

7.3 ABCDE - ADMINISTRATIONS, BUSINESS AND CITIZENS' DATA EXCHANGES IN THE DOMAIN OF CASE MANAGEMENT (2016.24)

7.3.1 IDENTIFICATION OF THE ACTION

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| Type of Activity | Common Services |
| Service in charge | COMP.R3 |
| Associated Services | DG DIGIT DG MARE DG AGRI |

7.3.2 EXECUTIVE SUMMARY

The ISA² Action "**ABCDE - Administrations, Business and Citizens' Data Exchange in the domain of Case Management**" aims at providing interoperable solutions to support data exchanges between the European Commission, Member States' administrations, business and citizens in the domain of Case Management.

Case Management in the context of this ISA² Action comprises Competition policy in the European Union, namely the enforcement of the Antitrust / Cartel rules, Merger control and State aid control¹⁹.

Data exchange processes in Case Management are cross-border: they rest upon intense co-operation between the European Commission and the Member States²⁰, where information systems are prone to reusability at European and national level²¹. Data exchanges cover various entities, such as European Institutions, Member States administrations (i.e. National Competition Authorities and Permanent Representations), EFTA countries, and undertakings (including law firms) located within the EU or even outside the EU.

Data exchange processes in Case Management are cross-sector, covering: Fisheries, Agriculture, Energy and Environment, Information, Communication and Media, Financial services, Basic Industries and Manufacturing, Pharma and Health services, Transport and Post among other services.

ABCDE action is organised around three packages:

- i. **Improvement and operation of existing** cross-border and cross-sector common services serving EU interests, namely:
 - a. GENIS (suite of common services for State aid).
 - b. ECN2.
 - c. COMP eTrustEx.

¹⁹ Potentially extensible to any sector and policy area carrying out dossier-centric and data exchange-intensive administrative services or investigations.

²⁰ In Antitrust, the European Commission and the National Competition Authorities (NCAs) enforce the same rules of law and coordinate their action through the European Competition Network (ECN). In Merger Control, the European Commission and the NCAs may refer cases to one another. In State aid control, enforcing the rules has become a shared responsibility between the European Commission and Member States following the State aid modernisation.

²¹ This stems from the fact that (i) European and National authorities enforce the same or similar rules of law, and (ii) the business processes involved are similar.

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- d. eQuestionnaire.
- ii. **Development and operation of new ABCDE** cross-border and cross-sector common services serving EU interests, namely:
- a. eRFI²². Common e-service to support requests for information, sector inquiries and market investigations, to replace the ageing eQuestionnaire²³. Several National Competition Authorities have already manifested their interest in reusing this common e-service. The European Competition Network could be used to promote its re-use among other authorities.
 - b. eLeniency. Common e-service to support the European Commission's immunity and leniency programme in Cartel investigations. eLeniency is potentially reusable by National Competition Authorities of the Member States to support their national immunity and leniency programmes.
 - c. eConfidentiality. Common e-service to support confidentiality negotiation of case files with the investigated undertakings. eConfidentiality is potentially reusable by National Competition Authorities of the Member States to support confidentiality negotiations processes at national level.
- iii. **Establishment of a common ABCDE architectural framework**
- The subproject CESA (Case Enterprise and System Architecture) will define and setup a common ABCDE architectural framework, aligned with the EIF and the EIRA, that will ensure the long-term sustainability of the ABCDE interoperable common e-services by maximising synergies and economies of scale, reducing operation, improvement, change and development costs. CESA will as well define and implement security for ABCDE in a holistic and methodological way.

7.3.3 OBJECTIVES

The main objective of ABCDE action is to contribute to the better functioning of the internal market in the benefit of consumers, businesses and the European economy as a whole, thus endorsing several European Union's political priorities such as the Jobs and growth agenda, the Digital Single Market or the Energy Union and key areas such as the Banking union and the fight against tax evasion.

In a context of scarce resources at European and national public administrations across Europe, an additional objective of ABCDE is to reduce costs and gain efficiency and efficacy in the enforcement of Competition policy by the European Commission and the Member States' administrations. This will be achieved by different means, namely:

- ABCDE will enable the European Commission and the Member States administrations to save costs by implementing, operating and offering free of cost, common e-services in order to comply with European legislation and jointly enforce European and National competition law, thus avoiding disparate IT investments by the EU Member States' administrations.

²² During the preliminary analysis of eRFI, we analysed EUSurvey as a potential candidate. Given the wider scope of eRFI requirements which includes: knowledge base management, security constraints (e.g. Non-Repudiation), integration with Case Management back-ends, strong analytics capabilities, the preferred option was to develop eRFI. However we intent to leverage the existing know-how of EUSurvey, by observing its implementation approach (as 'lessons learned').

²³ The scope of eQuestionnaire was recently extended to cover not only Merger but also Antitrust and State Aid policy instruments. As a critical application it will be maintained and evolved until the release in Production of eRFI in 2020.

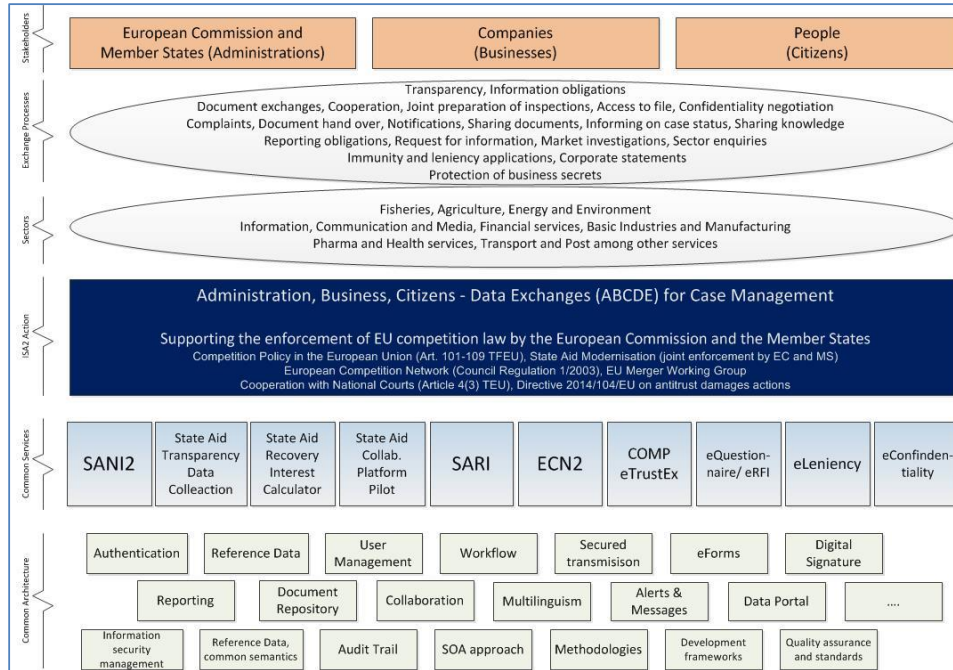
- ABCDE will enable the Member States administrations to save costs by implementing and offering free of cost e-services that can be reused by Member States' administrations (re-use of code) in order to support their own case management sub-processes such as requests for information, leniency applications and confidentiality negotiations.
- ABCDE will further automate data exchanges in the domain of Case Management reducing manual intervention and making data exchanges faster, more effective and more efficient, thus reducing costs. This will be done by implementing and operating interoperable common e-services that will benefit the European Commission services, Member States' administrations, business and citizens.
- ABCDE will promote the re-use and exchange of semantically consistent and highly qualitative data across European information systems in the Case Management domain, fostering cross-border and cross-sector interoperability and applying the 'Only once' principle when possible, thus eliminating unnecessary administrative burden for the European Commission services, Member States' administrations and business.
- ABCDE will optimize costs in the action context by implementing a common architectural framework applicable to all ABCDE common e-services. This will enable ABCDE to maximise synergies and economies of scale, and reduce operation, improvement and development costs, while ensuring the long-term sustainability of the common e-services.

7.3.4 SCOPE

ABCDE covers the cross-border and cross-sector data exchange processes with or among EU and Member States' administrations, business and citizens in the domain of Case Management. Case Management in the context of the ISA² Action comprises the Competition policy of the European Union as well as State aid control in all sectors including Fisheries and Agriculture.

Case Management is potentially extensible to any policy area carrying out dossier-centric and data exchange-intensive administrative services or investigations..

The overall scope of the ISA² Action ABCDE is visualised in the diagram below.



The scope of ABCDE action is organised around three packages:

| Package I) Operation and improvement of existing common e-services |
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| In scope: |
| <p>Operation and improvement of existing cross-border and cross-sector common e-services, serving EU interests, namely:</p> <p><u>GENIS</u>: State Aid common e-services: SANI2, SARI, State Aid Transparency Award Module, State Aid Recovery Interest Calculator, and State Aid Collaboration Platform. These services are used by DG COMP, DG AGRI, DG MARE, the Single Resolution Board and the Member States' administrations of the 28 Member States, as well as EFTA countries, to support the implementation of EU State Aid rules (Art.107 to 109, Treaty on the Functioning of the European Union (TFEU)). The main improvements foreseen for GENIS common e-services will include the update of the State Aid Reporting tool (SARI) and the integration with DG ESTAT's re-usable solution for dissemination of statistical data (ISA² - Action 2016.06).</p> <p><u>ECN2</u>: common e-service to support the European Competition Network (formed by DG COMP and the National Competition Authorities) to share case information and case documents, supporting the implementation of Competition policy of the EU, in particular Antitrust/Cartels investigations and Mergers control (Art. 101 to 106, TFEU and Merger Regulation 139/2004). ECN2 also supports exchanges between ECN and administrations of EFTA²⁴ countries. The main improvements foreseen for ECN2 will allow document sharing and collaboration between the European Commission and the National Courts of Member States, the implementation of the Damages Directive²⁵, and the adaptation of the tool to support communications between the Commission and Member States' Permanent Representations for state aid exchanges. ECN2 will be the interoperable, effective and efficient cooperation and data exchange platform between administrations (Member States and European Commission) for the future ECN+. ECN+ is a legislative proposal²⁶ intended to empower the competition authorities of the Member States to be more effective enforcers of competition law, ensuring a better functioning of the internal market.</p> <p><u>COMP eTrustEx</u>²⁷: common e-service used by DG COMP, businesses (companies and law firms) and Member States' administrations to exchange sensitive documents in a secure way. COMP eTrustEx supports the implementation of Competition policy on the EU, namely Antitrust enforcement and Merger control. The main improvements foreseen for COMP eTrustEx are to improve the tool in order to handle exchanges of very large volume of documents as required by Merger control²⁸.</p> |

²⁴ The European Free Trade Association (EFTA) is an intergovernmental organisation set up for the promotion of free trade and economic integration to the benefit of its four Member States: Iceland, Liechtenstein, Norway, and Switzerland.

²⁵ Directive 2014/104/EU on antitrust damages actions.

²⁶ Proposal Directive of the European Parliament and the Council. http://ec.europa.eu/competition/antitrust/proposed_directive_en.pdf

²⁷ Covers the evolution and maintenance of the modules specially developed and used by DG COMP (GUI, adapter, COMP back-end interoperability layer). Maintenance of DIGIT's eTrustExchange platform itself is out of the scope of this action and will be financed by another ISA² action.

²⁸ File submissions in the context of Merger control can go as high as 250.000 files and up to 350 GB.

eQuestionnaire: common e-service used by DG COMP and businesses (companies, law firms) to request and provide structured information (requests for information, sector inquiries, market investigations) for case investigations. This tool is used in Mergers control, Antitrust/Cartel investigations and State aid control.

Package II) Development and operation of ABCDE common e-services

In scope:

Development and operation of cross-border and cross-sector common e-services serving EU interests, namely:

eRFI: common e-service to support requests for information, sector inquiries and market investigations. eRFI will replace the ageing eQuestionnaire (in Production since 2009). eRFI would be reusable by National Competition Authorities on Member States to support their request for information processes, several of which have already manifested their interest in re-using this common e-service.

eLeniency: common e-service to support the European Commission's leniency programme in Cartel investigations. Currently, the exchange process with businesses for submitting leniency applications to the Commission is not IT-supported; hence it is resources intensive both for public administrations and business. eLeniency would also be reusable by National Competition Authorities on Member States to support their national leniency programmes.

eConfidentiality: common e-service to support the confidentiality negotiations of case files with the investigated undertakings (businesses) in the context of Access to File. Currently, this exchange process with businesses is not IT-supported; hence it is resources intensive, both for public administrations and business. eConfidentiality would also be reusable by National Competition Authorities on Member States to support their confidentiality negotiation processes.

Package III) Establishment of a common ABCDE architectural framework

In scope:

The common ABCDE architectural framework will ensure the long-term sustainability of the ABCDE interoperable solutions by maximising synergies and economies of scale and reducing operation, improvement, change and development costs. The common ABCDE architectural framework will focus on:

- Common information security management.
- Common business and Service Oriented Architecture (SOA) approach.
- Common interoperability: common technical approach, common semantics, common specifications and standard exchange formats.
- Common methodological approach: based mainly in PM², TOGAF and Agile@EC²⁹.
- Common development frameworks and stacks.

The common ABCDE architecture will facilitate the reusability of existing building blocks GENIS and Document Repository Services (DRS), as well as the identification of candidate corporate building blocks, and the development of new functionality as modular, re-usable building blocks. The common ABCDE architectural framework will be aligned to EIRA and the re-usable solutions produced mapped to the EICart³⁰.

7.3.5 ACTION PRIORITY

7.3.5.1 Contribution to the interoperability landscape

| Question | Answer |
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| <p><i>How does the proposal contribute to improving interoperability among public administrations and with their citizens and businesses across borders or policy sectors in Europe?</i></p> <p><i>In particular, how does it contribute to the implementation of:</i></p> <ul style="list-style-type: none"> • <i>the new European Interoperability Framework (EIF),</i> • <i>the Interoperability Action Plan and/or</i> • <i>the Connecting European Facility (CEF) Telecom guidelines</i> • <i>any other EU policy/initiative having interoperability requirements?</i> | <p>All common e-services provided by ABCDE facilitate the interoperability between the European Commission and Member States' administrations, and with business and citizens.</p> <p>Moreover, ABCDE contributes to the implementation of the EIF by following several of the EIF's underlying principles such as user-centricity, transparency, preservation of information, reusability, security and privacy, multilingualism, administrative simplification, and assessment of effectiveness and efficiency..</p> <p>Last, ABCDE aligns with the reference architecture proposed by EIRA from an Enterprise Architecture point of view. When possible ABCDE common e-services will be</p> |

²⁹ PM2 is the project management methodology of the European Commission. TOGAF is the industry standard for Enterprise Architecture practises. Agile@EC is the software development methodology of the European Commission.

³⁰ [European Interoperability Reference Architecture \(EIRA\) and European Interoperability Cartography \(EICart\)](#)

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| <p><i>Does the proposal fulfil an interoperability need for which no other alternative solution is available?</i></p> | <p>mapped to the EICart.</p> <p>Yes. ABCDE action implements common e-services that fulfil user needs and support exchanges between administrations and businesses, where no satisfactory interoperable solution is available. Some processes that are/will be supported by ABCDE common e-services are:</p> <ul style="list-style-type: none"> • State Aid Notification; • State Aid Reporting; • State Aid Transparency obligations; • Merger Notification; • Coordination EC/MS in Antitrust enforcement and Merger control; • Requests for Information; • Applications for leniency; • Confidentiality negotiations. |
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7.3.5.2 Cross-sector

| Question | Answer |
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| <p><i>Will the proposal, once completed be useful, from the interoperability point of view, and utilised in two (2) or more EU policy areas? Detail your answer for each of the concerned sectors.</i></p> | <p>Yes. Additionally to the Package I e-services already operational described below, all new ABCDE common e-services will be supporting Competition policy, which is by definition a cross-sector policy and an instrument to guarantee well-functioning markets across different sectors of the economy such as Fisheries, Agriculture, Energy and Environment, Information, Communication and Media, Financial Services, Basic Industries and Manufacturing, Pharma and Health Services, Transport and Post, among other sectors.</p> |
| <p><i>For proposals completely or largely already in operational phase, indicate whether and how they have been utilised in two (2) or more EU policy sectors.</i></p> | <p>The explanation above applies in particular for all common e-services in Package I, which are already operational: SANI2, State Aid Transparency Award Module, State Aid Recovery Interest Calculator, State Aid Collaboration Platform, SARI, ECN2, COMP eTrustEx and eQuestionnaire.</p> <p>Moreover, GENIS common e-services are used by three DGs, MARE, AGRI, COMP and the Single Resolution Board (SRB).</p> |

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| | Last, ECN2 is used by 13 Sector Regulators in different EU countries (e.g. the Hellenic Telecoms and Post Commission or the UK Office for Regulation of Electricity and Gas). |
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7.3.5.3 Cross-border

| Question | Answer |
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| <i>Will the proposal, once completed be useful, from the interoperability point of view, and used by public administrations of three (3) or more EU Members States? Detail your answer for each of the concerned Member State.</i> | Yes. Additionally to the Package I e-services already operational, and in use by all Member States described below, the new solutions that will be implemented under Package II (eRFI, eLeniency and eConfidentiality) will be made available for national administrations from all Member States for download and re-use. National Competition Authorities from several Member States have already manifested their interest in reusing some of these common e-services. |
| <i>For proposals completely or largely already in operational phase, indicate whether and how they have been utilised by public administrations of three (3) or more EU Members States.</i> | Most ABCDE common e-services included in Package I, are already operational and being used by public administrations of all Member States, the EFTA countries and the European Commission. This is the case of the GENIS State Aid common e-services (SANI2, SARI, State Aid Transparency Award Module, State Aid Interest Recovery Calculator, etc.) and ECN2. |

7.3.5.4 Urgency

| Question | Answer |
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| <i>Is your action urgent? Is its implementation foreseen in an EU policy as priority, or in EU legislation?</i> | Yes. ABCDE, as enabler of competition policy, contributes to the implementation of several EU high political priorities as the Jobs, Growth and Investment agenda, the Digital Single Market and the Energy Union. ABCDE common e-services support the implementation of EU legislation such as: <ul style="list-style-type: none"> • Antitrust/Cartels investigations (Art. 101 and 102 of the TFEU); • Council Regulation (EC) No 139/2004 on control of concentrations between undertakings (the EC Merger |

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| | <p>Regulation);</p> <ul style="list-style-type: none"> • EU State Aid rules (Art.107 to 109 of the TFEU); • EU State Aid Modernisation (SAM); • Directive 2014/104/EU on antitrust damages actions; • Leniency and immunity policy. |
| <p><i>How does the ISA² scope and financial capacity better fit for the implementation of the proposal as opposed to other identified and currently available sources?</i></p> | <p>No other sources of financing are available to finance this action. According to the ECN+ proposal²⁶, the operation and improvement of ECN2 should be covered by the ISA² programme until 2020, subject to the programme's available resources, eligibility and prioritisation criteria.</p> <p>ABCDE action fits within the scope of the ISA² programme and complies with its objectives, as it aims to facilitate efficient and effective electronic cross-border and cross-sector exchanges between public administrations and between those and businesses and citizens.</p> <p>Moreover, ABCDE complies with several ISA² activities by supporting and promoting the assessment, improvement, development, establishment, operation and re-use of existing and new interoperability solutions.</p> <p>ABCDE common services are developed in compliance with the ISA² general principles of re-usability, interoperability, multilingualism, administrative simplification and modernisation, transparency, effectiveness and efficiency, and user-centricity.</p> |

7.3.5.5 Reusability of action outputs

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| Name of reusable solution | <p>State aid common e-services (developed under ISA Action 1.11 – GENIS):</p> <ul style="list-style-type: none"> • SANI2; • SARI; • State Aid Transparency Award Module; • State Aid Recovery Interest Calculator; • State Aid Collaboration Platform. |
| Description | <p>These common e-services are used by the European Commission (DGs COMP, AGRI, and MARE), the Single Resolution Board, the Member States' administrations, and the EFTA countries, to jointly implement State aid rules (Articles 107-109 TFEU) and the State Aid Modernisation.</p> |
| References | <p>https://webgate.ec.europa.eu/competition/sani2</p> |

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| | https://webgate.ec.europa.eu/competition/sani/sari https://webgate.ec.europa.eu/competition/transparency https://webgate.ec.europa.eu/competition/aidcalculator https://webgate.ec.europa.eu/fpfis/wikis/display/StateAid/Homepage |
| Target release date / Status | All State Aid common e-services are in production. |
| For solutions already in operational phase - actual reuse level | <p>SANI2: 3792 users. SARI: 3365 users. State Aid Transparency Award Module: 1141 users. State Aid Recovery Interest Calculator: 38 users. State Aid Collaboration Platform: 975 users.</p> <p>All users are from Member States administrations except 10 users per system from the European Commission</p> |

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| Name of reusable solution | ECN2: common service developed under ISA Action 2.9 – DRS (ECN Pilot). |
| Description | <p>ECN2 is used by the European Competition Network (European Commission and the National Competition Authorities) to jointly implement Antitrust/Cartels rules (Articles 101-102 TFEU), inform each other about the status of Antitrust cases, share related documents and prepare inspections.</p> <p>ECN2 is also used by the EU Merger Working Group as an efficient and secure mean to exchange documents in Merger cases. Finally, ECN2 is used as secure document sharing platform between European Commission and Member States' administrations to support the application of Antitrust/Cartel law by National Courts as well as the Directive 2014/104/EU on antitrust damages actions.</p> |
| Reference | https://webgate.ec.europa.eu/ecn/ |
| Target release date / Status | ECN2 is in production |
| For solutions already in operational phase - actual reuse level | <p>1695 active users. 1100 of these users are from Member States administrations while 595 are from the European Commission.</p> |

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| Name of reusable solution | <p>New ABCDE common e-services with a potential of re-use by Member States administrations:</p> <ul style="list-style-type: none"> • eRFI; • eLeniency; • eConfidentiality. |
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| Description | <p>eRFI. Request for information (incl. market investigations and sector inquiries) is a process applied not only by the European Commission but also by National Competition Authorities in Competition law enforcement. Therefore there is a high potential of re-usability of the eRFI common service. Several National Competition Authorities have expressed their interest on re-using the eRFI solution rather than developing their own.</p> <p>eLeniency and eConfidentiality. Immunity/leniency programmes are effective weapons in the fight against Cartels. Confidentiality negotiations are mandatory process for obtaining non-confidential versions of document used as evidences for court decisions. Both processes are implemented both at European and National level and therefore there is a high potential of re-usability of the eLeniency and eConfidentiality common e-services by National Competition Authorities.</p> |
| Reference | URLs will be made public when common e-services enter in production. |
| Target release date / Status | <ul style="list-style-type: none"> • eRFI target date for production is Q2 2019. • eLeniency target date for production is Q4 2018. • eConfidentiality target date for production is Q2 2019. |
| Critical part of target user base | To be defined during the Executing phases of the projects. |

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| Name of reusable solution | <p>Building Blocks:</p> <ul style="list-style-type: none"> • Document Repository Services (DRS) ³¹; • Multilingual; • eForms; • Reference Data; • Audit Trail; • Messaging. |
| Description | <ul style="list-style-type: none"> • Document Repository Services: provides full support to document management operations by implementing a full set of services that can be integrated with a client application. • Multilingual: manages sets of translations in all European Commission languages in a central repository and offers these translations to different clients embedded in the user applications. • Reference Data: building block used for the management and dissemination of reference data with special consideration for system performance and reusability. |

³¹ This re-usable component was developed by DG DIGIT in the context of ISA Action 2.9 Document Repository Services. Currently its maintenance and operation is financed by ABCDE action, and the budget sub-delegated to DG DIGIT for its maintenance and evolution.

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| | <ul style="list-style-type: none"> • eForms: generic forms easily defined and maintained. • Audit Trail: reusable building block to provide audit trail support of the operations carried out in a common service. • Messaging: implements communications between tool users via messaging operations (send, reply, archiving and content encryption). <p>These modules are decoupled as generic building blocks and published in Join-up for re-use.</p> |
| Reference | https://joinup.ec.europa.eu/software/drs https://joinup.ec.europa.eu/asset/multilingual/home https://joinup.ec.europa.eu/asset/rd https://joinup.ec.europa.eu/asset/forms/home |
| Target release date / Status | All building blocks are in production and re-used by several common e-services as SANI2, State Aid Transparency Award Module, SARI, State Aid Recovery Interest Calculator and ECN2. |
| Critical part of target user base | N/A. |
| For solutions already in operational phase - actual reuse level | Since they were uploaded to JoinUp, the ABCDE building blocks accumulate a total of 272 downloads. GENIS Reference Data building block in particular has a rating of 5 stars out of 5 in JoinUp. |

7.3.5.6 Level of reuse of existing solutions

| Question | Answer |
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| <p>Does the proposal intend to make use of any ISA², ISA or other relevant interoperability solution(s)?</p> <p>Which ones?</p> | <p>Yes. Additionally to the interoperability solutions already re-used by ABCDE that are described above, ABCDE will, as default practise, identify candidate re-usable solutions to provide blocks of functionality in the implementation of new systems and the evolution of the existing ones.</p> <p>Some candidate building blocks that will be evaluated are:</p> <ul style="list-style-type: none"> • Electronic Signatures Service (ESSI) for e-signature; • eUI for graphical user interface; • Activiti or Compass for workflow; • Enterprise Search for content search; • Corporate Notification Services (CNS) for notifications; • eTrustEx platform for file transmission. <p>For eRFI in particular, it is already planned to re-use several corporate building block as eUI, Legislative Text Editor (Leos), Machine Translation (MT@EC), Translation Services (Poetry) and Authentication Services (EU LOGIN).</p> <p>Moreover, GENIS common e-services will re-use and</p> |

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| | interoperate with DG ESTAT's re-usable solution for dissemination of statistical data (ISA ² - Action 2016.06) in order to produce the State Aid Scoreboard. |
| <i>For proposals completely or largely already in operational phase: has the action reused existing interoperability solutions? If yes, which ones and how?</i> | Yes. ABCDE common e-services in production (SANI2, State Aid Transparency Award Module, State Aid Recovery Interest Calculator, ECN2, etc.) are already re-using solutions implemented by ISA ² and ISA programs as eTrustEx (ISA ² 2016.19), GENIS building blocks (ISA 1.11) and Document Repository Services (ISA 2.9) as well as other interoperable solutions developed by the European Commission as EU LOGIN or MT@EC. |

7.3.5.7 Interlinked

| Question | Answer |
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| Does the proposal directly contribute to at least one of the Union's high political priorities such as the DSM? If yes, which ones? What is the level of contribution? | <p>Yes. Competition policy tools are key contributors for the implementation and success of several of the EU high political priorities as, the Jobs, Growth and Investment agenda, the Digital Single Market (DSM) and the Energy Union³² and key areas such as the Banking Union and the fight against tax evasion.</p> <p>By providing digital means to facilitate efficient and effective electronic cross-border and cross-sector exchanges between the European Commission, the Member States' administrations and the European business, the ABCDE action acts as key enabler for the implementation of competition policy, contributing to the better functioning of the internal market for the benefit of consumers, businesses and the European economy as a whole.</p> |

7.3.6 PROBLEM STATEMENT

| Problems and needs addressed by Package I) Operation and improvement of existing common e-services |
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| <p>Problems:</p> <ul style="list-style-type: none"> IT solutions supporting EU legislation could be either implemented in each Member State or with one common service used by all. The first option would imply disparate expenditures by Member States multiplying IT solutions' developments and operations, as well as a |

³² See President Jean-Claude Juncker's Mission Letter to Commissioner Margrethe Vestager, https://ec.europa.eu/commission/sites/cwt/files/commissioner_mission_letters/vestager_en.pdf

number of disparate systems hardly interoperating with each other. The use of common e-services is the de-facto approach in the ABCDE context, being significantly more cost-efficient and more effective (interoperability, use/reuse and exchange of data).

- Data exchanges – typically ruled by tight legal deadlines – are often carried out in a time-consuming way and with limited security measures (i.e. submission of documents by e-mail or delivery of DVDs or paper documents via mail service).
- Ongoing legislation changes requiring adaptations to underlying IT solutions.

Resulting needs:

- Need to operate existing cross-sector and cross-border interoperable common e-services used by the European Commission and the administrations of the Member States to jointly implement EU legislation: SANI2, ECN2, SARI, State Aid Recovery Interest Calculator, State Aid Transparency Award Module and the State Aid Collaboration Platform.
- Need to operate existing cross-sector and cross-border interoperable common e-services used by the EC, the Member States' administrations, the business and citizens, to further support secured and efficient data exchanges required by EU legislation: eTrustEx and eQuestionnaire.
- Need to improve/adapt existing cross-sector interoperable common e-services in the interest of the EU upon legislation changes.

**Problems and needs addressed by
Package II) Development and operation of new ABCDE common e-services**

Problems:

- Several resources-intensive, recurrent, critical data exchange processes are currently carried out without IT support in a semi-automated manner both in European and national administrations. This is unbearable in the current political context of limited staff and resources for public administrations across the EU.
- Data exchanges – often ruled by tight legal deadlines – are often carried out in a unsecured, time-consuming way and with limited security measures (i.e. delivery of paper documents by mail service). Developing common e-services addressing this problem will mean significant cost savings and efficiency improvements for the European Commission, the Member States' administrations, business and citizens.
- The European Commission and the Member States enforce, at different levels, similar legislation. Implementing IT solutions supporting similar data exchange processes at EU and national level could lead to disparate expenditures by Member States multiplying IT solutions' developments and operations.

Resulting needs:

- Need to provide state-of-the-art e-solutions to support resource-intensive, recurrent, critical data exchange processes in a more effective and cost-efficient way: "do more with less" through eRFI, eLeniency and eConfidentiality.
- Need to develop and operate cross-sector, cross-border, interoperable common e-services used by the EC, the administrations in the Member States, the business and citizens to support secured and efficient data exchanges required by EU legislation: eRFI, eLeniency

and eConfidentiality.

- Need to develop IT solutions supporting data exchanges for Case Management prone to reusability at European and national level. Several National Competition Authorities have already expressed their interest in reusing the eRFI solution, rather than developing their own solution. The European Competition Network could be used as a platform to present this and other solutions to other National Competition Authorities.

Problems and needs addressed by

Package III) Establishment of a common ABCDE architectural framework

Problems:

- Lacking a well-defined common architectural framework would lead to different projects being implemented conform to ISA² individually, although architecturally different. This would result in increasing costs over time, eventually resulting in the unsustainability of maintenance and operation of the ABCDE domain's common e-services.
- A distinct information security management by project (i.e. not having a global security strategy and implementation common for the ABCDE domain) would be not only expensive but would also imply a high risk of incoherence in the security implementation of interoperability, resulting inevitably in security vulnerabilities.
- Insufficient use of standard exchange formats in the context of data exchanges in Case Management in the EU, resulting in reduced interoperability and higher costs for data exchanges.

Resulting needs:

- Need for a common ABCDE architectural framework, aligned with the EIF and the EIRA and mapped into the EICart, following a common SOA approach, common semantics and standard exchange formats while aiming at maximising synergies and economies of scale in order to reduce operation, improvement, change and development costs.
- Need for a common, global information security management approach covering all data exchanges in the Case Management domain.
- Need for identifying existing or defining new standard data exchange formats in the context of data exchanges in Case Management in the European Union.

7.3.7 IMPACT OF THE ACTION

7.3.7.1 Main impact list

| Impact | Why will this impact occur? | By when? | Beneficiaries |
|---|--|-----------------------------|---|
| Effective enforcement of EU competition | State-of-the-art common e-services for efficient data exchanges in Case Management will result in a more | Benefit already provided by | European Union as a whole: Institutions, |

| | | | |
|---|--|--|---|
| law (Art. 101-109 TFEU) | <p>effective enforcement of EU competition law by the European Commission and the Member States, leading to:</p> <ul style="list-style-type: none"> • A better functioning of the European Single Market. • Better services and products, more choices, and better prices for European consumers. • More competitive European business better placed in the global economy. | Package I e-services. Will be increased with Package II e-services from Q4 2018. | Member States, businesses and citizens. |
| Cost savings derived from the common use of common ABCDE e-services | The provision and operation of central e-services jointly used by Member States and the European Commission translates in concrete cost savings, since Member States do not need to engage in significant investments to develop, operate and evolve their own information systems in order to comply with European legislation. | Benefit already provided by Package I e-services. | European Commission and Member States' administrations. |
| Cost savings resulting from the re-use of ABCDE common e-services by Member States' administrations | Similar exchange processes in the context of Competition policy take place both at European and national level. Implementing e-services that can be re-used by Member States to support those processes translates in cost savings (i.e. re-using eRFI by National Competition Authorities). | From Q4 2018 (eLeniency) and Q2 2019 (eRFI and eConfidentiality). | European Commission and Member States' administrations. |
| Cost and time savings derived from automation of exchange processes | Several data and document exchange processes in Case Management still imply heavy manual intervention by European, National administrations and businesses' staff (foremost the negotiation of confidentiality and leniency applications) as well as high costs derived from the use of postal services (i.e. DHL) or staff displacement (i.e. delivery of leniency applications by lawyers). Automating these processes will reduce the cost, time and manpower required to carry them. | Benefit already provided by Package I e-services. Will be increased with Package II e-services from Q4 2018. | European Commission, Member States' administrations and business. |
| Enhanced security in the | The European Commission and Member States have an obligation of | Benefit already | European Commission, |

| | | | |
|--|--|--|--|
| manipulation, transmission and storage of sensitive information. | professional secrecy to protect confidential data of the business that it receives in its investigations. By substituting the use of non-automated means (fax, mail post, non-encrypted email, etc.) inadvertent document disclosures will be minimised. | provided by Package I e-services. Will be increased with Package II e-services from Q4 2018. | Member States' administrations and business. |
|--|--|--|--|

7.3.7.2 User-centricity

In line with the European Interoperability Framework principles, user-centricity recommendations are taken into account in the design of ABCDE solutions. ABCDE aims to deliver user-friendly and user ergonomic tools. In order to produce user-centric solutions ABCDE:

- Identifies and involves user representatives: with the support of the Business Managers and the sponsorship of the Project Owners, user representatives of the end-users (both internal and external) are involved from the early stages of the projects. Their collaboration and input are critical for identifying business needs and requirements, defining acceptance criteria and performing user acceptance tests (EIF's recommendation 12).
- Follows an agile software development methodology (Agile@EC): users are actively involved in the software development process in a regular and continuous way from the early iterations of the project. This allows them to provide immediate feedback on the incremental versions of the systems developed, so the projects can be adjusted accordingly to their needs (EIF's recommendation 12).
- Performs User eXperience (UX) studies: for new common e-services (i.e. eRFI and eConfidentiality) we carry-out studies with user ergonomics specialists in order to design user-friendly tools. These studies help to tailor the tools to the main user profiles that will interact with them, define friendly user interfaces with intuitive navigation, and detect and correct "pain points" (EIF's recommendations 12 and 13).
- Designs the common e-services to request only relevant information and this to be input only-once by the users and then re-used across the different systems when possible (EIF's recommendations 13)

7.3.8 EXPECTED MAJOR OUTPUTS

All major outputs of the ABCDE action are re-usable and have been described under section 7.3.5.5.

7.3.9 ORGANISATIONAL APPROACH

7.3.9.1 Expected stakeholders and their representatives

| Stakeholders | Representatives |
|--|---|
| GENIS State aid common e-services | |
| Project Owner | Gert-Jan Koopman (COMP Deputy DG for State Aid) |
| ECN2 | |
| Project Owner | Anna Vernet (HoU COMP.A.4) |
| COMP eTrustEx | |
| Project Owner | Marc Ekelmans (HoU COMP.R.1) |
| eQuestionnaire | |
| Project Owner | Julia Brockhoff (DHoU COMP.A.2) |
| eRFI | |
| Project Owner | Julia Brockhoff (DHoU COMP.A.2) |
| eLeniency | |
| Project Owner | Eric Van Ginderachter (Director COMP.G) |
| eConfidentiality | |
| Project Owner | Kris Dekeyser (Director COMP.A) |
| Case Enterprise and System Architecture (CESA) | |
| Project Owner | Manuel Pérez Espín (HoU COMP.R.3) |

7.3.9.2 Identified user groups

European Commission and other Institutions: case managers, case handlers, paralegals and document managers from DG COMP, DG AGRI, DG MARE, as well as from the Single Resolution Board, working in Case Management data exchanges with external parties (mainly Member States' administrations and business).

Member States and EFTA countries administrations: staff from National Competition Authorities, Sector Regulators and Permanent Representations, collaborating with the European Commission in the joint enforcement of EU competition law, in particular in Antitrust and Cartel enforcement, Merger control and State Aid control.

Business: users from companies' legal services and representing law firms, interacting with the European Commission in the context of requests for information, leniency/immunity applications and negotiation of confidentiality on Access to file requests.

Citizens: consulting State aid individual award data provided by Member States in compliance with the European transparency requirements for State aid, and accessing relevant information about awarded aid, such as name of the beneficiary, amount, location, sector and objective.

7.3.9.3 Communication and dissemination plan

Common e-services under the ISA² Action ABCDE will implement their communication management processes following the PM² methodology and will participate to the different ISA² communication channels, working groups and events as appropriate. Some of the meetings taking place will be:

- **Project follow-up and review meetings.** Chaired by the Project Manager and attended by the Business Manager and the Project Core Team, the project follow-up and review meetings aim to discuss the project progress, the identification of new risks and issues, the status of current and future deliverable and/or the testing progress among others. Depending of the project size they are held at least once a month.
- **Project Steering Committee meetings.** Chaired by the Project Owner, and attended by the Business Manager, Solution Provider and Project Manager, the project steering committee meetings aim at discussing key points meriting management attention (i.e. problems encountered, actions taken, evaluation of the project status with respect to the scope, plan and budget, risk review, etc.). Project Steering Committee meetings are normally held in a quarterly basis. Minutes of the meeting are distributed by e-mail and registered.
- **DIT³³ meetings.** Chaired by COMP's DDG for Mergers and attended by Project Owners, Business Managers, IT and document management specialists. The DIT operates as DG COMP's IT Steering Committee and assures that the investments in IT, including those on the ABCDE action, are aligned with business needs and generate business value. The DIT coordinates the overall execution of the IT strategy and set priorities where necessary. DIT meetings are held bi-monthly. Minutes of the meetings are distributed by e-mail.
- **Working groups and participatory meetings with Member States representatives.** For common e-services used by the Member States' administrations, the European Commission holds several meetings per year to ensure the alignment of the common e-services with Member States' needs. Often new versions of the tools are presented for feedback and overview of the forward planning is presented. IT trainings and Questions & Answers sessions are also organised in this context. Some samples of these meetings are the ECN Plenary meeting, the EU Merger Working Group or the Transparency Award Module Steering Group. Minutes of the meetings are distributed by e-mail.
- **ABCDE – CASE@EC Coordination meetings** brings together representatives from the ABCDE action and CASE@EC project. The purpose of these meetings is to ensure architecture alignment and coherent SOA/interoperability approach between the two projects. ABCDE – CASE@EC meetings are held on a weekly basis.

Re-usable solutions developed under ABCDE action will be made available via the JoinUp platform.

³³ DIT stands for Document handling and IT systems Group.

7.3.9.4 Key Performance indicators

The following list of KPIs has been defined together with the ISA² Monitoring and Evaluation team as it is monitored and reported in a quarterly basis. The KPIs defined so far measure the periodic (quarterly) achievement of Package I services' operational goals since the beginning of the ISA² programme). Additional KPIs will be defined in order to measure the achievement of the Package II services' success criteria.

| Description of the KPI | Target to achieve | KPI values Q2 2017 |
|---|----------------------|--------------------|
| Percentage of State Aid Notifications received via SANI2 common e-service | 80% | 98,6% |
| Number of State Aid Awards published via the Transparency Award Module common e-service | 500 (per quarter) | N/A |
| Number of active users of the Transparency Award Module common e-service | 1000 | 924 |
| Number of documents downloaded via ECN2 common e-service | 20 000 (per quarter) | 40 951 |
| Number of bundles transferred via COMP eTrustEx common e-service | 600 (per quarter) | 529 |
| Availability of eQuestionnaire common e-service | 95% | 100% |

7.3.9.5 Governance approach

The governance of ISA² Action ABCDE can be seen from two perspectives: global governance of the action as a whole, and governance of each common e-service under the umbrella of ABCDE as an individual project/service.

From a global perspective ABCDE is steered and monitored by the DIT (DG COMP's IT Steering Committee, see section 1.1.9.3) in order to ensure its business alignment. From the EC perspective, ABCDE is aligned with the practices established by the Central IT Governance and follow the ISA² governance structures and reporting as described in the ISA² legal basis.

From an individual project/service perspective, each ABCDE common e-service implements a governance model based on the PM² methodology. The roles and responsibilities of the Project Owner and the Business Manager are defined, and each project has its Project Steering Committee (see 1.1.9.1). The Steering Committee guides, promotes, monitors and evaluates the successful execution of the project. Project Steering Committee meetings are held in a quarterly basis. The different Project Steering Committees report to the DIT.

7.3.10 TECHNICAL APPROACH AND CURRENT STATUS

Package I) Operation and improvement of existing ABCDE common e-services.

The common e-services under Package I are in operational phase throughout the duration of the ISA² programme. The operational phases comprise the improvements of these common e-services derived mainly from:

- New requests from users in the European Commission services, Member States, administrations and business;
- Adaptation to legislation changes;
- Step-wise alignment with the ABCDE common architectural framework.

Current status: all GENIS State Aid common e-services (SANI2, State Aid Transparency Award Module, State Aid Recovery Interest Calculator, State Aid Collaboration Platform and SARI), ECN2, COMP eTrustEx and eQuestionnaire are in production.

Package II) Development and operation of new ABCDE common e-services.

The common e-services under Package II will be implemented following PM² and Agile@EC methodologies. The initiating and planning phases of the different sub-projects will go hand-in-hand with the implementation of the ABCDE common architecture proposed by the CESA project. The executing phases will benefit from the common architecture by re-using common building blocks, artefacts and technologies.

Current status: eRFI, eLeniency and eConfidentiality projects are currently in Executing phase.

Package III) Establishment of a common ABCDE architectural framework

The implementation of the ABCDE common architecture takes input from architectural analysis of the existing common e-services under Package I, and from the architectural analysis carried out during initiating and planning phases of the new common e-services under Package II. The ABCDE common architecture is coordinating the maintenance and evolution of the different common building blocks re-used by the common e-services (User Management, Reference Data, Multilingual, Audit Trail, etc.).

Current status: CESA project is currently in Executing phase.

Services – Quality management, quality assurance, testing, support and hosting

In order to gain efficiency and save costs, several non-development activities are centralised as a horizontal service supporting all the ABCDE common e-services. This service offers quality management, quality assurance and quality control capabilities, as well as it provides 2nd level user support to administrations and business. The cost of hosting is also covered here.

Current status: testing and support services are operational, providing services to all sub-projects in Package I and II. The setup of a Quality Management framework is ongoing.

7.3.11 COSTS AND MILESTONES

7.3.11.1 Breakdown of anticipated costs and related milestones

| Phase: Initiating Planning Executing Closing/Final evaluation | Description of milestones reached or to be reached | Anticipated Allocations (KEUR) | Budget line ISA ² / others (specify) | Start date (QX/YYYY) | End date (QX/YYYY) |
|---|--|--------------------------------------|---|-------------------------|-----------------------|
| Package I - Operation and improvement of existing ABCDE common e-services | | | | | |
| GEN-Operation | GENIS | 3040 | ISA ² | Q2/2016 | Q4/2020 |
| ECN-Operation | ECN2 | 1395 | ISA ² | Q2/2016 | Q4/2020 |
| ETX-Operation | COMP eTrustEx | 500 | ISA ² | Q2/2016 | Q4/2020 |
| EQU-Operation | eQuestionnaire | 400 | ISA ² | Q2/2016 | Q3/2020 |
| Package II – Development and operation of new ABCDE common e-services | | | | | |
| ERF-Initiating | eRFI | 100 | ISA ² | Q2/2016 | Q4/2016 |
| ERF-Planning | eRFI | 60 | ISA ² | Q1/2017 | Q2/2017 |
| ERF-Executing | eRFI | 760 | ISA ² | Q2/2017 | Q4/2018 |
| ERF-Closing | eRFI | 130 | ISA ² | Q1/2019 | Q2/2019 |
| ERF-Operation | eRFI | 390 | ISA ² | Q3/2019 | Q4/2020 |
| ELE-Initiating | eLeniency | 50 | ISA ² | Q3/2016 | Q1/2017 |
| ELE-Planning | eLeniency | 70 | ISA ² | Q1/2017 | Q2/2017 |
| ELE-Executing | eLeniency | 450 | ISA ² | Q3/2017 | Q2/2018 |
| ELE-Closing | eLeniency | 50 | ISA ² | Q3/2018 | Q4/2018 |
| ELE-Operation | eLeniency | 100 | ISA ² | Q1/2019 | Q4/2020 |
| ECO-Initiating | eConfidentiality | 70 | ISA ² | Q3/2016 | Q1/2017 |
| ECO-Planning | eConfidentiality | 100 | ISA ² | Q1/2017 | Q2/2017 |
| ECO-Executing | eConfidentiality | 450 | ISA ² | Q3/2017 | Q4/2018 |
| ECO-Closing | eConfidentiality | 50 | ISA ² | Q1/2019 | Q2/2019 |
| ECO-Operation | eConfidentiality | 150 | ISA ² | Q3/2019 | Q4/2020 |
| Package III – Establishment of a common ABCDE architectural framework | | | | | |
| CES-Initiating | CESA | 70 | ISA ² | Q3/2016 | Q1/2017 |
| CES-Planning | CESA | 165 | ISA ² | Q1/2017 | Q2/2017 |
| CES-Executing | CESA | 220 | ISA ² | Q3/2017 | Q2/2018 |
| CES-Closing | CESA | 60 | ISA ² | Q3/2018 | Q4/2018 |
| CES-Operation | CESA | 1595 | ISA ² | Q2/2016 | Q4/2020 |
| DRS-Operation | DRS operation | 600 | ISA ² | Q2/2016 | Q4/2020 |
| Services – Quality management, quality assurance, testing, support and hosting | | | | | |

| | | | | | |
|---------------|-----------------------------|-------|------------------|---------|---------|
| QMA-Operation | Quality Management | 750 | ISA ² | Q2/2016 | Q4/2020 |
| SUP-Operation | User support and IS testing | 1439 | ISA ² | Q2/2016 | Q4/2020 |
| HOS-Operation | Hosting DIGIT Data Center | 840 | ISA ² | Q2/2016 | Q4/2020 |
| | TOTAL | 14054 | ISA ² | | |

7.3.11.2 Breakdown of ISA² funding per budget year

| Budget Year | Phase | Anticipated allocations (in KEUR) | Executed budget (in KEUR) |
|-------------|---------------------------------------|-----------------------------------|---------------------------|
| 2016 | Package I - Operation | 915 | 915 |
| 2016 | Package II - Development | 340 | 340 |
| 2016 | Package III - Development & Operation | 530 | 530 |
| 2016 | Services - Operation | 550 | 550 |
| 2017 | Package I - Operation | 1120 | 1120 |
| 2017 | Package II - Development | 900 | 900 |
| 2017 | Package III - Development & Operation | 570 | 570 |
| 2017 | Services - Operation | 429 | 429 |
| 2018 | Package I - Operation | 1120 | |
| 2018 | Package II - Development | 920 | |
| 2018 | Package III - Development & Operation | 370 | |
| 2018 | Services - Operation | 590 | |
| 2019 | Package I - Operation | 1160 | |
| 2019 | Package II - Development & Operation | 410 | |
| 2019 | Package III - Operation | 560 | |
| 2019 | Services - Operation | 790 | |
| 2020 | Package I - Operation | 1020 | |
| 2020 | Package II - Operation | 410 | |
| 2020 | Package III - Operation | 560 | |
| 2020 | Services - Operation | 790 | |
| | TOTAL | 14054 | |

