

Digital transformation in the EU

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Digital transformation officer for the justice domain

previous assignments in the GSC=

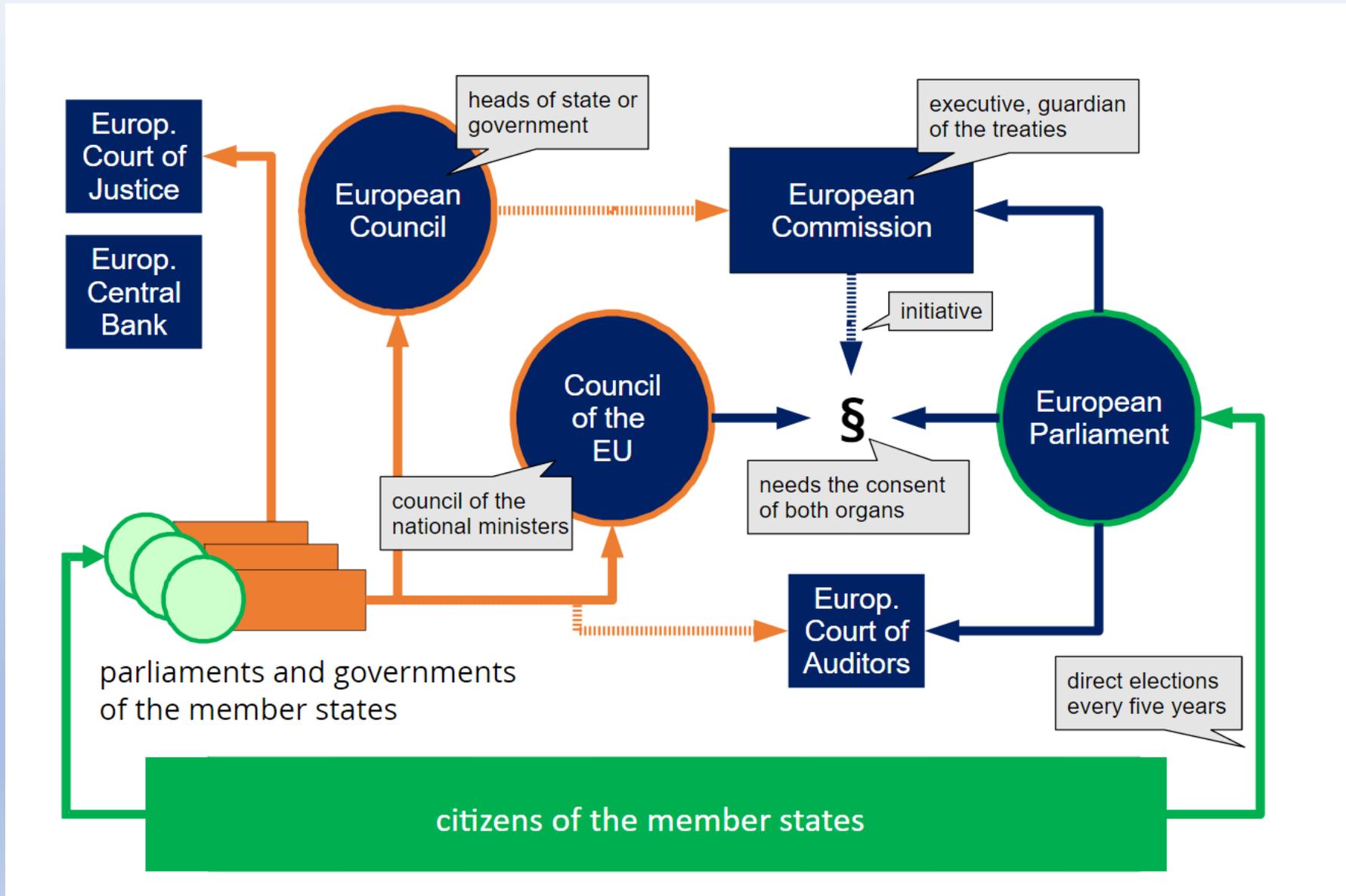
- 2015-2017: DGF / Lead digital transformation team (*IKM programme*)
- 2010-2015: DGA5 / Head PMO & Architect of 'CODEMAP' (*Council Decision Making Programme*)
- 2007-2010: DGA5 / Program Manager SESAME

Digital transformation in the EU

- Chapter 1: Council of the EU (summary slides)
- Chapter 2: My Experience* on the digitisation of the Council of the EU
acquired with the CODEMAP & IKM Programmes
- Chapter 3: My Experience* on the digitisation of the Justice domain within the EU
- Tentative conclusions*

** non official position*

European Union: operating model



The General Secretariat of the Council

The General Secretariat of the Council (GSC) is the body of staff responsible for **assisting 2 EU institutions**:

- the **European Council** & the President of the European Council
- the **Council of the EU** & the presidency of the Council of the EU
 - fixed presidency for the Foreign Affairs Council configuration namely the HR)
 - 'rotating presidency' for the 9 other Council configurations assigned to EU MS (minister level)

The main tasks of the GSC are:

- to **assist, advise and help coordinate** the work of the Council and the European Council,
- to **support the Council presidency**:
- to **provide logistical support** and handle the practical organisation of meetings
- to prepare draft agendas, reports, notes and minutes of meetings at all levels

In addition, the **GSC legal service** gives opinions to the Council and its committees

The Council of the European Union (I)

What does the Council of the EU do?

1. Negotiates and adopts EU laws
2. Coordinates member states' policies
3. Develops the EU's common foreign and security policy
4. Concludes international agreements
5. Adopts the EU budget

<https://www.consilium.europa.eu/en/council-eu>

The Council of the European Union (II)



The Council of the European Union (III)

The 10 Council configurations:

1. Agriculture and fisheries
2. Competitiveness
3. Economic & Financial affairs
4. Education, Youth, Culture & Sport
5. Employment, social policy, health & consumer affairs
6. Environment
7. Foreign affairs
8. General affairs
9. Justice & home affairs (JHA)
10. Transport, telecommunications & energy

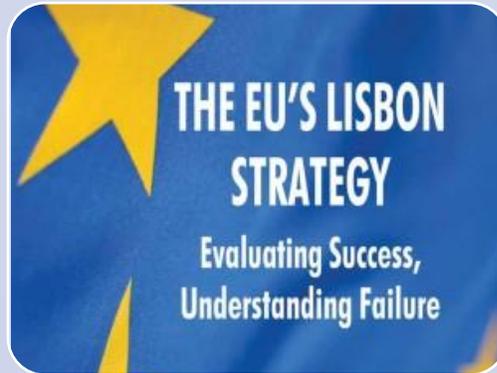
<https://www.consilium.europa.eu/en/council-eu/configurations/>

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Digitisation of the Council: CODEMAP (1)



2000-2010

“To make the EU the most dynamic and competitive knowledge-based economy in the world”

2010

“A digital single market based on fast and ultra fast internet and interoperable applications”

2010-2020

“A EU characterized by smart, sustainable, inclusive growth”

The GSC decides to digitise its ‘core business’ with the **CODEMAP** programme

Digitisation of the Council: CODEMAP (2)

The CODEMAP was a digitisation programme created in 2010 with three key main objectives:



create a **'community management'** to handle the working parties;



create a **new type of documents 'working papers'** to support the activities of the working parties;



create an **initial filing capability** to keep trace of all the documents drafted and distributed.

Digitisation of the Council: CODEMAP (3)

This programme INCREMENT took in practise 5 to 6 years to be achieved,

- two years of 'organisation' (2010/11)
- two years of conception (2012/13)
- one year (2014) of design & development (SCRUM methodology)
- progressive activation in 2015 for each and every working group

Although conceived as a 'digitisation programme', CODEMAP actually dramatically transformed the 'business model' of the Council:

The GSC (almost) stopped pushing emails to the delegates and distributed the 'working papers' via the 'Delegates' portal, with the following added benefits :

1. Need-to-know enforcement: working papers only accessible by delegates of the community
2. Automation of the cover-pages and of the distribution of the documents
3. User friendliness of the delegates' portal (accessible via the Internet, search function...)
4. Shared responsibility between the GSC & EU MS for managing the communities

Digitisation of the Council: CODEMAP (4)

In retrospect, the **'key success factors'**:

1. Crucial involvement of the end-users (conception, policy making, impact assessment...)
2. Good governance & management structure : 4 layers (SC + UG + Programme + Projects)
3. Good cooperation between all players & quality of the players
4. Good balance between IT, policy and architecture aspects
5. Good planning : Implementation plan + Activation plan
6. Excellent - but time consuming - communication to the external end-users (delegates)

Some **'shortfalls'** :

1. the overall timeframe (starting with the initiation phase) was too long
2. the limited integration with the current system baseline
3. some technical solutions
4. the transition with the next phase (namely with the IKM program)
5. the (evolutionary) maintenance that was put in place
6. the absence of 'lessons learned' phase (and report)

Digital transformation of the Council: IKM program (1)

In 2015, after completion of the CODEMAP program the GSC widened the scope and ambition of the next increment – namely the IKM programme:

- The IKM programme **nature** = digital transformation of the GSC with special focus on ‘Information & Knowledge Management’
- The IKM programme **goal** = improve the range and quality of services provided to all GSC stakeholders & improve the user experience
- The IKM programme **scope** = all GSC staff (3000 people)
 - 1/3 in the Policy DGs (in support of the Council / working parties)
 - 1/3 of Translators : translation into 24 EU languages
 - 1/3 in administrative activities: HR, Finance, IT...
- The IKM programme also incorporated ‘**new ways of working**’ objectives (teleworking, collaborative services, Information/knowledge sharing, open offices, user mobility...)

Digital transformation of the Council: IKM program (2)

As opposed to CODEMAP (that was initiated by the IT department), the IKM programme was initiated by a Policy DG (namely the 'DGF2' directorate dealing with Information management):

- Positive effect: the focus was on the business functions and indirectly on the IT
- Negative effect: the IT department – that was still in control of the IT-budgets – was not immediately cooperative.
- Implication: this initiative resulted in the merge of DGF2 and the IT directorate to create a new service to deal with 'Information & Knowledge Management' (& the IKM programme).

In the meantime, the conception and planning phase of the IKM programme was – to a large extent – completed:

- *IKM strategy, IKM objectives, IKM initial roadmap, IKM framework*
- *some prototypes/demonstrators were also launched*

Digital transformation of the Council: IKM program (3)

Conclusions from the conception phase:

- A multidisciplinary team was created to do so and has been very creative/productive.
- At the same time, the scope and purpose of this (ambitious) programme was not immediately understood by not only IT experts but also some key stakeholders.
- Prototypes/demonstrators are crucial to show the objectives & convince the stakeholders

Interim conclusions from the (ongoing) implementation phase:

- Most of the Governance & Management organisation has to be (re-)created
- The prioritisation of the objectives and projects remains critical
- The overall architecture and integration with the fielded baseline remains challenging
- Legacy applications & services (although replaced by better ones) are slowly disposed of.

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DT of the justice within the EU (1): context & key concepts

- The independence of the judiciary should be preserved in the context of the DT:
separation of data, information Need-to-Know enforcement, dedicated budget, prevention of conflict of interests, service level agreement with the IT-suppliers...
- The accessibility to law and case-law should be guaranteed to all:
 - *need for an EU e-Justice portal: <https://e-justice.europa.eu>*
& EU Law portal: EUR-Lex: <https://eur-lex.europa.eu>
 - *need for anonymization/pseudonymization of court decisions & possibly nominative decisions*
- Compliance with EU and national law:
 - *Horizontal EU law : e.g. for Transparency & Data Privacy ; eIDAS (e-ID & Auth. services...)*
 - *EU criminal, civil & commercial law (i.e. regulations & directives)*
- The cross-border information exchanges should take place on a peer-to-peer basis:
 - *no central information hub, no central system monitoring;*
 - *need for a standard & secure information exchange infrastructure, interconnecting national justice 'back-end systems' : e-CODEX*
- Need for transparency: *open data sets published on the European & EU data Portals*
(managed by the Publication Office of the EU)

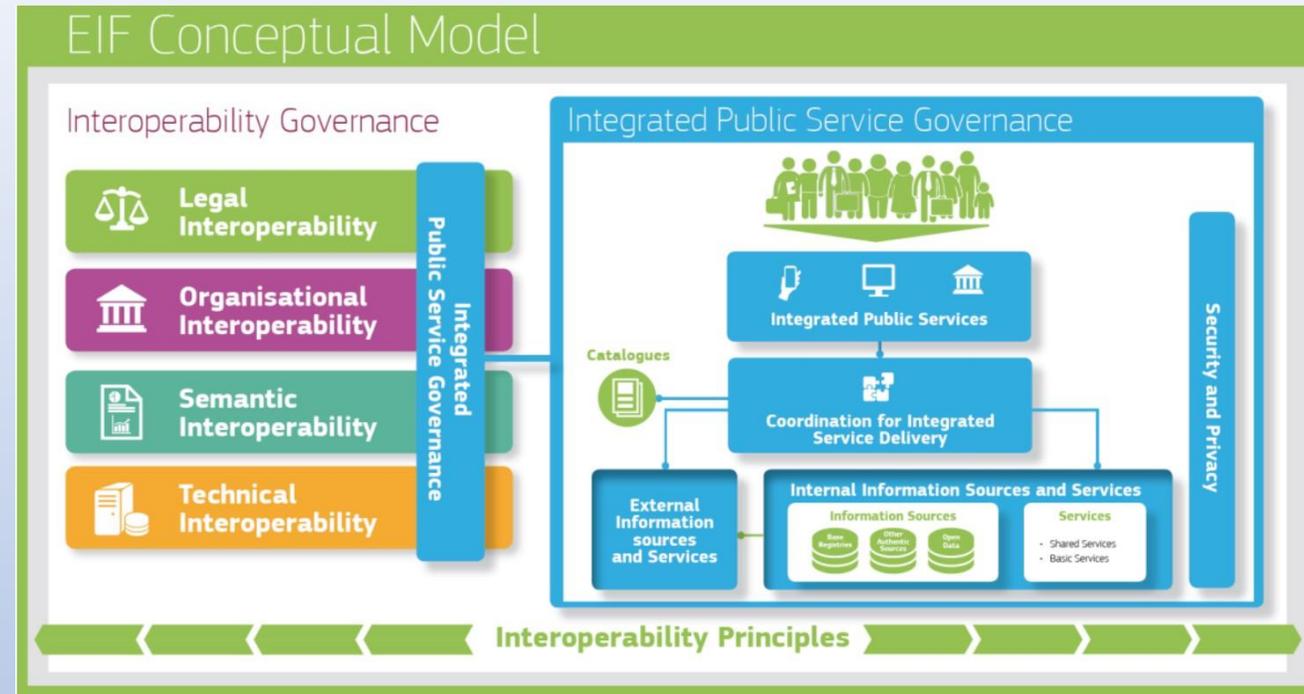
DT of the justice within the EU (2) : EU Architectural background

The **ISA² Programme** (Interoperability solutions for public administrations, businesses and citizens : <https://ec.europa.eu/isa2/>) is providing concrete interoperability solutions that contribute to making the modernisation of public administrations a success story.

1/ The (New) Europe Interoperability Framework >>

The EIF is part of the Communication COM(2017)134 from the EU Commission adopted on 23 march 2017. The framework gives specific guidance on how to set up interoperable digital public services: <https://ec.europa.eu/isa2/eif>

	Designing	Assessing	Communicating and Sharing	Discovering and Reusing
Providing a controlled vocabulary	● ●	● ●	● ●	● ●
Decoupling functionalities in Architectural Building Blocks	● ●	● ●	● ●	● ●
Facilitating the identification of IoP specifications	● ●	● ●	● ●	● ●
Providing the key Interoperability enablers ABBs	● ●	● ●	● ●	● ●
Accelerating development cycle	● ●	○ ○	○ ○	● ●
Enabling cartographies	○ ●	○ ●	○ ●	○ ●
Promoting discovery/reusability	● ●	● ●	● ●	● ●
Supporting Portfolio Mgmt Decision Making	○ ●	○ ●	○ ●	○ ●
Supporting Public Policy formulation	○ ●	○ ●	○ ●	○ ●



<< 2/ European Interoperability Reference Architecture

The EIRA© has four main characteristics

1. Common terminology to achieve coordination
2. Reference architecture for delivering digital public services
3. Technology- and product-neutral and a service-oriented architecture (SOA) style
4. Alignment with EIF and TOGAF

3/ Connection Europe Facility : next slide

DT of the justice within the EU (3) : Connecting Europe Facility

The building blocks of the **Connecting Europe Facility** promote the adoption of the same open standards and technical specifications, by the different sectors of the Union, for the most basic & common functionalities of any sectorial project/ platform. These core commonalities will enable interoperability across borders and sectors.

CEF enables the European Digital Transformation

1

Sectorial Projects

Justice, home affairs and citizens' rights

Science and Technology

Business

Employment and Social Rights



eJustice Portal



ODR



Open Data



BRIS



EESSI

etc.

2

Building Blocks



IDENTIFY with eID



SIGN with eSignature



EXCHANGE with eDelivery



INVOICE with eInvoicing



TRANSLATE with eTranslation

3

Grants



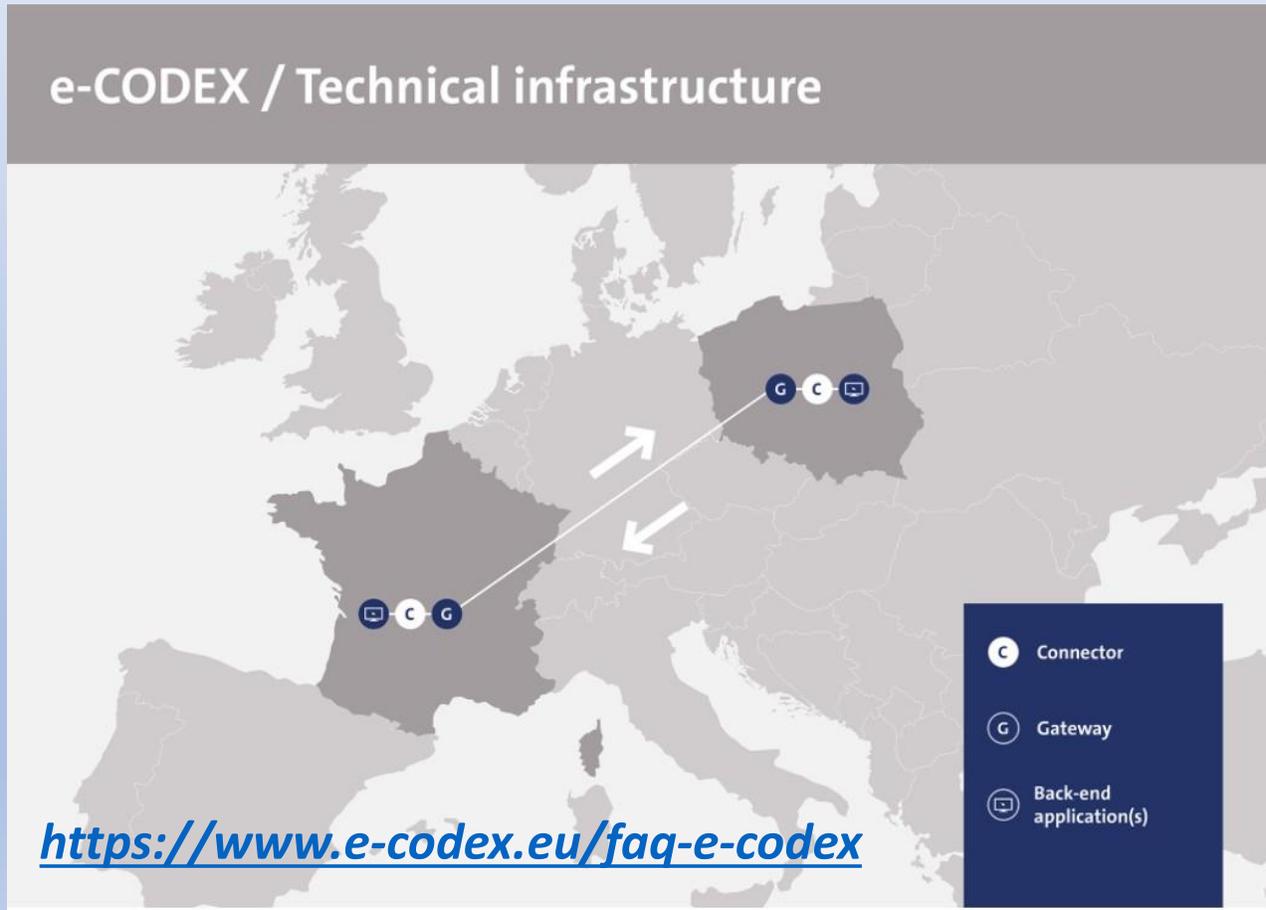
Typically 'deployment' projects at national level (up to 75% of eligible cost)

8

DT of the justice within the EU (4) : e-CODEX

e-CODEX allow secure communication and information exchange between Member States in the field of justice:

1. e-CODEX connectors are based on the (open source) eDelivery CEF building block.
2. e-CODEX gateways for procedural & semantic interoperability
3. Back-end national justice Information systems



Which legal instrument are currently supported by e-CODEX?

There are several European use cases currently in use by e-CODEX participants:

EPO - European Order for Payment - based on Council Regulation 1896/2006

ESC - European Small Claims - based on Council Regulation 861/2007

FP - Mutual Recognition of Financial Penalties - based on Framework Decision 2005/214/JHA

MLA/EIO - Mutual Legal Assistance in Criminal Matters/European Investigation Order - based on the European Convention on Mutual Assistance in Criminal Matters and based on Directive 2014/41/EU

DT of the justice within the EU (5) : e-Justice Portal

<https://e-justice.europa.eu>



The image shows the multilingual front page of the e-Justice Portal. It features a list of language options on the right side, each with a small flag icon and the name of the portal in that language. The languages listed are: bg, es, cs, da, de, et, el, en, fr, hr, it, lv, lt, hu, mt, nl, pl, pt, ro, sk, sl, fi, and sv. The logo for the e-Justice Portal is prominently displayed in the center, featuring a stylized 'e' with a yellow and blue background, surrounded by stars.

bg	Европейски портал за електронно правосъдие
es	Portal Europeo de e-Justicia
cs	Portál evropské e-Justice
da	Den europæiske e-justice-portal
de	Europäisches Justizportal
et	Euroopa e-õiguskeskkonna portaal
el	Διαδικτυακή πύλη της ευρωπαϊκής ηλεκτρονικής δικαιοσύνης
en	European e-Justice Portal
fr	Portail e-Justice européen
hr	Europski portal e-pravosuda
it	Portale europeo della giustizia elettronica
lv	Eiropas e-tiesiskuma portāls
lt	Europos e. teisingumo portalas
hu	Európai igazságügyi portál
mt	Portal Ewropew Ġustizzja-e
nl	Europees e-justitieportaal
pl	Europejski portal e-sprawiedliwość
pt	Portal Europeu da Justiça
ro	Portalul european e-justiție
sk	Európsky portál elektronickej justície
sl	Evropski portal e-pravosodje
fi	Euroopan oikeusportaal
sv	Europeisk e-juridikportal

e-Justice Front page (multilingual)

e-Justice Home page (EN) >



The image shows the English home page of the e-Justice Portal. It features a navigation menu on the left with categories such as 'Impact of COVID-19 on the justice field', 'Law', 'Case law', 'Judicial systems', 'Legal professions and justice networks', 'European Judicial Network in civil and commercial matters', 'Going to court', 'Legal aid', 'Mediation', 'Succession', 'Victims of crime', 'Rights of defendants in criminal proceedings', 'Tools for courts and practitioners', 'Registers', 'Find a...', 'Glossaries and terminology', 'European judicial training', 'Dynamic forms', 'Access to justice in environmental matters', and 'European Judicial Atlas in civil matters'. The main content area includes a search bar, a 'Log in' button, and several service categories: 'Citizens', 'Businesses', 'Legal practitioners', and 'Judiciary'. Each category has a list of links to related services. There is also a 'Latest news' section with a list of recent updates and a 'European Judicial Network in civil and commercial matters' banner.

DT of the justice within the EU (6) : EUR-Lex

<https://eur-lex.europa.eu>

EUR-Lex.europa.eu

- BG Достъп до правото на Европейския съюз
- ES El acceso al Derecho de la Unión Europea
- CS Přístup k právu Evropské unie
- DA Adgang til EU-lovgivningen
- DE Der Zugang zum EU-Recht
- ET Juurdepääs Euroopa Liidu õigusaktidele
- EL Πρόσβαση στο δίκαιο της Ευρωπαϊκής Ένωσης
- EN Access to European Union law
- FR Accès au droit de l'Union européenne
- GA Rochtain ar dhli an Aontais Eorpaigh
- HR Pristup zakonodavstvu Europske unije
- IT L'accesso al diritto dell'Unione europea
- LV Piekļuve Eiropas Savienības tiesību aktiem
- LT Prieiga prie Europos Sąjungos teisės
- HU Hozzáférés az európai unió joghoz
- MT Access ghal-liġi tal-Unjoni Ewropea
- NL De toegang tot het recht van de Europese Unie
- PL Dostęp do aktów prawnych Unii Europejskiej
- PT Acesso ao direito da União Europeia
- RO Accesul la dreptul Uniunii Europene
- SK Prístup k právu Európskej únie
- SL Dostop do prava EU
- FI Euroopan unionin oikeus ulottuvillasi
- SV Ingång till EU-rätten

EUR-Lex Front page (multilingual)

EUR-Lex
Access to European Union law

English EN Guest

EUROPA > EUR-Lex home > EU law

QUICK SEARCH [SEARCH]

Search tips Need more search options? Use the Advanced search

Brexit - UK's withdrawal from the EU
New agreements published

EU law

- > Treaties
- Legal acts
- Consolidated texts
- International agreements
- Preparatory documents
- EFTA documents
- Lawmaking procedures
- Summaries of EU Legislation
- > Browse by EU Institutions
- Browse by EuroVoc

EU case-law

- Case-law
- Digital reports
- Directory of case-law

National law and case-law

- National transposition
- National case-law
- JURE case-law

Information

- News
- Latest developments on EUR-Lex
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- > ELI register
- EU budget online

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Find results by document number
Year Number
All document types [SEARCH]

Find results by CELEX number

EUR-Lex e-learning

[Twitter] [Facebook] [YouTube]

EUR-Lex Home page (EN)

DT of the justice within the EU (7) : e-Justice / Business view

Justice matter	PREVENTION & access to legal data	OPERATION	EXECUTION
CRIMINAL MATTER		<ul style="list-style-type: none"> • EIO, MLA, JIT • Coop. in digital criminal proceedings • Criminal court database 	<ul style="list-style-type: none"> • ECRIS & ECRIS TCN • EPIS database (EU Prison Information)
CIVIL MATTER	Interconnection of national registers of vulnerable adults	<ul style="list-style-type: none"> • find a lawyer • find a bailiff 	cross border traffic fine recovery
COMMERCIAL MATTER			
Transverse matter	<ul style="list-style-type: none"> • Mediation services • EUR-Lex • European Law Identifier (ELI) • European Case Law Identifier (ECLI) 	<ul style="list-style-type: none"> • On-line Resolution for Small claims • Electronic register of judicial experts • Interconnection of registers <ul style="list-style-type: none"> - of land registers - of EU certificates of succession registers • Interlinking of ELI & ECLI • Debtors information system 	<ul style="list-style-type: none"> • Online dispute resolution • Electronic payment of court fees • Anonymization/ pseudo-anonymization of court decisions for Open Data use

DT of the justice within the EU (8) : e-Justice / System view

Service characterisation	Service to the (physical or legal) persons	Service to the EU judiciary players	Public / common services
Application services	<ul style="list-style-type: none"> • Online Dispute Resolution 	<ul style="list-style-type: none"> • AI for justice • e-Identity 2,0 • Harmonisation of backend systems • Voice recognition (transcript of debates) 	<p><u>Controlled vocabularies:</u></p> <ul style="list-style-type: none"> • EuroVoc • LegiVoc
Portal services <i>e-Justice Portal</i>	<ul style="list-style-type: none"> • Find a lawyer • Find a bailiff • Small claim wizard • Chabot 	<ul style="list-style-type: none"> • iSupport (for central authorities) • BabelLex: database of translators & interpreters 	<ul style="list-style-type: none"> • access to law & case law • central search query tool • electronic payment of court fees • ePayment for official doc.
Interoperability services	<ul style="list-style-type: none"> • eCODEX & exchange of forms, doc. & structured data • Common standards: Legislative drafting managt system, publication of e-Justice data sets on EU Open Data Portal • e-Expertise: paperless exchanges in judicial expertise procedure 		
Multimedia & security services	<ul style="list-style-type: none"> • Blockchain services • video-conferencing • European Single Email Address (for official communications) • Electronic seals / digital signature & assurance level in e-Justice • eID & authentication services (eIDAS) 		

DT of the justice within the EU (9): current operating model

The COVID crisis has reinforced the need for (cross-border) digital justice service within the EU. Although the **e-Justice DT projects remain national prerogatives**, the EU has a critical role to play in this area:

1. Sponsoring these initiatives: **EU Commission**

via the **Digital Europe programme** (in the context of the Multiannual Financial Framework 2021-2027)

<https://digital-strategy.ec.europa.eu/en/activities/digital-programme>

via the **Recovery and Resilience Facility** (4 dimensions: Environmental sustainability, Productivity, Fairness, Macroeconomic stability) https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility_en

2. Coordinating, harmonizing, and sharing experiences between national players on e-Justice initiatives : **EU Council**

via the **‘working party on e-Justice’** and related ‘Expert Groups’

3. Elaborating legal instruments for supporting, enforcing & standardizing EU e-Justice services: **EP, Council & EU Com.**

through legislation (regulation & directives) and ‘implementing acts’

4. Providing technical support: **EU Commission (DIGIT) ; e-CODEX consortium & the eu-LISA agency**

5. Publishing justice information: on the e-Justice Portal : **EU Commission (DG JUST) & EU MS**

on the EUR-Lex portal and on the (EU & European) Open Data Portals: **Publication Office of the EU & EU MS**

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Tentative conclusions (1): major risks for the EU

Digital transformation within the EU remains challenging for a wide range of reasons:

1. Potential mismatch between the ambitions and the approach & organisation retained
... that rather apply to the digitisation of existing (& often paper based) services
2. Potential confusion with IT- or automation projects
...whereas it is no use automating dysfunctional processes & procedures
3. Complex governance and management structures
... with a certain confusion of the roles and dilution of the responsibilities
4. Limited risk appetite of the players
... that will often favour evolutions over disruptions
5. Limited involvement of the key stakeholders
... pre-empted by other political, operational and administrative tasks
6. The weight of existing legislations (e.g. transparency & GDPR) and of administrative procedures
... that often result in a conservative approach and a lack of 'critical thinking'

Tentative conclusions (2): prime success factors of the EU

Nonetheless, the EU has some key assets to promote ambitious digital transformations

1. A huge expertise and a wide range of experts

... that can be very creative and cooperative in such endeavours

2. Some solid financial resources

...reinforced by the 'Digital Europe' and '

3. 'High expectations' of the end-users and stakeholders (at EU and EU MS levels)

... especially while considering the growing involvement of 'digital natives' & the COVID crisis

4. A wide range national or EU initiatives and 'success stories'

... that only need to be further exploited and generalised (at EU level)

5. The legitimacy of doing so

... related to a wide range of EP, Council & Commission strategies, decisions and white papers

6. Limited exposure to competitive risks

... The imperative to 'grow or die', that prevails in the commercial world, does not apply here