up of representatives of the Member States, which would later become known as the Telematics between Administrations Committee (TAC), still in operation. This situation prompted a certain degree of ambiguity, which was corrected in the 1999 Decision, which we will discuss in the next section.

3.2. The Evolution of IDA. The IDA II Programme

The IDA II Programme

Once this first stage of the IDA Programme had ended, the Commission prepared the next one for the period from 1999-2004 through two complementary proposals; the first one was for the extension of the IDA Programme⁹, and the second one was specifically devoted to actions to ensure the interoperability of trans-European telematic networks¹⁰. After an initial discussion with the rest of the Community Institutions, the Commission proposed amendments to each of its previous proposals^{11, 12}, which served as a basis for the adoption of two Decisions, which we will discuss next.

Decision 1719/1999 on the new focus of the IDA Programme

In 1999, as a result of the Commission's proposal, the European Parliament and the Council adopted Decision 1719/1999¹³ regarding the extension of the IDA Programme, which would become known as IDA II. This time the Decision was in accordance with Article 156 of the Treaty within the framework of the Trans-European Networks Policy, although in a purely formal way, limited to a mention of Decision 1336/1997 on guidelines for trans-European networks, adopted by the Council in 1997¹⁴, in the explanatory memorandum of this document.

This new Decision of 1999 reinforced the unique nature of IDA Programme and consolidated its budget, which remained independent from the trans-European networks budget. This document outlined the scope and the objectives of the Programme, as described below:

⁹ COM(97) 661. Proposal for a European Parliament and Council Decision 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). OJ C 54, 21 February 1998. P.3

¹⁰ COM(97) 661. Proposal for a Council Decision 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). OJ C 54, 21 February 1998 P.12

¹¹ COM(98) 786. Amended proposal for a European Parliament and Council Decision 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) OJ C 23, 28 January 1999. P. 8.

¹² COM(98) 785. Amended proposal for a Council Decision adopting a series of actions and measures in order to ensure interoperability of an access to trans-European networks for the electronic Interchange of Data between Administrations (IDA). OJ C 10, 14 January 1999. P. 8

¹³ Decision 1719/1999 of the European Parliament and of the Council 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). OJ L 203. 3 August 1999. P. 1

¹⁴ Decision No 1336/97/EC of the European Parliament and of the Council of 17 June 1997 on a series of guidelines for trans-European telecommunications networks. OJ L 183. 11 July 1997. P 12.

“Article 1. Scope and objectives

1. The Community, in cooperation with the Member States, shall act in the field of trans-European telematic networks for administrations and shall take the measures set out in this Decision with the following objectives:

(a) the establishment of operational, interoperable, trans-European telematic networks between Member State administrations, whether national or regional, as well as between such administrations and the Community institutions and bodies as appropriate, enabling the efficient, effective and secure interchange of information in order to support the establishment of economic and monetary union and in order for the Member States and the Community to implement, within their respective areas of competence, the Community policies and activities referred to in Articles 3 and 4 of the Treaty, taking into account work already under way in existing Community or Member State programmes;

(b) the establishment of integrated telematic networks for the facilitation of communication between the Community institutions and in support of the Community decision-making process

However, this time the exact requirements for a project to be eligible for financing through IDA were clearly established, as specified in Article 5:

“Article 5. Broad lines for implementation

1. In implementing IDA projects, the principles set out in this Article shall be observed.

2. The implementation of an IDA project shall require a legal basis. For the purpose of this Decision, an IDA project shall be considered to fulfil this requirement when the network or networks concerned support communication between administrations in the framework of the implementation of one or several Community acts.

The first subparagraph shall not apply to projects that support interinstitutional communication or the Community decision-making process, or to common activities for the support of two or more IDA projects.”

The Decision also established the conditions for financing the projects:

“Article 6. Community financial contribution

... .. Other than in exceptional circumstances, grants shall not exceed one half of the expenditure actually incurred by each beneficiary Member State in implementing the tasks for which the grant is given.”

It was thus made quite clear that eligibility for co-financing would be limited to projects for telematic networks between public administrations that had been created as a result of a specific action by the Community Institutions, backed by a Community legislative act; this leaves the Programme's scope crystal clear.

However, these were not the only activities of the new IDA Programme, as evidenced by section 5 of Article 5:

“5. IDA projects shall build on the horizontal actions and measures undertaken by the Community within the framework of European Parliament and Council 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; in particular, common generic services and applications shall be used where appropriate.”

Decision 1720/1999 on interoperability in the IDA Programme

At the same time, the Parliament and the Council adopted a second Decision¹⁵, proposed by the Commission, in which they approved a series of actions to ensure interoperability of and access to trans-European networks for the interchange of data between administrations.

Article 1 of this Decision clearly established its objective, as follows:

“Article 1. Scope and objectives

1. The Community shall act in the field of trans-European telematic networks for administrations and shall take the measures set out in this Decision with the following objectives:

(a) the achievement of a high degree of interoperability, within and across different administrative sectors and, where appropriate, with the private sector, between the telematic networks established in the Member States and between the Community and the Member States in order to support the establishment of economic and monetary union and to implement the Community policies and activities referred to in Articles 3 and 4 of the Treaty taking into account work already under way in the existing Community or Member State programmes;

(b) the convergence of such networks towards a common telematic interface between the Community and the Member States;

(c) the achievement of substantial benefits for Member State administrations and the Community by streamlining operations, reducing maintenance, speeding up implementation of new networks and enhancements, achieving an overall secure and reliable interchange of data, as well as the achievement of greater cost-efficiency, responsiveness, flexibility and adaptability to technological change and market evolution in the establishment and operation of such networks;

(d) the extension of the benefits of such networks, as mentioned in the previous paragraph, to Community industry and citizens of the European Union;

(e) the promotion of the spread of best practice and the encouragement of the development of innovative telematic solutions in administrations.

2. This Decision forms part of the IDA programme”

¹⁵ Decision 1720/1999/EC of the European Parliament and of the Council 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). OJ L 203. 3 August 1999. P. 9

In addition, this Decision opened up the activities of the IDA Programme to the spread of the experience amassed by public administrations as a whole in this field.

“Article 10. Spread of best practice

1. The Community shall ensure coordination and the exchange of views, knowledge, and experiences within and across sectoral networks, with a view to encouraging the wider adoption of good and innovative solutions.

2. Due consideration shall be given to the linguistic diversity in the Community. The Community shall ensure general awareness of the achievements and benefits of the IDA programme, the dissemination of IDA guidelines and recommendations, and the coordination of user requirements and experiences with standardisation bodies and Community standardisation-related initiatives.”

It was clear that, in the framework of this Programme, implementing the telematic networks mattered as much as ensuring their interoperability, whether they were one of the few implemented under the IDA Programme, or had been implemented in the European Union through the initiative of the public administrations. Equally clear was the fact that the public administrations should pool and share their experiences in implementing their telematic networks.

This Decision would later be one of the IDA Programme’s major tasks and one towards which the bulk of its efforts would be geared from 2004 onwards, as we will analyse below. In addition, it laid the groundwork for the most significant activities of what the European Union’s planned eGovernment strategy would later be: interoperability and the spread of best practice.

3.3. The IDA Programme and the eEurope Initiative

Following the adoption of the eEurope initiative in 2000, the different activities relating to the development of the Information Society already underway in the European Union had to be adapted and brought in line with the objectives of this initiative within the framework of the Lisbon strategy. This is what happened with the IDA Programme.

As we saw in Chapter 3, the eEurope 2002 Action Plan¹⁶, adopted by the Santa Maria de Feira European Council, mentioned the IDA Programme on different occasions, in the following terms (among others):

“The challenge of improving efficiency in the public sector will require a re-thinking of internal organisation and of electronic exchange between institutions....Member States and the Commission have been co-operating in this area through the IDA Programme which will be used as a basis to develop pan-European services and exchange best practices.”

The Actions to be carried out included the following:

“Promote the use of open source software in the public sector and e-government best practices through exchange of experiences across the Union (through the IST and IDA programmes)”

¹⁶ eEurope 2002. Action Plan prepared by the Commission for the European Council meeting of Santa Maria de Feira on 19-20 June 2000. Brussels, 14 June 2000

Likewise, the eEurope 2005 Action Plan¹⁷ naturally continued to mention the IDA Programme.

Thus, it only stood to reason that the IDA Programme should also mention the eEurope initiative, and this is indeed what happened, as we will see in the following sections.

3.4. The Metamorphosis of IDA

Article 8 of Decision 1720/1999 included the obligation to implement an ongoing quality programme for actions being carried out in relation to that Decision, as well as for projects financed under Decision No 1719/1999. In accordance with this mandate, the Commission issued a public invitation to tender¹⁸ and awarded a contract for the implementation of this quality programme, which included the preparation of a benchmarking report on the IDA Programme, to be completed by 2002.

Some of the results of the quality study ordered by the Commission were presented during the Conference¹⁹ that IDA organized in Sandhamn, Sweden, in June 2001, during the six-month Swedish Presidency. This meeting was attended by representatives of more than 20 European Public Administrations, who adopted a series of recommendations, including the following:

“Through the IDA programme the Member States and the European Commission should identify and promote best practices to stimulate convergence between European Countries in understanding needs and developing services across borders....

In our opinion, the conclusions of the Sandhamn Conference were a true programmatic statement on the future of the IDA Programme for which the Commission won the backing of the representatives of the Member States and some candidate States. Yet this was just one of the pieces of the puzzle that the Commission had been putting together, and now is the time to recall others.

As we saw in Chapter 4, in the Declaration²⁰ adopted by the Ministers responsible for Public Administration at their 8th meeting, held in Strasbourg in November 2000, the Commission had managed to get the following paragraph included:

- *Welcomes the forthcoming launch of the Public Administration Portal in the framework of the Community's Interchange of Data between Administrations (IDA) Programme.*

¹⁷ COM(2002) 263. eEurope 2005: An information society for all - An Action Plan to be presented in view of the Sevilla European Council, 21/22 June 2002. Brussels, 28 May 2002

¹⁸ Framework Contract for informatics services in the context of the Quality Assurance and Quality Control of IDA Projects, no 503336, contracted to TietoEnator Trigon AB, Gothenburg Sweden.

¹⁹ Conclusions of the European Commission Conference 'eGovernment in the service of European citizens and enterprises - what is required at the European level', held in Sandhamn, Sweden, on 13 - 14 June 2001 <http://europa.eu.int/ISPO/ida/export/files/en/1458.pdf>

²⁰ Resolution on e-government. 8th Meeting of European Ministers of Public Administrations. Strasbourg, 7 November 2000

This European Public Services portal was developed as planned and began operating in 2001²¹.

One year later, in November 2001, the Ministerial Declaration²² adopted during the Conference held to coincide with the presentation of the first eEurope awards included the following text:

“Building on best practices.

Ministers took note of the good practices identified and presented at the conference and agreed to explore further how best to extend them between their countries, across Europe and internationally. Ministers invited the Commission to further refine assessment methodologies.

... ..

Ministers agreed to encourage National Administrations and EU Institutions to establish a common view on which pan-European eServices are most essential on a European level, and to establishment of an eGovernment platform, building on the European Forum on eGovernment and the eGovernment Observatory (supported by IDA Programme)”

The indications of the eEurope initiative and the recommendations of the Ministers gave the IDA Programme all the arguments it needed to undertake its modification, and this was stated in the Mid-Term Evaluation report²³ published by the Commission in 2002. Now we will see what was done after that.

3.5. Amendment of the two Decisions on the IDA Programme

Despite the fact that the Decisions on which the IDA Programme was based did not expire until the end of 2004, the Commission suggested introducing a series of amendments into the 1999 Decisions in order to adapt the Programme to the circumstances discussed in previous sections, in particular to the objectives of the eEurope initiative. In this regard, it adopted a Communication²⁴ in September 2001 in which it extensively argued the need to introduce these amendments.

This Communication contained a first proposal for the amendment of Decision 1719/1999²⁵, and a second one proposing the amendment of Decision 1720/1999²⁶.

²¹ European Public services site <http://europa.eu.int/public-services/>

²² eGovernment Ministerial Conference. Ministerial Declaration. Brussels 29 November 2001. http://europa.eu.int/information_society/eeurope/egovconf/doc/ministerial_declaration_en_2001.pdf

²³ IDA II Mid-Term Evaluation 2002. TietorEnator Trigon AB <http://europa.eu.int/ISPO/ida/export/files/en/1456.pdf>

²⁴ COM(2001) 507. IDA II Evaluation. Brussels 14 September 2001.

²⁵ COM(2001) 507. Proposal for a Decision of the European Parliament and of the Council amending Decision No 1719/1999/EC 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). OJ C 332. 27 November 2001. P. 287

²⁶ COM(2001) 507. Proposal for a Decision of the European Parliament and of the Council amending Decision No 1720/1999/EC 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). OJ C 332. 27 November 2001. P 290.

Thus, in accordance with these proposals by the Commission, the Council adopted two new Decisions 2046/2002²⁷ and 2045/2002²⁸ in November 2002 which amended the prior ones from 1999. We will now discuss their most significant content.

The new Decision 2046/2002 amended Decision 1719/1999 and made the IDA Programme's alignment with the eEurope initiative, as well as its full integration in the objectives of developing eGovernment, clear beyond any doubt, as we shall see.

Part of the explanatory memorandum of this document reads as follows:

"2) Priority should be given to those projects which enhance the economic viability of public administrations, European Community institutions, Member States and the regions, and which, by means of the establishment or enhancement of sectoral networks, contribute to the objectives of the eEurope initiative and related action plan, in particular the chapter on government online, aimed at benefiting national parliaments, citizens and enterprises, and to other initiatives aimed at improving the transparency of activities of the Community institutions"

Worth noting among the amendments to the content of the Decision are the following:

"Article 1

Decision No 1719/1999/EC is hereby amended as follows:

2. The following point shall be added to Article 4:

"(h) contribute to the objectives of the eEurope initiative and related action plan, in particular the chapter on government online, aimed at benefiting citizens and enterprises."

.....

8. The Annex is hereby amended as follows:

d) In section B, the following points shall be added:

"13. Telematic networks contributing to the objectives of the eEurope initiative and related action plan, in particular the chapter on government online, aimed at benefiting citizens and enterprises."

The new Decision 2045/2002 amended Decision 1729/1999 in several ways, including the following:

"Article 1

Decision No 1720/1999/EC is hereby amended as follows:

²⁷ Decision No 2046/2002/EC of the European Parliament and of the Council of 21 October 2002 amending Decision No 1719/1999/EC 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). OJ L 316. 20 November 2002. P. 4

²⁸ Decision No 2045/2002/EC of the European Parliament and of the Council of 21 October 2002 amending Decision No 1720/1999/EC 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). OJ L 316. 20 November 2002. P. 1.

1. In Article 1(1):

(a).- point (d) shall be replaced by the following:

"(d) the extension of the benefits of such networks, as mentioned in point (c), to Community industry and citizens of the European Union, notably in those areas where this contributes to the objectives of the eEurope initiative and related action plan, in particular the chapter on Government online; "

These amendments not only served to endorse the activities that the IDA Programme had been carrying out, including the development of the European Public Services portal²⁹ and the eGovernment Observatory³⁰, which are discussed further on, but also to integrate the Programme into the strategy of the eEurope initiative, declaring it an instrument fundamental to the development of the eGovernment strategy.

In September 2002, IDA organised a Conference³¹ to present its new activities up to 2004; however, the change in the Programme's focus had only just begun.

3.6. The Future of IDA. The IDABC Programme

Once the IDA Programme had been ensconced under the umbrella of the eEurope initiative, the Commission began to prepare the next step, far enough in advance for it to be approved in 2004, before the end of IDA II.

Since its beginnings in 1995, the IDA Programme had been carrying out activities that could now unquestionably be classified as eGovernment. IDA was working in this field *avant la lettre*, and undoubtedly the experience it has amassed in these matters is singular and unique within the Commission. As the second stage of the IDA Programme, now within the framework of the eEurope initiative, was about to end, and in light of the importance that both the European Institutions and the Member States attached to eGovernment, it is not surprising that those responsible for this Programme decided to definitively focus it towards this type of activity, while still maintaining the founding goals of the Programme.

In this section, we will look at how the Commission approached and carried out the transition of the Interchange of Data between Administrations (IDA) Programme, which would become known as the "Interoperable Delivery of pan-European eGovernment Services to Public Administrations, Businesses and Citizens (IDABC) Programme," for the period from 2005-2009.

In doing so, we will again follow the steps taken by the Commission itself, first observing how it set out the problem, and next, seeing what solution it proposed. In our opinion, this was yet another example of skilful manoeuvring by the Commission, though we will let you judge that for yourselves.

²⁹ EU Administration portal: <http://europa.eu.int/public-services/>

³⁰ eGovernment Observatory: <http://europa.eu.int/ida/en/chapter/140>

³¹ IDA Pan-European e-government Conference. Brussels, 19-20 September 2002 <http://europa.eu.int/ISPO/ida/jsp/index.jsp?fuseAction=showDocument&parent=news&documentID=579>

First move: Approaching the Problem

As we saw earlier, throughout the second stage of IDA, from 1999 to 2004, the Programme's activities focused on two objectives: implementing projects of common interest for the development of pan-European telematic networks, and carrying out activities to promote interoperability and access to these networks.

Five years after that initial approach, it was clear that the latter of these two Programme objectives had taken on much greater strategic importance than the former, within the framework of the development of eGovernment. It was clear that interoperability in eGovernment had become a high-priority and undeniably strategic matter in which the Institutions of the European Union faced an enormous task.

In this regard, the Commission issued a working document³² in July 2003, entitled: *Linking up Europe: the importance of interoperability for e-government services*. In this document, it thoroughly analysed the problem of interoperability, summarised the activities carried out until then in the different Community programmes related to eGovernment, argued the need to continue working in this direction and finally, announced that this would be the focus of the future IDA Programme.

Among the many aspects of interest contained in this document, the following is worthy of note:

"The working paper seeks to achieve acceptance from key policy and decision-makers on the need for interoperability in Europe, both within and between public administrations and with enterprises; to obtain the necessary commitments for this to happen at all levels (i.e. European, national, regional and local); and to ensure that any consequential adjustments of European or national policies occur."

The publication of this document coincided with the Conference³³ organised by the European Commission and the Italian Presidency for the presentation of the second edition of the eEurope eGovernment awards, which took place in Como on 7-8 July, 2003.

There can be little doubt that the Commission seized the opportunity to elaborate on the statement of the problem and to emphasise the importance of interoperability. Commissioner Liikanen³⁴ made reference to this in his speech, from which we quote the following:

"One key condition for pan-European services is interoperability, notably of back-office processes between the Member States and with the European Institutions. We are moving in this direction. At this conference a working paper on interoperability is published as a step towards the interoperability framework announced in eEurope 2005. In September this framework will be available for

³² SEC(2003) 801. Linking up Europe: the importance of interoperability for e-government services. Brussels 3 July 2003. <http://europa.eu.int/ISPO/ida/export/files/en/1523.pdf>

³³ eGovernment Conference. Como 2003. http://europa.eu.int/information_society/eeurope/egovconf/index_en.htm

³⁴ eGovernment Conference. Como 2003. Speech of Mr. Erkki Liikanen http://europa.eu.int/information_society/eeurope/egovconf/doc/liikanen.doc

comments on the website of the programme for Interchange of Data between Administrations, IDA.”

Finally, the Declaration³⁵ signed by the Ministers at the end of the Conference insisted once again on the same subject:

“Ministers welcomed the Working Paper in Interoperability in support of eGovernment provided by the Commission as an input to the Conference and restated their desire to see the Commission in close cooperation with their countries, deliver the interoperability framework for pan European services by end 2003, as announced by eEurope 2005.

The Commission’s services had managed to get both the Commissioner and the Ministers to demand the work they were already carrying out and to endorse their activities, which would lead to the IDA Programme becoming the European Union’s instrument on interoperability in the field of eGovernment. After staging the problem this way, those in charge of IDA were obviously prepared to propose its solution.

Second move: The Proposed Solution.

Coinciding with the Como Conference, the Commission issued a new Communication³⁶ which contained a proposal for a Decision on extending the IDA Programme for the period from 2005-2009. The Commission boldly titled its new document “Proposal for a decision on interoperable delivery of pan-European eGovernment services to public administrations, businesses and citizens (IDABC).”

Worth noting in passing is an insignificant detail that most likely went unnoticed. The Como Conference was held on 7 and 8 July, and the Commission’s document was also dated 8 July; however, on 9 July the Commission issued a Press Release³⁷ announcing the adoption of the document in the following terms:

“Brussels, 9 July 2003

Commission proposes new programme on pan-European eGovernment services for Administrations, Businesses and Citizens

Today the European Commission proposed the new IDABC (Interoperable Delivery of pan-European eGovernment Services to Public Administrations, Businesses and Citizens)

.....

Today’s decision is a good example of concrete follow-up to the Ministerial Declaration agreed in Como yesterday in connection with the European

³⁵ eGovernment Ministerial Declaration. Como, 8 July 2003. http://europa.eu.int/information_society/eeurope/egovconf/doc/ministerial_declaration.pdf

³⁶ COM(2003)406. Proposal for a Decision of the European Parliament and of the Council on Interoperable Delivery of pan-European eGovernment Services to Public Administrations, Businesses and Citizens (IDABC. Brussels, 8 July 2003.

³⁷ Rapid. Press release. Reference IP/03/973 Brussels, 9 July 2003

eGovernment Conference where European Ministers expressed their renewed commitment to implementing eGovernment."

The Commission had once again shown itself to be faster than its own shadow, which, being in Brussels, is hardly surprising³⁸.

In the explanatory memorandum of the new Communication, the Commission reviewed the evolution of the IDA Programme, brought up the importance of interoperability and proposed the new focus of the Programme, within the framework of carrying out the Lisbon objectives. In addition, based on all of the foregoing, the Commission argued as follows:

9.- Drawing on the unique combination of insight and expertise gathered in IDA II from different departments of Member States, Community institutions and European Agencies, the new Programme is expected to strengthen its role in the development of policies, notably on interoperability and eGovernment related issues, and will continue providing guidance and infrastructure services underpinning the development of pan-European eGovernment services.

And it added:

11.- The main objective of the infrastructure services is to facilitate interoperability between systems, information and processes at the pan-European level, as this is a fundamental requirement from both the technical and the economic perspectives. The interoperability of the information systems, the sharing and re-use of the information, and the joining-up of the administrative processes are essential for the provision of high quality, seamless and interactive, user-centric eGovernment services.

12.- Interoperability of systems, content, and processes across different levels of government, from local to European, is also fundamental to achieving services of a really pan-European nature and reducing the risk of fragmentarity in eGovernment developments.

13.- In order to establish a dialogue with other stakeholders representing regional and local authorities as well as consumers' and businesses' associations, an Advisory Board might be established by a Commission Decision in the coming months

In the Commission's text, the new IDA Programme first described itself as an eGovernment programme, and then proposed to address interoperability between administrations at all levels, from European to local. This latter issue, which the document only mentioning in passing to avoid unnecessary reactions, seems of vital importance to us, because it paves the way for IDA to become a true driving force for possible future common European standards for the development of eGovernment.

The text of the Commission's proposal contains a description of the objectives of the new IDABC Programme.

Article 1 Objectives

2. The objectives of this Decision are:

(a) to enable the efficient, effective and secure interchange of information between public administrations, whether national, regional or local, as well as between such

³⁸ Interested readers can see for themselves at <http://membres.lycos.fr/tigrou51/>

administrations and the Community institutions or other entities as appropriate, in order for the Member States and the Community to implement, within their respective areas of competence, the Community policies and activities referred to in Articles 3 and 4 of the Treaty;

(b) to extend the benefits of the interchange of information as specified under (a) to businesses and citizens;

(c) to facilitate communication between the Community institutions and support the Community decision-making process and develop the related strategic framework at the pan-European level;

(d) to promote citizens' and businesses' participation in the construction of the European Union;

(e) to achieve interoperability, both within and across different administrative sectors and, where appropriate, with businesses and citizens;

(f) to converge networks under (a), (b), and (c) towards a common telematic interface;

(g) to achieve substantial benefits for Member State public administrations and the Community in terms of streamlined operations, speeded-up implementations, security, efficiency, transparency, service culture and responsiveness;

(h) to promote the spread of good practice and encourage the development of innovative telematic solutions in public administrations.

As we can see, the Programme's Objectives mirrored the Commission's intentions, which were certainly broad and ambitious. As the reader will have observed, the Commission cites Articles 3 and 4 of the Treaty, which refer to all Community policies and which will enable it to act in any of these areas.

However, the Commission wisely established the boundaries for its actions, which might be very limited and undoubtedly questioned because of the lack of Community powers in eGovernment matters. Recital no. 24 of the Decision clearly explains this:

*24.- Since the objective of establishing pan-European eGovernment services cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, 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,*

Citing the principle of subsidiarity is tantamount to stating that the Programme is willing to undertake actions that fall outside the scope of the different public administrations, and it seems clear that it also plans to deal with interoperability-related matters at all levels. It is evident that the IDABC Programme intends to go one step further than its predecessors did.

As far as the types of actions are concerned, the proposal maintains the same types that have existed to date: Projects of Common Interest and Horizontal Measures. To implement these actions, the Commission proposed that a budget of EUR 59.1 million be allocated for the period from 2005-2006, with a further 86.9 million for 2007-2009.

Finally, in April 2004, the European Parliament and the Council took a Decision³⁹ adopting the IDABC Programme with a budget of EUR 148.7 million. The old Telematics for Administrations Committee (TAC)⁴⁰ was renamed as *Pan-European eGovernment Services Committee* (PEGSCO).

3.7. IDA Programme Management

Unit D2 – Networks between Public Administrations, of Directorate D - Services, Tourism, New Technologies and Design, which forms part of the Enterprise Directorate-General, is responsible for managing the IDA Programme.

We should point out that this activity falls outside the scope of the Information Society Directorate-General (DG Info), to which the rest of the programmes dealing with eGovernment issues-eTEN and the research activities of the Framework Programme-belong. Although this oddity means the IDA Programme can have its own perspective, and one that differs from the DG Info programmes, it also makes it harder to coordinate IDA with the rest of such programmes.

It is also worth recalling that the Administrations of the Member States represented on the Telematics for Administrations Committee (TAC) are present in the IDA Programme. In our opinion, the fact that the TAC exists ensures at least one link with some of the Departments of the Member States that deal with the matters addressed by IDA on a purely technical level, although this does not in any way mitigate the lack of a Council of Ministers to meet on these affairs. At this point, it should be mentioned that this Committee has nothing to do with the European Public Administration Network (EPAN) that we analysed in Chapter 4, which has shown its readiness to collaborate with the IDA Programme on numerous occasions.

It is also worth mentioning that the Committee of the Regions, in its Opinion⁴¹ on the Commission's proposal, suggested the inclusion of regional representatives on the TAC, as well as a focus that would take the development of eGovernment in regional and local administrations into account. This was obviously unsuccessful, which we see as a mistake, in particular in light of the new focus that the Commission wishes to give to the new IDABC Programme.

4. THE RESULTS OF THE PROGRAMME FOR THE INTERCHANGE OF DATA BETWEEN ADMINISTRATIONS

The projects that IDA has carried out since its creation in 1995, and in particular since its modification in 1999, are many in number. Unlike those of other Programmes analysed in this

³⁹ Decision 2004/387/EC of the European Parliament and of the Council of 21 April 2004 on the interoperable delivery of pan-European eGovernment services to public administrations, businesses and citizens (IDABC). OJ L 181, 18 May 2004 P. 25

⁴⁰ IDA Telematics for Administrations Committee. <http://europa.eu.int/ISPO/ida/export/files/en/862.doc>

⁴¹ Opinion of the Committee of the Regions on the "Proposal for a Decision of the European Parliament and of the Council on Interoperable Delivery of pan-European eGovernment Services to Public Administrations, Businesses and Citizens (IDABC)". OJ C 73. 23 March 2004. P. 72.

book, many of these activities are visible and stay within the Community environment, whether they are conjunctural in nature involving the financing of projects of common interest or much more structural, such as most of the horizontal actions, in particular those relating to interoperability.

This should not be surprising as, in principle, the organisations that propose these projects are public administrations, which logically continue to exist when the project that is being carried out is completed, rather than consortiums that vanish into thin air as soon as the last euro of Community financing has been spent.

This circumstance would not suffice were it not for the fact that, as we indicated earlier, one of the Programme's objectives with regard to projects of common interest is to contribute to the development of pan-European telematic networks and services between administrations, whose existence is based on a Community Act; in other words, networks and services that the legislative power of the European Union, Parliament and Council, has decided should exist on a European scale to support Community policies. Many of the networks and services co-financed by IDA are the support for these Community policies, so they come into being and evolve with them.

There is no question that, had it limited itself to the aforementioned activities, the Programme would have been fully justified. However, since the 1999 reform, IDA's administrators have known that their project-funding schemes would always be limited, as limited as the available budget, compared to the profusion of pan-European networks and services that were appearing in the process of creating the Information Society.

In this context, they began placing emphasis on structural activities that would let them go beyond the projects financed by the Commission and would address problems common to pan-European networks and services. At an early stage, the development of tools and techniques of common use in pan-European networks appeared as one of the Programme's prime objectives and hence interoperability ended up as the flagship project. Once interoperability had been addressed, those in charge of the IDA Programme realised that the problem was much broader; thus, its activities could not be limited to only projects between public administrations. Therefore, in the 2004 reform, they proposed that its scope be extended to pan-European eGovernment projects as a whole, as we have had occasion to see.

In this section, we will discuss some of IDA's main results. We also recommend that readers visit the Programme's web site⁴², where they will find extensive information.

4.1. The Projects of Common Interest

As indicated earlier, in accordance with Decision 1719/1999, the Programme co-finances only projects of common interest resulting from a Community legislative act adopted to implement any of its policies. In this regard, IDA has participated in projects in the following areas: Agriculture, Education, Employment, Energy, Environment, Fishing, Health, Humanitarian Aid, Internal Market, Statistics, Technical Regulation, Trade and Transport.

⁴² IDA Programme web site: <http://europa.eu.int/ida/en/home>

All the projects co-financed by IDA fall into one of three categories: those that have given rise to services for public administrations in support of Community policies; those aimed at enabling cooperation between European Union Institutions and Agencies; and those others devised to develop services to citizens and enterprises.

During 2003, the Commission published a compilation document in which, among other things, it discussed the different projects in which it has participated. This document, to which we would refer any interested readers⁴³, summarises the nearly forty projects financed, indicating their scope, participants, budget and Community participation in this budget, etc. More detailed information about each project may also be found on the IDA Programme's web site⁴⁴.

4.2. The Horizontal Activities

In accordance with the provisions of Decision 1720/1999, the Programme has carried out a series of horizontal activities of very diverse types, some of which we will discuss below.

Architecture Guidelines for Trans-European Telematic Systems

Very early on, the IDA Programme began to develop what it called "Architecture guidelines"⁴⁵, in an effort to compile a series of technical standards and guidelines that would be of use to the designers of these types of systems, in particular in projects that were going to be financed by the Programme. These included the TESTA project, which is a network for the interchange of information between the European Institutions; the CIRCA project⁴⁶, which consists of a groupware application used in the Community environment⁴⁷; and the PKI project⁴⁸, an electronic signature infrastructure developed and used in the IDA Programme environment.

To some extent, this activity has constituted the basis for the definition of the European Interoperability Framework.

The European Interoperability Framework

As announced during the Como Conference, the IDA Programme made its proposal for a European Interoperability Framework⁴⁹ (EIF) public in January 2004. This is a document containing the results of the work carried out between representatives of the European Institutions and the Member States in order to develop, as its name indicates, a framework ensuring the interoperability of pan-European eGovernment services. In order to undertake the analysis of this Commission proposal, it is necessary to recall some basic aspects of the Standards Policy.

The use of technical standards is becoming increasingly important in the context of the European Union policy for the development of eGovernment. Therefore, it is worth analysing this situation in

⁴³ IDA Programme. From Interchange of Data between Administrations to Pan-european eGovernment Services. The way forward. Brussels, December 2003.

⁴⁴ IDA Programme. Projects of Common Interest. <http://europa.eu.int/ida/en/chapter/16>

⁴⁵ IDA Architecture guidelines. <http://europa.eu.int/ida/en/document/2317/17>

⁴⁶ CIRCA Project. <http://europa.eu.int/ida/en/document/2086/17>

⁴⁷ CIRCA website. <http://forum.europa.eu.int>

⁴⁸ PKI Project <http://europa.eu.int/ida/en/document/2316/17>

⁴⁹ European Interoperability Framework. <http://europa.eu.int/ida/en/document/2319/17>

light of the old Technical Standardisation Policy, which the (then) European Communities launched with great determination as of 1983 within the framework of the project to create the single market in 1993, and which we discussed in an earlier work in this same collection⁵⁰.

At that time, it was clear that Europe needed common technical standards for its industrial and commercial consolidation, and that it also needed some of them to be mandatory; these standards should also be included in common technical regulations as a basis for the CE marking, nowadays well known. With regard to telecommunications, this strategy was cut short with the adoption of Directive 99/5⁵¹ by which the use of technical standards or specifications in telecommunications networks became voluntary, with only those technical standards affecting user safety considered mandatory, as in any other type of electronic device or equipment. From that time onwards, and in the context of the Internet, any decision regarding the use of technical standards or specifications in the networks and services of the Information Society was left to the vagaries of the market.

It must be said that the market usually takes extreme attitudes to Technical Standards and/or Specifications: on the one hand, those who hold a dominant position are not usually the least interested in developing technical standards, and instead try to impose their patented technical specifications; while on the other hand, those who are not in this position and have not invested in developing technology prefer to use technical standards that ensure the compatibility of their developments with products from different manufacturers. In this context, terms such as “open standard” and “proprietary standard” have begun to be used, with a clearly ambiguous intention, as we shall see next.

However, to continue with our analysis, we must recall the following basic definitions coined within the framework of the international trade agreements (GATT) and incorporated by the European Union.

‘Technical specification’ shall mean a specification contained in a document which lays down the characteristics required of a product such as levels of quality, specific use, safety or dimensions, including the requirements applicable to the product as regards terminology, symbols, testing and test methods, packaging, marking and labelling.”

“‘Standard’ shall mean a technical specification adopted by a recognised standards body for repeated or continuous application, compliance with which is not compulsory.”

According to the above definitions, the “**open standard**” concept is purely redundant, as the definition of “standard” implies that it may be freely accessed because it is, to all effects, public. Consequently, the neologism “**proprietary standard**” is an oxymoron⁵² which leads to ambiguity, and its scope is identical to that of a technical standard owned by whoever defined it.

⁵⁰ ALABAU A. La Unión Europea y su Política de Telecomunicaciones. Ed. Fundación Airtel. Madrid 1998

⁵¹ Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity. OJ L 91. 7 April 1999. P. 10

⁵² **oxymoron**. A figure in which an epithet of a contrary signification is added to a word; e. g., cruel kindness; laborious idleness. Source: Webster's Revised Unabridged Dictionary, © 1996, 1998. <http://dictionary.reference.com/search?q=oxymoron>

The lack of both technical standards and of agreements and criteria for their use constitutes one of the most significant obstacles to the development of eGovernment, not only in a pan-European sense but on any other level. This was the conclusion reached by the IDA Programme, and that is the reason for its recent proposal for change.

In this context, the proposal for a European Interoperability Framework⁵³ (EIF) defines the Interoperability Framework as “*a set of standards and guidelines which describe the way in which organisations have agreed, or should agree, to interact with each other*”, and, as a result, indicates that the European Interoperability Framework “*defines a set of recommendations and guidelines for eGovernment services so that public administrations, enterprises and citizens can interact across borders, in pan-European context*”

The document addresses Interoperability on three complementary levels: Organisational interoperability, Semantic interoperability and finally, Technical interoperability. The document contains a series of recommendations and seeks to serve as the basis for the implementation of activities under the new IDABC Programme.

The development of a European Interoperability Framework for eGovernment-related matters is a task that has only just begun. It will need the support of not only the European Institutions, but also the rest of the public administrations, and ideally also of enterprises in the Information Society sector, in order to gradually achieve a true European Administrative Space (EAS)⁵⁴, or at least something that resembles one, thus avoiding insurmountable fragmentation that only benefits those who manage to sell their products.

The eGovernment Observatory

In 2003, the IDA Programme implemented the eGovernment Observatory⁵⁵. As defined by IDA, it is a reference information tool on eGovernment issues and developments across Europe.

This Observatory provides access to a major database of information about this subject, which is also available via e-mail. It is undoubtedly a tool of great interest and use in tracking the evolution of eGovernment in the European Union, which we would recommend to any interested readers.

It is worth mentioning the fact that the Observatory has implemented a monthly service offering information about the main eGovernment activities and events in the European Union via e-mail, which is extremely useful.

We think that the activities of the Observatory in the new phase of the IDA Programme should be extended to include the experiences of regional and local public administrations, and try to transform all of the information gathered into more useful knowledge.

Other activities to develop Techniques and Tools

In addition to what we have just discussed, the IDA Programme has carried out a very extensive series of eGovernment-related activities⁵⁶, considered horizontal measures. On this

⁵³ European Interoperability Framework. <http://europa.eu.int/ida/en/document/2319/17>

⁵⁴ D’Orta C. What future for the European Administrative Space? EIPA Working Paper n° 2003/W/5. 2003

⁵⁵ eGovernment Observatory: <http://europa.eu.int/ida/en/chapter/140>

⁵⁶ IDA Catalogue of Common Tools and Techniques: <http://europa.eu.int/ida/en/document/627/5583>

occasion, we will only mention that they should most definitely continue in the new IDABC Programme.

We are referring to the promotion of the use of open source software in public administrations and the creation of an Open Software Observatory⁵⁷, the analysis and promotion of e-procurement in public administrations and the publication of numerous newsletters and documents relating to Programme activities.

One must also remember the development and launch of the cross-border Public Services portal⁵⁸, within the framework of the IDA Programme, whose aim is to provide information and services to assist Europe's citizens and enterprises carry out cross-border activities.

5. CONCLUSIONS

In this chapter, we have analysed the Programme for the Interchange of Data between Administrations, which we feel is one of the most coherent eGovernment-related programmes underway in the European Union.

Since its creation in 1995, the IDA Programme has managed to evolve and change, without straying from its founding goal of co-financing the development of pan-European telematic networks resulting from Community legislative acts. It has become an efficient, effective and promising tool by: first, expanding its activities to encompass structural issues; second, becoming a key element in the eEurope initiative in this field; and finally, positioning itself at the heart of the European Union's eGovernment Policy.

In the absence of administrative powers that would let the European Institutions act directly on decisions relating to the modernisation and technological improvement of the different state, regional and municipal public administrations, those in charge of the IDA Programme have taken a clearly positive attitude, focusing efforts on those issues in which there was no doubt that Community intervention had the proper regulatory backing, such as the development of telematic networks and services for the implementation of specific community policies.

However, after that point, once the importance of the interoperability of organisations and telematic networks and services had been identified, the programme made the wise choice to act in areas that were clearly complementary to those of each of the public administrations that coexist in Europe. For this activity, it once again sought the regulatory backing provided by the principle of subsidiarity, because it is evident that if the European Union does not promote and ensure the intercommunication and interworking of eGovernment services in the length and breadth of Europe, no one else will.

It should be emphasised that in the proposals to modify the IDA Programme, there is no reference to the Commission's Communication on eGovernment, as they were published before the latter was adopted in December 2003.

⁵⁷ Open Software Observatory: <http://europa.eu.int/ida/en/chapter/452>

⁵⁸ European Public Services Portal: <http://europa.eu.int/public-services/>

In the light of the experience of the IDA Programme, or if you prefer, the IDABC Programme as it will have to be referred to from now on, the rest of the programmes that deal with these matters in the European Commission should be drawn together around it, in an effort to develop a solid and coherent European Union eGovernment policy. However, this is just our opinion.

In fields such as interoperability and the spread of experiences and best practices, the need to coordinate the IDA Programme with the activities of the eGovernment research programme is so obvious that you can only understand why it is impossible if you're familiar with the Commission's internal workings. Until these problems are addressed and solved, the European Union will be hard-pressed to come up with a true Policy for the development of eGovernment.

Table 6.1. CHRONOLOGY OF THE PROGRAMME FOR THE INTERCHANGE OF DATA BETWEEN ADMINISTRATIONS

Year	Presidency of the Council	Presidency of the Commission	Information Society Policy	IDA Programme
1993			Delors White Paper	Maastricht Treaty: Inclusion of trans-European networks in the Treaty
1994				Council Resolution regarding the coordination of the interchange of data between administrations
1995				Decision 95/468 regarding the financing of the IDA Programme
1996				
1997				
1999	Germany	Prodi		Decision 1719/1999, on projects of common interest in the IDA Programme Decision 1720/1999, on actions and measures to ensure interoperability, in the IDA Programme
	Finland			
2000	Portugal		eEurope 2002	
	France			
	Sweden			
2001	Belgium			
2002	Spain		eEurope 2005	Decision 2946/2002, amending Decision 1719/1999 on projects of common interest Decision 2947/2002, amending Decision 1720/1999 on actions and measures for interoperability
	Denmark			
	Greece			
2003	Italy			
2004	Ireland		eEurope 2005 update	Decision 2004/387, regarding the IDABC Programme
	Netherlands	Barroso		
	Luxembourg			
2005	United Kingdom			

Chapter 7

EGOVERNMENT

IN THE RESEARCH AND TECHNOLOGICAL DEVELOPMENT POLICY

1. INTRODUCTION
2. FRAME OF REFERENCE
 - 2.1. **Strategic Aspects**
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 - 3.1. **eGovernment Research in the Third Framework Programme**
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4. THE CONTINUATION OF RESEARCH AND TECHNOLOGICAL DEVELOPMENT ACTIVITIES IN EGOVERNMENT IN THE SIXTH FRAMEWORK PROGRAMME
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5. THE FUTURE OF THE eGOV UNIT
 - 5.1. **The New Focus of eGovernment Research and Development Activities**
 - 5.2. **The Framework for the Promotion of Experiences in eGovernment**
 - 5.3. **The Future of eGovernment Research**
6. CONCLUSIONS

1. INTRODUCTION

This chapter analyses the eGovernment-related activities that the European Union is carrying out through the Framework Programmes for Research and Technological Development (RTD).

Addressing this issue involves asking oneself two questions: of all, what specific aspects of eGovernment can be researched, and second, what the chances are of carrying them out through the European Union's instruments, in particular the Framework Programmes for Research and Technological Development.

The Fifth Framework Programme was in effect for the period from 1998-2002, coinciding with the entry into force of full competition in the telecommunications sector, in the midst of the period when the Lisbon Strategy was formulated and adopted and the eEurope 2002 initiative launched. In this Framework Programme, all of the existing programmes relating to this subject were grouped together into a single thematic area called Information Society Technologies (IST); and for the first time, a line of action devoted specifically to eGovernment appeared.

The Sixth Framework Programme covers the period from 2002-2006, and sought to introduce a major change in the European Union's RTD activities in order to actively and decisively contribute to creating what would soon be called the European Research Area. This Framework Programme has maintained the IST thematic area, which encompasses eGovernment-related research activities.

In mid-2004, in the context of a European Union now expanded to 25 Member States, the Commission made public its first proposal of priorities for the future Seventh Framework Programme, in accordance with its Budgetary Policy proposal for the period from 2007-2013.

As will be seen in the next sections, to add to the already well known difficulties involved in carrying out a coherent research and technological development policy financed with European public funds, it is also difficult to determine how and in what direction eGovernment research efforts should be focused. Logically, these efforts should be worthy of such consideration and truly represent a definite and evident contribution by the Community, and be in tune with the other eGovernment development activities analysed in the preceding chapters of this book. This is precisely what is discussed in the following paragraphs.

First, we will briefly summarise the frame of reference in which this programme is being carried out, from the strategic, regulatory and budgetary standpoints.

Next, we will go on to review the eGovernment research activities that have been taking place through the different Framework Programmes for Research and Technological Development.

Finally, we will analyse the future plans that the Unit responsible for implementing this Programme is trying to formulate and carry out.

2. FRAME OF REFERENCE

2.1. Strategic Aspects

There can be no argument about the strategic importance of stimulating Research and Technological Development in the European Union, and the Member States not only accept the need to devote a significant part of the Community budget to this purpose, but many of them are also willing to make the Commission's proposal to increase the budget currently earmarked for this Community policy by as much as 100% a reality.

It is also well known that the rules of competition and the objective of consolidating pan-European activities make the current requirements to participate in European Union research programmes both necessary and justified, and this is only possible through multinational consortiums. Another known fact is that achieving multinationalism in a project means taking on significant extra costs in managing it. These are all facts that have been accepted by everyone, without too many problems, as part of the cost of building Europe.

In this context, European research projects are being managed more and more efficiently, both by the participants and by Commission officials; twenty years have gone by since the First Framework Programme, and fortunately, the lessons from the past have been learned well. At this time, it can be said that the machinery for managing European research projects is ready to swallow up the current budget and even the one the Commission proposes for the future.

What is and will be systematically questioned, particularly by those who do not participate in these projects, is their efficacy; in other words, the usefulness of the end results of EU-funded research projects. This is undoubtedly a crucial issue whose analysis is clearly beyond the possibilities and scope of this book. However, we wanted to raise this issue in order to address it in the case of eGovernment projects, because a proposed strategy in this field should also include the answer to this question.

It is a fact that, in the European Commission, the responsibility for proposing and almost for defining the specific lines of Community research in a certain area lies directly with the Head of the Unit in charge of managing this area, who will have to discuss them with the Director so that the latter can propose them to the Director-General so he, in turn, can convince the Commissioner that these precise lines of research, and no others, are the only ones possible for the European Union's greater glory. Afterwards, the discussion with the rest of the Institutions will revolve almost exclusively around the amount of the budget.

And, as in every negotiation process, the first document is always the important one and usually the final one. In the case of research proposals, the first proposal is usually penned by the Head of the Unit, and once it has been incorporated into the guidelines of the respective Framework Programme, it becomes the guiding light of the Community research policy.

The European Union's Research and Technological Development Policy is usually the result of an amalgam of a series of sectoral proposals, at least as many as there are Units in the Commission responsible for managing them, integrated within a strategic, higher-level framework. For the European Commission, all of the RTD Framework Programmes have been, are and will be successful, and each one better than the one before, just like the Olympic Games.

In this context, European Commission Units have a lot of room to manoeuvre in defining the research strategies that they will later manage. Once these strategies are approved, the scope for interpreting and applying them in successive calls for project proposals is also broad. In these processes, the Units often use consultations of different types, in particular among members of the scientific community and the sector's players, usually interested in participating in implementing these programmes; on occasion, they also turn to consulting firms, who are usually experts in just about anything that has a Community budget.

eGovernment can be divided into two very different periods, namely the Fifth and Sixth Framework Programmes, respectively, which are analysed in detail throughout this chapter. As we will have occasion to discuss, the strategy in each of these periods underwent a spectacular evolution, in pace with the importance that the development of eGovernment has gradually taken on, going from just another type of project for the development of the Information Society to a matter of strategic importance for the modernisation of Europe.

Nevertheless, it must be added that the fact that eGovernment research activities are situated in the framework of the Information Society Technologies (IST) thematic area conditions their scope, which is thus limited almost exclusively to subjects with a technological slant. This means that the possibility of undertaking the study of public management matters, which because of their very nature have been left out of the Commission's research programme objectives, is practically excluded. This is what has been happening to date.

2.2. Regulatory Aspects

The regulatory framework through which eGovernment-related research activities are governed is the one regulating the development and management of the Framework Programmes for Research and Technological Development.

Both the Fifth and the Sixth Framework Programmes were governed by the respective Regulations of the Parliament and the Council, which are discussed further on. These Regulations clearly define the Programme's strategic priorities, which were specified in the Work Programmes for each of the calls for project proposals.

The rules for managing the projects are generic to all RTD activities, and the Commission makes them widely available to those interested in participating in each of the calls that it publishes.

2.3. Budgetary Aspects

The budget for participating in the financing of eGovernment-related research projects comes from the item earmarked for Research and Technological Development, which is the largest EU Internal Policies budget item.

During the Fifth Framework Programme, the budget for financing eGovernment-related research projects (including eDemocracy projects) managed by the Unit specifically in charge of these was around EUR 75 million for the period from 1998-2002.

As far as the Sixth Framework Programme is concerned, it is estimated that the budget allocated for eGovernment research and technological development activities could total EUR 100 million for the period from 2002-2006.

The applicable rules are the ones that govern all research projects, which establish that only projects presented by a minimum of two different entities from two Member States may be financed. EU funding is usually limited to have a ceiling of 50% of the project's cost, although there are mechanisms under which certain actions are eligible for 100% financing if the Commission considers them of interest and they supplement research.

3. THE START OF RESEARCH AND TECHNOLOGICAL DEVELOPMENT ACTIVITIES IN THE FIELD OF EGOVERNMENT

3.1. eGovernment Research in the Third Framework Programme

We must look to the Third Framework Programme, which lasted from 1990-1994, and in particular the Telematics Programme¹, which formed part of it, for the origins of research activities in areas of interest to the public administrations. There is absolutely no mention of telematic applications relating to the public administrations in the earlier Framework Programmes^{2, 3}.

The Telematics Programme of the Third Framework Programme included amongst its areas of activity a specific one devoted to the public administrations, in the following terms:

AREA 1: SUPPORT FOR THE ESTABLISHMENT OF TRANSEUROPEAN NETWORKS BETWEEN ADMINISTRATIONS

The objective of this area is to define common requirements for electronic information exchange and to examine the need for interoperability between electronic information networks within Member States; to carry out studies and pre-normative research for the definition and subsequent establishment of the trans-European telematic services networks essential to national administrations for the completion of the single market, for the provision of the services necessary to the free movement of persons, goods, services and capital and for increasing economic and social cohesion in the Community.

The priority subareas are those most closely linked to the completion of the internal market. In the first instance, work may concern such areas as customs, social services, emergency services and statistics.

¹ Council Decision 91/353/EEC of 7 June 1991 adopting a specific programme of research and technological development in the field of telematic systems in areas of general interest (1990 to 1994). OJ L 192, 16 July 1991. P. 18

² Council Decision 84/130/EEC of 28 February 1984 concerning a European programme for research and development in information technologies (ESPRIT). OJ L 6, 9 March 1984. P. 54.

³ Council Decision 87/516/EEC of 28 September 1987 concerning the framework programme for Community activities in the field of research and technological development (1987 to 1991). OJ L 302, 24 October 1987. P. 1

This Decision coincided with the proposal presented by the Commission⁴ in 1991 to promote the interchange of data between administrations, and it was, to a certain degree, the origin of the Communication⁵ proposing the creation of the IDA Programme, as we saw in Chapter 6. Right from the start, it seemed reasonable to reinforce the objectives of the IDA Programme with research activities.

From a strategic standpoint, the idea could not be more on target; however (and there are always insurmountable “howevers” in the European Union), the regulatory frameworks of these programmes would make coordination between these two Community activities very difficult, if not impossible. As we will see later on, this situation would continue to repeat itself and worsen in subsequent editions of this Programme. Many of the current problems could have been avoided if different actions had been taken to solve the problem in time.

The Commission ordered an assessment of the results of the Telematics Programme⁶ once its extension began in the Fourth Framework Programme, which we will deal with in the next section.

3.2. eGovernment Research in the Fourth Framework Programme

The Fourth Framework Programme, which lasted from 1994-1998, included the Telematics Applications Programme⁷, which continued the activities initiated in the Telematics Programme, in particular in the field of eGovernment.

It should be recalled that the strategic framework at the time was the desire to develop the Information Society in accordance with the proposals contained in the White Paper⁸ approved by the Brussels European Council in December 1993.

The 1994 Decision by which the Telematics Applications Research Programme was created stated the following:

II. RESEARCH AREAS AREA A - TELEMATICS FOR SERVICES OF PUBLIC INTEREST

1.- Administrations

Systems for processing and exchange of information between administrations will be implemented under the TNA/IDA programme (Telematics Network for Administration/Interchange of Data between Administrations). A set of guidelines has been drawn up for TNA and will be used as a basis for feasibility studies and

⁴ SEC(91) 1752. European Commission Working Document on need for information exchange between administrations to guarantee the operation of the internal market. Brussels, 3 October 1991

⁵ COM(93) 69. Communications on trans-European data communications networks between administrations. Brussels, 12 March 1993. OJ C 105. 16 April 1993. P. 10

⁶ Günter Kroës; et al. Five Year Assessment of the Specific Programme: TELEMATICS APPLICATIONS, Report EUR 17603 European Commission, Brussels 1997

⁷ Council Decision 94/801/EC of 23 November 1994 adopting a specific programme for research and technological development, including demonstration in the field of telematics applications of common interest (1994 to 1998). OJ L 334. 22 December 1994. P. 1.

⁸ COM(93) 700. Growth, competitiveness, employment - The challenges and ways forward into the 21st century - White paper.. Brussels, 5 December 1993.

pilot projects as part of the IDA multiannual Community action. As a consequence, research, development and demonstration activities will need to be carried out upstream to support the TNA/IDA programme in order to ensure that technological advances in the area of multimedia telematics can subsequently be made available for use by administrations.

Aim

The aim is to enable the implementation by administrations of the relevant results of telematics research as they become available, thus bringing about a swift improvement in the economics and efficiency of public services at a European level. As a result of the improved effectiveness and efficiency, administrative costs of European businesses can be substantially reduced, thus contributing to the strengthening of the competitiveness of European industry. Administrations will be able to introduce new telematics systems and services, while rationalizing existing infrastructures and capitalizing on investments already made with a view to improving the public service. These RTD actions will equally promote and define open standards, which can be used in specifications for procurement contracts in connection with telematics applications.

As is customary in Commission documents, the proposal mentions other initiatives carried out by the Commission during this period, and in this case it was the IDA Programme. The Telematics Applications Programme, as far as its line of action relating to the public administrations was concerned, was officially presented as research in support of the IDA Programme, an idea that seems very nice from the formal standpoint but is absolutely impossible to implement in practice. Consortia that present projects have a duty to their interests and to their commitments to the Commission, in accordance with the Programme's guidelines, and asking more of them is simply impossible. Only the Commission can undertake this coordination, and only when proposing the Programme's work areas and selecting candidates; beyond this point, any other coordination is simply not feasible, which does not prevent this argument from appearing over and over again in the statements of Research and Technological Development Programmes.

In this case, as usual, the Commission also ordered an assessment⁹ of the results. This report analysed a broad group of projects from among those financed by the Commission during the period from 1996 to 1998, and made recommendations for the next stage. With regard to the Telematics Applications Programme, the document highlighted the things that these types of reports usually point out, i.e., that the results of the projects were, naturally, satisfactory, but that the Consortia that carried them out should make a greater effort to implement and commercially exploit the results.

As far as the projects in the area of administrations were concerned, the report only focussed on the status of activities relating to projects regarding public purchases, recommending that, as the governments of the European Union were defining their objectives in this field, future projects in the Fifth Framework Programme should support the development of standards to ensure their

⁹ TAP-ASSES. Socio-Economic and Industrial Assessment of FP VI Telematic Applications Projects completed between 1996-1998. March 2000. http://www.databank.it/dbc/tap_ass/home.htm

interoperability. The need to promote research in organisational reforms within the administrations in this field was also emphasised.

Finally, the report (naturally!) enthusiastically mentioned the happy event of the arrival of the eEurope initiative, saying that: *“the goals of the initiative reflect directly the problems which the Telematics projects said had to be solved in order to accelerate innovation adoption in Europe.* This was in March 2000, on the eve of the Lisbon European Council.

3.3. eGovernment Research in the Fifth Framework Programme

In the Fifth Framework Programme, eGovernment-related activities were included in the specific programme for Information Society Technologies (IST) Research. In March 1999, the Council adopted the Decision by which the IST Programme was created in the Fifth Framework Programme (1998-2002)¹⁰.

Annex II of the Decision adopting the programme defined its objectives as follows:

“Strategic objectives of the programme

The strategic objective of the information society technologies (IST) programme is to realise the benefits of the information society for Europe both by accelerating its emergence and by ensuring that the needs of individuals and enterprises are met”.

As a result of the above, and as can be seen in hindsight, projects linked more to the development of applications that we could consider to have short and medium-term objectives took precedence over long-term activities in this Research and Development Programme.

Research relating to Information Society Technologies in the public administrations appeared among the Programme’s key actions, as a continuation of what had been done under the Third and Fourth Framework Programmes.

KEY ACTIONS

Systems and services for the citizen

Administrations

Work will focus on multimedia systems and services addressing the specific needs of all types of administrations (e.g. Community, national, regional, local), in particular to support the widening and deepening of the EU, and offering interactive services to citizens and/or making them available at natural meeting-points for people, especially in remote and rural areas. Attention will be paid to improving effectiveness and internal efficiency.

RTD priorities:

- *technologies and systems for on-line support for the democratic process and for improved, distance- and language-independent, easy to use and affordable access to information and services, in order to support one-stop service access and transaction handling for citizens and businesses;*

¹⁰ Council Decision 1999/168/EC of 25 January 1999 adopting a specific programme for research, technological development and demonstration on a user- friendly information society (1998 to 2002). OJ L 64. 12 March 1999. P. 20

- *multilingual personalised services and intelligent multifunctional systems facilitating interaction between citizens and administrations, including the development of virtual fora (public hearings, opinion polling, etc.);*
- *systems and tools for enabling statistics to play their role in enhancing the transparency and accessibility of administrations and for promoting multimedia data interchange between administrations;*
- *the innovative applications to support the adaptation of administrations to the information and processing systems needs of Community policies; take-up: best practice and other take-up measures will be a priority,*

This programme document no longer mentions the IDA Programme, which during that same period (1999) had already become much stronger and was about to begin a new, self-sufficient stage. Moreover, the objectives of implementing the Information Society among the administrations had already been widely accepted, and no formal arguments based on the IDA Programme and on the Community powers that supported it were necessary. On the other hand, eDemocracy was mentioned for the first time as a specific and well-defined application.

In line with the Programme's guidelines¹¹, successive calls for project proposals were published, and the projects selected were grouped into two "clusters" with supplementary objectives. In the case of eGovernment, the clusters created were the following:

- Smart government
- eDemocracy

According to the information provided by the Commission¹², sixty-two (62) projects were co-financed through this Programme, thirty-six (36) of which corresponded to the smart government group, 11 to the eDemocracy group and the remaining 15 to other work areas in the Programme. Interested readers will find this information in a March 2003 Commission publication¹³, which we would recommend. The Community budget earmarked for co-financing all of these projects was EUR 95.5 million of a total estimated cost for the projects of EUR 154.9 million. This represents an average participation rate of 61.6% of the total, due to the actions that are eligible for up to 100% of EU financing.

3.4. Actions after the eEurope initiative

The start of the implementation of the Fifth Framework Programme coincided with a major transition in the European Institutions. It should be recalled that this Programme was proposed and adopted in the last stage of Jacques Santer's presidency, in the midst of the crisis in the Commission; all would tender their resignations in May 1999, only three days after the Decision relating to this Programme was published in the Official Journal.

¹¹ IST Key Actions web site of the Fifth Framework Programme. <http://www.cordis.lu/ist/ka1/home.html>

¹² 5th Framework Programme. eGovernment projects http://europa.eu.int/information_society/programmes/egov_rd/fp5/fp5_projects/index_en.htm

¹³ European Commission. eGovernment Resource Book. Synopses of IST projects relating to eGovernment. March 2003. http://europa.eu.int/information_society/programmes/egov_rd/doc/2003_1231_en.pdf

In addition, the Information Society Technologies (IST) Research Programme came into being once free competition was established in the telecommunications sector, and when it seemed absolutely necessary to start to develop the Information Society following a long period of lethargy after the issue of its strategic importance for the European Union was first raised in 1994. Telecommunications had already been liberalised, and it was becoming essential to promote their use. In this regard, the IST Research Programme was undeniably a posthumous action of that Commission, and in particular of the era of Commissioner Bangemann.

A few months later, the eEurope initiative was adopted, when the Framework Programme began to get underway.

As we discussed in Chapter 3, one of the first actions of the new Prodi Commission was to propose the Lisbon Strategy and launch eEurope as its flagship. From that time onwards, the development of the Information Society became one of the European Commission's priority objectives; however, let's remember that eEurope was only an initiative and not a programme, which in Community terminology means that it is an action of a strategic nature with no accompanying specific budgetary item for its implementation.

The eEurope initiative, which was supposed to spur the development of the Information Society in the European Union once and for all, had to rely on existing specific programmes, all of which had been planned and approved before it was conceived. It would be necessary to adjust its strategies, which, as we have already seen, also happened in the case of the IDA and eTEN Programmes. Thus, the Research and Technological Development Programme in Information Society Technologies became an instrument for the implementation of eEurope.

With regard to eGovernment, the eEurope 2002 Action Plan¹⁴ pointed out the following:

"The challenge of improving efficiency in the public sector will require a re-thinking of internal organisation and of electronic exchange between institutions.... Member States and the Commission have been co-operating in the area through the IDA Programme...In addition, new applications have been developed through the EU framework programme, which have the potential to support innovative solutions"

One of the proposed actions was:

"Promote the use of open source software in the public sector and e-government best practice through exchange of experiences across the Union (through the IST and IDA programmes)"

Thus, the message was launched, and it was necessary to put it into practice. Nevertheless, we must say that the mention was, naturally, very subtle. However, the Framework Programme was underway, and it had a duty to its strategic objectives and its budget, and an initiative like eEurope was not going to modify them just like that.

It seems logical that it should have happened this way, because, while the objectives of the eEurope initiative were immediate and sought to achieve the modernisation of the public

¹⁴ eEurope 2002. Action Plan prepared by the Commission for the European Council meeting of Santa Maria de Feira on 19-20 June 2000. Brussels, 14 May 2000.

administrations, the objectives of the IST Research Programme had to be, by definition, medium and long-term ones, and tried to develop technologies that might one day be of use in developing eGovernment. These two different approaches were difficult to reconcile.

However, this is not the only reason that explains the apparent divergence between these two actions managed by the Commission; in our opinion, there are two others, a second one that elaborates on what we have just discussed, and a third one inherent to the internal operations of the Commission.

We must look to the very dynamics of the research and development projects financed through European Union funds for the second reason. In accordance with the basic premises of the Framework Programmes, the commitment taken on by the members of the Consortium executing a project affect only themselves and their interests, and does not by any means go further than that. One result of this reality is the fact that the projects financed through the Framework Programmes leave little trace of their existence, and on occasion none at all, beyond the fact sheets that are usually published by the Community Research & Development Information Service (CORDIS)¹⁵.

Due to the financing mechanism used and the fact that the entities participating in implementing the projects also participate in this mechanism, the results belong to them and it is their responsibility to exploit them, if they see fit, because they have no firm commitment to the Commission to do this. Thus, any Community policy to truly develop the Information Society cannot be directly based on the research programmes, beyond what might be marketable.

In this context, only an *ex ante* alignment was possible, in other words, an attempt to adjust the objectives of the IST Research Programme, in its definition stage, to the objectives of the eEurope initiative. However, this was not at all obvious, due to the disparities in the effective periods of the two proposals, so bringing them in line with each other was tremendously difficult in the Community environment. Such an action would mean having the ability to undertake true medium- to long-term technological development plans in which there would be a place for both the commitments and the results of the research effort. Unfortunately, if this is difficult to achieve within the framework of a Member State, it is much more so in that of the European Union.

As for the results of eGovernment-related research activities, there is little hope that they will have a direct impact on the process of modernising the public administrations, beyond what the market and the administrations themselves can do on their own.

The third reason that we mentioned earlier refers to the very dynamics of the way the European Commission operates, where each Unit exists because of its Programme, and the latter because of the regulatory framework on which it is based. In this context, strategic approaches with no legal basis, as in the case of eEurope, are welcome and are used whenever they are likely to provide support for carrying out what was planned. We saw this with the eTEN and IDA Programmes, and we will see it again here with the IST Programme of the Sixth Research and Technological Development Framework Programme.

¹⁵ Cordis web site: <http://www.cordis.lu/en/home.html>

3.5. eGovernment Research Programme Management

The management of eGovernment research activities corresponding to the IST Programme of the Framework Programmes is the main task of Unit C6 – eGOV, which forms part of Directorate C – Components and Subsystems. Applications, in the Information Society Directorate-General.

This Unit is the heir to an earlier one prior to the last reform of the Commission in 2002, which was Unit B3 - Applications relating to Administrations, forming part of Directorate B – Information Society Technologies, Systems & Services for the Citizen

Nearly all of the staff of Unit C6 turned over in 2003. It currently manages the processes of closing out the projects from the Fifth Framework Programme, the execution of activities corresponding to the Sixth Framework Programme, and the preparation of the strategy for the future Seventh Research and Development Framework Programme for the period from 2007-2010.

A second task entrusted to this Unit is the dissemination of the results of the research it finances. This task is part of the activities the Commission carries out for the spread of good practices in eGovernment-related matters.

We should add that Unit C6, in addition to managing the eGovernment part of the Research and Technological Development Programme, was also in charge of coordinating the eEurope Awards in this field, whose latest round took place in Como in July 2003, as discussed in Chapter 4.

4. THE CONTINUATION OF RESEARCH AND TECHNOLOGICAL DEVELOPMENT ACTIVITIES IN EGOVERNMENT IN THE SIXTH FRAMEWORK PROGRAMME

4.1. The Context

The Sixth Research and Development Framework Programme¹⁶ was adopted in June 2002 through a Decision¹⁷ of the Parliament and Council, and was the result of the proposals developed by the Commission in 2001^{18, 19}, which were extensively debated by the executive bodies of the European Union prior to their approval.

¹⁶ Web site of the Sixth Framework Programme. <http://fp6.cordis.lu/fp6/home.cfm>

¹⁷ Decision No 1513/2002/EC of the European Parliament and of the Council of 27 June 2002 concerning the sixth framework programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002 to 2006). DO L 232. 29 August 2002. P.1.

¹⁸ COM(2001) 94. Proposal for a Decision of the European Parliament and of the Council concerning the multiannual framework programme 2002-2006 of the European Community for research, technological development and demonstration activities aimed at contributing towards the creation of the European Research Area. OJ C 180. 26 June 2001. P. 156.

¹⁹ COM(2001) 709. Modified proposal for a Decision of the European Parliament and of the Council concerning the sixth Multiannual Framework Programme 2002-2006 of the European Community for Research, Technological Development and demonstration activities aimed at Contributing Towards the Creation of the European Research Area - (2002-2006). OJ C 75. 26 February 2002. P.132.

This Framework Programme formed part of the attempt to contribute to the creation of the European Research Area, which was the object of a non-legislative proposal made by the Commission in 2000²⁰, and which continued throughout 2002²¹, once the Sixth Framework Programme had been adopted. In fact, in the title of the Sixth Framework Programme, its objective is mentioned as being “contributing to the creation of the European Research Area and to innovation”.

Both the Proposals of the Commission and the Decision of the Parliament and the Council were adopted in the midst of the development period of the Lisbon Strategy, and more specifically, of the eEurope initiative. The following text is included among the Recitals of the Decision:

“6) The European Councils in Lisbon in March 2000, Santa Maria de Feira in June 2000 and Stockholm in March 2001 adopted conclusions aimed at the rapid establishment of a European research and innovation area with a view to sustainable economic growth, more employment and social cohesion with the ultimate goal of enabling the Union, by 2010, to become the world's most competitive and dynamic knowledge economy.

Building upon the obligation of Article 6 of the Treaty, the Göteborg European Council in June 2001 agreed on a strategy for sustainable development and added a third, environmental dimension to the Lisbon strategy.

In particular, the European Council in Lisbon underlined the importance of the Commission's e-Europe initiative, which aims at an information society for all, while the Stockholm European Council also stressed the need to make particular efforts in new technologies, especially biotechnology

The project of building a European Research Area had formally become one of the key goals for those responsible for Research Policy in the European Commission. Research and Technological Development (RTD) are undoubtedly essential ingredients for economic and social progress, and the European Union was aware of the need to optimise Community actions in this field, whose efficacy had been called into question so many times. However, it's worth looking at the figures.

In 2003, the European Union earmarked approximately EUR 4.0 billion for its RTD Policy, which represented nearly 60% of its budget for carrying out internal policies, and 4% of the European Union's total budget; this is without any doubt a very significant relative effort.

Nonetheless, in relation to the GDP of the European Union, this figure accounted for only 0.046% of the total, which represents a truly modest sum when compared to the 1.9% of this total that it is estimated the European Union earmarks for the R&D effort.

In other words, the European Institutions control barely 2.4% of the total funds that are earmarked for research in the Member States of the European Union taken as a whole. Some place the total at double this figure, under the assumption—a very large assumption—that these funds can generate an equivalent amount from society.

²⁰ COM(2000) 6. Towards a European research area. Brussels, 18 January 2000.

²¹ COM(2002) 565. Research area: providing new momentum - Strengthening - Reorienting - Opening up new perspectives Brussels, 16 October 2002.

In any case, with such a modest amount, it is foolish to exaggerate the power of the Community Research Policy and overrate its impact on the technological development process of the European Union.

Nevertheless, more than in its budgetary dimension, the real value of the European Research Policy lies in its strategic dimension, due to its enormous power to lay down guidelines in other European research policies, as it is the result of a consensus between the Member States which, in some way, try to see their own priorities reflected to some degree in this Community Policy.

While this reasoning is no doubt general in nature, we wanted to bring it up at this point of our analysis of eGovernment research, because we feel it is necessary in order to better understand the era that began with the Sixth Framework Programme, as we will have occasion to see further on.

Annex III of the Decision we are currently analysing mentioned the types of instruments approved for the implementation of the Sixth Framework Programme, among which the following are worthy of note: Networks of Excellence (NoE), Integrated Projects (IP), Specific Targeted Research Projects (STREP), Specific Support Actions (SSA) and Coordination Actions (CA).

In the context of the creation of the European Research Area, it is not surprising that the first of the proposed instruments was Networks of Excellence. In looking at these objectives, it must be acknowledged that, theoretically, the inherent capacity for structural growth of the Networks of Excellence was much greater than the capacity of the activity consisting of co-financing projects.

Nevertheless, once the figure of the Network of Excellence had been created, it was necessary to precisely define its objectives, with a view to structuring European research, which represented a not inconsiderable challenge. We get the impression that the Commission has not yet been able to do this, in light of the scant enthusiasm for this figure emanating from the Units of the Commission responsible for managing the Sixth Framework Programme, at least with regard to the eGovernment area.

4.2. eGovernment in the Sixth Framework Programme

Following in the footsteps of its predecessor, the Sixth Framework Programme included a specific thematic priority of "Information Society Technologies" whose scientific objectives were defined in Annex I of the Council Decision 1513/2002 in the following terms:

"1.1.2. Information society technologies (IST)

Objective

The activities carried out in this area, pursuant to the conclusions of the Lisbon European Council and the objectives of the e-Europe initiative, are intended to stimulate the development in Europe of both hardware and software technologies and applications at the heart of the creation of the information society in order to increase the competitiveness of European industry and allow European citizens in all Union regions the possibility of benefiting fully from the development of the knowledge-based society. Concentration on the future generation of IST will bring IST applications and services to everyone and enable the development of the next generation of technologies to be more user-centered.

It was clear that it was time to mention the eEurope initiative, although we must say that this was done without much vehemence.

Some paragraphs later, the actions envisaged were listed, and this is where we can find the only mention of eGovernment that appears in the entire document:

“Actions envisaged.

*The actions undertaken will therefore address the following technological priorities:
Integrating research into technological areas of priority interest for citizens and businesses.*

Completing and building on progress expected in the development of basic technologies, research aimed at finding solutions for major societal and economic challenges, faced by an emerging knowledge-based society including the consequences for work and the workplace environment, and, accordingly, focusing on:

(a) research on technologies addressing the key security challenges posed by the "all-digital" world and the need to secure the rights and privacy of citizens;

(b) "ambient intelligence" systems offering access to the information society for all, regardless of age and situation (such as disability or other individual circumstances), as well as interactive and intelligent systems for health, mobility, security, leisure, tourism, access to and preservation of the cultural heritage, and environment;

*(c) electronic and mobile commerce, as well as technologies for secure transactions and infrastructures, new tools and new methods of work, technologies for learning (such as e-learning) and **systems for corporate knowledge management, for integrated business management and for e-government** taking account of user needs;*

(d) large-scale distributed systems and platforms, including global resource information database (GRID) based systems that provide effective solutions to complex problems in areas such as the environment, energy, health, transport and industrial design.

eGovernment research activities were thus included as part of the “Information Society Technologies” thematic priority in the Sixth Framework Programme, and it was a question of deciding how they were to be carried out.

4.3. eGovernment-related actions in the Sixth Framework Programme

At the end of 2002, the administrative machinery to implement the Sixth Framework Programme was set into motion, and the Work Programme²² for the Information Society Technologies (IST) thematic priority for the period 2003-2004 was developed and published. It contained all of the necessary instructions for the preparation and presentation of projects.

²² European Commission. FP6 IST Work programme, 2003-2004.

This document is specific to the IST priority, and in the section presenting the objectives it indicated the following:

2.2 OBJECTIVES, STRUCTURE AND OVERALL APPROACH

2.2.1 IST in FP6: the overall vision

The IST thematic priority will contribute directly to realising European policies for the knowledge society as agreed at the Lisbon Council of 2000, the Stockholm Council of 2001, the Seville Council of 2002, and as reflected in the e-Europe Action Plan.

.....

eEurope2005 aims at a wider deployment of IST including to modernise further the public services including e-government, ehealth and elearning and to create a dynamic business environment. It also aims at ensuring higher security of the information infrastructure and a wider availability of broadband access.

eEurope will therefore contribute to the adoption of the research results as they emerge. It will also provide feedback about their acceptance and the problems related to their use. This close articulation between the research and policy initiatives is a key component of the Union strategy to achieve the Lisbon goals.

One can see how consistent the approach of the Commission is, although naïve by any reckoning: plan, research, use the results and be successful.

As for eGovernment, the document develops a list of the actions envisaged in the Decision for the Sixth Framework Programme we mentioned earlier, in the following terms.

2.3.1.9 Networked businesses and governments

Objective

To develop ICTs supporting organisational networking, process integration, and sharing of resources. This shall enable networked organisations, private and public, to build faster and more effective partnerships and alliances, to re-engineer and integrate their processes, to develop value added products and services, and to share efficiently knowledge and experiences.

Focus is on

- *Management of dynamic collaborative networks through the development of harmonisation frameworks, open platform specifications, models and ontologies. This includes multi-disciplinary research into complex adaptive and self-organising systems and modelling, representing, tracking and measuring distributed work and knowledge flows in business networks.*
- *Technologies for interoperability supporting open networks of intelligent, autonomous, self-adaptive, self-configurable, and scalable software components for networked organisations including SMEs. Novel reference architectures working in dynamic networks using ontologies, agent and Grid technologies, web-services, semantic web and peer-to-peer computing.*
- *Open, secure, interoperable and re-configurable e-government platforms, applications and multi-modal services. They should be based on European*

standards, support national, regional and local initiatives and deploy as much as possible open source software solutions for all aspects of inter- and intra-government operations including electronic democracy systems, interaction with citizens and businesses, governmental process re-engineering and knowledge management.

- *Managing knowledge to support innovation and business strategies through sharing, brokering, trading and measuring of knowledge and intellectual capital. Research will also cover knowledge modelling from multiple perspectives/levels across the value chain as well as emergent innovation-friendly collaborative and working spaces that facilitate leveraging of tacit knowledge, creativity and resource productivity.*

- *IST as driver for small business and government re-organisation through local development processes including small business ecosystems and their interactions with local government. Mass deployment actions for one-stop e-government services for all, supported by benchmarking are addressed as well as socio-economic research in the governance of networked organisations and e-government models and legal issues.*

IPs shall follow a focused and multidisciplinary approach bringing together a critical mass of business and government organisations, academic research labs, standardisation organisations and technology transfer centres. NoEs shall be used to integrate visionary European and international research communities and build up new knowledge. STREPs should target and explore disruptive technologies and highly innovative organisational forms and models. STREPs could also be used to support innovative business and government pilots.

As a result of the above, in mid-2003 the Commission published the evaluation report²³ on the projects presented in the first call, and in 2004 the list of the first 12 projects accepted was made public, with a commitment of Community financing of around EUR 40M; this list is available for the readers' perusal²⁴. There were four IP projects on this list, five STREP projects, two SSA projects and no Network of Excellence projects, which is quite surprising in the context of the objectives of the Sixth Framework Programme.

4.4. The process of refocusing eGovernment research activities

Simultaneously with the completion of the first calls for eGovernment research project proposals, the Unit responsible for their management began a thorough restructuring process, which we will discuss next. One important reason explaining this action can be found in the changes that took place within the Commission as a result of the restructuring of the Information Society Directorate-General and the statutory replacement of the officials responsible for managing each of its Units. In the case of Unit C6, responsible for managing research in

²³ European Commission. Evaluation Report. IST Call 1. Sixth Framework Programme. Brussels, 23 June 2003

²⁴ List of eGovernment research projects from the Sixth Framework Programme. http://europa.eu.int/information_society/programmes/egov_rd/fp6/fp6_projects/index_en.htm

eGovernment, this change took place between the publication of the call and its completion, so a situation arose where those who decided which projects would be implemented were not the same people who had developed the Work Programme for the period from 2003-2004. This circumstance might seem irrelevant; however, as we are dealing with the European Commission, it is far from it.

In this context, the restructuring of the activities of the Unit responsible for eGovernment was intended to refocus the approach of research activities in this area in line with recent events in this field that were taking place within the framework of the European Institutions.

A first, very short-term objective was to prepare the proposal for the Work Programme for the period from 2005-2006, which was to be completed in June 2004 so that, after the mandatory consultation, it could be adopted by the Commission before the end of that same year.

A second, longer-term objective was to lay the groundwork for what could become the strategy for the future Seventh Research Framework Programme for the period from 2007-2010, on which the Commission was already working.

However, the third objective, and in our opinion the most important one, which would undoubtedly condition the two previous ones, was to try to give a coherent answer to the question: What was the European Union's Policy going to be with regard to eGovernment, and what role were research activities going to play in it? After the Como Conference in July 2003 and the Ministerial Declaration, the Commission could no longer continue to be unable to give a convincing answer to this question, given the interest that eGovernment was generating and the importance it was taking on at all levels of European public administrations.

It is certainly true that the answer to this question went beyond the objectives of Unit C6, which we are analysing; but it is equally true that its opinion was necessary and fundamental, as without any doubt it was the unit most in need of a strategic definition of its objectives from among the three units of the Commission—IDA, eTEN and eGOV—that were dealing with eGovernment.

In our opinion, and as we have discussed in previous chapters, the IDA Programme did not seem to have any problem justifying its existence or carrying out its activities, and it was in the midst of the restructuring process that would allow it to evolve into IDABC and to justify its activities until 2009.

On the other hand, and once again, always in our opinion, the eTEN programme did not seem to have much interest in raising existential issues, lest it call into question its *raison d'être*; it seems that it preferred to continue with what we would venture to describe as its usual headlong flight ahead, trying to get authorisation to raise its project co-financing ceiling from the current 10% to the desired 30%, which would greatly help it justify its existence.

Thus, apparently only the eGOV Unit seemed to need to define a coherent strategy that would steer the European Union's actions in eGovernment, and in this regard, it determinedly set to work.

One of the first results of this effort, a joint effort to be sure but one in which this Unit worked very hard, was the Communication²⁵ on "The Role of eGovernment for Europe's Future," which the

²⁵ COM(2003) 567. The Role of eGovernment for Europe's Future. Brussels, 26 September 2003.

Commission adopted in September 2003, and which was also discussed in detail in Chapter 4. In this document, there were continuous mentions of the role of the three Units mentioned in implementing the strategy defined by the Commission, which, as the reader will recall, was structured around actions in a series of eight key areas and two horizontal actions, including the exchange of good practices.

As important as the Commission's Communication was the quick reaction of the Council²⁶, which specified the tasks that the Commission should carry out, some of which affected the eGOV Unit, namely the following:

- to support, as far as appropriate, the development of synergies between national research and innovation efforts in eGovernment, using the instruments of the EU's Sixth Framework programme for Research and Technological development,
-
- To make available, in 2004 and based on existing efforts, a framework for the exchange of best practices, in order to increase possible synergies and to promote and facilitate the reuse of implemented eGovernment solutions.

Thus, the eGOV Unit set to work using its own resources and whatever resources the scientific and technical community was willing to lend it, altruistically, of course—the same community that participated in its projects and fully intended to continue to do so.

The first task undertaken by the Unit was to develop a conceptual framework that would enable it to structure its future activities. With this aim, in December 2003 the Unit called for a restricted consultation in order to find out the main eGovernment research activities that were being carried out in the bodies consulted, and organised a working meeting in Brussels. Immediately after this meeting, the eGOV Unit made the structure of its new focus for eGovernment research activities public, which we will discuss further on.

The second task it undertook, a result of the previous one, was to prepare the Work Programme for the calls for proposals in the Sixth Framework Programme for 2005 and 2006. The result of this activity will be the proposal that will be included in the 2005-2006 Work Programme, which the Commission will issue at the end of 2004.

The third task undertaken was to implement a framework of action that would enable it to successfully carry out the spread of good practices, as the Council had requested, and in accordance with the task assigned to this Unit. In this case, the procedure followed consisted of submitting a proposal for consultation; we will also deal with this subject later on.

Finally, the Unit was also making progress in defining the objectives of what the research strategy should be in the Seventh Framework Programme, in a form we will analyse at a later time.

We must say that, since the Como Conference, the eGOV Unit has demonstrated an unusual and frenetic level of activity in an effort to structure its own future and undoubtedly to contribute to providing coherence to the European Union's eGovernment policy.

²⁶ 2543e Council session on Transport, Telecommunications and Energy. Council Conclusions on eGovernment. Brussels, 20 November 2003.

5. THE FUTURE OF THE eGOV UNIT

5.1. The New Focus of eGovernment Research and Development Activities

Early on in 2004, as a result of the reorientation process discussed in the previous section, the eGOV Unit published the new focus²⁷ it planned to give to its future research activities. We will discuss its structure and content next.

In analysing the new direction in eGovernment research, two complementary levels can be distinguished:

- The context in which the activities to be carried out are focused.
- The research topics that are proposed

The Context

The Unit considered the following aspects of the context in which future research activities to be carried out are focused:

- The Objectives of European Policies
- The Modernisation of Public Administrations
- The State of Technology
- Other Activities of Interest

With regard to the **Objectives of European Policies**, it is clear that any activity undertaken by the European Institutions must take account of all other policies relating to it; in this respect, this context is usually mentioned in all Community documents. Thus, clear ties exist with certain sets of policies, such as the Lisbon Strategy and the eEurope initiative; the Internal Market and European Citizenship; and a third one which it never hurts to take into account: Enlargement, Security and Stability, and finally, the role of Europe in the World. We must confess that we are surprised that this whole effort to set the context leaves out any mention of the rest of the Community programmes that also deal with eGovernment. We are obviously referring to IDA and eTEN, although we will come back to this subject in the comments at the end of this point.

As regards the **Modernisation of Public Administrations**, it is so evident that it almost seems tautological to mention that eGovernment research activities should take into account the modernisation process of public administrations at the service of citizens and enterprises. They should also take into account the objectives of making these administrations more open, transparent, inclusive, productive, effective and at the service of all, in order to try to contribute to achieving these objectives, to the extent possible; of course, as these are Community research activities, it is always a good idea to add that qualification.

As for **State of Technology**, one has to accept that there are no technologies specific to eGovernment, and that these technologies are the same ones that are facilitating the development of the Information Society. The conclusion drawn is that the primary component of the research

²⁷ IST eGovernment RTD focus http://europa.eu.int/information_society/programmes/egov_rd/focus/index_en.htm

activities in question should not be technological development, but rather its application in resolving specific problems of the public administrations in their modernisation process. The information published by the Unit is not very explicit with regard to this point, and we think that the reason is possibly that, as it forms part of a Research Programme in Information Society Technologies, certain things cannot be said so directly.

Finally, we would like to mention some other issues that have been taken into account and that we thought should be grouped in the category we have called **Other Activities of Interest**, which include: open source software, regional and local eGovernment activities, and finally, the international aspects of eGovernment. We must say that, from the way these are presented, it is not clear whether they are being considered as context or as possible lines of action, because in the case of both open source software and regional and local aspects, the situation is not only discussed, but research subjects are suggested, although it is not clear who should undertake them or whether they could become part of the objectives of this Unit.

The Research Topics

Having set the context, the eGOV Unit presented and developed what will apparently be its major areas of eGovernment-related research and technological development activities in the next stage, which we will enumerate below and discuss in the following sections.

- Organisational Innovation and Knowledge Management
- Interoperability and Pan-European Services
- Secure eGovernment and Identity Management
- User Interaction and Mobile Services
- eDemocracy.

The first line of action is the one entitled **Organisational Innovation and Knowledge Management**. The Commission seems to acknowledge something that seems evident, which the OECD²⁸ repeats incessantly: that as far as eGovernment goes, “Government” matters far more than “e.” Nevertheless, in our opinion, the Commission deals with this timidly; and although it mentions the term “Organisational Innovation”²⁹, it does so without saying how to implement it. In spite of all this, we recognise the importance of the fact that, for the first time in the context of this research policy, attention has been given to this issue. In our opinion, this mention is too hesitant and is combined with Knowledge Management, which has little to do with the substance of the administrative reform; perhaps this was done to avoid problems with regard to its inclusion in an area of research in the field of Information Society Technologies.

The second line of action is entitled **Interoperability and Pan-European Services**, and its choice is indisputable. The fragmentation of developments and the need to ensure continuous access to services justify ongoing work on issues relating to the interoperability of eGovernment

²⁸ The e-Government Imperative. OECD e-Government studies. 2003

²⁹ The Commission says the following: *Organisational innovation is one of the key drivers of eGovernment whose effective deployment can only be realised through the transformation of the administrations enabling the provision of better and more efficient services in the context of new organisational and technological environments.*

systems, both on the pan-European level and between the different public administrations—State, regional and local—in each of the Member States. Nevertheless, it must be pointed out that it is a subject in which accumulated experience and work done begin to be important. In fact, in Chapter 6 we analysed the activities in this area that the Commission itself is carrying out through the IDA Programme, so we are greatly surprised that there is not the least mention of it on this occasion, though we will deal with this later on.

The third line of action refers to **Secure eGovernment and Identity Management**, which is also of evident and unquestionable interest. The development of interactive eGovernment services through the Internet entails clarifying the European panorama in terms of security in transactions and ensuring user identity, within the framework of the situation created after the adoption and transposition of the Directive on electronic signatures and the decision of the governments in more and more Member States to introduce electronic identity cards for all citizens and enterprises. There is no denying that this matter has an obvious bearing on the development of eGovernment, where manageable solutions will have to be achieved with existing technology.

The **User Interaction and Mobile Services** line of action is twofold and combines two issues that could well have been dealt with separately. User Interaction activities undoubtedly supplement the two previous areas, as they facilitate the achievement of the interoperability and security objectives; so it seems equally correct to include them in this list of priorities. On the other hand, the line of action relating to Mobile Services, which are bound to boom as soon as UMTS is launched, is undoubtedly aimed at contributing to the development of third-generation mobile systems, for which the Commission is sparing no effort.

Finally, the **eDemocracy** line of action facilitates research activities in a series of applications that supplement those usually classified under the eGovernment heading, in which Security and Identity, among others, are key aspects. As we saw earlier, this activity was included among the objectives of the research activities in this area during the Fifth Framework Programme, but it inexplicably disappeared in the 2003-2004 Work Programme for the Sixth one. It seems appropriate and right to once again rescue it from oblivion.

Planning the 2005-2006 Call for Proposals in the Sixth Framework Programme

Also during the early months of 2004, the eGOV Unit defined the objectives for the calls for proposals planned in the Sixth Framework Programme for the period from 2005-2006. With this aim, it carried out yet another round of consultations among its supporters.

As a result of this consultation process, the eGOV Unit issued a work programme³⁰ in May 2004 in which it summarised the responses received and outlined the guidelines for the eGovernment research activities that the Commission planned to finance during the last stage of the Sixth Framework Programme.

Based on this document, the Commission will develop its proposal, which is expected to be issued in the summer of 2004 along with the ones from the rest of the Units.

³⁰ eGovernment: Work programme 2005-06. IST Framework Programme VI. Consultation Workshop on 5 May 2004.

5.2. The Framework for the Promotion of Experiences in eGovernment

One of the most widespread feelings regarding Community research activities, in particular those relating to the Information Society, is the poor dissemination of the results achieved through the implementation of the projects, and in general, of the experiences of public and private agents in each of the Member States. We would stress that every Framework Programme since the Fourth has mentioned the objective of *demonstration* in its title, in addition to research and technological development, and procedures and resources to carry this out have been decided on.

In the case of eGovernment, this situation is also evident, and this has been made clear in each of the main documents that we have analysed in this book. As we have also mentioned, the eGOV Unit has been assigned the responsibility of implementing activities to disseminate the results of the research it subsidizes, and by extension, this has been understood to include any other research experiences.

Thus, based on this mandate, in accordance with the conclusions of the Como Ministerial Declaration, and also based on the Council's Conclusions resulting from the Directive on eGovernment, the eGOV Unit has prepared a proposal which it has called "eGovernment Good Practice Framework."

As we indicated earlier, the eGOV Unit carried out another consultation process in 2004 which led it to develop the proposal mentioned in the preceding section, which is expected to be adopted and enter into operation during 2005. Interested readers may track its progress on the specific web site that the Commission has set up³¹.

The Commission's aim is to have an information clearinghouse regarding projects and experiences in eGovernment, and to disseminate its contents. It is hoped that this service will be available in 2005.

5.3. The Future of eGovernment Research

The Context

The medium-term future of eGovernment research, apart from depending on its own developmental process, is also linked to the evolution of the European Union's Research and Technological Development (RTD) Policy and to the way it takes shape in the future Seventh Framework Programme.

With the Sixth Framework Programme, a period that we could appropriately describe as unstable was initiated in the RTD Policy, in search of a *raison d'être* and justification that would make it more meaningful than it had been up until then. The sensation that the Community policy in this field was lacking effectiveness was beginning to be evident.

The formulation of the Lisbon Strategy's objectives to make Europe the most competitive and dynamic knowledge-based economy in the world once again demonstrated the crucial importance

³¹ eGovernment Good practice Framework http://europa.eu.int/information_society/programmes/egov_rd/gp_consultation/gp_consultation_launch_event/index_en.htm

of public and private research activities in achieving these objectives, and clearly showed the absolute need to use all available Community resources in this field, whether strategic, regulatory or budgetary, to ensure these objectives are achieved.

It must be said that the preparatory documents for the Sixth Framework Programme^{32, 33} were drafted at the same time as and even prior to the formulation of the new Lisbon strategy, so they could not fully mirror its objectives. Nevertheless, formulas were proposed to prevent the dispersal of Community research and development efforts, basically consisting of: a) encouraging the cooperation of Research Centres through the Networks of Excellence formula; b) preventing the dispersal of efforts and the proliferation of small research projects by advocating the Integrated Projects formula; and c) trying to better coordinate relations with the Member States by brushing the cobwebs off of Article 169 of the Treaty, which regulated Community participation in their research projects³⁴. The objective of all this was to contribute to the creation of the European Research Area, in which Community resources were aiming to play a key consolidating role. It is still too early to analyse the results of this strategy, although faint rumblings of dissatisfaction are now beginning to be heard.

In any case, the Commission was going to begin defining a new stage even before the formal approval of the Sixth Framework Programme. In January 2002, the Commission adopted a Communication³⁵ intended for the spring European Council, to be held in Barcelona that March, in which it proposed the following, among many other things:

The European Council should endorse action to:

- strengthen the European area of research and innovation by setting a target of 3% of GDP for the overall level of public and private spending on research and development by the end of the decade. Within that total, the amount funded by business should rise to around two thirds against 55% today

Predictably, the Council³⁶ approved the Commission's proposal in the following terms:

47.- In order to close the gap between EU and the major competitors, there must be a significant boost of the overall R&D and innovation effort in the Union, with a particular emphasis on frontier technologies. The European Council therefore:

- agrees that overall spending on R&D and innovation in the Union should be increased with the aim of approaching 3% of GDP by 2010. Two-thirds of this new investment should come from the private sector.

³² COM(2000) 6. A European research area. Brussels, 18 January 2000

³³ COM(2001) 94. Proposal for a Decision of the European Parliament and of the Council concerning the multiannual framework programme 2002-2006 of the European Community for research, technological development and demonstration activities aimed at contributing towards the creation of the European Research Area. Brussels, 21 February 2001.

³⁴ COM(2001) 282. The Framework Programme and the European Research Area: application of Article 169 and the networking of national programmes. Brussels, 30 May 2001.

³⁵ COM(2002) 14. Lisbon Strategy - Making change happen. Brussels, 15 January 2002

³⁶ Presidency Conclusions. Barcelona European Council. 15 - 16 March 2002

Notice the shades of difference between the two texts; while the Commission spoke of Research and Development, the Council added Innovation, which the Commission would suppress in its subsequent texts, because from that time onwards, the Commission had a wide open field in articulating its proposal.

In September 2002, the Commission adopted a first Communication³⁷ whose title was straight to the point: "More research for Europe. Towards 3% of GDP," which the Council of Research Ministers echoed, without further comment, in November 2002³⁸. Nevertheless, the Commission continued its efforts and announced³⁹ its intention to prepare an Action Plan in that regard, and the spring 2003 European Council, meeting in Brussels⁴⁰, thought this was a good idea:

33 ... The European Council urges Member states to take concrete action, on the basis of the Commission's forthcoming R&D Action Plan, to promote increased business investment in R&D and innovation, moving towards the Barcelona objective of approaching 3% of GDP.

Accordingly, the Commission prepared its Action Plan⁴¹, which it made public in June 2003. Although this is not the place to go more deeply into the Commission's document, we feel that it is worth mentioning the main points of the action proposed to attain the objective that justifies increasing European investment in research to 3% of the GDP. The Commission proposes the need to:

- Develop a common understanding shared at all policy levels and by all stakeholders
- Improve the effectiveness of public support for research and innovation
- Redirect public resources towards research and innovation
- Improve framework conditions for research and innovation

To complete the list, we must point out that the Council of Research Ministers, at their September 2003 meeting, adopted a Resolution⁴² in which they assumed the objectives proposed by the Commission and encouraged it to continue developing the proposed Action Plan. Shortly thereafter, the Commission presented a Communication about basic research⁴³, which the Council of Research Ministers also quoted⁴⁴, and which complemented another one it had adopted in 2003 regarding the role of the universities in the Europe of knowledge⁴⁵, which is also worth mentioning.

³⁷ COM(2002) 499. More research for Europe - Towards 3% of GDP. Brussels, 11 September 2002.

³⁸ 2467th Council meeting - Competitiveness (Internal Market, Industry, Research). Brussels, 26 November 2002.

³⁹ COM(2003) 5. Choosing to grow: Knowledge, innovation and jobs in a cohesive society - Report to the Spring European Council, 21 March 2003 on the Lisbon strategy of economic, social and environmental renewal. Brussels, 14 January 2003.

⁴⁰ Presidency Conclusions - Brussels European Council. 20 - 21 March 2003

⁴¹ COM(2003) 226. Investing in research: an action plan for Europe. Brussels, 4 June 2003.

⁴² Council Resolution of 22 September 2003 on investing in research for European growth and competitiveness. OJ C 250. 18 October 2003. P.2.

⁴³ COM(2004) 9. Europe and basic research. Brussels, 14 January 2004.

⁴⁴ 2570th Council - Competitiveness (Internal Market, Industry and Research)- Brussels, 11 March 2004

⁴⁵ COM(2003)58. The role of the universities in the Europe of knowledge. Brussels, 5 February 2003.

In conclusion, throughout the Sixth Framework Programme, the European Institutions have been preparing the next stage, which, as we have seen, aims to be radically different from the previous ones. A change in the direction of the European Union's research objectives would not only mean increasing investment in R&D to 3% of the GDP, but it would also greatly affect the strategy of specific actions in the Community research policy, both in its strategic and budgetary aspects.

The Future Research Budget

One immediate consequence of everything we have just analysed in this section would be the proposal to considerably increase the European Union's R&D budget. This would have to be done within the framework of the revision of the budgetary policy that would replace the agreements under Agenda 2002, ending in 2006. In February 2004, in time for the spring 2004 European Council to take it into consideration, the Commission adopted a Communication⁴⁶ in which it outlined the 2007-2013 budget horizon for an enlarged European Union.

In referring to the Community's Research and Development budget, the document indicates that it should be increased, and it argues this as follows:

To help Europe to become a beacon of excellence attracting researchers and investments, we must remove the barriers to excellence arising from segmented national programmes. But quality improvements will not be enough. Increasing the research effort will also be necessary. This implies that the Union must pursue simultaneously three related and complementary goals:

- **Realise a "European research area"**, acting as an internal market for research and technology, as well as a space for a better co-ordination of national and regional research activities and policies, to overcome the present fragmentation and duplication of research efforts in Europe;
- **Help raise the European effort on research to 3% of Union GDP by 2010**; with 1% to come from public sources, and 2% from the private sector.
- **Support and strengthen research** throughout Europe by providing direct financial support at European level to complement national programmes helping to achieve the first two objectives.

Financial support at EU level offers a high added value in research by helping to create critical masses of financial and human resources, stimulating excellence and creativity through exchange, networking, collaboration and competition at European scale, and increasing the visibility of European capacities and performances.

There is hence a strong case for a significant increase in EU research funding currently at 0.04% of GDP, as a contribution to bridging the remaining gap towards the 1% target of public investment, as a complement to national efforts and in close relationship with them

⁴⁶ COM(2004) 101. Building our common Future Policy challenges and Budgetary means of the Enlarged Union 2007-2013. Brussels, 10 February 2004.

The document was intended for the spring 2004 meeting of the European Council⁴⁷, which took place in Brussels and at which the Commission's proposal undertaking the commitment to continue studying this matter at the Council planned for June was welcomed.

Meanwhile the European Parliament⁴⁸ expressed a highly favourable opinion of the Commission's proposal to increase the budget earmarked for research, which is a major step on the road to achieving this.

However, this objective, which we have no doubt will be achieved, will necessarily require profound reforms in the way in which the Commission has distributed research funds in previous Framework Programmes. The issue of the efficacy of this Community budgetary item is, inevitably, once again the focus of attention. The Member States and, above all, their industries will no doubt demand a change in direction in Community actions in this field.

This is one of the fundamental issues that will determine the process of defining the objectives of the European Commission's Research and Technological Development strategy in the Seventh Framework Programme.

Defining the eGovernment research strategy for the Seventh Framework Programme

During 2004, the Commission began work on developing what will eventually be the Seventh RTD Framework Programme⁴⁹ through sectoral consultations, as usual. They are likely to be made public in the second half of 2004, so that they can be submitted to the Council for its consideration during the Dutch Presidency, which will take place during the same period.

In this context, the eGOV Unit also began to perform its work. To this end, it asked the Seville-based Institute for Prospective Technology Studies (IPTS), which is part of the European Union's Joint Research Centre, to organise a restricted working meeting in early March, with a view to drafting a document⁵⁰ outlining the possible future directions of eGovernment research for the Seventh Framework Programme. This document will contribute to the objectives of the proposal to be published by the Commission, as we discussed in the previous section.

The development of the Commission's future strategy for eGovernment research activities represents a unique occasion to properly refocus the effort that is being carried out in this field and to try to achieve not only efficient management of Community resources, but also greater efficacy of the results.

All this is aimed at creating a permanent foundation to give structure to the currently dispersed efforts of the public and private sectors in the area of eGovernment, which are being carried out through the research policies of the Member States, and above all, to get them in step with the other programmes relating to eGovernment—IDA and eTEN—that the Commission finances.

But this will be a job for the new Commission, which will have to get started before the end of 2004.

⁴⁷ Presidency Conclusions - Brussels European Council - 25/26 March 2004

⁴⁸ A5-0389/2003. Report on investing in research. European Parliament, 5 November 2003.

⁴⁹ Seventh Framework Programme website. <http://www.cordis.lu/era/fp7.htm>

⁵⁰ IPTS. eGovernment in the EU in the next decade: vision and key challenges. Based on the workshop held in Seville, 4-5 March 2004. "eGovernment in EU in 2010: Key priorities and research challenges". August 2004

6. CONCLUSIONS

In this chapter, we have tried to analyse the actions of the European Commission in the area of eGovernment Research and Technological Development, thus completing our study of the main aspects of Community actions in this field. The importance of this activity has become stronger since the first actions in the Third and Fourth Framework Programmes all the way to its consolidation throughout the Sixth Programme, currently in progress.

In the Commission's best tradition, its strategy in this field, as in so many others, has been defined and developed independently of many other Community activities, and merely mentions the most important strategies of the moment- the Delors White Paper, the eEurope initiative or the creation of the European Research Area-when it has seen fit to do so, tending to forget about them when they are no longer of any use. This is how we have arrived at the current situation.

We must acknowledge that the eGOV Unit, which is responsible for managing the eGovernment research policy, has made a very significant effort in 2004 to redefine its objectives and redirect its actions; however, we feel that there is still a lot to be done, especially to coordinate these activities with the ones that are being carried out by other Units of the Commission, in particular the ones responsible for managing the IDA and eTEN Programmes.

In the context of the future Seventh Research and Development Framework Programme, the eGovernment research strategy will have to improve its coherence with the objectives planned for this new stage of Community research, and we are sure that this will be done. However, it will also have to make an effort to get its activities in step with those of the rest of the Commission in this field, a task that exceeds the activities and potential of the RTD Policy; it has yet to be determined who should be responsible for defining this strategy and, above all, putting it into practice.

As on previous occasions, Table 7.1 summarises the main events mentioned in this chapter.

Table 7.1
CHRONOLOGY OF THE EGOVERNMENT RESEARCH AND TECHNOLOGICAL DEVELOPMENT PROGRAMME

Year	Presidency of the Council	Presidency of the Commission	Information Society Policy	RTD Framework Programmes	eGovernment Research Programme	eGOV Unit (eGovernment)
1993			White Paper			
1994				Fourth Framework Programme, 1994-1998	Telematics Applications Programme	
1995						
1996						
1997						
1998				Fifth Framework Programme, 1998-2002	Specific IST Programme	
1999	Germany					
	Finland	Prodi				
2000	Portugal		eEurope 2002			
	France					
	Sweden					
2001	Belgium					
	Spain		eEurope 2005	Sixth Framework Programme, 2002-2006	IST Thematic Priority	2003-2004 Work Programme
2002	Denmark					
	Greece					Replacement of the Unit's supervisors
	Italy					
2003	Ireland		eEurope 2005 update			Planning of the Unit's activities
	Netherlands	Barroso				
2004	Luxembourg					2005-2006 Work Programme
	United Kingdom					

Chapter 8

EGOVERNMENT IN OTHER EUROPEAN UNION POLICIES



1. INTRODUCTION
2. EGOVERNMENT IN THE INTERNAL MARKET POLICY
 - 2.1. **Frame of Reference**
 - 2.2. **eGovernment in Information Management Programmes**
3. EGOVERNMENT IN THE REGIONAL DEVELOPMENT POLICY
 - 3.1. **Frame of Reference**
 - 3.2. **eGovernment in the ERDF actions**
4. CONCLUSIONS

1. INTRODUCTION

In addition to the specific programmes we have dissected in the previous chapters, there are other activities which are also somehow related to eGovernment and which have been taking place through other Community policies, primarily those to develop the Internal Market and the Regional Development policies. These activities must be taken into account when assessing the activities as a whole being carried out by the European Union, and we have devoted this chapter to their analysis.

First of all, we will analyse the activities that are being carried out in the framework of the Internal Market Policy, and their implementation through communications networks. In particular, we will examine issues relating to the Information Market and the Market for Services, which are key aspects of the Information Society.

Secondly, we will deal with the activities that have been taking place under the Regional Policy through projects financed with Structural Funds, in particular the European Regional Development Fund (ERDF).

Our aim in doing so is to round out the panorama described in previous chapters, thus completing the analysis of the different activities being carried out by the European Union to develop and promote eGovernment. At that point, we will be in a position to perform a comparative analysis of these activities, which will be the objective of subsequent chapters in this book.

2. EGOVERNMENT IN THE INTERNAL MARKET POLICY

2.1. Frame of Reference

Strategic Aspects

The objective of creating and developing the Internal Market was and still is one of the *raison d'être* of the European Union. The elimination of internal customs duties and obstacles to the free movement of goods were already part of the 1957 Treaty of Rome.

In 1986, when the goal of the international regulation of the free movement of services was set as a result of the start of the Uruguay Round of world trade negotiations, the European Union hastened to add strategies to its repertoire that would enable it to address this international objective, and this took shape in the first reform of the Treaty in the same year. As of that moment, the free movement of goods, services, capital and citizens has undoubtedly constituted one of the cornerstones of the operation of the European Union.

The advent of the Information Society and the Internet's potential made everything relating to digital information take on unusual importance in the Internal Market Policy, as we have pointed

out elsewhere¹. As part of this Community policy, the European Union has been carrying out a string of programmes to develop digital information, the latest of which is the eContent Programme, naturally in line with the spirit of the eEurope initiative.

In this context, eGovernment-related activities abound because, after all, activities to interrelate citizens and enterprises and the public administrations are nothing more than an interchange of information, primarily through communications networks. In this regard, projects co-financed by the Commission through its information-related programmes, some relating to eGovernment applications, are frequent.

However, since the start of these programmes, the Commission has yielded to, cultivated and spread an obsession with information held by the public sector, to which it has dedicated great strategic efforts which, on occasion, have bordered on the ideological; these efforts were aimed at getting the public administrations to make information accumulated in the course of their duties throughout their history available to the market.

Finally, the Commission, in its capacity as guardian of the Treaties, as it likes to point out, has recently taken greater interest in regulating activities relating to the objective of continuing to perfect the internal market for services in the framework of carrying out the Lisbon Strategy, activities which are also somehow connected to eGovernment.

Thus, from a strategic standpoint, the development of eGovernment, and in particular its relations with enterprises, is an undeniable link in the process of developing the Internal Market in the European Union.

Regulatory Aspects

The primary legal basis of the Internal Market Policy is Article 2 of the Treaty establishing the European Community, which defines it as a means for the harmonious, balanced and sustained development of the Community itself.

The market for services is directly regulated by Articles 49 to 55, and indirectly by Articles 45 to 48 of the Treaty.

In addition, the production of services is, in short, a Community industry, because it relates to the information market; therefore the provisions of Article 157, which regulates the European Union's Industrial Policy, must also be taken into account.

Finally, and in the absence of any other specific provision, there is the option of citing Article 95, under which almost any legislative act for the harmonisation of national legislation can be adopted to achieve the development of the internal market as stated in Article 14, as long as this is supported by the qualified majority of the Council, as regulated by Article 251.

The Internal Market Policy has a strong and central regulatory component which has made it possible to effectively realise the strategy for the creation of the European Union, with no need for a round-about approach. Thus, the provisions that regulate the actions we will analyse in this section are based on the regulatory framework we have just summarised.

¹ Alabau A. The European Union and its Information Society policy. Ed. Fundación Vodafone. Madrid 2002.

Budgetary Aspects

The policy for the development of the Internal Market is a policy that is not at all budgetary in nature, and the only funds available for its implementation are the few that are listed in the respective item in the European Union's budget.

The eContent Programme had a budget of EUR 100 million for the period from 2001-2004 for co-financing projects to stimulate the development and use of digital content, and it is expected to rise to EUR 135 million for its extension under the name of eContent plus, during the period from 2005-2008. None of the rest of the activities we will analyse next have a specific comparable budget allocated to them.

2.2. eGovernment in Information Management Programmes

In this section, we will try to point out the eGovernment-related aspects that appear in both the eContent Programme and in the activities relating to the reuse of public sector information. We may also find some areas relating to the development of eGovernment in the proposals to complete the development of the Market for Services in the European Union.

As the origins of some of these issues have been analysed in another book in this collection, which we referenced earlier, on this occasion we will only recount the most recent events, and in any case, the ones we feel are necessary to better understand our purpose.

eGovernment in the eContent Programme

The first area we will discuss is the one relating to the eContent Programme.

As its name indicates, the eContent Programme is a *multiannual programme helping to stimulate the use of and access for all to the Internet by increasing the availability of European digital content on the global networks*, which was adopted through a December 2000 Council Decision² and covered the period from 2001-2004. It was the successor of a series of Community programmes dating back to 1984, all of which had similar aims.

In the document creating the Programme, there is no mention whatsoever of the term "eGovernment," although the objectives include the following:

b) stimulating access to and use of European digital content potential and especially promoting more effective use of information held by the public sector

Accordingly, the 2001-2002 Work Programme³ made continuous references to the possibility of presenting proposals for carrying out both activities relating to eGovernment and to the access to and use of public sector information. Inevitably, the 2003-2004 Work Programme⁴ continued to mention these same objectives. Both Programmes have an action line entitled:

² Council Decision 2001/48/EC of 22 December 2000 adopting a multiannual Community programme to stimulate the development and use of European digital content on the global networks and to promote linguistic diversity in the information. OJ L 14. 18 January 2001. P. 32.

³ eContent. Work programme 2001-2003.

⁴ eContent. Work programme 2003-2004.

1.-Improving access to and expanding use of Public Sector information

True to its customs, in October 2003 the Commission issued a Communication⁵ containing the results of the mid-term evaluation of the Programme, recommended reading for those interested in the subject. Once again, like most of the evaluations of programmes financed by the Commission, the document stated that the Programme was being successfully carried out, although there were some doubts about whether the projects undertaken were going to be viable; this is nothing new, given that they were projects financed with Community funds⁶.

Information about the projects financed through this Programme is available on the web site that the Commission has set up for this purpose⁷. If readers go to the trouble of analysing the content of these projects, they will observe that they are very diverse in nature; and although it is true that they have a certain connection with the activities that the public sector carries out or participates in, it cannot be said that they are really activities of the sort usually considered eGovernment activities.

Unit E4 - Information Market, which forms part of Directorate E - Interfaces, Knowledge and Content Technologies. Applications. Information Market, in the Information Society Directorate-General, is responsible for managing the eContent Programme.

As we have been able to see, the connection between this Programme and the one to develop eGovernment is superficial and only encompasses those aspects relating to public sector information, whose true dimension within the framework of Community policies will be discussed in the next section.

In 2004, the Commission presented a Proposal for a Decision⁸ to the Parliament and the Council for the renewal of the Programme for the period from 2005-2008, when it would become known as eContent^{plus}. In the text presented by the Commission, there is little direct mention of eGovernment. It only appears in a few sentences like this one:

These trends are expected to deliver benefits through digital content-based applications, in the form of increased productivity and innovation, and better information products and services with a positive impact on eGovernment, etc.

At its June 2004 meeting, the Transport, Telecommunications and Energy Council gave its approval to the programme and to allocating it a budget of EUR 135 million, so only the formal adoption of the Decision is still pending.

⁵ COM(2003) 591. Communication concerning the mid term evaluation of the multiannual Community programme to stimulate the development and use of European digital content on the global networks and to promote linguistic diversity in the information society (eContent). Brussels, 10 October 2003.

⁶ These types of conclusions are usual in Community-funded projects. The complexity of their management and the lack of a guarantee of continuity of their consortiums, which usually vanish at the end of the project, jeopardize both the projects' viability and the exploitation of their results. In other words, very few Community projects come to fruition.

⁷ eContents. Public sector information projects http://www.cordis.lu/econtent/psi/psi_projects.htm

⁸ COM(2004)96. Proposal for a Decision of the European Parliament and of the Council establishing a multiannual Community programme to make digital content in Europe more accessible, usable and exploitable. Brussels, 13 February 2004.

The Directive on the reuse of Public Sector Information

The second issue we will address is the one relating to actions having to do with access to and reuse of public sector information.

In November 2003, after nearly five years of perseverance, the European Commission succeeded in its efforts to have the Parliament and the Council adopt a Directive⁹ regarding the reuse of public sector information.

The European Commission's interest in the information held by the public sector goes back to one of the conclusions of the INFO 2000 Programme, forerunner of the eContent Programme, which began with the 1999 publication of a first document¹⁰ on this subject, and continued with the adoption of a Green Paper¹¹ in which, as usual, the problem was set out and different alternatives were submitted for consultation. Although we also discussed this subject in the book we mentioned earlier, we think it merits a brief review.

The problem that was stated was that the huge amount of information that the different public sector bodies and institutions had generated and accumulated in the course of their duties should be put to work. The Commission also argued, in its best style, that there was an urgent need to get all of this information into circulation as a way to spur the development of the Information Society, and hinted at dire consequences if no action was taken in this regard. In that document, the Commission even went so far as to pose some unfortunate questions regarding the precedence these objectives should take over the right to the protection of personal data held by the sector; the exact questions it asked included the following two:

Do privacy considerations deserve specific attention in relation to exploitation of public sector information?

In what way could commercial interest justify access to publicly held personal data?

The process continued its course and was reactivated with the advent of the eEurope initiative through a further Communication by the Commission¹², according to which everything seemed justifiable in the context of the Lisbon Strategy. It must be said that in this document, the Commission had now moderated its presumption and stated the obvious with regard to personal data:

Any measure proposed should ensure full respect of the existing data-protection rules. If for data-protection reasons, the information is not generally accessible it will not be exploitable

⁹ Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information. OJ L 345. 31 December 2003. P. 90.

¹⁰ Guidelines for improving the synergy between the public and private sector on information market. OPEC, Luxembourg 1989. Catalogue number CD-54-88-126-EN-C

¹¹ COM(1998) 585. Public sector information: a key resource for Europe - Green Paper on public sector information in the information society, 20 January 1999.

¹² COM(2001) 607. eEurope 2002: creating a EU framework for the exploitation of public sector information. Brussels, 23 October 2001.

The Commission persisted in its efforts and presented a proposal for a Directive¹³ which, after the usual discussion process¹⁴, finally made the adoption of the Directive 2003/98 we mentioned earlier in this section possible.

This Directive logically sought to harmonise the legislation of the Member States regarding the reuse of existing public sector documents, a very significant group of which was excluded by the Directive itself.

With regard to the protection of personal data, the text of the Directive 2003/98 fortunately states the following:

Article 1

Subject matter and scope

4.- This Directive leaves intact and in no way affects the level of protection of individuals with regard to the processing of personal data under the provisions of Community and national law, and in particular does not alter the obligations and rights set out in Directive 95/46/EC.

After it was adopted, the Member States had until June 2005 to transpose its content into their respective legislation.

Finally, we must add that the Commission also looked to the Ministers for support in this case, and succeeded in having the July 2003 Como Declaration¹⁵ refer to this matter in the framework of collaboration between the public and private sectors, stating:

“ Private-Public cooperation

... ..

Public sector information is an important resource. Information resources held by the public sector can be an asset for the creation of added value services by private companies.

Ministers committed themselves and invited the Commission to enhance activities in this direction. A swift adaption and transposition of the directive on the re-use of public sector documents, pilot projects that ease cross-border barriers to re-use, and the spread of good practices throughout the European Union will contribute to reaching the goal.

With this Ministerial Declaration, the Commission ensured itself backing for the task that it would have to carry out as of June 2005, requiring the Member States that had not yet done so to transpose the Directive. However, and above all, the opinion of the Ministers guaranteed Unit E4 of the Information Society DG, responsible for managing the eContent Programme, that no one in its milieu would be able to call into question its future proposal for the extension of the eContent

¹³ COM(2002) 207. Proposal for a Directive of the European Parliament and of the Council on the re-use and commercial exploitation of public sector documents. Brussels, 5 June 2002.

¹⁴ COM(2003) 119. Amended proposal for a Directive of the European Parliament and of the Council on the re-use and commercial exploitation of public sector information Brussels, 17 March 2003.

¹⁵ eGovernment Conference 2003. Como ministerial Declaration. Como, Italy 7-9 July 2003.

Programme, which it would have to negotiate during 2004. This is how things are in the European Union, lest anyone think that everything the Ministers say occurs to them on the spur of the moment, or that the Commission merely rests on its laurels.

Community actions regarding the reuse of public sector information are yet another piece of the Community eGovernment puzzle, although in this case they are by regulation, which we cannot forget to take into consideration in this analysis.

Information about this Community action can be accessed through the web sites^{16,17} set up to this end by the supervisors of the eContent Programme, who are obviously the ones who have been behind this Community action from the outset.

eGovernment and the Market for Services

Finally, the last issue we will look at is the one relating to recent proposals for the restructuring of the market for services in the European Union.

In the General Agreement on Trade in Services¹⁸, the member governments of the World Trade Organization (WTO) agreed to gradually liberalise trade in services, and this is what took place in the case of telecommunications. In this context, and by virtue of the provisions in Article XIX of the General Agreement on Trade in Services (GATS)¹⁹, a new round of multilateral negotiations was to begin in the year 2000 to move this process along.

Consequently, the Ministerial Declaration²⁰ of the WTO Member States that was adopted at the meeting held in Doha in November 2001, which heralded a new round of world trade negotiations, underscored this commitment and established a schedule for the actions to be carried out during 2002 and 2003 in order to accelerate this process.

This was the setting for the actions that the European Union had initiated during 1998²¹. These actions undoubtedly stemmed from earlier concerns starting with the 1993 Delors White paper, which would take on importance with the definition of the Lisbon Strategy.

Thus, at the end of 2000 the Commission presented a Communication that described a strategy²² for the development of the market for services, with two key objectives. The first was to develop the single market for services inside the European Union, and the second was the harmonisation of the legislation of the Member States with an eye on the upcoming multilateral negotiations.

¹⁶ Public Sector Information. http://europa.eu.int/information_society/topics/multi/psi/index_en.htm

¹⁷ Public Sector Information Policy. http://www.cordis.lu/econtent/psi/psi_policy.htm

¹⁸ General Agreement on Trade in Services (GATS). http://www.wto.org/english/tratop_e/serv_e/serv_e.htm

¹⁹ Roca J.L. La Ronda Uruguay sobre negociaciones comerciales multilaterales. Ed. Mundi Prensa. Madrid 1994.

²⁰ Doha WTO Ministerial 2001: Ministerial Declaration. 14 November 2001

http://www.wto.org/english/thewto_e/minist_e/min01_e/mindecl_e.htm

²¹ COM(1998) 534. contribution of business services to industrial performance - A common policy framework. Brussels, 21 September 1998

²² COM(2000) 888. An Internal Market Strategy for Services. Brussels, 29 December 2000.

In accordance with the plan that was outlined, in mid-2002 the Commission presented a report²³ in which it analysed the state of the internal market for services and the main barriers to its development, as well as the legal framework that regulated it. In the conclusions of this document, the Commission proposed the need to carry out the legislative reforms necessary to undertake the second stage of the liberalisation of services, as it understood that the first stage, which included telecommunications, banking and insurance, among others, was already drawing to a conclusion.

At the same time, the Commission prepared and presented a new version of its strategy²⁴ to continue with the development of the internal market for the period from 2003-2006. Worth highlighting is the fact that, in referring to the market for services, the Commission's document insisted on emphasising the disparities in the legal systems in the different Member States and, among other proposals, announced the forthcoming presentation of a proposal for a Directive regarding the internal market for services in the European Union. Just as it had announced, the Commission presented the proposal for a Directive²⁵ in March 2004.

After this overview, we are now in a position to analyse the relationship between this Community action and the development of eGovernment.

Among the suggestions that the proposal for a Directive presented by the Commission in 2004 included ones for simplified procedures, single points of contact and the right to information, which *per se* could make the use of electronic means advisable. However, the most important aspect is that the proposal includes an article specifically devoted to eGovernment, whose text is the following:

Article 8. Procedures by electronic means

1. *Member States shall ensure that, by 31 December 2008 at the latest, all procedures and formalities relating to access to a service activity and to the exercise thereof may be easily completed, at a distance and by electronic means, at the relevant single point of contact and with the relevant competent authorities.*
2. *Paragraph 1 shall not apply to the inspection of premises on which the service is provided or of equipment used by the provider, or to physical examination of the capability of the provider.*
3. *The Commission shall, in accordance with the procedure referred to in Article 42(2), adopt detailed rules for the implementation of paragraph 1 with a view to facilitating the interoperability of information systems and use of procedures by electronic means between Member States.*

This is a very clear and precise proposal, which, if adopted, would actively and decisively contribute to the development of eGovernment in the Member States, not only in their networks but also with regard to the interoperability of these networks; and these Member States will undoubtedly be able to extend these actions to many of their other activities, using the market for services as justification for doing so.

²³ COM(2002) 441. The state of the internal market for services Brussels, 30 July 2002

²⁴ COM(2003) 238. Market Strategy - Priorities 2003-2006. Brussels, 7 May 2003

²⁵ COM(2004) 2. Proposal for a Directive of the European Parliament and of the Council on services in the internal market. Brussels, 5 March 2003

2008 is not too far off, considering the customary administrative inertia, yet there is certainly enough time to redirect the objectives of the Community's eGovernment programmes towards this goal—not only IDA, which is a foregone conclusion, but also the eGOV research programme and the peripatetic eTEN Programme, which would have a magnificent reason for directing their activities towards objectives that are useful and of interest to the Community.

In our opinion, this provision is only the start of the development of Article 285 of the future European Constitution, regarding the Union's support of Member States in their efforts to improve their administrative capacity to implement Union law.

Article 285 of the European Constitution

The European Constitution²⁶ contains an article that we feel is of special interest for the development of a future European Union strategy to support eGovernment development from the Community Institutions. This is Article III-285, which we reproduce below:

PART III
THE POLICIES AND FUNCTIONING OF THE UNION
TITLE III
POLICIES AND INTERNAL ACTION
CHAPTER V
AREAS WHERE THE UNION MAY TAKE COORDINATING, COMPLEMENTARY
OR SUPPORTING ACTION
SECTION 7 ADMINISTRATIVE COOPERATION
Article III-285

1. *Effective national implementation of Union law by the Member States, which is essential for the proper functioning of the Union, shall be regarded as a matter of common interest.*
2. *The Union may support the efforts of Member States to improve their administrative capacity to implement Union law. Such action may include facilitation of exchange of information and of civil servants as well as supporting training schemes. No Member State shall be obliged to avail itself of such support. European laws shall establish the necessary measures to this end, excluding any harmonisation of the laws and regulations of the Member States.*
3. *This Article shall be without prejudice to the obligations of the Member States to implement Union law or to the prerogatives and duties of the Commission. It shall also be without prejudice to other provisions of the Constitution providing for administrative cooperation among the Member States and between them and the Union.*

In our opinion, section 2 of this article opens up some hitherto unimaginable expectations on which to base a clear and effective action strategy to spur the development of eGovernment in the European administrations, although it might be advisable to take action in this regard without waiting for the Constitution to enter into force.

²⁶ European Constitution. <http://www.unizar.es/euroconstitucion/Home.htm>

3. EGOVERNMENT IN THE REGIONAL DEVELOPMENT POLICY

3.1. Frame of Reference

Strategic Aspects

The objective of the Regional Development Policy is to contribute to achieving economic and social cohesion within the territory of the European Union, as established in the Treaty. The main instruments to achieve this end are the Structural Funds and, in particular, the European Regional Development Fund (ERDF).

Right from the outset, the development of the Information Society in the European Regions²⁷ has been deemed a key mechanism for promoting modernisation of the industrial and social fabric, as well as the fabric of the public administrations; and the efforts of the European Institutions have been aimed in this direction. In this context, the implementation of eGovernment in the regional public administrations forms part of the strategic objectives planned by the European Union in its Regional Policy, among many other things.

Nevertheless, two key factors must be considered when analysing the feasibility of such a strategy. The first one has to do with the structure of the different regional administrations, and the second with the ability to make decisions in planning the use of the Structural Funds.

In the first respect, the fact is that the Member States differ significantly both in terms of their concept of Region and in the administrative powers granted to these regions, and this makes it difficult to carry out any homogeneous strategy in this regard.

In the second respect, the fact that it is the Member States and their Regions who have the power to decide how the Structural Funds are used means that the European Institutions, apart from deciding on the eligibility of these activities, can do little to go against the desire and will of the Regions when preparing the Operational Programmes in which their strategies for the use of these Community funds are included.

In other words, through the Structural Funds, the least-favoured European Regions can carry out their plans for eGovernment in their areas of competence, as long as that is their wish and forms part of their regional development strategy.

The European Commission Regional Policy Directorate-General²⁸ is in charge of managing the Regional Policy, and activities relating to the development of the Information Society in the Regions are carried out in collaboration with Unit A6 – Regional and Societal Aspects, which forms part of Directorate A – Information Society Strategy, in the Information Society Directorate-General.

Regulatory Aspects

The Economic and Social Cohesion Policy, the basis of the Regional Policy, appears in Articles 158 to 162 of Title XVII of the Treaty, which contain the provisions regarding Structural Funds, among others.

²⁷ Alabau A. (Coordinador) *Las Regiones y el desarrollo de la Sociedad de la Información*. Ed. Diputación de A Coruña 2000.

²⁸ Inforegio. DG Regional Policy. European Commission. http://europa.eu.int/comm/regional_policy/index_en.htm

The use of these funds is governed by Regulations. Currently in effect are the Regulation²⁹ establishing the general provisions for the Structural Funds for the period from 2000-2006, and the Regulation³⁰ regarding the ERDF for the same period, among others. To assist the Regions in the preparation of their operational programmes, the Commission published a document containing the general guidelines for using the ERDF³¹.

The specific guidelines that the beneficiary States and Regions should follow in using the ERDF in projects for the development of the Information Society are usually included in documents prepared by the Commission. For the period from 2000-2006, the Commission has prepared two guideline documents, the first one³² in 1999 and the second one³³ in 2003; the latter expands on the earlier one with specific details regarding telecommunications actions.

Budgetary aspects

The budgetary item earmarked for the Structural Funds is the second largest one in the European Union, totalling EUR 41 billion in 2004, which is equivalent to 35.6% of the Community budget³⁴. It is second only to the amount earmarked for the Common Agricultural Policy, which accounted for 45.8% of the budget.

The Objective 1 Regions receive approximately 62% of the total Structural Funds, which represented the sum of EUR 25.5 billion in fiscal year 2004. This amount primarily includes the European Regional Development Fund and the European Social Fund. Once the amount of the funds corresponding to each of the Member States has been negotiated, the preparation of the proposals for the use of these funds is the responsibility of the States and their Regions. Thus, once their eligibility has been verified by the Commission and the proposals are accepted, these proposals become part of the Community Support Frameworks and the Single Programming Documents, which is what the programming instruments for the Structural Funds are called in the Member States.

As a complement to the actions proposed by the Member States, the Commission implemented an initiative known as eEurope-Regio, under the ERDF Innovative Actions budgetary item. The aim of this initiative was to enable the affected Regions to present specific proposals for the development of the Information Society, to complement any that might have been included in their respective regional operational programmes.

²⁹ Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds. OJ L 161, 26 June 1999. P.1.

³⁰ Regulation (EC) No 1261/1999 of the European Parliament and of the Council of 21 June 1999 on the European Regional Development Fund. OJ L 161, 26 June 1999. P.43.

³¹ COM(99) 344 Communication from the Commission - The structural funds and their coordination with the Cohesion Fund - Guidelines for programmes in the period 2000-2006. OJ C 267. 22 September 1999. P.2.

³² SEC(1999) 1217. Information Society and Regional development. ERDF interventions 2000-2006. Criteria for programme assessment. Brussels, 2 August 1999

³³ SEC(2003) 895. Guidelines on criteria and modalities of implementation on structural funds in support of electronic communications. Brussels, 28 July 2003.

³⁴ General Budget the European Union for the financial year 2004

<http://europa.eu.int/comm/budget/pdf/budget/syntchif2004/en.pdf>

3.2. eGovernment in the ERDF actions

Unlike most of the activities relating to the different European Union programmes to develop eGovernment that we have analysed in this book, except for IDA projects, actions carried out under the Structural Funds entail real developments implemented by the public administrations in the European Union's Regions, included in their respective Regional Development Plans.

The documents prepared by the European Commission, and those published by the different Regions in question, list information about eGovernment actions under the generic heading of "Information Society", which in many cases includes telematics applications as well as telecommunications infrastructures; hence, accurately assessing the efforts being made in this endeavour is nigh impossible, though we will try to give as close an estimate as we can.

In 1997, the Commission issued a Communication³⁵ in which it summarised the activities and forecasts in the field of the development of the Information Society that were included in the Community Support Frameworks in the European Union as a whole for the period from 1994-1999. In this document, the Commission bemoaned the meagreness of the Regions' proposals for the development of Telematics Applications, which was the name that was given at that time to what is currently known as the Information Society. The document contained an estimate that only 0.2% of the total budget had been used for this purpose.

The evolution of the different events, the strategy developed by the Commission and the adoption of the eEurope initiative at the Lisbon Council caused interest in the Information Society to grow in some Regions, and forecasts to be increased for the implementation of projects included in their proposals for the period 2000-2006. In 2001, the Commission issued a Communication³⁶ in which it presented the results of the programming carried out by the Objective 1 Regions for this period. It estimated that the effort devoted to the development of the Information Society could represent between 5 and 6% of the budget earmarked for structural actions.

Later, in 2002, the Commission published a report³⁷ about how much progress had been made in activities relating to the development of the Information Society. In this document, the consulting firm that carried out the study indicated that the 150 regional programmes presented to the Commission within the framework of the ERDF for the period from 2000-2006 had been taken into account, and that thirty (30) of them from Objective 1 Regions had been analysed in detail, and twenty-three (23) from Objective 2 Regions.

From this study, the consulting firm arrived at the conclusion that, of the total budget reserved for structural actions provided by the European Union and the participants from the Member States, 7.38% of the total had been earmarked for the development of the Information Society; it added that the actual percentage could be even higher.

With regard to the nature of the actions that the Regions had planned to carry out, the report uses a classification obtained from the eEurope 2002 initiative, made up of 11 different types,

³⁵ COM(97) 7. Cohesion and the Information Society. Brussels, 22 January 1997

³⁶ COM(2001) 378. The results of the programming of the Structural Funds for 2000-2006 (Objective 1) Brussels, 5 June 2001.

³⁷ Final report for the thematic evaluation of the information society. Technopolis Ltd. October 2002

among which eGovernment projects are listed. The study analysed the importance of each of these areas in the regional operational programmes, according to the priorities of the Regions and the budget of the respective projects, concluding that only 3.7% of the total corresponded to eGovernment-related activities, while 24.2% were in the area of eCommerce.

From the information in the preceding section, some conclusions can be reached about the importance that the European Regions analysed were giving to the development of eGovernment; measured as a percentage of the budget for structural actions co-financed by the ERDF for 2000-2006, it accounted for only 0.27% of the total budget, while the development of eCommerce represented 0.9% of the total.

From the above figures, a very simple conclusion can be drawn: that in 1999, before the advent of the eEurope initiative, when the European Regions prepared their operational programmes to apply for ERDF aid, they did not seem overly concerned about the development of eGovernment; however, if this is true, at that time this attitude was not exclusive to the Regions. It would be worth comparing these figures to the ones equivalent to the efforts that the administrations of the Member States were carrying out at that time, in order to reach valid conclusions.

The above notwithstanding, it should be recalled that in interpreting regional figures, it is absolutely necessary to keep the European regional structure and the distribution of powers in each Member State³⁸ among the different levels of public administration—state, regional and local—very much in mind. Thus, it is easy to conclude that a Region's interest in the development of eGovernment will depend, among other things, on the degree and the importance of its powers.

4. CONCLUSIONS

In this chapter, we have tried to summarise a series of actions relating to the development of eGovernment which appear in other Community policies of a more horizontal nature than those we analysed in the preceding chapters. With this analysis, we have now completed the panorama of activities that the European Union is carrying out in this field.

With regard to the Internal Market Policy, we believe that the contribution of greatest interest, and which may become the most important one in the future, is the one that appears in the proposal for a Directive on the internal market for services, referring to the obligation of the Member States to implement on-line and interoperable procedures for the processing of everything relating to these services, as of 2008. It is a positive step that opens a door to European cooperation in the development of eGovernment, which undoubtedly will be strengthened by the content of Article 285 of the future European Constitution.

As for the Regional Policy, little can be done that has not already been planned in the package of measures for the Structural Funds for 2000-2006. They arrived too soon for eGovernment, and

³⁸ Alabau A. Telecommunications and Information Society in European Regions. Telecommunications Policy. Vol 21, n° 8, pp.761-771. October 1997.

beyond any doubt, the least-favoured European Regions had other, more pressing deficiencies to attend to using the Structural Funds. Thus, we must set our sights on the future, with an eye to the period from 2007-2013, whose strategies and budgets are now in the discussion stage³⁹.

To complete this chapter, Table 8.1 summarises the main events referred to in the text.

³⁹ COM(2004) 101. Building our common Future Policy challenges and Budgetary means of the Enlarged Union 2007-2013. Brussels, 10 February 2004.

Tabla 8.1.
CHRONOLOGY OF THE EVENTS OF THE PROGRAMMES ANALYSED

Year	Presidency of the European Council	Presidency of the Commission	Information Society Policy	Internal Market Policy		Regional Policy
				eContent Programme and Public sector information	Internal market for services	
1999	Germany					Regulation 1260/1999, on Structural Funds Regulation 1261/1999, on the ERDF
	Finland	Prodi				
2000	Portugal		eEurope 2002	Decision 2001/48 on the creation of eContent		
	France					
2001	Sweden					
	Belgium					
2002	Spain		eEurope 2005			
	Denmark					
2003	Greece			Directive 2003/98 on the reuse of public sector information		
	Italy					
2004	Ireland		eEurope 2005 update		Proposal for a Directive on the internal market for services	
	Netherlands	Barroso				
2005	Luxembourg					
	United Kingdom					

Chapter 9

COMPARATIVE ANALYSIS OF THE EUROPEAN UNION'S ACTIONS TO DEVELOP EGOVERNMENT

1. INTRODUCTION
2. ASPECTS OF THE EUROPEAN UNION'S EGOVERNMENT-RELATED ACTIVITIES
 - 2.1. **Strategic Aspects of eGovernment actions**
 - 2.2. **Regulatory Aspects**
 - 2.3. **Budgetary Aspects**
3. COMPARISON OF EGOVERNMENT ACTIVITIES ON A REFERENCE SCHEME
 - 3.1. **Projection of the Actions on a Reference Scheme**
 - 3.2. **Comments on the comparison of the Actions**
4. CONCLUSIONS

1. INTRODUCTION

Following the detailed study of each of the European Union's main activities to promote and develop eGovernment, this Chapter analyses them together and on a comparative basis.

First we will summarise the characteristics of each eGovernment-related Programme, looking at the three key aspects that define a Community Policy, namely Strategic Aspects, Regulatory Aspects and Budgetary Aspects, the chief characteristics of which have already been outlined in the detailed study in the previous Chapters.

Secondly, we will try to analyse these activities in a broader context and assess their possible bearing on the Public Administrations' approach to eGovernment, using our Reference Scheme for the analysis of eGovernment Strategies. This Scheme, which readers will find in Appendix II of this book, affords an overview of a broad range of aspects that, in our opinion, make up a Public Administration's action strategy in implementing eGovernment.

In doing so, we aim to spotlight the differences and complementarities alike so as to analyse whether, as a whole, these actions could be regarded as a European Union eGovernment development policy.

2. ASPECTS OF THE EUROPEAN UNION'S eGOVERNMENT-RELATED ACTIVITIES

The fact that the European Community Treaty makes no mention of specific eGovernment powers means that the European Union lacks a specific policy in this respect, nor does the Commission have a Unit devoted to the planning and implementation of any such policy, unlike the other Community actions.

However, as we have seen throughout this book, the undeniable interest in implementing eGovernment in the European Public Administrations within the context of the development of the Information Society, and in particular since the definition of the Lisbon strategy, has prompted the emergence of a spectrum of eGovernment-related initiatives, programmes and activities that have made headway and evolved ever since.

As we have explained in previous sections, the European Union's activities in this field are carried out through Programmes that were launched independently in response to strategies defined in several community policies and are run by the Commission's different units to which they have been assigned. Table 9.1 is a summarised comparison of the evolution of each of the Programmes in question.

When the eEurope initiative was adopted, each of these Programmes was obliged to bring its actions in line with the objectives defined in the initiative, which they did steadily throughout the period 2000-2002 as the legal acts governing each individual Programme had to be renewed. All the Programmes fell in line with eEurope independently, but that was all, because each one

continued to have its own legal basis and remained responsible for administering its allocated budget. The eEurope initiative afforded aesthetic rather than strategic coverage to all the actions that the European Union had already launched in this field, but little else.

A second and far more specific attempt at coordination came in 2003 as a consequence of the Como Conference, the adoption of the Communication on eGovernment and the publication of the Council of Ministers of Telecommunications' Conclusions about the Commission's Communication. Though it is still early to judge the results, it seems unlikely that the European Commission's eGovernment decision-making powers will be merged this time either.

As is well known, each of the Commission's units performs its activities within a pertinent regulatory framework, tries to administer its budget as best as it can and endeavours to perpetuate itself by refining the arguments that justify its existence and seeking support anywhere and everywhere. The Commission's Units are experts at adapting to different scenarios and environments, and are a praiseworthy example of the practical application of the theory of evolution.

Our words should not be construed as undervaluing the Commission's Units, but quite the contrary. The coherence of many Community actions, in particular those that have nothing to do with the European Union's key policies, tends to be the result of the efforts and good practices of the Commission's Units who, in the absence of higher-ranking strategic approaches, try to optimize their actions and streamline the use of their resources, making up for their superiors' shortcomings. Sometimes they almost lead one to believe that Community strategies do exist, when actually they do not, the case of eGovernment actions being paradigmatic of this.

Sometimes the excuse given for such evident instances of lack of coordination is that the Commission does it on purpose to make its Units compete with one another and thereby make its officials more efficient. If that were the case in the issue at hand, we would have to say that it is quite inappropriate, because the efficiency of European civil servants' actions should take second place to the effectiveness of community actions, though this is quite unlikely to happen in the plethora of European eGovernment Programmes.

Table 9.1
COMPARATIVE EVOLUTION OF THE EU EGOVERNMENT PROGRAMMES

Year	Strategy	eTEN Programme	IDA Programme	Framework Programmes	Other Programmes
1990				3rd Framework Programme 1990-94 Telematics Programme	
1993	Delors White Paper				
1994	Information Society Action Plan			4th Framework Programme 1994-99 Telematic Applications Programme	ERDF Regulation 1994-99
1995		1st Regulation on financial aid to Trans-European Networks	Decision on the IDA Programme for 1995-1997		
1996					
1997		Decision on the TEN-TELECOM programme			
1998				5th Framework Programme 1998-2002 IST Programme	
1999		2nd Regulation on financial aid to Trans-European Networks	Decisions on the IDA II Programme for 1999-2004		ERDF Regulation 2000-06
2000	eEurope 2002				Decision on the eContent Programme 2000-2004
2001	Ministerial Declaration of Brussels, on eGovernment				
2002	eEurope 2005	2nd Decision on orientations of the TEN-TELECOM programme. New name eTEN	eGovernment Observatory Reform of the Decisions The IDA Programme	6th Framework Programme 2002-2006 eGovernment in the IST thematic area	
2003	Ministerial Declaration of Como, on eGovernment Communication on eGovernment Declaration of the Council on eGovernment.				Directive on reuse of public sector information
2004		Proposal for a Regulation on financial aid to Trans-European Networks	Decision on the New 2005-09 IDABC programme	Platform for the dissemination of eGovernment experiences	Draft Directive on the internal services market

2.1. Strategic Aspects of eGovernment actions

eGovernment-related actions date back to the start of the 1990's, yet the first Community document that specifically broached this issue was the Communication¹ issued in September 2003, which gave rise to the first Conclusions of the Council of Ministers in November that same year².

As we have analysed in Chapter 4, this Communication does not put forward a typical Commission action plan, and instead only gives a more or less accurate description of the situation and lists the different actions scheduled by the different Community programmes that are somehow related with eGovernment, in particular IDA, eTEN and eGOV.

We would stress that the Commission's document neither said anything nor hinted in any way about the possible actions derived from the development of the internal market or about eGovernment's role in the implementation of community policies, some of which are described in Chapter 8.

Yet what seems more worrying is that the Commission's document contained no sign of any proposal that might lead to the preparation of a unified action strategy in this field, or any hint that responsibility for all the eGovernment-related actions and resources should be assigned to a single unit, within the Commission, but quite on the contrary. The document did focus on interesting actions such as interoperability and the dissemination of good practices, among others, after which the three Community programmes were going to start running.

The Council was undeniably well aware of the situation, and in its Conclusions pointed in the right direction by inviting the Commission to reinforce coordination between the European Union's different eGovernment-related programmes, a proposal that was certainly sensible though, it seems, hard to put into practice in the absence of a higher-ranking agreement.

Figure 9.1 is an Organisational Chart of the Commission that displays the different Directorates and Units that handle eGovernment issues and Table 9.2 provides further information about each of these Units.

¹ COM(2003) 567. Role of eGovernment for Europe's Future. Brussels, 28 September 2003.

² 2543e Council session on Transport, Telecommunications and Energy. Council Conclusions on eGovernment. Brussels, 20 November 2003

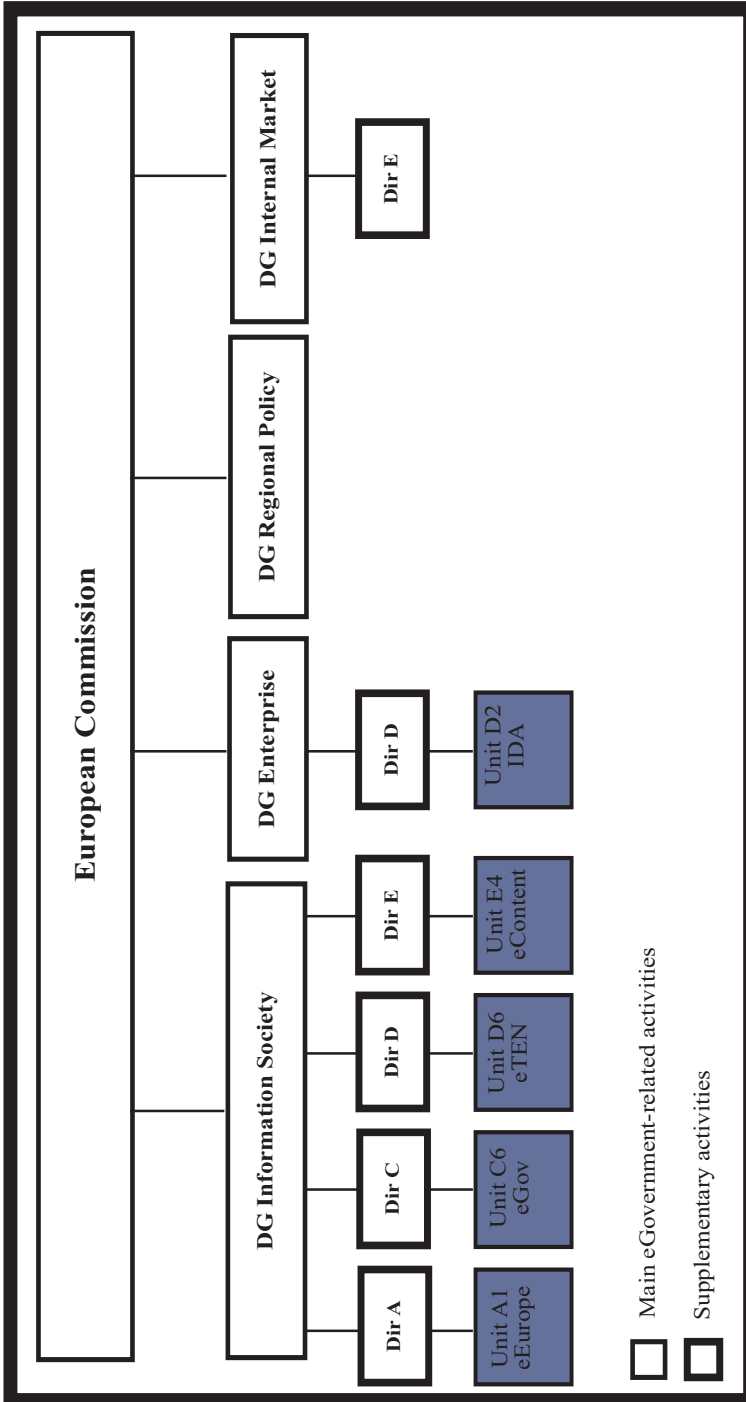


Table 9.2
SUMMARY OF THE MAIN COMMISSION BODIES RESPONSIBLE FOR eGOVERNMENT

Management	Unit	Programme	Objectives and Activities
Directorate General of The Information Society			
Directorate A Information Society and eEurope Strategy	Unit A1 eEurope. Analysis and planning	Modinis	Analysis of the evolution of the eEurope initiative and follow-up Performance of specific studies
Directorate C Components and Subsystems. Applications	Unit C6. eGOV eGovernment	IST. 6th FP eGovernment	Management of eGovernment research activities in the Framework Programmes Transfer of the eGovernment research findings
Directorate D Communications Networks, Security and Software. Applications	Unit D6. eTEN Trans-European Telecommunications Networks	eTEN	Co-financing of the development of feasibility studies and implementation of trans-European telecommunications networks
Directorate E Interfaces, Knowledge Technologies and Contents. Applications. Information Market	Unit E4 Information Markets	eContent	Co-financing of projects for the development of Information Markets and linguistic diversity Development of the Policy of reuse of public sector information
Directorate General of Enterprise			
Directorate D Services, Tourism, new technologies and industrial design	Unit D2. IDA Networks between Public Administrations	IDA, IDABC	Co-financing of general interest pan-European telematic networks projects Development of horizontal measures. Management of the eGovernment Observatory
Directorate General of Regional Policy			
Directorates C, D & E Regional Interventions	Several Units	ERDF	Follow-up of the eGovernment development projects of the regional operational programmes
Directorate General of the Internal Market			
Directorate E Services, Copyright, industrial property and data protection	Several Units	none	Development of the free services market development policy

2.2. Regulatory Aspects

In view of the lack of community powers in Public Administration matters, the different eGovernment programmes and activities that are carried out by the European Union and run by the Commission are underpinned by different legal bases and respond to the objectives of a very wide range of Community policies, which almost outnumber the number of types of action.

As summarised in Table 9.2, the main EU eGovernment actions are based on the following EU policies:

- Industrial Policy
- Trans-European Networks Policy
- Research and Technological Development Policy

And to a lesser extent, also in the following:

- Economic and Social Cohesion Policy
- Internal Market Policy

Moreover, in line with EU procedures, the agreements and legal documents relating to these policies are adopted at different meetings of the Council of Ministers:

- Council of Ministers of Competitiveness (Internal Market, Industry and Research)
- Council of Ministers of Transport, Telecommunications and Energy
- Council of Ministers of General Affairs

This is why it is so hard to arrange and coordinate all the eGovernment-related activities. There is no EU policy on Public Administrations or, of course, any Council of Ministers' meeting to address these matters. As we have seen in Chapter 4, the Ministers responsible for Public Administration hold informal meetings in the framework of the European Public Administration Network (EPAN), and have very little influence over community affairs, let alone eGovernment issues.

One could argue that this is the same situation as in many Member States in which different Ministerial Departments are involved in the eGovernment-related activities: Industry in the development of the Information Society, and Education and Science in the field of Research, and that is indeed so, but each Public Administration of the Member States, Regions and Municipalities has a Department with the powers necessary to implement eGovernment in that Public Administration, and which tends to make the decisions that allow headway to be made in this field.

As hard as the European Union, and in particular the Commission, may try to have a say in this process, it is the Public Administrations who are really responsible for modernizing themselves. The use of non-legislative procedures, such as the open method of coordination, to encourage this activity from Brussels has failed and should be thought over in depth.

2.3. Budgetary Aspects

The budget allocated to each eGovernment-related programme and activity comes from different community budget items, in accordance with the policy governing each one.

With the exception of Regional actions, which are financed with Structural Funds, all activities are financed with the Internal Policies item, which is used to finance all the actions entrusted to the Commission.

The type of activities that can be financed under each of these Programmes, and the specific conditions applicable to each one, are stipulated in each of the legal documents approving each individual Programme, so each one is subject to clearly-defined regulatory conditions that tend to differ from one case to another. This hampers any attempt at coordination made within the current regulatory framework.

Table 9.3 lists the budgets allocated to each of the Programmes analysed in this book. Broadly speaking, and without taking into account the Regional actions financed with Structural Funds, the European Union allocates around EUR 50 million a year through its different Programmes, which represents 0.045% of the whole EU Budget.

This amount is quite ridiculous compared with the amount necessary to research, develop and implement eGovernment in the European Union. Even so, the exemplary effect of the European Commission's actions and the mimetic capacity and, perhaps need of many of the Public Administrations, in particular the regional and local ones, have enhanced the importance of these Programmes' actions, in particular the structural actions, rather than those that consist of the co-financing of specific developments and projects.

Table 9.3
EGOVERNMENT PROGRAMME REGULATORY FRAMEWORK

Unit	Programme	Legal basis	Policy	Budget
Directorate General of The Information Society				
Unit A1 eEurope. Analysis and planning	Modinis	Article 157 Title XVI	Industrial	€21 M (2003-05)
Unit C6. eGOV eGovernment	IST. 6th FP eGovernment	Article 166 Title XVIII	Research and Technological Development	€100 M (2002-06)
Unit D6. eTEN Trans-European Telecommunications Networks	eTEN	Article 156 Title XV	Trans-European Networks	€172 M (2003-06)
Unit E4 Information Markets	eContent and eContentplus	Article 157 Title XVI	Industrial	€135 M (2005-08)
Directorate General of Enterprise				
Unit D2. IDA Networks between Public Administrations	IDA and IDABC	Article 156 Title XV	Trans-European Networks	€145 M (2005-09)
Directorate General of Regional Policy				
Directorates C, D & E Regional Interventions	ERDF	Art. 158 to 162 Title XVII	Economic and Social Cohesion	The ERDF budget
Directorate General of the Internal Market				
Directorate E Services, Copyright, industrial property and data protection		Art. 49 to 51 Title III	Internal Market	No specific eGovernment budget

3. COMPARISON OF EGOVERNMENT ACTIVITIES ON A REFERENCE SCHEME

This section compares the types of actions carried out by the different eGovernment Programmes outlined in the previous chapters, using the Reference Scheme in Appendix II.

First we will complete the Reference Scheme with the Actions listed in the Programmes in question, and then discuss the results of this comparison of the European Union's eGovernment actions.

3.1. Projection of the Actions on a Reference Scheme

The Reference Scheme for analysing eGovernment Plans is the result of prior experience in this field^{3, 4}, which we have used on other occasions⁵ for analysing eGovernment activities.

This Reference Scheme summarises a limited set of aspects that should be borne in mind when analysing any Plan for implementing eGovernment in a Public Administration. First the Scheme highlights the actions related with the Strategic and Organizational Aspects of the Approach to the Plan, then lists the Corporate and Departmental Aspects related with the Implementation of the Plan.

Each of the four categories of aspects specify five types of Actions that must be taken into account, meaning that a total of 20 criteria are used to describe the contents and analyse the coherence of such a Plan.

Each action carried out under the European Union's different eGovernment Programmes has a bearing on at least one of the types of actions identified in the Reference Scheme, so when all the actions are projected together, they provide enough useful information for comparing and analysing the different aspects of Community policy in this field.

Table 9.4 displays the result of this exercise. The second column of the Reference Scheme lists the proposals that the Commission has put forward in its Communication on eGovernment and that we analysed in Chapter 4, while the last seven columns show the types of actions promoted by the Programmes discussed elsewhere in the book.

Despite being a very simplified representation of the European Union's actions in this field, the scheme will serve to conduct a comparative analysis of all of them, thereby serving the intended purposes on this occasion.

The Proposals of the Communication on eGovernment

Most of the proposals that the Commission included in its Communication refer to major strategic and operational aspects of the Approach to an eGovernment Plan, and only a few of the

³ Alabau A. Nota sobre estrategias en e-government. Propuesta de un esquema de referencia. UPV-CJM Documento interno PTSI/21e. Valencia 10 July 2002

⁴ Alabau A. About a reference scheme for the analysis of e-government strategies. UPV-CJM Documento Interno PTSI/27b. Valencia 18 October 2002

⁵ Alabau A. Benedito J. Reference Schemes for e-Government Strategies. The Analysis of the Case of the Regional Government of Valencia. ICTTA'04 Conference. Damascus, Syria, 19-24 April 2004

proposals outlined in the Commission's Communication refer to aspects related with the Plan's Implementation.

At the time, we interpreted this as meaning that the Commission had realised that the efforts required to foster the advance of eGovernment should focus on the "government" side rather than the "e" side, yet this is inconsistent with the contents of its Programmes in this field.

The eGOV Programme

The eGOV Unit, which is responsible for the eGovernment research actions, is in the midst of evolving from the approaches that prevailed in the Fifth Framework Programme, chiefly oriented towards the co-financing of application development projects and clearly related with the actions listed under the Implementation section of the Reference Scheme, towards actions more clearly related with the Approach, in line with the contents of the Commission's Communication.

The text of the 2005-06 call for proposals of the Sixth Framework Programme might shed further light on this situation which, it is to hoped, will be clarified once and for all in the Seventh Framework Programme.

Note that the Reference Scheme distinguishes between the types of actions currently underway and those planned for the future.

The IDA Programme

The IDA Programme actions, and the envisaged future IDABC actions, involve aspects that clearly relate to the Implementation of the eGovernment Plans: The co-financing of pan-European telematic networks, the development of common tools and the performance of horizontal actions in the field of Interoperability.

The Programme's objectives do not cover eGovernment Approach-related aspects because co-financed projects serve to enforce a Community legal act and the will of those in charge of carrying out such projects.

All the other horizontal actions except, perhaps, for the eGovernment Observatory, are consequences of this.

The eTEN Programme

All the eTEN Programme actions obviously fall into the "Implementation of eGovernment Plans" category, as they are geared towards this Programme chief goal, namely the development of Trans-European Networks.

The Programme's objectives do not include any Approach-related actions either.

The eContent Programme

The eContent Programme actions that involve the development of contents are clearly related to the Implementation side, as displayed in the Reference Scheme, in both the Unified Services and Departmental Services categories.

On the other hand, the Directive on the reuse of public sector information clearly addresses Approach-related aspects, specifically the category of legal framework applicable to the development of eGovernment.

The Regional Policy Actions

There is no doubt that the projects proposed and executed by the Member States and Regions that receive Structural Funds are actions designed to Implement the eGovernment Plans of the respective beneficiary Public Administrations.

In our mind, even if the Approach-related actions were put forward, they would not come under the category of the eligible actions envisaged in the ERDF Regulation.

The Internal Market Policy Actions

The consequences of the future Directive on the internal market for services, in particular of the article that stipulates that Member States shall ensure that, by the end of 2008, all procedures and formalities relating to access to and exercise of a service activity may be completed by electronic means, clearly impact the Approach-related aspects because it will be a European Union legal mandate that will make it obligatory for Member States to harmonize their legislation in this field.

Evidently, this legal principle will make it obligatory both to develop the pertinent telematic networks and carry out actions in relation to the other aspects shown in the Reference Scheme, but this falls outside the scope of the direct objectives of the European Union strategy laid down in the Directive.

Table 9.4
ANALYSIS OF THE CONTENTS OF THE COMMUNICATION ON E-GOVERNMENT

Actions of a Strategic Plan	Communication	eEur	IST	eTEN	IDA	eCont	Reg.P	IM.P
APPROACH								
A.- Strategic Aspects								
A.1.- Political responsibility								
A.2.- Responsibility for implementation								
A.3.- Legal framework	C.- Better use of public sector information					A		P
A.4.- Impact on the Administration's structure	G.- Organisational changes		P					
A.5.- Impact on citizens and society	B.- Trust and Confidence A.- Inclusive Access		P					
B.- Operational Aspects								
B.1.- Planning Mechanisms								
B.2.- Development Mechanisms								
B.3.- Citizens' and Enterprises' Participatory Mechanisms								
B.4.- Budgetary Mechanisms								
B.5.- Assessment Mechanisms	H.- Performance and benefits of eGovernment	A						
IMPLEMENTATION								
C.- Corporate Aspects								
C.1.- Unified end-user services	D.- Public Procurement E.- Strengthening the internal market and European citizenship through Pan-European services		A	A	A	A	A	
C.2.- Centralised resources provided to departments			A	A	A		A	
C.3.- Interoperability criteria and common technical standards	F. Interoperability		A		A			
C.4.- Departmental activity planning criteria								
C.5.- Budgetary resources and issues								
D.- Departmental Aspects								
D.1.- Departmental plans								
D.2.- Specific departmental services			A	A	A	A	A	
D.3.- Budgetary resources and issues								
D.4.- Departmental organisational incidents								
D.5.- Impact on the provision of services								
A – Action underway		P.- Planned action						

3.2. Comments on the comparison of the Actions

After projecting the European Union's eGovernment Programme actions on the Reference Scheme in Table 9.3, we would make the following observations.

Approach. Strategic Aspects

Very few of the actions carried out by the European Union's eGovernment programmes fall into the category of Strategic Aspects of an eGovernment Plan, as is to be expected, because only each Public Administration in question has the responsibility and powers required to do so.

The European Union says nothing either about the *Political Responsibility* or the *Responsibility for the Implementation*, nor can it probably do so, because it lacks any powers in this field. Not even the Communication of September 2003 mentions these aspects, probably for discretion's sake and to avoid any misunderstandings with the Member States.

The only actions concerning the *Legal Framework* of eGovernment either have to do with aspects that involve EU powers, such as the development of the Internal Market, or that the Member States have considered appropriate in line with the Treaty's provisions. In our opinion, this mechanism should be used to spur the development of eGovernment in the Member States wherever it is reasonable to do so and it would be worth the Commission's while to analyse this possibility, as the eGOV Unit apparently plans to do in the future.

On the subject of the *Impact on the Administration's Structure*, the Communication stresses the need for organizational changes in Public Administration, an issue that also crops up on the list of priority research topics for the period 2005-2006.

Though the Commission's document only raises this issue in a very obvious and elementary way, and merely states the need for changes in public management to ensure eGovernment's success, this is a welcome proposal as it would herald, for the first time ever, a major conceptual change in the objectives of the European Union's eGovernment research activities.

This new approach could involve systematic studies of the results of current experiences and characteristics of Europe's different Public Administrations, since these aspects have already been addressed in recent Commission-funded research⁶. The activities oriented to spreading good practices could be the appropriate vehicle for exchanging know-how and experience in this field.

The aspects regarding the *Impact on Citizens and Society* were also addressed in the proposals of the Commission's Communication and appear directly among the new eGovernment research proposals.

Approach. Operational Aspects

Neither the Commission's Communication nor the different Programmes analysed in previous chapters make the least mention of aspects regarding the eGovernment implementation strategy *Planning Mechanisms* and *Implementation Mechanisms*.

⁶ Millard, J, et al. Reorganisation of Government Back Offices for better Electronic Public Services. European Good Practices. IFIV and DTI. Final Report to the European Commission. January 2004.

We believe that this has a major bearing on the implementation of eGovernment, and the know-how gained by the Administrations that embarked on this journey long ago would be extremely helpful for those that are getting ready to do so and, we believe, it should be one of the basic ingredients of good practice exchange.

The eGovernment *Citizens' and Enterprises' Participation Mechanisms* are not directly mentioned either among the objectives included in the Communication or in the Programme proposals. We believe that, as with the previous case, such mechanisms should also form part of the new good practice exchange projects.

Of course, each Administration has its own specific *Budgetary Mechanisms*, though it is worth recalling that, in its Conclusions about the Communication, the Council invited the Commission to provide practical guidance to Member States on access to existing financing instruments, and to explore other financing modalities to promote the development of eGovernment, which we hope it does.

Finally, in relation to the *Assessment Mechanisms*, the Commission uses the indicators described in Chapter 3 to conduct regular benchmarking of the degree of progress of eGovernment implementation, in the framework of the eEurope initiative actions.

Implementation. Corporate Aspects

To date, the different eGovernment Programmes have focused most efforts on financing specific developments that could be included in the category of *Unified End-User Services and Centralised Resources Provided to Departments*. In the future, the IDA, eTEN, eGOV and eContent Programmes and, of course, the activities carried out in the framework of the Regional Policy will continue implementing actions in these fields. It is to be hoped that technology and applications will steadily account for fewer of the projects co-financed by the eGovernment Research and Technological Development Programme, to the benefit of other, more interesting activities.

However, there is one field in which the European Union is keeping very busy -rightly so- and that is *Interoperability Criteria and Common Technical Standards*. The IDA Programme pioneered these activities in the context of the pan-European networks with its Interoperability Framework proposal and, more recently, interoperability has become one of the top priorities as far as eGovernment research objectives are concerned. Naturally, the Commission's Communication also underscores this as a priority.

In our opinion, it is a very clear issue in which the European Commission ought to pool its efforts instead of just coordinating them, thereby avoiding further misunderstandings between its Units and, more importantly, any duplication of or clashes between their respective activities, as unfortunately tends to be the case sometimes.

The arguments used in the previous section in referring to the Planning Mechanisms also apply to the *Departmental Activity Planning Criteria*. Past experience in centralized management of eGovernment implementation should be drawn upon to avoid uncoordinated departmental initiatives and thus ensure that the same solution is adopted throughout a given Public Administration. Exchanging good practices would also foster progress in this respect.

The reasons and proposals put forward in the section on Budgetary Mechanisms also apply to *Budgetary Resources and Issues*.

Implementation. Departmental Aspects

At present, the Commission does not seem to be concerned about drawing up *Departmental Plans* for the development of eGovernment, and if anything is done in this field, it would be a logical consequence of its interest in planning the implementation of eGovernment, as explained in previous sections.

Once again, it is evident that the different Programmes have paid special attention to the development of *Specific Departmental Services* projects, as occurred with the Unified End-User Services commented in the previous section. This activity will continue in the Programmes in which it is a priority and should steadily account for fewer research activities.

Finally, as can be seen from Table 9.3, neither the related aspects with the *Budgetary Resources and Issues*, the *Departmental Organisational Impacts* nor the *Impact on the Provision of Services* seems to rank among the Commission's concerns. Much of what we have already said about similar aspects, in particular the use of the good practice exchange mechanisms, could apply to the handling of these activities.

4. CONCLUSIONS

In this Chapter we have endeavoured to compare the different actions carried out as part of the European Union's eGovernment programmes, so as to highlight the key aspects and features, while at the same time focusing on the shortcomings of the EU's efforts in this field.

The current state of affairs is the outcome of how each and every Programme has evolved over the last ten years, and those responsible should think long and hard about the matter before embarking on the next phase of eGovernment actions.



Chapter 10

A FEW SUGGESTIONS FOR A EUROPEAN UNION EGOVERNMENT POLICY

1. INTRODUCTION
2. A FEW SUGGESTIONS ON DEVISING A EUROPEAN EGOVERNMENT POLICY
 - 2.1. **Objectives of a European Union eGovernment Policy**
 - 2.2. **Summary and Comments**
3. CONCLUSIONS

1. INTRODUCTION

In this Chapter, after the comparative analysis of the actions carried out under the Commission's different Programmes, we will suggest certain issues that should be taken into account when proposing a future unified strategy for the European Union's eGovernment actions.

In our opinion, the EU's present eGovernment programmes contain almost all the ingredients required to prepare a genuine EU policy in this field, and all that is missing is a superstructure to bring them together and give them an overall meaning. Again it must be stressed that if the European Union's eGovernment development programmes are incoherent, it is due to the how the Commission goes about its business and to its own internal dynamics.

Since there is an explanation for the current state of affairs, the question is whether this missing ingredient could be added. The answer is yes and that is what this Chapter is about.

2. A FEW SUGGESTIONS ON DEVISING A EUROPEAN EGOVERNMENT POLICY

In the following sections we will address two aspects that we consider interesting for the matter in hand: first we will give our opinion about the main objectives that should be taken into account when proposing an EU eGovernment policy, before giving a few suggestions as to how they might be achieved.

2.1. Objectives of a European Union eGovernment Policy

Bearing in mind the scope currently afforded by the Treaty, as well as its limitations, we believe that the European Union's eGovernment development policy could be formulated and structured around three clear and basic objectives:

- **Objective 1:** Support for the implementation of eGovernment in the development of Community policies
- **Objective 2:** Support for the European Public Administrations' actions in implementing eGovernment
- **Objective 3:** Contribution to the consolidation of eGovernment Research and Technological Development capacity in the European Union

In the following sections we will outline what we regard the scope of each one should be.

Objective 1: Support for the implementation of eGovernment in the development of Community policies. (The European Union as an eGovernment user).

The first objective of European eGovernment Policy should be to encourage the use of these technologies for supporting the development of Community Policies. This objective could be labelled: The European Union as an eGovernment user.

It seems evident that if eGovernment is useful and interesting, it must be especially so to guarantee the development of the provisions concerning Community Policies. In this respect we would highlight two specific aspects:

1. Support for the implementation of solutions for the development of the pan-European aspects of Community Policies
2. Support for the Member States in implementing eGovernment for the development of Community Policies

From the very outset, the IDA Programme has oriented its activities and objectives to supporting the *implementation of solutions for the development of the pan-European aspects of Community Policies*, to the extent that IDA can only co-finance telematic networks and applications that are covered by a Community legal act. In our opinion, this activity has been addressed correctly and should continue in the future.

A more delicate matter is the European Union's scope for providing *support for the Member States in implementing eGovernment for the development of community policies*, because if it did intervene, it might cause even more problems than those envisaged in the previous section, as it could be seen as interfering in a Government's internal affairs. However, we believe that these drawbacks could be solved fairly easily by acting in line with two clear principles: the first of them would be for the Community legal acts governing them to include the possibility of such interventions, while the second should be that the European union should only intervene at each Member State's request.

There are already legal grounds for acting on the first of these principles, namely Article 8 of the Draft Directive on the internal services market mentioned in the previous section, and Article 285 of the European Constitution.

In our opinion, broadening the IDA Programme to address both aspects of this Objective would not only be possible but coherent, and would consolidate what for us is one of the linchpins of a future European Union eGovernment Development Policy, supplementing its action, as far as possible, with the mechanisms of the Structural Funds available to the Regional Policy, among others.

The development of Community Policies is one of the essences of the European Union, so the task of modernizing the Public Administrations to implement such policies is highly likely to continue uninterrupted for many years, and therefore any action in this respect is guaranteed to be coherent in the future.

The use of the EU's Structural Funds and financial instruments are undeniably another ingredient to be borne in mind in achieving these objectives, always at each Member State's decision.

Objective 2: Support for the European Public Administrations' actions in implementing eGovernment. (The European Union as the driving force behind the modernization of the European Public Administrations)

A second essential objective of a European Union eGovernment development policy would be the support that the Community's Institutions can lend to each European Public Administration in its modernization process, apart from the actions derived from the implementation of the Community Policies considered in the previous section.

This Objective could also be referred to as: The European Union as the driving force behind the modernization of the European Public Administrations.

This activity would be geared not so much towards supporting project funding as towards providing Europe's Public Administrations with an array of useful tools and procedures.

On the basis of the Reference Scheme given in Annex II, we believe that many European Public Administrations, in particular regional and municipal ones, would be enormously interested in accessing to the know-how acquired by their predecessors in the eGovernment process. *Inter alia*, these experiences should include the following:

- Political and legal aspects relating to the approach to eGovernment implementation strategies, and their impact on the Administration's structure, among others.
- Aspects relating to the approach to eGovernment implementation operational decisions, such as mechanisms for planning and implementing eGovernment decisions, citizens' and enterprises' participation mechanisms, project funding and of course, result benchmarking procedures, other than the meagre eEurope indicators.
- Aspects relating to the implementation of eGovernment applications, in particular regarding the balance between corporate and departmental solutions, the centralization or decentralization of their management, and the impact on the structures and solutions already in place within each Administration. In this category, special emphasis should be placed on the aspects oriented to guaranteeing system interoperability and the development and implementation of technical standards in the development of eGovernment, which should be absolutely coherent with measures in the actions commented in the previous section.

Many of the aspects that we have just mentioned could come under the heading of exchange of research results and good practices, but we believe that this activity's current approach and objectives should be changed and expanded. Good practices cannot be taken to only mean the results of the projects that lead to the development of applications, but instead must include all the other aspects relating to the context in which a given application has been planned, developed and used.

The objectives described in the previous paragraphs could be achieved by implementing the following types of actions:

1. Dissemination of good practices relating to eGovernment implementation plans and strategies.
2. Dissemination of good practices relating to eGovernment applications and technical solutions

The first action, namely the *Dissemination of good practices relating to eGovernment implementation plans and strategies*, could consist of the drafting of guidelines, reference models or documents that put forward and assess alternative decisions based on the experience already amassed by the European, state, regional and municipal Public Administrations. Even though each European Public Administration is a world unto itself, it might welcome such documents and find them of invaluable help when devising its own strategies. This action would qualitatively enhance and supplement the activity of the eGovernment Observatory, which at present merely disseminates information about the Member States' actions in this field.

The second action, i.e., the *Dissemination of good practices relating to eGovernment applications and technical solutions*, would be the initiative that was launched recently and that is mentioned in Chapter 7, in the analysis of the eGOV Unit's activities. This second action should supplement the first one because, in our opinion, limiting the dissemination of good practices solely to technical application-related aspects would only solve part of the problem and the Commission should avoid making such a mistake when it raises this issue in the future.

If the European Public Administration Network (EPAN) were to participate in these tasks, it would guarantee a channel of communication with the officials responsible for eGovernment in the Member States.

In our opinion, the implementation of this activity should be kept separate from the eGovernment Research and Development functions to guarantee the coherence of these activities.

Objective 3: Contribution to the consolidation of eGovernment Research and Technological Development capacity in the European Union. (The European Union as the driving force behind the creation of the European eGovernment Research Area)

A third objective of any European eGovernment development policy should be to foster research and technological development activities.

This activity could also be labelled: The European Union as the driving force behind the creation of the European eGovernment Research Area.

In our mind, the European Union's Research and Technological Development activities in this field should clearly endeavour to supplement, promote, integrate and multiply any initiatives already underway in the Member States, while at the same time supporting any other activities underway in the European Union itself, to which we have referred in the previous sections.

Accordingly, the European Union's strategy in this field could be structured around three basic activities:

1. The coordination of EU research in this field with national eGovernment research policies
2. Technological support for the European Union's other eGovernment development Objectives.
3. The funding of other EU-related research projects

The first aspect, namely *the coordination of EU research in this field with national eGovernment research policies*, seems a hard task simply for power-related reasons but, as the Council pointed out in its reply to the Commission's Communication on eGovernment, the Unit responsible for the Research in this field should make an effort to systematically furnish the scientific community with up-to-date information about any activities that Member States are carrying out in this field through their respective state and regional programmes.

Such information would be of invaluable help in creating the intended European eGovernment Research Area, and should be used as the basis for defining the EU's specific research strategy in this field.

The second of the aforementioned aspects, i.e., *technological support for the European Union's other eGovernment development objectives*, could be achieved by forging strong and efficient ties between research activities in this field and the EU's other eGovernment development activities referred to in the previous sections.

The objectives and strategies launched to develop eGovernment as a means of supporting Community policies and spurring the modernization of European Public Administrations, should help to steer the orientation of research activities in this field. One specific example is the problems faced in Interoperability and the development of Technical Standards, but this is not the only case in which clear ties can be established between research and promotion; this approach would avoid sterile duplicities that are likely to appear unless determined efforts are made to avoid them.

The third and last aspect regards the *funding of EU-related research projects*. The first two aspects should serve as a basis for defining a genuine, medium- and long-term EU eGovernment research programme that takes into account both the activities and potential of the Member States' research facilities, as well as the needs derived from the other EU actions in this field.

This kind of approach would provide the coherence currently lacking in the research activities carried out by the European Union as part of its eGovernment development policy. Furthermore, it would be perfectly feasible to implement by using the existing multinational project financing mechanisms, and the enhanced coherence might serve to alleviate its endemic inefficiencies.

2.2. Summary and Comments

To summarise what we have said in the previous section, Table 10.1 lists what we regard as the main aspects of a European Union eGovernment development policy.

3. CONCLUSIONS

This Chapter draws on the analysis conducted throughout this book to outline a proposal as to how the European Union's eGovernment development policy could be restructured.

The suggested strategy would mean that all the resources that the European Union was willing to allocate to the development of this policy would have to be assigned to a single body.

Most of the suggested Activities and Objectives could be carried out and achieved through the existing Programmes, albeit after making significant changes in them, starting with their coordination.

The IDA Programme could be the basis of the implementation of Objective 1 (Support for the implementation of eGovernment in the development of community policies) by broadening its scope of action yet possibly maintaining the same legal framework as at present.

The eGOV Programme should be the basis of the implementation of Objective 3 (Contribution to the consolidation of eGovernment Research and Technological Development capacity in the European Union). However, its current approach should be broadened to include the suggested activities, which should not pose any problem.

Table 10.1
Aspects of a European Union eGovernment development Policy

Tasks	Actions	Comments	Instruments
Objective 1. Support for the implementation of eGovernment in the development of community policies (The European Union as an eGovernment user)	1.1.- Support for the implementation of solutions for the development of the pan-European aspects of community policies	This is the activity currently being carried out by the IDA Programme	This activity could be entrusted to the IDA Programme by extending its scope of duties and allowing type 1.2. actions to be performed
	1.2.- Support for the Member States in implementing eGovernment for the development of community policies	To date, this activity has not been carried out directly. It could be entrusted to the IDA Programme by expanding its current objectives.	
	Objective 2. Support for the European Public Administrations' actions in implementing eGovernment (The European Union as the driving force behind the modernization of the European Public Administrations)	2.1.- Dissemination of good practices regarding eGovernment implementation plans and strategies	At present, this activity is only being conducted very indirectly and passively through the eGovernment Observatory
2.2.- Dissemination of good practices related to eGovernment applications and technical solutions		This activity is being promoted by different Units, in particular the Research Unit	
Objective 3. Contribution to the consolidation of eGovernment Research and Technological Development capacity in the European Union (The European Union as the driving force behind the creation of the European eGovernment Research Area)	3.1.- Coordination with national eGovernment research policies	This activity is not being carried out systematically at present, nor is any information being published in this respect	Carrying out this Task would entail reorienting the current activities of the eGovernment Research and Development Programme.
	3.2.- Technological support for the European Union's other eGovernment development activities	Certain actions are being implemented through research projects, though not very systematically	
	3.3.- Funding of EU-related research projects	In essence, this is the activity that is currently being carried out by the Unit responsible for the Framework Programme's Research issues	

Achieving Objective 2 (Support for the European Public Administrations' actions in implementing eGovernment), would call for major efforts in reassigning responsibilities and coordinating the IDA and eGOV Programmes.

Finally, we must admit that we found nowhere in our proposal for the eTEN Programme, as it is defined at present, and one possible solution would be to change it altogether and orient it towards the achievement of Objective 2.

This proposal should only be taken as a suggestion made from an external point of observation, and solely for the purpose of adding a measure of coherence to the activities that the European Union is carrying out in its ongoing and, in our mind, still unsuccessful attempt to define an eGovernment development policy.

Chapter 11
CONCLUSIONS



At the start of this book, we asked ourselves whether the European Union had an eGovernment development policy, and now that we are at the end, we believe that we are in a position to give reasons for our answer.

The European Union's current eGovernment development policy is what it has managed to put together, in line with the powers vested in it by the Treaty and its Institutions' ability to wield them. Nonetheless, as we have sought to underscore throughout the book, this policy is far from what it should and could be.

There is no denying that the European Union's total lack of powers in Public Administration issues has contributed to this situation; if this is so, it is because everyone agreed on this, and any community strategy in this field must be based on this premise.

The European Union's eGovernment actions have been and must continue to be carried out through instruments and programmes from other European Policies, namely Industry, Trans-European Networks, Research, Internal Market or Regional Development, but in these circumstances, the problem lies not so much in the instruments themselves, but in how they are used. And this is where the European Institutions' responsibilities, and in particular the Commission's responsibilities, come into play.

After analysing all the Community actions described in this book, we have to say that we have failed to find a coherent, feasible and viable strategy for using the European Union's resources to support the *use of information and communication technologies in public administrations combined with organisational change and new skills in order to improve public services and democratic processes and strengthen support to public policies.*

Instead we have found two very different types of actions: big Objectives and small Programmes. By Objectives we mean the Lisbon Strategy and Europe Initiative objectives, and by Programmes we refer to those analysed in the previous chapters, namely eTEN, IDA and eGOV, among others.

Yet the Objectives and Programmes lack something essential: a Strategy. A coherent, feasible and viable strategy for making the means serve the ends, and for ensuring that the small Programmes contribute to achieve the big Objectives.

Though some might reply that that is precisely what the Commission does, we don't we believe that is true, that rather quite the contrary, and that it is the ends that are eventually used to justify the means, namely the Programmes, which try to keep alive by using the arguments facilitated by the Community's Objectives.

Once the big Objectives are defined, the small Programmes set about filling them with content in line with their own viewpoint and interests, and then immediately cite them to justify what they want to do; this is just what we have tried to explain time and time again throughout the book.

Since there is no real *top-down* strategy, this approach prompts a pseudo *bottom-up* strategy that replaces it and, to our mind, this is precisely what has been happening in the case of eGovernment in the European Union.

As far as we know, nobody in the European Commission either in its Units or in the College of Commissioners has ever sat down to define a genuine eGovernment strategy, and almost anything that has been achieved in this field to date has been the result of proposals made by the Heads of Unit in trying to do their duties as best as they can. Once a Programme is created, the Unit in charge of it is responsible for making it grow and develop, and for devising the line of argument necessary for its renewal.

Actions of this type try to convince us that if you optimize each of the elements in a system, you end up optimizing the system as a whole, but according to the Systems Theory, this is very unlikely to happen, in particular if the System has been defined beforehand and is not the result of a bringing together different elements. And that, in our mind, is also the problem with eGovernment in the European Union.

If the European Union's eGovernment development Policy is regarded as just the sum of the actions of its Community Programmes, to the greater glory of the Lisbon Strategy, we must conclude that the current situation is the ideal one, but let's not complain later if it serves little use.

Yet if one defines eGovernment as striving to ensure the use of *information and communication technologies in public administrations combined with organisational change and new skills in order to improve public services and democratic processes and strengthen support to public policies*, there will have to be a radical change of attitude in the Community Institutions, and especially in the Commission, which will have to take a long and serious look at both the contents and actions of all its Programmes and available resources, so as to ensure that they strive for a common goal.

The Treaty does not define any specific powers, so it is up to the Commission to define a genuine Strategy and to overhaul all the Programmes that we have talked about in order to achieve the goal of defining eGovernment, even if only for the sake of coherence, because after all it was the Commission itself who proposed it. There is no denying that the new Commission faces a truly uphill task.

APPENDICES

APPENDIX I. EGOVERNMENT POLICIES IN OTHER SUPRANATIONAL BODIES

**APPENDIX II. A REFERENCE SCHEME FOR ANALYSING EGOVERNMENT
DEVELOPMENT ACTION PLANS**

**APPENDIX III. MOBILE COMMUNICATIONS IN THE EGOVERNMENT RESEARCH AND
TECHNOLOGICAL DEVELOPMENT POLICY**



APPENDIX I

E-GOVERNMENT POLICIES IN OTHER SUPRANATIONAL BODIES

1. INTRODUCTION

This appendix supplements our analysis of the European Union's eGovernment policy by summarising the activities that other Supranational bodies, specifically the United Nations (UN), the International Telecommunications Union (ITU) and the Organization for Economic Cooperation and Development (OECD), are carrying out in this field. Much of the material has been taken from a previous book, which we have completed and updated for this occasion.¹

The UN, ITU and the OECD are obviously very different to the European Union, so it is simply impossible to compare their activities, either in this or any other field. However, the fact is that all of them have given thought to the issue of how to tackle the eGovernment problem and that, since they are supranational bodies, their proposals and recommendations represent clear guidelines for the member States.

Instead of appraising their activities, we will try to give an overview, in case readers are interested. Other organizations such as the World Bank² have also embarked on eGovernment activities, but we will not address them on this occasion.

2. THE UNITED NATIONS' E-GOVERNMENT POLICY

2.1. Frame of Reference

The United Nations' eGovernment activities are the responsibility of its Division for Public Administration and Development Management, of the Department of Economic and Social Affairs, which reports to the UN's Secretariat³. These activities are conducted in liaison with the Economic and Social Council, and each of these bodies has its own objectives.

The chief objective of the **Department of Economic and Social Affairs**⁴ (DESA) is to promote broad and sustainable development through integrated and multidimensional economic, social, environmental, population and gender actions, among others.

The objective of the Division for Public Administration and Development Management⁵ (DPADM) is to assist Member States in ensuring that their governance systems, administrative

¹ Alabau A. Understanding the eGovernment Policy of the European Union. UPV-CJM. Ref PTSI/24. Valencia 30 July 2003

² World Bank eGovernment website. <http://www1.worldbank.org/publicsector/egov/>

³ United National Organisational Chart. <http://www.un.org/english/aboutun/chart.html>

⁴ Department of Economic and Social Affairs. <http://www.un.org/esa/desa.htm>

⁵ Division for Public Administration and Development Management. <http://www.unpan.org/dpepa.asp>

and financial institutions, human resources and policy development processes function in an effective and participatory manner by fostering dialogue, promoting and sharing information and knowledge and providing technical and advisory services.

The **Economic and Social Council**⁶ (ECOSOC) is responsible for promoting higher standards of living, full employment, and economic and social progress; identifying solutions to international economic, social and health problems; facilitating international cultural and educational cooperation; and encouraging universal respect for human rights and fundamental freedoms.

The eGovernment development-related activities form part of the other activities that the United Nations has been carrying out for a long time now in support of the Public Administrations of its Member States, but which it stepped up following the Millennium Declaration⁷ that was adopted by the General Assembly adopted in September 2000 and which puts forward both a series of proposals for eradicating poverty in the world, and the goal of ensuring that the benefits of Information and Communication Technologies are available to all, in conformity with the recommendation made by the Economic and Social Committee⁸.

2.2. The eGovernment Activities of the Division for Public Administration and Development Management - DPADM

The Division for Public Administration and Development Management (DPADM) has been engaged in efforts to encourage the modernization of the State and innovation in the Public Sector for several decades now. Following recent changes, the Division has extended its purview to include issues such as national knowledge management systems, creation of knowledge in the public sector, management and application of national eGovernment strategies and their extension to regional and local environments premises as well as the networking of eGovernment, eGovernance and eDemocracy.

The DPADM's activities cover the following Thematic Areas:

- Governance and Public Administration
- Socio-Economic Governance and Management
- Public Administration Networking
- Knowledge Systems and EGovernment

Therefore responsibility for eGovernment⁹ falls within the scope of the latter Thematic Area¹⁰ and its main aim is to assist the Member States in developing and implementing Information and Communication Technologies in Public Administration tasks.

⁶ Economic and Social Council. <http://www.un.org/coordination/ecosoc/>

⁷ Resolution adopted by the General Assembly 55/2. United Nations. Millennium Declaration <http://www.un.org/millennium/declaration/ares552e.htm>

⁸ United Nations Economic and Social Council. Ministerial Declaration of 11 July 2000. Development and international cooperation in the twenty-first century: the role of information technology in the context of a knowledge-based global economy <http://habitat.igc.org/undocs/e2000i9.htm>

⁹ UN – DPADM. EGovernment for Development. <http://www.unpan.org/dpepa-kmb-eg.asp>

¹⁰ Knowledge systems and eGovernment. <http://www.unpan.org/dpepa-kmb.asp>

The DPADM carries out four types of actions in relation to eGovernment:

- Research and Analysis
- Advisory Services
- Training
- Conference support and organization actions

The best-known results of the **Research and Analysis** activities are the Reports on the evolution of eGovernment in the United Nations' Member States: the first was published in 2002¹¹ and the last in November 2003, and was titled *The World Public Sector Report 2003: EGovernment at the Crossroads*¹², which we recommend you to read.

The DPADM also provides **Advisory Services** whenever Member States ask it to assist their governments in implementing eGovernment, as well as publishing methodological guides and other documents to assist governments in their task of preparing Action Plans for the implementation of eGovernment¹³.

The DPADM's **Training** services obviously supplement the advisory services. The Division organises open courses as well as specific courses for governments in order to train their civil servants in eGovernment-related tasks.

Last but not least, perhaps the best-known activity is the **Organization of conferences and support actions**. These include the annual conferences known as the Global Forum on Reinventing Government (REGO)¹⁴. The first conference was held in Washington in January 1999¹⁵ and the fifth in Mexico in November 2003.

Worth noting in this respect is that the Third Conference¹⁶, held in Naples in March 2001, was devoted entirely to eGovernment. The OECD played an active role in organizing this event, which may be regarded as a turning point in international organisations' eGovernment activities, as we will see below.

The Division for Public Administration and Development Management runs an information service called the Online Network in Public Administration and Finance (UNPAN)¹⁷. The UNPAN's mission is to encourage Public Administrations to share knowledge, experiences and best practices, including eGovernment practices, and it also disseminates the results of the DPADM's activities. This information centre is one in its kind, so we would highly recommend that readers take a look at its website.

¹¹ UN. Benchmarking eGovernment. 2002. <http://www.unpan.org/egovement2.asp#survey>

¹² The World Public Sector Report 2003: EGovernment at the Crossroads http://www.unpan.org/dpepa_worldpareport.asp

¹³ Plan of Action. EGovernment for the development. <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan006022.pdf>

¹⁴ Global Forum on Reinventing Government <http://www.unpan.org/globalforums.asp>

¹⁵ Talk of Al Gore on the 1st Forum REGO <http://govinfo.library.unt.edu/npr/newsroom/interego.html>

¹⁶ Third Global Forum for Reinventing Government. Naples 15-17-March 2001. http://www1.oecd.org/puma/Egov/third_global_forum.pdf

¹⁷ UNPAN Service <http://www.unpan.org/index.asp>

2.3. Comments

In our opinion, the United Nations' eGovernment activities, which are carried out by its Division for Public Administration and Development Management, are coherent with the Organization's mission and function and, as we have seen in the previous sections, basically consist of lending support to its Member States and organizing activities that might be of their interest.

According to the Reference Scheme in Appendix II, which summarises some of the aspects involved in an Action Plan for the development of eGovernment in a Public Administration, it is safe to say that these activities focus on aspects that fall into the Approach category, and in particular the Operational aspects, in which the Member States' governments are likely to require most support.

3. THE INTERNATIONAL TELECOMMUNICATIONS UNION'S EGOVERNMENT POLICY

3.1. Frame of Reference

The International Telecommunications Union (ITU)¹⁸ is the United Nations' agency for the telecommunications industry, and has only recently embarked upon activities in the field of eGovernment. The ITU's interest in the issue is twofold:

- Its activities to foster the development of Telecommunications
- Its traditional activities as a Standardisation Body

The following sections summarize the scope of each one.

3.2. ITU eGovernment activities in fostering the development of telecommunications

The mission of the ITU's Development Sector (ITU-D)¹⁹ is to support Member States in their activities to foster the development of telecommunications in their respective territories. In this context, the ITU recently unveiled a range of activities geared towards the development of the Information Society known as "E-strategies"²⁰, run by a specific unit in the ITU Telecommunication Development Bureau (BDT).

The goals of the E-strategies unit include assisting member states in their technical and strategic activities involving e-applications and e-services²¹. These activities began in the field of e-commerce through the programme E-Commerce for Developing Countries (EC-DC) and continued in the field of the implementation of Public Key Infrastructures (PKI). To underscore these activities, in 2003 the ITU launched a Memorandum of Understanding, known as e-Trust²² that to date has been signed by 35 States and that permits developments in this field.

¹⁸ International Telecommunications Union: <http://www.itu.int/home/index.html>

¹⁹ ITU. Telecommunication Development Bureau: <http://www.itu.int/ITU-D/>

²⁰ ITU E-Strategies: <http://www.itu.int/ITU-D/e-strategy/index.html>

²¹ ITU e-strategy: http://www.itu.int/ITU-D/e-strategy/publications-articles/pdf/BD_e-strategy1.pdf

²² ITU e-Trust action: http://www.itu.int/ITU-D/e-strategy/MoU/world_e.html

Oddly enough, the ITU launched these activities in view of the highly successful outcome of its 1997 pilot scheme to implement e-commerce tools in its own publications office. It realised that its product could be useful for developing countries, as was indeed the case.

The ITU was formally entrusted with the task of embarking upon these activities at the Third World Telecommunications Development Conference that took place in Istanbul in March 2002, where the ITU approved the Development Bureau's Action Plan for the period 2003-2007, which was ratified at the ITU Plenipotentiary Conference held in October 2002. These activities were endorsed at the World Summit of the Information Society (WSIS)²³, which held its first meeting in Geneva in December 2003²⁴ and will end in Tunisia in 2005.

This is the backdrop for the ITU's Global EGovernment Project, which began in 2003 and was formalized in 2004²⁵, which seeks to assist and increase government efficiency in developing countries by providing Internet-based services and applications to citizens.

It is too early to assess the results of this initiative²⁶ but it seems to have great potential, basically due to the Development Bureau's prestige and experience in this field.

We should add that, insofar as it is as part of the United Nations, the ITU carries out these activities in close liaison with other UN Bodies.

3.3. The ITU's eGovernment Activities as a Standardisation Body

The ITU is best-known for its role as the Telecommunications Industry's International Standardisation Body²⁷. Its now defunct CCITT and CCIT Committees accomplished an essential task by drawing up recommendations that served as worldwide guidelines for the progress of this sector and enabled the interconnection and interworking of the global telecom networks, in particular telephony networks, whose benefits we all enjoy every day. Following its restructuring in 1993, these activities were entrusted to the ITU Telecommunication Standardization Sector (ITU-T). There is much talk nowadays about Interoperability, yet few recall the efforts that the ITU made to make it possible.

In this context, the Study Group SG2²⁸, "Operational aspects of service provision, networks and performance" began to take an interest in the possibility of drawing up technical standards for the field of eGovernment, which is why it organized a seminar in Geneva in June 2003²⁹, ahead of the World Summit on the Information Society scheduled for December 2003. Since then, there has been no news about new ITU activities in this field.

²³ WSIS. <http://www.itu.int/wsis/>

²⁴ Report on the Geneva Phase of the World Summit of the Information Society – WSIS. Geneva, 12 May 2004
http://www.itu.int/dms_pub/itu-s/md/03/wsis/doc/S03-WSIS-DOC-0009!R1!PDF-e.pdf

²⁵ ITU eGovernment project.
<http://www.itu.int/ITU-D/e-strategy/e-applications/EGovernment/index.html>

²⁶ E-Strategies and e-Services/Applications Assessment of Activities for 2003.
<http://www.itu.int/ITU-D/e-strategy/pdf/assessment2003.pdf>

²⁷ ITU-T standardisation sector. <http://www.itu.int/ITU-T/>

²⁸ ITU-T. Study Group 2. <http://www.itu.int/ITU-T/studygroups/com02/index.asp>

²⁹ ITU eGovernment seminar. <http://www.itu.int/ITU-T/worksem/eGovernment/index.html>

3.4. Comments

As we have sought to explain in this section, to date the ITU Development Sector (ITU-D) has only embarked upon modest eGovernment activities, though due to the ITU's prestige and tradition in collaborating with developing countries, they are likely to take root with the passage of time.

On the contrary, it must be said that the ITU-T faces an uphill task if it wishes to continue along the same path and draw up technical standards for the development of eGovernment.

Preparing standards on aspects relating to eGovernment and in general with the Information Society is a very controversial matter. The need for interoperable systems is making it increasingly necessary to use common technical solutions to guarantee system compatibility, yet this approach clashes with the interests of equipment manufacturers, who put their business interests before anything else. To our mind, the ITU has a lot to say about this problem in the light of its role and experience, although its scope of action seems to be very limited.

Table I-1 displays the result of projecting the ITU's activities on the Reference Scheme described in Appendix II.

4. THE eGOVERNMENT POLICY OF THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT

4.1. Frame of Reference

The Organization for Economic Cooperation and Development (OECD)³⁰ conducts eGovernment activities through Governance and Role of the State, a division that forms part of the Organization's Public Governance and Territorial Development Directorate (GOV)³¹.

According to the OECD, the Public Governance and Territorial Development Directorate helps countries to adapt the organization of public sector management as society evolves. The Directorate assists member states that wish to exchange knowledge and seek a peer analysis of their activities in relation to the organization of public powers and territorial development.

The Governance and Role of the State division took over from the OECD Public Management Committee and the OECD Public Management Service, otherwise known as PUMA³², and its mission continues to be to assist OECD Member States in building efficient government structures.

In this context, the OECD unveiled a specific eGovernment programme in 2002, but it is worth recalling the sequence of events that preceded its formal adoption.

In 1999, PUMA organized a Symposium entitled Government of the Future, the results of which it published in a policy brief³³. This document stresses the need to promote public sector

³⁰ OECD. <http://www.oecd.org>

³¹ OECD Organizational Chart. <http://www.oecd.org/dataoecd/37/13/2348887.pdf>

³² PUMA – Public Governance and Management. <http://www1.oecd.org/puma/about/index.htm>

³³ Government of the Future. OECD 2000

reforms in order to ensure that Government keeps up with society, on the basis of the following hypotheses:

- The purpose of reform is to make government more responsive to society's needs.
- Government needs to re-earn the public's trust by providing more choice, democracy and transparency.
- Government is becoming just one player among many seeking to represent and serve the public

This issue is clearly a traditional objective of OECD activities and is reviewed in another of the Organization's publications on regulatory policies³⁴.

About the same time, in 1999 PUMA conducted a study about how the OECD Member States allowed its citizens to access public information, the results of which were published in 2001 in another OECD document³⁵.

4.2. eGovernment activities of the Governance and Role of the State division

Following the OECD's participation in the Third Global Forum for Reinventing Government³⁶, which was held in Naples in March 2001, the OECD Council at Ministerial level³⁷ in May 2001 adopted the decision to embark upon specific activities in the field of eGovernment.

This decision led to the eGovernment Working Group being set up to prepare a proposal for the project, which was approved at the 24th session of the OECD Public Management Committee.

The Project, which was titled Impact on eGovernment³⁸, began in September 2001 and was scheduled for completion in 2004, sought to analyse the impact the eGovernment on Public Administrations and Society as a means for development and the adoption of good governance practices.

The project's activities were divided into four areas and assigned to four specific Working Groups, as follows:

- **Vision, Context and Responsiveness.** How can eGovernment make government more responsive?
- **Reform of Public Administrations.** What reforms can eGovernment make possible?
- **Strategic implementation of eGovernment.** What is required for eGovernment to work?

³⁴ Reviews of Regulatory Reform. Regulatory Policies in OECD Countries: From Interventionism to Regulatory Governance. OCDE 2002"

<http://oecdpublications.gfi-nb.com/cgi-bin/OECDBookShop.storefront/EN/product/422002121P1>

³⁵ Citizens as partners. Information, consultation and public participation in policy making. OCDE 2001

³⁶ Third Global Forum for Reinventing Government. Naples 15-17-March 2001. http://www1.oecd.org/puma/Egov/third_global_forum.pdf

³⁷ OECD Council at Ministerial level. 16-17 May 2001

<http://www.oecd.org/EN/document/0..EN-document-0-nodirectorate-no-12-5294-0.FF.html>

³⁸ OECD eGovernment project.

<http://www.oecd.org/EN/about/0..EN-about-301-9-no-no-no-0.00.html>

- **Measurement and Evaluation.** How do we measure the impact?

These Working Groups completed their activities at the start of 2003 and the output was first published as an OECD Policy Brief³⁹ in March 2003, before being presented to the OECD Member States at a Conference held in Washington in June that same year.

In September 2003, the OECD published the project's main results in a book titled "*The eGovernment Imperative*"⁴⁰, to which we refer any interested readers.⁴¹

In this respect, it is worth mentioning two other OECD documents on eGovernment issues: the first was also published as a Policy Brief under the title "*Checklist for eGovernment Leaders*",⁴² while the second was the result of the study of the state of implementation of eGovernment in Finland⁴³. The OECD intends to continue by studying the state of affairs in Mexico, Norway and Denmark.

All the information about this project is available on the OECD's specific website⁴⁴.

4.3. Comments

Since 2001, the OECD has continued to work on its eGovernment project in accordance with its initial goals, trying to analyse its impact on the organization of the State.

In its documents, time and time again it has said that what mattered most about eGovernment was "government", not "e"⁴⁵, which is not only true but also falls in line with some of the OECD's fields of interest.

Table I-1 displays these activities inside the Reference Scheme, and shows that the OECD's efforts have far more to do with the proposal of eGovernment than with its Implementation.

5. CONCLUSIONS

In this Appendix we have briefly outlined the main eGovernment tasks carried out by the United Nations, the International Telecommunications Union and the Organization for Economic Cooperation and Development, first of all because readers may be interested and, secondly, because we feel that they should be borne in mind when analysing European Union's actions in this field.

³⁹ OECD Policy Brief. The eGovernment imperative: main findings <http://www.oecd.org/dataoecd/60/60/2502539.pdf>

⁴⁰ The eGovernment Imperative. OCDE eGovernment Studies.

<http://217.26.192.119/cgi-bin/OECDBookShop.storefront/EN/product/422003071P1>

⁴¹ The eGovernment Imperative. <http://www1.oecd.org/publications/e-book/4203074E.PDF>

⁴² OECD Policy Brief: Checklist for eGovernment Leaders

<http://www.oecd.org/dataoecd/62/58/11923037.pdf>

⁴³ eGovernment in Finland.

<http://www1.oecd.org/publications/e-book/4203081E.PDF>

⁴⁴ eGovernment Project.

<http://webdomino1.oecd.org/COMNET/PUM/egovproweb.nsf>

⁴⁵ In one instance, the OECD expressed this idea in the following terms: *The impact of eGovernment at broadest level is simply better government; eGovernment is more about government than about "e"*

Table 1.1
ANALYSIS OF EGOVERNMENT ACTIVITIES IN SUPRANATIONAL BODIES

Aspects of an Action Plan	United Nations	OECD	ITU	
			ITU-D	ITU-T
APPROACH				
A.- Strategic Aspects				
A.1.- Political responsibility				
A.2.- Responsibility for implementation				
A.3.- Legal framework				
A.4.- Impact on the Administration's structure				
A.5.- Impact on citizens and society				
B.- Operational Aspects				
B.1.- Planning Mechanisms				
B.2.- Development Mechanisms				
B.3.- Citizens' and Enterprises' Participatory Mechanisms				
B.4.- Budgetary Mechanisms				
B.5.- Assessment Mechanisms				
IMPLEMENTATION				
C.- Corporate Aspects				
C.1.- Unified end-user services				
C.2.- Centralised resources provided to departments				
C.3.- Interoperability criteria and common technical standards				
C.4.- Departmental activity planning criteria				
C.5.- Budgetary resources and issues				
D.- Departmental Aspects				
D.1.- Departmental plans				
D.2.- Specific departmental services				
D.3.- Budgetary resources and issues				
D.4.- Departmental organisational incidents				
D.5.- Impact on the provision of services				

APPENDIX II

A REFERENCE SCHEME FOR ANALYSING EGOVERNMENT DEVELOPMENT ACTION PLANS

1. INTRODUCTION

Most of the Public Administrations' Action Plans that outline their eGovernment development strategy merely describe the activities to be performed, then list the projects that will be implemented. That also used to be the case with the Action Plans for the Development of the Information Society¹.

A linear description of the intended activities might not afford an overall view, because it would focus information on the scheduled activities, leaving aside any that have not been taken into consideration yet.

After analysing different state and regional eGovernment Action Plans, we will now propose a Reference Scheme^{2,3} listing the main aspects that usually appear in such Plans and about which one requires information when analysing the completion of the activities that a Public Administration is trying to carry out.

This Appendix describes the Reference Scheme that we have used throughout the book to analyse the relationship between the actions carried out by the Programmes of the European Union and other supranational bodies, and the activities that the Public Administrations must perform in implementing eGovernment.

2. A REFERENCE SCHEME

The Reference Scheme below lists the main types of actions likely to appear in a Public Administration's eGovernment development action plan.

This version of the scheme is divided into three levels, starting with broad issues and ending with specifics, each one describing the intended actions to a different extent. However, the proposed structure can be used to detail each of the actions described until one reaches the appropriate degree of detail.

¹ ALABAU A. Telecommunications and Information Society in European Regions. Telecommunications Policy. Vol 21, n 8, 00 761-771. October 1997.

² ALABAU A. Nota sobre estrategias en e-government. Propuesta de un Esquema de Referencia. Documento Interno Ref. PTSI/21d. Valencia 10 July 2002

³ ALABAU A. About a Reference Scheme for the Analysis of e-Government strategic Plans. CJM-UPV Working Document Ref: PTSI-27b. 8 October 2002.

Level One only describes two main types of actions, namely those that refer to the Approach to the Action Plan and those that refer to the Plan's Implementation.

In Level Two, these two types of actions are in turn divided into two main categories, as described below.

Finally, for each of the Level Two categories, Level Three mentions a maximum of five Types of Action that can make up the Action Plan in question.

Using the Reference Scheme, an eGovernment Action Plan can be broken down into twenty Types of Action that represent twenty supplementary aspects of the Plan. In each particular case, subsequent levels of description will have to be added in order to provide the desired degree of information about the actions that the Public Administration in question intends to carry out.

The following paragraphs describe the characteristics of the elements in each level.

2.1. Level One

An eGovernment Development Action Plan consists of two main types of actions:

1. The actions that relate to the **Approach of the Plan**.
This category will include any aspects regarding the Action Plan's possible effect on the Government that proposes it. One might say that it deals with the "Government" part of the eGovernment Action Plan.
2. The other actions that relate to the **Implementation of the Plan**.
This category will include any aspects regarding the Plan's development and the implementation of its contents. So one might say that it deals with the "e" part of the eGovernment Action Plan.

2.2. Level Two

Each type of action included in the previous level can be subdivided in turn into two types of aspects, which are described below:

Approach of the Plan

There are two aspects to the Approach to an Action Plan:

- A. Strategic Aspects** of the Approach to the Plan
This category will include all of the Action Plan's aspects that have to do with the political and legal side to the implementation of eGovernment.
- B. Operational Aspects** of the Approach to the Plan
This category will include all of the Action Plan's aspects that have to do with the administrative side to the implementation of eGovernment.

Implementation of the Plan

There are two main aspects about the Implementation of the Action Plan:

C. Corporate Aspects of the Implementation of the Plan

This category will include any aspects related to the activities that the Government responsible for the Action Plan in question has decided to take a centralized, corporate approach. In other words, any activities previously handled by the Government's different Departments and Units and which it now handles itself in order to ensure more efficient management and more effective results. In other words, the "horizontal" actions involved in implementing the Plan.

D. Departmental Aspects of the Implementation of the Plan

This category will include any Action Plan implementation-related activities that the proposing Government's Departments and Units are expected to carry out. In other words, the "vertical" actions involved in implementing the Plan.

2.3. Level Three

For each of the four aspects considered in the previous level we will consider the five types of actions that seem the most significant.

A. Strategic Aspects

This category includes the following types of action:

A.1.- Political Responsibility

This would provide information about the extent to which the authority responsible for Public Administration is involved in the implementation of eGovernment. This is a fundamental aspect that must be underscored when describing and analysing an Action Plan.

A.2.- Responsibility for Implementation

This should indicate which body or department in the Public Administration responsible for the Plan has been given ultimate responsibility for implementing the Plan. This, together with the previous information, should provide a clear enough idea about the degree of political and administrative commitment in the implementation of eGovernment.

A.3.- Legal Framework

When describing an Action Plan, one needs to know the legal framework supporting its implementation, any regulatory barriers that might hinder its implementation and the plans for removing them.

A.4.- Impact on the Administration's structure

This category should include any aspects regarding the analyses and actions relating to the impact that implementing eGovernment might have on the Government's structure and operations, as well as the plans for handling any such impact.

A.5.- Impact on Citizens and Society

Just like in the previous case, this should provide information about all the studies and actions that the Public Administration in question has decided to implement in relation to the possible impact of implementing the eGovernment Action Plan.

B. Operational Aspects

B.1.- Planning Mechanisms

This category would cover any aspects regarding the procedures used to prepare and monitor the Action Plan, its relationship with other Government Plans and other aspects regarding the planning of eGovernment activities.

B.2.- Plan Development Mechanisms

This category would be used to describe all the actions related with the development of the action plan, the powers of each Department and Unit involved, and their relationship with one another.

B.3.- Citizens' and Enterprises' Participatory Mechanisms

This section should mention all the different types of direct or indirect mechanisms required to guarantee that eGovernment's users, i.e., citizens and enterprises, are involved in planning, developing and monitoring the action plan.

B.4.- Budgetary Mechanisms

This category would be used to describe all the activities relating to the financing of the action plan activities, the source of the funds and their position in the pertinent Administration's budget items.

B.5.- Assessment Mechanisms

This section should describe the system chosen for evaluating the results and monitoring both the implementation of the Action Plan and its results. Information should be provided about what the type of indicators will be used, how they will be evaluated and leveraged upon, and about the goals of the entire Plan monitoring process.

C. Corporate Aspects

C.1.- Unified End-User Services

This section should include all the information about any end-user services that the Administration in question has decided to manage and offer in a unified, centralized manner. This would also include the unified channels for accessing eGovernment services, such as Internet portals, call centres, and One Stop Shops.

C.2.- Centralized Services provided to Departments

This category would be used to describe all the services that the Administration has decided to develop centrally and make available to the different departments. Generally speaking, such services will be intermediate ones. For instance, centralized electronic signature identification and authentication services, registration and certification services, among others.

C.3.- Interoperability Criteria and Common Technical Standards

This category should mention all the eGovernment tasks performed to guarantee interoperability both between the Administration's own Department and Units and with other Public Administrations and external bodies, as well as the adoption of common technical standards, in the development of eGovernment services.

C4.- Departmental Activity Planning Criteria

In order to facilitate the development of eGovernment and as part of their corporate activity, certain Public Administrations have drawn up guidelines and defined the procedures that their Departments and Units responsible for implementing eGovernment services and applications must follow. These criteria and procedures should cover methodological, technical, budgetary and functional aspects to guarantee that departmental activities are coordinated with any others that central government decides to implement.

C5.- Budgetary Resources and Issues

This section should cover all the aspects regarding the availability and use of budgetary resources, whether they are to be used for corporate actions or, as the case may be, to support any departmental actions developed in accordance with corporate criteria.

D. Departmental Aspects

D.1.- Departmental Plans

This section should cover the plans of each of the Administration's Departments and Units for implementing eGovernment, whether such plans have been developed in line with common planning criteria and methodology or independently from the rest of the Administration's activities.

D.2.- Specific departmental services

This category would be used to list the specific eGovernment actions and services that each Department intends to implement, either independently, or drawing on the common, centralized resources provided by its Administration.

D.3.- Budgetary Resources and Issues

This should include all the information about the resources available for financing each Department's eGovernment activities, whether they are funds from a specific budget item or funds provided by central government, the use of which may be conditioned to compliance with corporate criteria, if this were the case.

D.4.- Departmental organisational incidents

This category would be used to describe aspects related with any organizational changes and reshuffles that the Department or the Unit in question might have to make as a result of the implementation of eGovernment. It could also include any conflicts that might arise with other Departments both as regards the exercise of the respective powers and regards the interrelations stemming from this new activity.

D.5.- Impact on the Provision of Services

Finally, this section could feature any aspects relating to the assessment and gauging of the impact upon citizens and enterprises that the provision of eGovernment services may or is having, and the Action Plans to be followed if necessary to achieve the intended objectives.

2.4. Next Levels

Each Type of Action described in this Reference Scheme must be completed with the information about the Action Plan that the Public Administration intends to carry out in developing eGovernment.

3. SUMMARY AND CONCLUSIONS

Table II.1 summarises the Reference Scheme that we have described in the previous sections.

Our intention in devising and putting forward this Scheme has been to provide a tool for analysing the action plans for implementing eGovernment in Public Administrations, in order to systematically detect whether such plans include or lack what we regard essential aspects and thus, and, in short, the degree of coherence of the intended actions.

Throughout this book, we have considered it useful to use this Reference Scheme to analyse the actions of both the European Union and other Supranational Bodies.

As with any Reference Scheme, we are quite aware that both its structure and contents can be improved upon, but only after it has been used sufficiently and from a critical approach⁴, which is what we invite readers to do.

⁴ Alabau A. J. Benedito. Reference Schemes for e-Government Strategies. The Analysis of the Case of the Regional Government of Valencia. ICTTA'04. Damascus, Syria, 19-24 April 2004.

Table II.1
REFERENCE SCHEME FOR THE ANALYSIS OF AN EGOVERNMENT ACTION PLAN

TYPES OF ACTIONS OF A PLAN	
APPROACH to the Plan	
A.- Strategic Aspects	
A.1.- Political responsibility	Political commitment in the preparation and implementation of the Plan
A.2.- Responsibility for implementation	Responsibilities and mechanisms for the implementation of the Plan
A.3.- Legal framework	Legal framework within which the plans are developed
A.4.- Impact on the administration's structure	Relationship and impact on the administration's restructuring and modernization process
A.5.- Impact on citizens and society	Impact on relations between Administration and Society
B.- Operational Aspects	
B.1.- Planning Mechanisms	Procedure used to prepare and follow up the Plan
B.2.- Development Mechanisms	Procedure for implementation and distribution of responsibilities
B.3.- Citizens' and Enterprises' Participatory Mechanisms	Procedures for allowing enterprises and citizens participate in the definition or follow-up of activities
B.4.- Budgetary Mechanisms	Procedure established for the financing of the Plan
B.5.- Assessment Mechanisms	Procedure for gauging and evaluating results
IMPLEMENTATION of the Plan	
C.- Corporate Aspects	
C.1.- Unified end-user services	Centralised provision of end user services
C.2.- Centralised resources provided to departments	Corporate services provided centrally to the other Departments
C.3.- Interoperability criteria and common technical standards	Binding technical standards and criteria
C.4.- Departmental activity planning criteria	Procedure for preparing the Departmental plans
C.5.- Budgetary resources and issues	Human and budgetary resources for the funding of corporate actions
D.- Departmental Aspects	
D.1.- Departmental plans	Strategic Plans of each department
D.2.- Specific departmental services	Specific services and activities of the departmental plans
D.3.- Budgetary resources and issues	Human resources and economic available in each department to carry out the plan
D.4.- Departmental organisational incidents	The Plan's departmental organizational repercussions
D.5.- Impact on the provision of services	Impact on Citizens and Enterprises

APPENDIX III

MOBILE COMMUNICATIONS

IN THE EGOVERNMENT RESEARCH AND TECHNOLOGICAL DEVELOPMENT POLICY

1. INTRODUCTION

Despite the fact that the book does not address technology-related aspects in depth, in honour of our publisher we have decided to include this Appendix, which reproduces the contents of the strategic approach to future research into mobile eGovernment services taken by the eGOV Unit, of the Information Society Directorate-General, which is responsible for the management of the related Research and Development activities analysed in Chapter 7.

At the start of 2004, the eGOV Unit published the new focus that it intended to take towards its future research activities, the structure and contents of which are described below¹.

The eGOV Unit presented and developed what it seems will be its linchpins of its forthcoming eGovernment technological research and development activities, which are listed and explained in the following sections.

- Innovation in the Organization and Knowledge Management
- Interoperability and panEuropean Services
- Security and Identification
- Interaction with Mobile Services and Users

The following sections reproduce the text that appears in the Commission's proposal² regarding Research and Development of Mobile Services in relation to eGovernment.

2. MOBILE EGOVERNMENT SERVICES

2.1. Mobile eGovernment

As an integral part of the eGovernment programme, many central and local governments start to offer eGovernment services via a variety of service delivery channels apart from the Web. One of these service delivery channels is mobile telephony. This channel becomes more relevant considering the much faster growth of mobile penetration rate compared to PC-based Internet

¹ IST eGovernment RTD focus http://europa.eu.int/information_society/programmes/egov_rd/focus/index_en.htm

² IST e-Government focus. Mobile services. http://europa.eu.int/information_society/programmes/egov_rd/focus/mobility/index_en.htm

access, a factor which can play a considerable role in bridging the digital divide. Use of mobile devices in delivering eGovernment services gave birth to the mobile government.

From a citizen perspective, mobile government stands for a new kind of front-end access to public services that have been made available specifically for mobile devices or adapted from existing eGovernment applications. Mobile government also means that *a citizen does not have to go and search for kiosks, or even get a connection to the house, carrying a mobile government access device with them wherever they go.*

Mobile eGovernment does not mean only taking current (e)Government services and delivering them via mobiles, although, no one should understand mobile eGovernment as an omnipresent solution to every need and want of citizens or *public administration*. Some aspects of governmental activities can be solved by 'traditional' eGovernment only.

It involves a rather complex strategy for efficient utilisation of all wireless devices with added value to all involved parties: government, citizens and business and with a reasonable return of investment justifying extra spending on new technologies and 'making mobile' the administration's processes. Bottom-line should be to achieve more efficient operation of government bodies and to increase value of government services from a citizens and business perspective as tax-paying entities.

Cost saving opportunities

Mobile eGovernment also provides cost saving opportunities for the internal operation of government institutions. Data gathering on the spot with immediate upload into one central data base is one of the pluses of m-government with measurable cost savings and return of investment.

However, current technology and organisational practice are not sufficient to promote the access to the service at any time and everywhere.

Research issues

In addressing mobility the main research issues to consider should then be:

1. Open Service Platform for Mobile Government

The large array of new communication technology opportunities, the rapid emergence and change of standards as well as the variety of mobile devices offering different technical capabilities call for sustainable architectures and technology frameworks in order to meet critical *interoperability* and scalability requirements.

From a global technical perspective, what is most needed is an interconnection between different mobile technology standards.

2. Privacy and security issues for Mobile Government services delivery

The following areas are identified with respect to mobile privacy and security research:

- Trusted platforms for mobile security and privacy
- Mobile network/transport security and privacy

- Mobile application security and privacy
- Mobile privacy and identity management
- Basic security and privacy technologies for mobile environments
- Mobile application security framework
- User centric mechanisms allowing controlled release of personal information.

3. *Comprehensive Business Models for Mobile Government*

In addition to technology, 'business models' - or more generally, models for public and private added value - and individual business plans are required to estimate costs and value added when embarking to servicing a mobile society.

Interests and roles of public and private stakeholders and their correlation in distinct service and value chain/value network scenarios must be investigated.

The deployment of **an open service platform** that could be shared by networked authorities and institutions (e.g. on a regional scale) could be a promising approach. Resource sharing explored on the basis of added value models to evaluate who and how partners in the respective service chain act together, would also provide the conditions for cost-efficient mobile services development and take up namely in geographical areas with low internet penetration.

The models should serve to give further insights on how services can be sustainable in a long-term perspective, on the *organisational changes/support* which are required and how service components can be shared among different scenarios.

4. *Recommendations for Service Planning*

Technologies that have emerged and that have become widespread and accepted are recommended to reach mass adoption of mobile eGovernment. Only **success stories and measurable results** justify extra spending for progressive projects and continuous technology upgrades. Governments need to prepare a complex strategy with justified individual steps and programmes; ad-hoc planning works only in the very short term.

On the other hand, the existence of mobile eGovernment and its applications does not on its own guarantee results. Despite the global character of mobile technologies, what governments and citizens needs and wants differs significantly. Governments should then proactively consult with the public over implementation of mobile eGovernment strategies.

