

Digital Agenda

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for Europe



Digital Agenda for Europe Annual Progress Report 2011

22 December 2011

1. Introduction – The DAE and the EU

The sovereign debt crises and the ensuing economic turmoil of 2011 are in part due to uncertainty in the market that future growth rates would be sufficient to service debt. This underlines the importance of the EU having a robust growth strategy alongside a regime of prudent fiscal management. The Digital Agenda for Europe (DAE)¹ is a crucial component of such a growth strategy in that it sets out concrete steps whereby Information and Communication Technologies (ICT) can enhance productivity and innovation capacity, as well as generate new business opportunities and jobs. The contribution of ICT is significant as recently ICTs have contributed around half of the growth in EU productivity² and they will remain a critical factor in future growth.

Providing greater certainty about how we can grow in future is the major aim for this first annual progress report on the implementation of the Digital Agenda for Europe³. Building on the Digital Agenda Scoreboard 2011⁴ and the Digital Agenda Assembly 2011⁵, the paper lists

¹ COM (2010) 245 final/2

[http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0245R\(01\):EN:NOT](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0245R(01):EN:NOT)

² Europe's Digital Competitiveness Report 2010, SEC(2010) 627, 17 May 2010.

³ In the Digital Agenda, one of the seven flagship initiatives of the Europe2020 strategy, the Commission committed "to report on the result of these activities in an annual progress report to the European Council in accordance with the Europe 2020 governance structure."

⁴ Digital Agenda Scoreboard, Commission Staff Working Paper, SEC (2011) 708, 31 May 2011:

http://ec.europa.eu/information_society/digital-agenda/scoreboard/index_en.htm

⁵ http://ec.europa.eu/information_society/digital-agenda/daa/index_en.htm

recently completed actions⁶ and concentrates on the steps to be taken over the next 12-24 months to deliver the actions within the Digital Agenda, in particular to contribute to the Smart Growth pillar of the Europe 2020 strategy for the European economy.

2. DAE progress so far

Pillar 1 - A vibrant digital single market

Overview: Progress in this area has been mixed. Of the 21 actions under this heading, 8 are completed, 5 are delayed, and 8 are on track.

In the next 12-24 months the following Commission actions will be in the spotlight:

1. **Digital content:** The development of digital content markets is crucial for the achievement of the online single market and for the free circulation of information and services. Key upcoming actions to unlock potential growth in this area include:
 - The proposal for **Directive on Collective Rights Management (CRM)** ([DAE Action 1](#)) to tackle barriers to cross-border online music licensing and improve the governance and transparency of the functioning of the collecting societies is now planned for adoption in the first quarter of 2012. Rapid action on this complex issue will provide a stimulus to growth in the area of online content where Europe is lagging behind other leading markets. Stakeholder dialogue on further measures was also kicked off with the publication of the Green Paper on the online distribution of audiovisual works (see next point). It will be complemented by studies on the Directive on Copyright in the Information Society during 2012 ([DAE Action 4](#)).
 - The **Green Paper on audiovisual content** was adopted on 13 July 2011 ([DAE Action 5](#)), analysing the state of development of the digital market for audiovisual content in Europe and asking stakeholders' views on barriers to further development of the market. It was submitted to public consultation until 18 November 2011. The Commission will report on the results of the consultation by mid-2012.
 - In addition to the **Directive on orphan works** ([DAE Action 2](#)) that was presented by the Commission on 24 May 2011, a Memorandum of Understanding (MoU) on Key Principles on the Digitisation and Making Available of Out-of-Commerce Works was signed by stakeholders on 20 September 2011. The Commission also adopted a Recommendation on digitisation and digital preservation on 27 October 2011 (see [DAE Action 79](#)).⁷
 - Beyond the initial set of DAE actions the Commission will restart a dialogue among industry stakeholders on **copyright levies**. Former European Commissioner António Vitorino was appointed as mediator to moderate these discussions, which are intended to pave the way for effective legislative action in 2013. The dialogue process will start

⁶ The paper updates the actions completed/launched since the latest update in the Scoreboard, which reviewed actions implemented during the first year of the Digital Agenda.

⁷ <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/1292&format=HTML&aged=0&language=EN&guiLanguage=en>

in January 2012 and be completed before the summer. It will work towards consensus on the methodology used to calculate levies and on the scope of their application.

- The revision of the **Directive on enforcement of intellectual property rights (IPR)** which will address online piracy is also expected in the first half of 2012 ([DAE Action 6](#)).
- The stimulation of markets for web-based applications and services based on open data has been identified as having a major potential growth effect. To encourage the emergence of these markets, the Commission adopted an Open Data Package, including a proposal for a reviewed **Directive on re-use of Public Sector Information**, on 12 December 2011 (PSI, [DAE Action 3](#))⁸.

2. **E-commerce:** e-commerce and other online commercial services are growing rapidly in Europe for both retail and business to business. Cross-border e-commerce growth has grown quickly, too, but starting from a low level. Almost 9% of EU citizens ordered online in a different country, up 25% from the 2008 figure⁹. However, as more than 40% of the EU population orders online in their own country, cross border e-commerce is not yet close to reaching its full potential¹⁰. Key upcoming steps by the Commission to encourage e-commerce uptake as the core aspect of the digital single market include:

- The **action plan to boost e-commerce**, to be published in early 2012, outlining further measures to stimulate growth of e-commerce by creating trust for example in the areas of secure and affordable electronic payments, awareness of businesses about going online, security of cross-border transactions, "notice and action" procedures, and postal delivery. It will be accompanied by background documents covering e-commerce issues from a consumer point of view, and the implementation and application of the eCommerce Directive, including a detailed evaluation of the remaining barriers to the Digital Single Market and the EU responses to them ([DAE Action 9](#)).
- The **review of the eSignature Directive and mutual cross-border recognition of e-IDs**, as a key action in the Single Market Act¹¹, is important to make it easy and safe to both set up and use public and private online services ([DAE Action 8](#) and [DAE Action 83](#)). This will encourage innovation, competition and choice as well as making it easier for small e-business players to access the scale economies of the electronic market place. The Commission will make proposals on a single instrument in the second quarter of 2012.
- The Commission will also publish a strategy on stimulating **cloud computing** in the European digital single market in 2012. While cloud computing is addressed in DAE

⁸ Open Data Package adopted on 12 December 2012:

http://ec.europa.eu/information_society/policy/psi/index_en.htm

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http://scoreboard.lod2.eu/index.php?scenario=2&indicators%5B%5D=i_bfeu%25IND_TOTAL%25%25+ind&countries%5B%5D=EU27

¹⁰

http://scoreboard.lod2.eu/index.php?scenario=2&indicators%5B%5D=i_blt12%25IND_TOTAL%25%25+ind&countries%5B%5D=EU27

¹¹ COM (2011) 206

pillar 5, the cloud strategy will be very relevant for other DAE pillars too, in particular pillar 1.

3. **Consumer trust:** trust is one of the key success factors to the growth of e-commerce. The Commission's actions to boost consumers' confidence in the digital environment in the coming period will be:

- A revision of the **Data Protection Directive**: following extensive public consultation, a comprehensive legislative proposal updating the 1995 Directive in the light of developments such as cloud computing and social media will be adopted in the beginning of 2012 ([DAE Action 12](#)).
- An **optional contract law instrument, Common Sales Law (CSL)** that aims to provide a way to offer legal certainty to both consumers and retailers in cross-border (especially online) transactions, was adopted on 11 October 2011. According to the proposal of the Commission the instrument shall apply to contracts for provision of goods and digital content ([DAE Action 13](#)).
- The legislative proposals on **Alternative Dispute Resolution (ADR) and Online Dispute Resolution (ODR) for consumer disputes** were published by the Commission on 29 November 2011. This legislative package tackles worries about how to resolve out-of-court, in a simple, quick and inexpensive way, all contractual disputes between a consumer and a trader arising from the sale of goods or provision of services (online, offline, cross-border or domestically) in the Single Market. The ODR Regulation aims to provide consumers and businesses with a simple and efficient online dispute resolution system. These proposals form part of the twelve key actions of the Single Market Act for which a fast-tracked adoption is foreseen in 2012 ([DAE Action 14](#)).
- Guidance to Member States to assist them in the correct application of Article 20(2) of the Services Directive, which prohibits different treatment of service recipients based on their nationality or residence, except where there are objectively justified reasons to do so. Differentiated treatment is especially tangible for consumers when they engage in online transactions.
- The Commission will also launch a Code of EU Online Rights that summarises existing digital user rights in the EU in a clear and accessible way in 2012 ([DAE Action 16](#)).
- With regard to **EU online trustmarks** ([DAE Action 17](#)), the usefulness and benefits of the EU-wide trustmark schemes are being explored to reassure consumers on the reliability of online traders. The Commission will elaborate different policy options for EU-wide trustmark schemes and governance of such trustmark systems by the end of 2012.

4. Single market for telecommunications services

- The Commission presented a proposal for the “**Roaming III regulation**” on 6 July 2011¹² that will further open the way towards a level-playing field for operators and

¹² COM(2011) 402

better prices for consumers in Europe. It will also stimulate markets for mobile internet based e-commerce ([DAE Action 101](#)).

- With regard to investigating the **cost of non-Europe in the telecoms market** ([DAE Action 20](#)), based on the results of a study, a public consultation will be organised in 2012. The study and the public debate will feed into a detailed Commission's assessment of additional EU policy measures that may be required to tackle the main obstacles to the internal market and exploit its potential.

Over the coming 12-24 months the key items for action by Council and the European Parliament are:

- Digital Content: to come to a political agreement on the **Directive on orphan works** ([DAE Action 2](#)) that was presented by the Commission on 24 May 2011, by 2012. The new legal framework will create coherent rules for the use of orphan works in the EU, thereby stimulating the availability of a large body of copyrighted material.
- Open Data: the proposal for a reviewed **Directive on re-use of Public Sector Information** ([DAE Action 3](#)), presented by the Commission on 12 December 2011, is crucial for unlocking the potential wealth of government data and creating ground for web-based applications and services.
- eCommerce/ payments: Making cross-border electronic online payments as easy as the domestic ones is a key growth factor for the digital single market. The proposed **Regulation mandating migration end dates to pan-European credit transfers** and direct debits (2010, [DAE Action 7](#)) and aiming at the completion of the Single Europe Payments Area (SEPA) is crucial in this respect. Its benefits will be felt beyond retail eCommerce, to cover electronic transactions in general (including in a business-to-business context). The Commission's work on payments will be pursued with a Green Paper on an integrated market for card, internet and mobile payments, expected in early 2012.
- It will also be important to come to a political agreement on the legislative proposals on the **Common Sales Law** (optional contract law instrument, [DAE Action 12](#)) and **Alternative Dispute Resolution /Online Dispute Resolution** ([DAE Action 14](#)) presented in October and November 2011 respectively.
- The Council and Parliament need to reach an agreement on the Commission's proposal for the "**Roaming III regulation**" ([DAE Action 101](#)) before June 2012 in order to avoid a legal vacuum.
- In the coming 12 months the Council and Parliament will also be presented with the raft of legislative proposals outlined above (**Directive on Collective Rights Management, Directive on enforcement of IPR, eSignature Directive and Data Protection Directive**) all of which will be important contributors to growth in markets for digital content and/or ecommerce.

Over the coming 12-24 months the key item for action by Member States in this area is:

- To achieve a swift and complete implementation of the amended regulatory framework for telecoms, whose transposition was due by May 2011. The Commission

is monitoring how EU Member States are implementing the EU's revised telecoms rules into national law and is assisting them, notably through guidance on issues such as the revised ePrivacy Directive provisions on 'cookies' and universal service.

Pillar 2 - Interoperability and standards

Overview: Pillar 2 envisages several actions to improve ICT standard-setting, promote better use of standards and enhance interoperability and innovation in Europe. Progress in this pillar is good. 3 actions are completed, 3 actions are on track and 1 action is slightly delayed.

In the next 12-24 months the following Commission actions will be in the spotlight:

- The Commission made a proposal for a **Regulation on European Standardisation**¹³ ([DAE Action 21](#) and one of the key actions of the Single Market Act¹⁴) on 1 June 2011, together with a Communication on a strategic vision for European standards¹⁵ as part of the reform package to strengthen the system of standard-setting in Europe and to support the implementation of the Europe 2020 flagship initiatives. The proposed package confirms the specific nature of ICT standardisation being more flexible and faster than in other areas. Recognising the increasingly important ICT specifications developed by ICT industry organizations and allowing their reference in public procurement. Policy and legislation is of key importance to support the interoperability between ICT services and application, drive the competitiveness of industry, facilitate competition for the benefit of consumers and fulfil public policy objectives and societal needs. ICT standards will be recognised through an open, light and transparent process, but at the same time efficient and fast, in order to support the quick innovation cycle in the ICT domain.
- On 28 November 2011, the Commission adopted a decision to set up a **European multi-stakeholder platform on ICT standardisation** to provide advice and expertise on matters relating to the implementation of standardisation policy in the ICT domain. The multi-stakeholder platform will be composed of members representing public authorities from Member States, industry, small and medium-sized enterprises and societal stakeholders, European and international standardisation bodies and fora and consortia.
- The Commission will **draw up detailed guidelines to help public procurers to refer properly to standards in their ICT procurement** ([DAE Action 23](#)) to enhance efficiency, reduce vendor dependency and avoid citizens being forced to use a product from a specific vendor (rather than any product compliant with an applicable standard) in order to access a public service. A thorough examination of current ICT procurement practices by public authorities across the EU is ongoing. A web consultation on draft guidelines is also planned and a communication is envisaged in

¹³ Proposal for a Regulation of the European Parliament and of the Council on European Standardisation and amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/105/EC and 2009/23/EC of the European Parliament and of the Council, COM(2011) 315 final

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0315:FIN:EN:PDF>

¹⁴ COM (2011) 206

¹⁵ A strategic vision for European standards: Moving forward to enhance and accelerate the sustainable growth of the European economy by 2020, COM(2011) 311 final

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0311:FIN:EN:PDF>

2012. Follow-up with Member State procurement organisations will be needed to build further examples of best practice and evaluate experience with the guidelines.

- The Commission will also **examine the feasibility of measures that could lead significant market players to license interoperability information** ([DAE Action 25](#)) to ensure that consumers and users in the information society can interconnect their devices and access seamlessly information, and also considering the fact that some of the most successful proprietary products are widely adopted without being standardised. What is under consideration is the significance of the interoperability problem in the absence of standards, the need to provide feedback on the kind of measures that are expected, and to provide insights as to the balance between regulation and best practices guidance.
- The Commission will further **promote appropriate rules for essential intellectual property rights and licensing conditions in standard-setting, including ex-ante disclosure** ([DAE Action 22](#)). The revised **Guidelines for the assessment of horizontal cooperation agreements**¹⁶ were adopted by the Commission on 14 December 2010. The Commission will closely follow the impact of the guidelines continuing to interact with the stakeholders. A series of events, workshops and conferences are envisaged to share experiences, learn from best practices and further improve the predictability and transparency regarding IPR treatment in ICT standardisation.

Over the coming 12-24 months the key item for action by Council and the European Parliament is:

- The proposal for a **Regulation on European Standardisation** ([DAE Action 21](#))¹⁷, which is also one of the key actions of the Single Market Act¹⁸, is under discussion by the European Parliament and the Council.

Over the coming 12-24 months the key items for action by Member States in pillar 2 are:

- All Member States need to have a national interoperability framework to avoid fragmentation and to help citizens and businesses profit fully from the EU's Single Market. Many public administrations in the Member States are already taking steps to **implement the European Interoperability Strategy (EIS) and the European Interoperability Framework (EIF)**¹⁹ **at national level** ([DAE Action 24](#)) and [DAE Action 26](#)). A survey has been launched to assess the launch of national EIF in the Member States. The Commission will monitor progress through the programme on "interoperability for Public Administrations" (ISA) and will further encourage Member States to participate in and cooperate closely with the different large scale

¹⁶ Communication from the Commission — Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements Text with EEA relevance (2011/C 11/01), <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2011:011:0001:0072:EN:PDF>

¹⁷ Proposal for a Regulation of the European Parliament and of the Council on European Standardisation and amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/105/EC and 2009/23/EC of the European Parliament and of the Council, COM(2011) 315 final
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0315:FIN:EN:PDF>

¹⁸ COM (2011) 206

¹⁹ Adopted on 16 December 2010

pilots launched within the Competiveness an Innovation Programme/ ICT Policy Support Programme (CIP ICT PSP) programme.

- The commitment of Member States to **implementing the Malmö and Granada declarations** ([DAE Action 27](#)) will stimulate the deployment of cross border services, leading to much higher efficiency in the public sector and a reduction of the administrative burden on business and citizens.

Pillar 3 – trust and security

Overview: The overall progress is good, with 2 actions completed, 2 behind schedule and the other actions on track. Nevertheless security threats are continuously evolving and vigilance needs to be kept on all the actions in order to make sure that they really respond to the threats existing and emerging.

In the next 12-24 months the following Commission actions will be in the spotlight:

1. Network and Information Security Policy: Internet security has been identified as a priority area in the 2012 Commission Work Programme. In this context, a new **European Internet security strategy** is currently under discussion.

- Together with the revised tasks of ENISA ([DAE Action 28](#), see below) the cooperation with other security actors in Europe and outside Europe is crucial in order to keep up the capability to react to security challenges. This includes CERT cooperation, common cyber security preparedness exercises as well as NATO cooperation. ENISA should be a key player in helping to build cooperation and common platforms for the Member States, the Commission, third countries and industry.

2. Online safety and privacy: the more our everyday lives become dependent on electronic communications and transactions, the more focus should be put on online privacy protection, security breach notification and protection of minors. Key actions in this field will be:

- Extension of data breach notification and implementing the e-privacy directive ([DAE Action 34](#)) - the former will be done in line with the revision of the Data Protection Directive ([DAE Action 12](#)) in early 2012, while the target for the Commission's adoption of the technical implementing measures for the e-privacy Directive is mid-2012.
- In 2011 the Commission carried out a review of current self-regulation agreements in the field of protection of minors and on 1 December 2011 launched a coalition of technology and media companies to make internet a better place for children ([DAE Action 37](#)). The coalition will work on simple and robust reporting tools for users, age appropriate privacy settings, wider use of content classification, wider availability and use of parental controls and effective takedown of child abuse material.
- Combating child sexual abuse material online with the support of the INHOPE network of hotlines for the reporting of child sexual abuse material and notice and take down procedures ([DAE Action 36](#)).

- Assisting Member States in the implementation of the new Directive on combating the sexual abuse and sexual exploitation of children and child pornography²⁰ and taking additional flanking measures such as investing in research relating to new technologies and software to effectively fight child sexual abuse online, such as filtering technologies and forensic IT tools ([DAE Action 36](#)).
- Support to awareness raising activities, such as Safer Internet Day 2012, exchange of information and best practice, as well as national campaigns and information sessions, also run by the Safer Internet Centres ([DAE Action 36](#)).

3. Critical infrastructure protection: the priority in this field is to strengthen Member States commitment towards reinforcing their national cyber security capabilities (see below DAE Action 38, 39). The Commission will monitor very closely progress in this field.

4. Cyber crime: the key action in this field is the establishment of the European Cybercrime Centre ([DAE Action 31](#)). Measures to implement the results of the ongoing feasibility study are expected during 2012. A major element of the European Cyber Crime Centre will be the European Cybercrime Platform ([DAE Action 30](#)).

Over the coming 12-24 months the key items for action by Council and the European Parliament are:

- **Regulation on reinforcement of ENISA:** reinforcing and modernising ENISA ([DAE Action 28](#)) is important for strengthening the European expertise to tackle and analyse potential security risks. Swift agreement in the Council and European Parliament is essential.
- The Commission's 2010 proposal for a **Directive on Attacks against Information Systems** ([DAE Action 29](#)).

Over the coming 12-24 months the key items for action by Member States in this area are to:

- Establish by 2012 a well-functioning network of CERTs at national level covering all of Europe ([DAE Action 38](#));
- Fully implement hotlines for reporting offensive or harmful online content, organise awareness raising campaigns on online safety for children, offer teaching online safety in schools, and encourage providers of online services to implement self-regulatory measures regarding online safety for children by 2013 ([DAE Action 40](#)). On 29 November 2011 the Council adopted Conclusions on the protection of minors in the digital world, which includes provisions for Member States to act in this field, including on offering teaching online safety in schools.
- Set up or adapt national alert platforms to the Europol cybercrime platform by 2012 ([DAE Action 41](#)).

²⁰ Directive 2011/92/EU of the European Parliament and the Council of 13 December 2011, OJ 2011 L 335/1, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:335:0001:0014:EN:PDF>

Pillar 4 – Fast and ultra fast internet access

Overview: Progress in this area has accelerated recently. Of the 8 actions under this heading, 3 are completed and 4 are on track.

In the next 12-24 months the following Commission actions will be in the spotlight:

- As a part of the new EU budget proposal, the Multi-annual Financial Framework (MFF), the Commission announced a new fund - the **Connecting Europe Facility (CEF)** - with a proposed budget allocation of €50bn of which €9.2bn are earmarked for digital networks and services infrastructure. On 19 October 2011 the Commission adopted the CEF regulation that sets out the general rules for the implementation of this new facility, making an important step towards the completion of [DAE Action 43](#). The focus of activity will be now on explaining the instrument to stakeholders and securing their support.
- The Commission is reviewing the **State Aid Guidelines on Broadband Deployment**. In light of the public consultation that took place in mid-2011, the Commission will evaluate whether and to what extent changes are necessary and, if appropriate, will come forward with new draft guidelines in early 2012.
- The European Commission will also continue working with the Member States to improve the implementation of **national broadband plans** as well as, in some countries, to accelerate spending in broadband and ICT services. To this end, the Commission organised national broadband plan workshops designed to emphasise the need for progress in this area and to facilitate the sharing of knowledge about best-practices between Member States. The feedback from the workshops will serve as a basis for a progress report on national broadband plans to be published in early 2012 (part of [DAE Action 46](#)). This process has added visible momentum to ensuring all countries execute effective broadband plans, either by further motivating countries to develop plans with sufficient levels of ambition or by encouraging them to revise and update existing strategies in the light of the DAE requirements.
- The **Cohesion Policy** proposal regarding the 2014-2020 period²¹ includes a thematic concentration to foster the delivery of the Europe 2020 headline targets. The proposed regulations foresee that at least 80% of the entire ERDF allocation for more developed and transition regions should be allocated to innovation, SME competitiveness and climate change related investments. This encompasses a broad range of investment priorities, ranging from promoting research and innovation to enhancing the competitiveness of SMEs, energy efficiency and renewable energy. Meanwhile, in less developed regions a minimum of 50% of the ERDF allocations should be focused on innovation and research, SME support as well as renewable energy and energy efficiency. Support for high speed broadband infrastructure is limited to less developed regions.
- The proposal for **Rural Development** for 2014-2020 also allows support for enhancing access to and use of high-quality ICT, including high speed and very high speed broadband in rural areas. Like for the European Economic Recovery Package, the Rural Development regulation allows a derogation to support for large projects on broadband infrastructure.

²¹

See: http://ec.europa.eu/regional_policy/what/future/proposals_2014_2020_en.cfm

- The Commission will report on cost reduction measures, and if necessary consider the review of legislation, or otherwise provide guidance, on digging cost, coordination, rights of way.

Over the coming 12-24 months the key items for action by Council and the European Parliament are:

- Decision on the proposals for cohesion, rural development policies and Connecting Europe Facility expected by 2013.

Over the coming 12-24 months the key items for action by Member States in this area are to:

- Continue with the implementation of **national** as well as **regional plans for broadband** ([DAE Action 46](#)).
- Expedite measures aimed at improving the conditions for **broadband investment** ([DAE Action 47](#)). The series of national broadband plan workshops helped to reinforce awareness of the importance of this action item. In particular, Member States will need to take concrete measures that will facilitate the rollout of infrastructure (promote co-deployment, facility sharing measures, map physical infrastructure).
- Facilitate the set-up of **public-private partnerships** to meet shortfalls in internet infrastructure provision by market forces.
- Fully allocate and deploy existing **Structural and Rural Development Funds** for ICT priorities (2013) ([DAE Action 48](#)).
- The **European Radio Spectrum Policy Programme** was adopted in November 2011 by the Council and European Parliament and now needs to be implemented swiftly by the Member States to realise the economic potential identified in the 2011 Annual Growth Strategy ([DAE Action 49](#)).

Pillar 5 – Research and Innovation

Overview: 1 action is completed, whereas the other 6 actions have long-term completion dates and are all considered to be on track. However, the 2012-13 period is crucial to continue making the case for support to research and innovation in the next multi-annual financial framework, and for support to ICT in the next framework for EU research and innovation.

In the next 12-24 months the following actions will be in the spotlight:

- **Research and innovation in the next Multi-annual Financial Framework (MFF) and ICT in the current (FP7 and CIP) and the next (*Horizon 2020*) framework** for research and innovation: the remaining work programme for ICT under FP7 will have to balance continuity with past work and effective bridging to the next framework. ICT research and innovation should play a strong role in Horizon 2020 ([DAE Actions 50-56](#)).

- The Commission's proposal for **Horizon 2020** will also provide the legislative basis for future EU public-public and **public-private partnerships** in research and innovation ([DAE Action 51](#)). While there are challenges in relation to governance, implementation/funding and framework conditions, overall experience of **European level public-public and public-private partnerships** has shown that a partnering approach yields a number of benefits, increasing the efficiency and effectiveness of research and innovation investments and making Europe a more attractive global partner. A **Communication on Partnering in Research and Innovation**²² was adopted on 21 September 2011.
- As an example of effort to pool resources of the Member States and industry and focus on user-driven partnerships for innovation ([DAE Action 51](#)), the **European Innovation Partnership on Active and Healthy Ageing** aims to spur smart growth in this growing market for innovative products and services, providing new business opportunities and enabling EU elderly citizens to lead healthy, independent lives. The initiative has presented its Strategic Implementation Plan²³ and will move to its implementation.
- The Commission will issue guidance documentation on the governance aspects for public-private partnerships that operate ICT infrastructures in Europe. Stakeholder consultations will be launched together with feasibility studies for involving regional contributions in the development of innovation clusters. A **Communication on High Performance Computing** is planned as well ([DAE Action 53](#)). A further Communication on **EU Competitiveness on Key Enabling Technologies** is planned for the beginning of 2012 to address the roadblocks and concerns identified in the Final Report of the High Level Group on Key Enabling Technologies²⁴, for EU players to successfully transfer research in innovation and manufacturing in Europe.
- A **Communication on scientific information** addressing, among others, the further support for research infrastructures underpinning open access to research data and publications is forthcoming ([DAE Action 53](#) and linked to [DAE Action 3](#) on re-use of public sector information).
- A Staff working paper on **EU Competitiveness on the Web** is planned for 2012 to address the identified roadblocks for EU players to successfully compete in the web service economy ([DAE Action 54](#)).
- The Commission will also publish a strategy on stimulating **cloud computing** in the European digital single market in 2012.

Over the coming 12-24 months the items for action by Council and the European Parliament are:

- Horizon 2020 programme for ICT research and innovation (2013)

Over the coming 12-24 months the key items for action by Member States in this area are to:

²² http://ec.europa.eu/research/era/pdf/partnering_communication.pdf

²³ http://ec.europa.eu/research/innovation-union/index_en.cfm?section=active-healthy-ageing&pg=implementation-plan

²⁴ http://ec.europa.eu/enterprise/sectors/ict/key_technologies/kets_high_level_group_en.htm

- Engage in **large scale pilots** to test and develop innovative and interoperable solutions in areas of public interest that are financed by the CIP ([DAE Action 56](#))

Pillar 6 – Digital literacy, skills and inclusion

Overview: progress in this pillar has been good, 3 of the 12 actions have been completed, 3 are behind schedule, and the rest are on track.

In the next 12-24 months the following Commission actions will be in the spotlight:

- The Commission will propose EU-wide **indicators of digital competences** and media literacy in 2012 ([DAE Action 62](#)) and will develop tools to **recognise** and identify **competences of ICT practitioners and users** ([DAE Action 58](#)).
- As regards the development of an **online interactive platform for consumer education**, including materials on new media technologies and media literacy ([DAE Action 61](#)), the Commission is planning to launch the first phase of this initiative by the end of 2012.
- The Commission will be systematically **evaluating accessibility** in revisions of legislation undertaken under the Digital Agenda ([DAE Action 63](#)) as the mechanism for monitoring the implementation of the relevant UN Convention and EU legislation is being set up. It will also make sure that **public sector websites** (and websites providing basic services to citizens) are **fully accessible** by 2015 by submitting appropriate proposals in the first half of 2012 ([DAE Action 64](#)).

Over the coming 12-24 months the items for action by Council and the European Parliament are:

- Commission proposals on Cohesion Funds and the European Social Fund for the 2014-2020 Financial Framework

Over the coming 12-24 months the key items for action by Member States in this area are to:

- Implement long term eSkills and digital literacy policies ([DAE Action 66](#)) as soon as possible.
- Mainstream eLearning in national policies ([DAE Action 68](#)).

Pillar 7 – ICT-enabled benefits for EU society

Overview: progress in this area has been mixed. Actions under this pillar have a high potential to demonstrate the positive, tangible contribution of ICT to people's lives, while saving millions of euro to the public purse that could be redeployed to more-growth-enhancing spending. Higher demand and take-up will, in turn, further drive innovative services and smart growth. Many actions under this pillar are scheduled for the period 2012-2015. Of the 28 actions under this heading, 5 are completed, 1 is partially completed, 8 are behind schedule and the remaining actions are on track.

In the next 12-24 months the following Commission actions will be in the spotlight:

1. **ICT for sustainability:** on the one hand ICT is an increasing contributor to the European energy bill²⁵ and on the other hand it can be more resource-efficient and help other industries to achieve energy efficiency improvements and greenhouse gas emissions reductions. Green and smart ICT applications can provide the ICT industry with a real opportunity to play central role in assisting in Europe's transition to a more energy-efficient, low-carbon economy. For instance, as well as addressing an environmental imperative, smart grids represent a huge business opportunity for the ICT sector: according to the International Energy Agency, €1000 billion will be invested globally for the deployment of smart electricity networks by 2030, out of which roughly one third will be invested in ICT²⁶.

- The DAE asked the ICT industry to adopt **common measurement methodologies** for its **energy performance and greenhouse gas emissions** by the end of 2011 ([DAE Action 69](#)). Working through standardisation organisations, the industry came forward with methodologies that are currently being tested for compatibility by volunteer companies in pilots, with results expected in early 2012. Based on the pilot results, the Commission will follow with an assessment of next steps to be taken.
- Progress on the methodologies will also help to catalyse measurable **energy efficiency improvements in other sectors** ([DAE Action 70](#)) and the Commission has launched a Smart Cities and Communities initiative to facilitate integrated approaches across sectors such as buildings, transport and energy²⁷.
- The Commission will also assess the potential **contribution of smart grids to de-carbonising Europe's energy supply**, exploring the synergies and potential cost savings that could be achieved by telecom operators and energy utilities working together, drawing on workshops organised with both sectors in first half of 2012 ([DAE Action 71](#)). Meanwhile, the Smart Grids Task Force has defined the minimum functionalities to promote **interoperability of smart grids**²⁸ (also [DAE Action 71](#)), based on which the Commission has issued a standardisation mandate to the European Standardisation Organisations²⁹.
- The Commission adopted a Green Paper and launched a public consultation on the future of LED-based lighting³⁰ ([DAE Action 72](#)). The consultation aims to explore policy options for accelerating the deployment of highly efficient Solid State Lighting and strengthening the role of European industry in this field.
- Concerning **common functionalities of smart meters** ([DAE Action 73](#)), the Commission presented a set of recommendations³¹ based on most commonly used

²⁵ Its share of total electricity consumption is forecast to reach 15% by 2020, a threefold increase from 2007. Pickavet, M. et al, "Energy Footprint of ICT", Broadband Europe 2007 and P. Leisching et al. "Energy Footprint of ICT: Forecasts and Network Solutions", OFC 2009

²⁶ Ref. <http://www.iea.org/>

²⁷ http://ec.europa.eu/energy/technology/initiatives/smart_cities_en.htm

²⁸ http://ec.europa.eu/energy/gas_electricity/smartgrids/doc/expert_group1.pdf

²⁹ Mandate M/490 to CEN/CENELC/ETSI to develop a framework for standard development for smart grids, <ftp://ftp.cen.eu/CEN/Services/Innovation/M490.pdf>

³⁰ Lighting the Future - Accelerating the deployment of innovative lighting technologies, COM (2011) 889 final http://ec.europa.eu/information_society/digital-agenda/actions/ssl-consultation/index_en.htm

³¹ [Set of common functional requirements of the smart meter](#) report presented at the [Citizens' Energy Forum](#) (London), October 2011.

functions used by the first 11 Member States that have made the cost-benefit analyses required by the 2009 Electricity Directive. In 2012 a Commission Recommendation on this issue will follow.

2. eHealth: eHealth and telemedicine services will be key to long term sustainability of health care systems that are increasingly challenged by the needs of an ageing population and shortage of healthcare professionals and financial resources. Most of the large ICT companies and thousands of SMEs are involved in eHealth technologies and the potential of eHealth to contribute to smart growth is already recognised and pursued through various measures.

- The Commission is negotiating two pilot projects that will enable patients to have access to their health records, as part of an effort to equip citizens with **online access to their medical health data** and achieve widespread deployment of telemedicine ([DAE Action 75](#)). The pilots are expected to involve over 20 regions in different Member States, starting in 2012. Meanwhile, the Commission will issue a staff working paper on legal issues around the deployment of telemedicine.
- The newly established voluntary eHealth Network connects national authorities to help Member States facilitate transmission of data in cross-border care. The network is expected to develop guidelines on a **minimum set of patient data** to be accessible across the Member States ([DAE Action 76](#)), building on results of the epSOS project.
- An action plan will be published by the end of 2012, setting out a vision for innovative **eHealth** services and addressing aspects such as user empowerment, **standards uptake, interoperability, testing and certification** ([DAE Action 77](#)), as well as need for legal certainty and research & innovation. The action plan will build on the results of ongoing policy initiatives and projects (i.e. epSOS, eHealth Task Force, eHealth Governance Initiative).
- Furthermore, the **European Innovation Partnership on Active and Healthy Ageing** is an innovative approach aiming for better care services and more independent lives for the elderly, as well as overcoming barriers to innovation in this area ([DAE Action 51](#) and [DAE Action 78](#)). The partnership has adopted its Strategic Implementation Plan³², to be followed in Q1 2012 by a Commission communication on further ways to implement the plan with a broad range of stakeholders.

3. Cultural and creative industries:

- The Commission has included financing for the EU public digital library **Europeana** and digitisation of content in the provisions for pan-European e-services infrastructures in the proposal for the Multiannual Financial Framework 2014-2020 ([DAE Action 79](#)). Secondly, the Commission adopted a revised Recommendation on digitisation and digital preservation on 27 October 2011³³. The Recommendation asks the Member States to step up their efforts, pool their resources and involve private actors in digitising cultural material and make it available through Europeana.

³² http://ec.europa.eu/research/innovation-union/index_en.cfm?section=active-healthy-ageing&pg=implementation-plan

³³

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/11/1292&format=HTML&aged=0&language=EN&guiLanguage=en>

- Taking into account results of the consultation on the Green Paper on **Unlocking the potential of cultural and creative industries**, the Commission will present its proposed measures in 2012 ([DAE Action 80](#)). On 23 November 2011 the Commission adopted a proposal for a regulation on the Creative Europe programme which will support European cinema and the cultural and creative sectors (building on the previous MEDIA programme and contributing to the [DAE Action 80](#))³⁴.
- The **Recommendation on promoting digitisation of European cinema** ([DAE Action 81](#)) is expected in the first half of 2012.
- The Commission will also ensure the **implementation** of the provisions of the **Audiovisual Media Services Directive concerning cultural diversity**, where appropriate through co- and self-regulation. Information is requested from the Member States on their implementation by the end of 2011 ([DAE action 82](#)).

4. **eGovernment:** eGovernment services offer a cost-effective route to better services for every citizen and business and participatory, open and transparent government. A number of initiatives in the Single Market Act, the Digital Agenda and the dedicated eGovernment Action Plan 2011-2015 aim to open up the possibility for businesses and citizens to interact with public administrations fully by electronic means and across borders:

- In the second quarter of 2012 the Commission will propose a single instrument on eSignatures, eIdentity and eAuthentication implementing the DAE commitment to review the e-signature Directive and to propose legislation **on the mutual recognition of e-identification and e-authentication** across the EU ([DAE Action 8](#) and [DAE Action 83](#)). The instrument is expected to have a positive impact on growth and innovation in many sectors (transport, mobility, employment, tax, customs, etc), benefitting citizens, public administrations and business in demand of public and private services including across borders.
- A review of the **Directive on public access to environmental information** ([DAE Action 85](#)) is expected in 2013 and will build on the results of the review of the **Directive on re-use of Public Sector Information** ([DAE Action 3](#)). It will be preceded by a Communication on the application of the Directive in 2012.
- A **Communication on "A Strategy for e-Procurement"** (a document encompassing what was originally announced by the DAE as the **White Paper on interconnecting e-procurement** capacity across the EU ([DAE Action 87](#)) will be published in early 2012. This will build on the encompassing new provisions on e-Procurement contained in the proposals for revised Directives on public procurement that the Commission adopted on 20 December 2011³⁵.
- The Commission will issue its **eCommission** Action Plan in 2012 ([DAE Action 88](#)).
- Complementing DAE actions, the Commission will in 2012, on the basis of a benchmarking study about to be finalised, propose further actions to improve the functioning of Points of Single Contact introduced by the Services Directive, as

³⁴ <http://ec.europa.eu/culture/creative-europe/>

³⁵ http://ec.europa.eu/internal_market/publicprocurement/modernising_rules/index_en.htm

crucial cross-border eGovernment electronic tools for the development of the services sector.

5. Intelligent transport: Intelligent Transport Systems (ITS) enabled by ICT make transport more efficient, faster, easier and reliable.

- The Commission proposal on the governance and funding of the deployment of **Air Traffic Management Solutions for the Single European Sky** (SESAR, [DAE Action 93](#)) was adopted at the end of 2011.
- A Communication on **deployment of eMaritime services** ([DAE Action 94](#)) is expected in March 2012.
- A Regulation on **Telematic Applications for Passenger Services** ([DAE Action 95](#)) was adopted on 5 May 2011. It addresses standardisation of data relating to timetables and fares.³⁶

Over the coming 12-24 months the items for action by Council and the European Parliament are:

- The **Creative Europe** programme 2014-2020 with a proposed budget of €1.8 bn, which is part of the new budget proposal (MFF) ([DAE Action 80](#)).
- The forthcoming revision of the eSignatures directive and the proposal for a Council and Parliament **Decision on mutual recognition of e-identification and e-authentication** across the EU ([DAE Action 8](#) and [DAE Action 83](#)), on which a fast-track agreement will be important.

Over the coming 12-24 months the key items for action by Member States in this area are:

- Cost-benefit analyses to be carried out on common additional functionalities for smart meters by all the remaining Member States ([DAE Action 73](#)) according to the Commission Recommendation.
- Include specifications for total lifetime costs (rather than initial purchase costs) for all **public procurement of lighting installations** by 2012 ([DAE Action 74](#))
- Make sure that the Points of Single Contact (PSCs) are operational in all Member States by the end of 2012, including the possibility of electronic completion of key formalities required to establish a service business in another Member State or to provide services cross-border. This is a necessary pre-condition with a view to making PSCs function as fully-fledged eGovernment centres by 2015 ([DAE Action 90](#))
- Fast-track agreement on a common list of key **cross-border public services** ([DAE Action 91](#)) given the preparatory work carried out in 2011.

³⁶ Regulation No 454/2011: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:123:0011:0067:EN:PDF>

- Ensure that the Regulation on **Telematic Applications for Passenger Services** ([DAE Action 95](#)) is implemented as to exchange of standardised data relating to railway timetables and fares.

Over the coming 12-24 months the items for the European Standards Organisations are:

- Deliver on the standardisation mandate (M/490) to support European **smart grid** deployment ([DAE Action 71](#))
- Deliver on the standardisation mandate (M/441) to provide the core communications standards for the functionalities of **smart meters** related to interoperability with other ICT devices ([DAE Action 73](#)).

Pillar 8 – International aspects

Overview: The 8th pillar comprises the four actions dealing directly with internet governance and international trade conditions for ICT goods. One action is completed the three other actions are on track. It is nevertheless important to bear in mind that the international dimension goes beyond the actions in this pillar and is important in many other actions of the Digital Agenda.

In the next 12-24 months the following Commission actions will be in the spotlight:

- The Commission is promoting the **internationalisation of internet governance** ([DAE Action 97](#)) in an on-going way and is drafting European principles for internet governance that may feed into the G8 process. EU priorities have been submitted into the renewal process of the IANA (Internet Assigned Numbers Authority) contract.
- The Commission has supported the continuation of the **Internet Governance Forum** (IGF, [DAE Action 98](#)) and the IGF has been extended to 2015.
- Work with third countries to **improve international trade conditions for digital goods** and services, including with regards to IPRs ([DAE Action 99](#)) is on-going. Work continues on revised strategy for IPR protection and enforcement in third countries.
- The Commission is seeking a mandate to **update international agreements** in line with technological progress or, where appropriate propose new instruments (Update of List of Additional ICT Products) ([DAE Action 100](#)).

3. Implementation of the Digital Agenda and stakeholder engagement activities

Beyond coordination with Member States through regular meetings of the Digital Agenda High-Level Group, as well as dialogue with other EU institutions and coordination within the Commission, the Commission has strived to increase stakeholder engagement in relation to the DAE. This effort aimed to enhance policy impact in this field and mobilise stakeholders behind the overall aim to create a Digital Europe in which Every European is Digital. In short the aims have been to: 1. widen the DAE stakeholder base; 2. gather new ideas; 3. gather

feedback on implementation of the DAE and challenges ahead; 4. mobilise stakeholders to help implement DAE actions and 5. test new ICT tools and channels for interacting with stakeholders.

Major actions in this regard have been the following:

1. **DAE Going Local**: two rounds of visits to every Member State were organised in which a delegation of Commission officials met and intensively discussed the Digital Agenda with a wide range of stakeholders. The first series took place from mid to late 2010, comprising 29 visits in all 27 Member States (mostly in national capitals) attracting a total of almost 1900 participants including both established stakeholders and new players.

Further to positive feedback, the 2011 edition extended the reach further with around 60 visits to national capitals and other cities, reaching in total up to 5000 people. The Going Local 2011 was also ambitious in using social media to widen the reach to stakeholders and build a sustained online community. In 2010 the visits raised awareness about the Digital Agenda, while in 2011 they focused on gathering feedback on the implementation of the Agenda.

2. **Big Ideas**: the project sought to engage the stakeholders by giving them an opportunity to submit ideas which they volunteered to make happen as a way of contributing to an existing DAE action or filling a gap in the DAE programme. The call for "big ideas" was successful, receiving over 200 ideas in just 2 weeks in 2010. At a large workshop in October 2010 some proposals were then selected for further development leading to several presentations of results at the Digital Assembly.
3. **Digital Agenda Assembly (DAA)**: a large stakeholder-based event took place in Brussels in June 2011 with over 1600 participants to address a wide range of DAE actions in 24 workshop sessions. The Digital Agenda Assembly is envisaged to be an annual conference. DAA2012 will take place in June 2012.

Many new modes of interaction were tested before and during DAA: half of the 24 workshops had dedicated online animators and all workshops had blog posts and twitter hashtags. Uptake at the conference was significant, with especially high interaction in Twitter (9500 tweets, more than 1000 people tweeting), prizes (430 entries for open data challenge) and video competitions (91 videos submitted). The online tools have proved useful and successful in generating feedback and input to the discussion in several workshops. Follow-up activities engaging stakeholder through online social media were organised around the Going Local events to create an active sustained online community around the Digital Agenda.

In addition, the first **Digital Agenda Scoreboard** was adopted in May 2011, providing analysis and data on the situation of DAE areas in Europe. Data are published in an open reusable format, as part of the Commission effort to improve transparency and reach to stakeholders.