NOTE TO THE FILE

Subject:  EPPO’s IT independence from the Commission

Background

In line with its mandate to give temporary start-up help to newly formed decentralised agencies and other bodies, the Commission, through the Directorate-General for Digital Services (DIGIT), has been providing the necessary IT services to the EPPO since its setting up. When the EPPO was established, DIGIT and the EPPO agreed that DIGIT could not provide such services on a long-term basis but would be able to continue providing them during a 2/3-year “transition out” phase after the start of the EPPO’s operational activities (1 June 2021). This already went far beyond the normal support DIGIT routinely provides to regulatory agencies and bodies. At technical level, the work of DIGIT and the EPPO towards the achievement of the EPPO’s IT independence started in 2019.

In July 2023, DIGIT informed the EPPO that it could not continue providing the current Digital Working Place (DWP) services to the EPPO beyond mid-2024 with a view to the migration to the Commission’s second generation DWP solution (the WELCOME environment). The implementation of the WELCOME environment is by design a fully centralised system, inherently incompatible with the requirements of a multi-institutional setup. DIGIT is thus not in a position to extend the EPPO’s outdated DWP environment (NETI), which is also not up to standard when it comes to security, since the EPPO will be the only EU body using it.

By letter of 20 September 2023, the EPPO informed DIGIT that it was not able to become IT independent from the Commission by mid-2024. DG JUST subsequently convened two meetings with the EPPO, DIGIT and other Commission services and asked the EPPO to provide a transition plan based on the above-mentioned DIGIT deadline. In the meeting of 7 December 2023, the EPPO presented such a phase-out plan, however based on a phasing out deadline by mid-2025.

The EPPO currently pays EUR 1 million (EUR 1.099.822) to DIGIT for the support services provided including the mobile device services deployed to the EPPO.

Way forward

Further to internal discussions with the relevant Commission services, DIGIT agreed to provide additional support to the EPPO until the end of 2024, without additional costs (only paying the amount already agreed with DIGIT) despite providing this service
exclusively to the EPPO as the only remaining entity using the NET1 system. From an IT security perspective,

These services cannot continue to be provided by DIGIT in 2025 and the EPPO will have to be disconnected from the Commission’s IT environment as of 1 January 2025.

The Commission would like to underline that the planning, including in terms of human resources and financial costs, of becoming IT independent from the Commission should be done in the set-up phase of every agency and body of the Union. The EPPO had accordingly started working towards achieving the IT independence from the Commission already in 2019. Therefore, the foreseen date end of 2024 (more than 5 years later) should be more than sufficient to finalise all remaining steps. DIGIT is at your disposal to advise you throughout the process if required.

The Commission also notes that the support currently being provided by DIGIT does not relate to the EPPO’s operational needs (e.g. Case Management System) but exclusively to the working place environment of the EPPO’s staff. This environment does not call for specific requirements and could thus also be provided by external providers – DIGIT itself mainly relies on external contractors for the support currently provided to the EPPO.

Furthermore, in 2023 the EPPO was granted 8 additional posts and EUR 0.5 million. As of 2024, the EPPO’s budget has been reinforced with an additional 13 posts and EUR 6 million in total, of which EUR 4 million in conciliation. This increase indexed annually by 2% is incorporated into the programming of the EU contribution to EPPO throughout the whole MFF period until 2027. As these resources should in principle address the security-related concerns previously voiced by the EPPO, they could as well be used to ensure that the EPPO’s DWP autonomy can be achieved. This would also lead to an increase in the security of the EPPO’s IT environment. In the Commission services’ view, no additional resources should therefore be needed to ensure the EPPO can achieve its IT independence from the Commission in 2025.