Measures for a high level of public sector interoperability across the Union (Interoperable Europe Act)

2022/0379(COD) - 06/02/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 524 votes to 18, with 97 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act).

Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Subject matter and scope

The proposed regulation lays down measures that promote the **cross-border interoperability of trans European digital public services**, thus contributing to the interoperability of the underlying network and information systems by establishing common rules and a governance framework. It should apply to Union entities and public sector bodies that regulate, provide, manage or implement trans-European digital public services.

Member States should remain competent regarding: the definition of what constitutes public services or to their ability to establish procedural rules for or to provide, manage or implement those services; (ii) their activities concerning public security, defence and national security.

The regulation does not entail the supply of information the disclosure of which would be contrary to the essential interests of **Member States' public security, defence or national security**.

Interoperability assessment

Before taking a decision on new or substantially modified binding requirements, a Union entity or a public sector body should carry out an interoperability assessment which should identify and assess the following: (i) the effects of the binding requirements on cross-border interoperability, using the European Interoperability Framework as a support tool; (ii) the stakeholders to which the binding requirements are relevant; (iii) the Interoperable Europe solutions that support the implementation of the binding requirements.

The Union entity or public sector body concerned should publish, in a machine-readable format facilitating automated translation, a report presenting the outcome of the interoperability assessment, on an official website.

Share and reuse of interoperability solutions between Union entities and public sector bodies

A Union entity or public sector body should make available to any other Union entity or public sector body that requests it an **interoperability solution** supporting a trans-European digital public service, including the technical documentation, and, where applicable, the version history, documented source code and the references to open standards or technical specifications used. To enable the reusing entity to

manage the interoperability solution autonomously, the sharing entity shall specify any conditions that apply to the reuse of the solution, including any guarantees provided to the reusing entity with regard to cooperation, support and maintenance.

The priority should be to the implementation of interoperability solutions that do not carry restrictive licensing terms, such as open source solutions, where such interoperability solutions are equivalent in terms of functionalities, total cost, user-centricity, cybersecurity or other relevant objective criteria.

Interoperable Europe solutions

The Board should recommend interoperability solutions for the cross-border interoperability of trans-European digital public services. Where the Board makes such a recommendation, that solution should carry the label 'Interoperable Europe solution' and should be published on the Interoperable Europe portal, clearly distinguishing between Interoperable Europe solutions and other solutions.

The **Interoperable Europe portal** should be made publicly available and findable interoperability solutions that follow the EIF principles of openness, accessibility, technical neutrality, reusability, security and privacy. The portal should be electronically accessible to all citizens, including persons with disabilities, and such access shall be free of charge.

Establishment of interoperability regulatory sandboxes

The regulation provides the establishment of an interoperability regulatory sandboxes, which will consist of controlled test environments that facilitate the development and testing of innovative solutions before they are integrated into public sector networks and information systems.

Interoperability regulatory sandboxes that entail the processing of personal data by public sector bodies, shall be operated under the supervision of the national data protection authorities as well as other relevant national, regional or local supervisory authorities.

Training

The Commission should develop training courses and training materials, and should promote the development of a certification programme on interoperability matters in order to promote best practices, qualifications for human resources and a culture of excellence. The Commission and the Member States should foster capacity-building, particularly within public administrations, in terms of the reskilling and upskilling needed for the implementation of this Regulation.

Interoperable Europe Board

The Interoperable Europe Board should facilitate strategic cooperation and provide advice on the application of this Regulation. It should be composed of one representative from each Member State and from the Commission. The Committee of the Regions, the EU Cybersecurity Agency (ENISA) and the European Cybersecurity Competence Centre should each designate one expert, who should be invited to participate as observers.

Interoperable Europe Agenda

The Board should adopt, each year, a **strategic agenda** by which to plan and coordinate priorities for the development of cross-border interoperability of trans-European digital public services. The Interoperable Europe Agenda should contain a needs assessment for the development of interoperability solutions as well as indications of available financial opportunities in support of the priorities included.

The Commission should monitor the progress of the development of trans-European digital public services to support evidence-based policymaking and necessary actions in the Union at national, regional and local level.