



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND  
TECHNOLOGY

Resources and Support  
Knowledge Management and Innovative Systems

Brussels  
CNECT.R.3/ [REDACTED]

ANNEX TO REPLY FROM  
**COMMUNICATIONS NETWORKS CONTENT AND TECHNOLOGY  
DIRECTORATE GENERAL (CONNECT) ON DECIDE**

**Interservice consultation launched by:** DG SG

**Reference:** consultation ISC/2020/00857

**Deadline for reply:** 05/03/2020 (*official deadline*)

**Title:** *short title:* Records management and archives  
*Full title* COMMISSION DECISION on records management and archives

**Contact person in CONNECT DG:** [REDACTED] DG CNECT R3)

**X Positive opinion with comments**

*(Select one option and delete the others)*

**Comments:**

DG CONNECT welcomes the consultation on the draft Decision and implementing rules (annex) on records management and archives as a response not only to the overall evolution in records and archives management; but also the increasing digitalisation of the Commission and the world as a whole.

DG CONNECT welcomes the choice of merging previous decisions and related implementing rules and keeping the implementing rules as a separate annexe.

DG CONNECT understands that the implementing rules are deliberately intended as a separate annex and will be subject to future revision and updating to take into consideration possible technical evolutions in management of records and information (Art. 20). DG CONNECT takes it that such revisions be submitted for interservice consultation in due course.

DG CONNECT takes note that the draft Decision and implementing rules will be followed up by clear(er) and precis(er) and more practical rules and guidelines for 'active and everyday implementation'. DG CONNECT would appreciate if some parts of such rules and guidelines were submitted to the DGs for comments and input.

DG CONNECT has specific comments **regarding Data Protection**, and we understand that the DPO and SG/DPC are carefully looking into this from a corporate point of view.

**Regarding access to documents**, we note that the few references to Regulation 1049/2001 and related matters are of a rather generic nature.

**Comments and Suggestions to the documents submitted for consultation:**

DG CONNECT understands that a specific type of languages is required for a Commission decision and implementation rules, and that some parts are deliberately described in a rather generic way. Nevertheless, we have some concerns regarding the current text of both the decision and the implementation rules as repeatedly, for the technical details described, the text is at present somewhat difficult to read and understand due to the sometimes complex, cryptic or vague formulations in the text. Accurateness of the terminology for the technical aspects of record and archives management is also of high importance.

DG CONNECT is aware that DGT (DGT EDIT) will provide editorial comments on both documents as part of this interservice consultation. We have therefor preferred to leave the complete linguistic editing/proofreading of the documents to these specialists. We have however provided some suggestions for drafting in track-changes in both documents.

Moreover, DG CONNECT believes that editing/proofreading of both documents by an English native speaker (DGT) before launching the interservice consultation would have improved the text so that the comments to the Interservice consultation could have been focused on the technical aspects.

DG CONNECT suggests a more precise and harmonised use of language and denominations in both the draft decision and implementation rules. Ref. the Interinstitutional style guide for introducing a 'concept' once with full title and possible acronyms and/or initials or short name and then consistently thereafter using only this 'reference'.

Some examples for inconsistency in references appearing in both documents and used differently throughout the texts. Meaning that sometimes, one 'word or wording' is used and other times others. And no consistency in use of acronyms and/or initials:

- Commission Historical Archives Service (HAS) e.g. Historical Archives Service, Commission Historical Archives Service, Commission's Historical Archives etc.
- DG/ Services, DG and Services, DG and departments, Directorate-General or the assimilated service, SG, Secretariat-General etc.
- E.g. a specific retention list (hereafter SRL).

The **list of definitions in Art. 3** is very welcome and much needed for the understanding of the subject matter, therefore, we would suggest to increase the list to include e.g. (not exhaustive list) file, retention list, declassification, And perhaps even adding other terms with acronyms and/or initials.

Additionally, the definitions of some terms should be clarified for several key term e.g. 'record', 'capture' (art. 6), 'registration' (art. 8), 'a register' as compared to 'a repository'.

In both documents, some issue with distinction between and references to different and distinct 'entities': Commission Historical Archives Service (HAS) as compared to Historical archives of the European Union (HAEU) versus European University Institute (EUI). HAEU is part of / department in EUI.

DG CONNECT wishes to highlight some issues with correct referring to legal texts.

**Lastly**, DG CONNECT would suggest that

- the Decision shall explicitly recognise the legal effects associated with qualified trust services established by Regulation 910/2014 [...]. Changes are suggested in track changes directly in the draft of the Decision.
- **Art 6 of the draft Decision:** we have propose to include a reference such as: ‘the Commission may define the types of documents, which at the moment of digitisation, shall be marked by qualified electronic timestamp within the meaning of article 42 of the eIDAS Regulation’.
- Reasoning: this would give a presumption of the accuracy of the date and the time it indicates and the integrity of the data to which the date and time are bound. The modification could be done in the implementing rules mentioned in paragraph 6 of art. 6, and not in the Decision itself.
  
- **Art. 17 of the draft Decision** should specify that each DG should appoint a Document management officer (DMO) and put in place an archive service. The DMO is quoted in Art. 18 and in paragraph 16.2. of the draft implementing rules however, without a legal basis giving instruction to each DG to appoint a member of staff in charge of this function. The same remark can be made as to the archive service mentioned in paragraph 11.6 of the draft implementing rules.
- **Chapter III Governance and implementation of implementing rules:** to include more clearly that all staff members are responsible for correct records and archives management. With the current work methods and continued reduction in support staff, such responsibilities are not only with ‘staff responsible for the implementing, controlling and monitoring of the rules of on records and archive management’ (DMO, archive services, secretariats) but with all staff members and at all levels.

DG CONNECT believes that our proposed additions and changes will not only clarify the texts but also more importantly better comply with amongst others the Interinstitutional style guide and the eIDAS Regulation.

Therefore, DG CONNECT provides a Positive opinion with comments subject to overall linguistic and specific terminological improvements in the text of both the draft Decision and implementing rules (annex).

*(e-signed)*

