

Jean Monnet Network VISTA Teaching Case Study

The Single Digital Gateway Regulation

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Summary: This teaching assignment comprises a case study of the Single Digital Gateway Regulation (EU) 2018/1724, which was adopted on 2 October 2018, and its underlying principle, the once-only principle (OOP). This new regulation formed part of a package of legislation designed to support the creation of a Digital Single Market in the EU. Since 2018, the European Commission has been working with national administrations to implement the regulation and the related once-only principle. The OOP is one of the core principles of the eGovernment Action Plan and Tallinn Declaration, which are setting the goals to modernise the digital public services and make the EU a better place to work, live and invest. This involves the development of a network of federated national services and portals to provide information on EU rules and their related procedures targeted at cross-border users (citizens and businesses). This case study aims to identify the opportunities arising from the SDGR and the once-only principle and to explore the challenges facing the implementation of the SDGR and the once-only principle.

Student level: This teaching case is suitable for advanced undergraduate or postgraduate students.

Implementing the case study: This teaching case study would require 1-2 sessions.

Keywords: Digital Single Market; Single Digital Gateway Regulation; once-only principle; national portal, Your Europe, eGovernment, eGovernment Action Plan, Tallinn Declaration

1. Introduction

On 2 October 2018, the European Union (EU) adopted the Single Digital Gateway Regulation (SDGR). This new regulation formed part of a package of legislation designed to create a Digital Single Market in the EU. Since then, the European Commission has been working with national administrations to implement the regulation and the related once-only principle. This involves the development of a network of national portals to provide information on EU rules and their related procedures targeted at cross-border users (citizens and businesses). While the implementation process has lasted several years, the aim of the project is that by the end of 2023, the European Commission's "Your Europe" portal will have evolved to offer access to 21 online procedures, such as how to register a car or claim a pension, across all EU Member States and the European Economic Area (EEA) countries. With only certain exceptions, the system will be wholly digitalised.

This case study examines the Single Digital Gateway Regulation and its related principle, the once-only principle (OOP).

The aims of this case study are:

- To identify the opportunities arising from the SDGR and the once-only principle.
- To identify the challenges facing the implementation of the SDGR and the once-only principle.

2. Context

An essential element of the EU's Single Market, which aims to ensure the freedom of movement of goods, services, people, and capital, lies in the capacity of citizens and businesses living or operating in another EU Member State to understand the rules that apply to their case and how to carry out simple procedures. Searching for such information is time-consuming and often difficult. It involves substantial "red tape" and can be a serious drain on resources, especially for small and medium-sized businesses. Information may appear on websites but are often presented unsystematically or even inaccurately. Other procedures remain paper-based or require in-person attendance at an office, impeding the implementation of a Digital Single Market. There are also barriers to citizens and businesses from the other Member States or EEA countries participating in administrative procedures, such as where a national postcode or some other form of identification may be required. Moreover, it may be impossible to know

whom to turn to for help when things go wrong. The Single Digital Gateway Regulation was designed to address these impediments to the Single Market or, more precisely, to the Digital Single Market (DSM).

The background to the SDGR can be found not only in the logic of the Single Market but also in earlier legislative and policy initiatives dating back to the 1990s. One landmark was the approval of Directive 1999/93/EC on a Community Framework for Electronic Signatures. Support for online and electronic services can also be found in the “eEurope 2002 Action Plan” and the “eEurope 2005 Action Plan”, both of which created the basis for e-Services in the EU. The i2010 eGovernment Action Plan of 2005 was also important in that it identified five objectives relevant to this case study:

- (1) to provide trusted and innovative eGovernment services to all citizens and thus overcome “digital divides”;
- (2) to make these services effective and efficient;
- (3) to provide all public procurement online;
- (4) to provide convenient, secure and authenticated online access (secure identification);
- (5) to strengthen democratic decision-making by using new ICTs.

These plans and others since were supported by ministerial commitments (declarations), such as are found in the 2009 Malmö Declaration. These initiatives sought to set up a cross-border and interoperable environment across Europe. In 2014, the EU implemented the eIDAS Regulation (910/2011 of 23 July) on electronic identification and trust services for electronic transactions in the internal market (which replaced the aforementioned 1999 Directive). This regulation was a key element of the eGovernment Action Plan 2011-2015. Since 2015, the Digital Single Market has become a priority, and in such documents as the 2017 Tallinn Declaration and the e-Government Action Plan 2016-2020, the once-only principle (discussed below) was added to the digital landscape.

The SDGR is one of the key vehicles for the once-only principle. The SGDR is built upon three pillars. The first is information relating to rules and rights. The second is procedures; in other words, how those rules and rights can be applied in practice (i.e. electronically). The third is access to assistance services, relating to points of access for good quality help. Across all three pillars, a national coordinator liaises with the Commission and national/local authorities to ensure the setting up of a national repository of information and a search facility linked to that

repository. Feedback mechanisms allow citizens and businesses to identify problems in the system. Insofar as the first two pillars are concerned, the SDGR rests on the cross-border implementation of the once-only principle. This principle involves the reuse of information already held in electronic form by public administrations in the EU. The main goal of the principle is to collect and store data only once. Once the respective data are stored, their provision should be ensured by accessing this data source. Therefore, the principle foresees establishing a technical system, allowing evidence to be exchanged across national systems. All 21 procedures (and some other legislative acts) are to be covered by the principle. An Implementing Act was to be agreed upon on this matter in 2021, but the process was delayed.

3. The SDGR and the OOP: opportunities and challenges

The Once-Only Principle Project (TOOP) was the first large-scale pilot project funded by the EU's Horizon 2020 Framework Programme. The project was launched on 1 January 2017 as an initiative of over 50 organisations in 20 Member States and associated countries. The TOOP's mission was to explore and demonstrate the once-only principle as it applies to cross-border interactions, as well as to support the implementation of the SDGR, focusing on data from businesses across three pilot use cases/areas (updating business register data in a cross-border context; cross border e-services, in particular tenders; and online ship and crew certificates). The project's ultimate aim was to facilitate the exchange of business-related data or documents with and between public administrations and reduce the administrative burden for both businesses and public administrations.

The TOOP identifies various barriers that could hinder the implementation of the once-only principle. These include: data protection and data sharing requirements; implementation costs; public sector silo issues; and legal barriers and/or gaps.

Implementing the teaching case study

Seminar Tasks:

In advance of the seminar, you should reflect on how you will answer the following questions:

1. What are the Single Digital Gateway Regulation and the once-only principle?
2. What opportunities arise from the SDGR and the once-only principle?
3. What are the principal challenges and weaknesses of the SDGR and the once-only principle?
4. How are Large-Scale Pilot project set up and coordinated? What are the particular challenges of running a Large-Scale Pilot project?

In preparation for this seminar, you should read the following texts:

1. Schmidt, C. & Krimmer, R. (2022). How to implement the European Digital Single Market: identifying the catalyst for digital transformation. *Journal of European Integration* 44(1), 59-80.
<https://www.tandfonline.com/doi/full/10.1080/07036337.2021.2011267>
2. Schmidt, C., Krimmer, R. & Lampoltshammer, T. J. (2021). “When need becomes necessity” – The Single Digital Gateway Regulation and the Once-Only Principle from a European point of view’. In Roßnagel, H., Schunck, C. H. & Mödersheim, S. (Hrsg.), *Open Identity Summit 2021* (pp. 223-228). <https://dl.gi.de/handle/20.500.12116/36498>

Further sources and recommended readings:

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Rashid, N. (2020). *Deploying the once-only principle. A privacy enhancing guide for policymakers and civil society actors*. Ash Center for Democratic Governance and Innovation, Harvard Kennedy School. <https://ash.harvard.edu/files/ash/files/deploying-once-only-policy.pdf?m=1605912398>

Wimmer, M., Tambouris, E., Krimmer, R., Gil-Garcia, J. & Chatfield, A.T. (2017). Once only principle: benefits, barriers and next steps. *Faculty of Engineering and Information Sciences, - Papers: Part B*, 559. <https://ro.uow.edu.au/eispapers1/559>