

European Commission
Directorate General for Digital Services (DG DIGIT)

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Legal background

Article 16 (Interoperable Europe Community) of Regulation (EU) 2024/903 of the European Parliament and of the Council of 13 March 2024 laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act) (1)

- 1. An Interoperable Europe Community shall, where so requested by the Board, contribute to the activities of the Board by providing expertise and advice.
- 2. Public and private stakeholders as well as civil society organisations and academic contributors residing or having their registered office in a Member State may register on the Interoperable Europe portal as members of the Interoperable Europe Community.
- 3. After confirmation of the registration, membership status shall be made public on the Interoperable Europe portal. Membership shall not be limited in time. It may however be revoked by the Board at any time for proportionate and justified reasons, especially if a member is no longer able to contribute to the Interoperable Europe Community or has abused the status of member of the Interoperable Europe Community.
- 4. The members of the Interoperable Europe Community may be invited, inter alia, to:
 - (a) contribute to the content of the Interoperable Europe portal;
 - (b) provide expertise with regard to the development of interoperability solutions;
 - (c) participate in the working groups and other activities;
 - (d) participate in the support measures provided for in Articles 9 to 14;
 - (e) promote the use of interoperability standards and frameworks.
- 5. The Board shall organise an annual online assembly of the Interoperable Europe Community.
- 6. The Board shall adopt the code of conduct for the Interoperable Europe Community. The code of conduct shall be published on the Interoperable Europe portal.

⁽¹⁾ Regulation - EU - 2024/903 - EN - EUR-Lex

1. Introduction

Interoperability cannot be achieved top-down by a single entity, nor bottom-up by individual actors: it requires effective collaboration between the different actors at all levels and across sectors. Advancing public sector interoperability needs the active involvement and commitment of experts, practitioners, users, and the interested public across Member States.

In order to tap into their expertise, skills and creativity, a dedicated open forum - the Interoperable Europe Community (the 'Community') – will: i) help channel feedback, user and operational needs, ii) identify areas for further development and iii) help scope priorities for EU interoperability cooperation.

A community is a group of people who share common interests, characteristics, or goals and interact within a particular environment or geographical area. It involves mutual support and learning, and often a collective identity. They thrive on communication, collaboration, and a sense of connection among members. Communities stimulate crossorganisational and cross-sectoral collaboration as well as knowledge sharing through the exchange of best practices and their dissemination.

Purpose of the Code of Conduct

The Community Code of Conduct is a set of rules of internal order, outlining the responsibilities or proper practices for individual members of the Community. It is designed to create a positive and inclusive environment where all members feel safe and respected. It covers aspects related to respect and inclusivity, collaboration and openness, as well as integrity and accountability.

2. Code of Conduct

The Interoperable Europe Community Code of Conduct focuses on the principles, behaviours, and responsibilities expected of its members to ensure a respectful, inclusive, and productive environment.

2.1. Introduction

The Code of Conduct (the 'Code') sets forth the principles and guidelines for maintaining a respectful, inclusive, and productive environment within the Interoperable Europe Community (the 'Community'). The Code aims to ensure all members engage constructively and uphold the Community's values.

The Code applies to all members of the Interoperable Europe Community, including stakeholders from both public and private sectors, local and regional organisations, civil society, academia representatives, practitioners, experts, and any other interested parties. The Code also applies when representing the Interoperable Europe Community, for example at events. Representation of the Community may be further defined and clarified by the Interoperable Europe Board (the 'Board').

2.2. Definitions

Code of Conduct

A set of guidelines and expectations for behaviour within the Interoperable Europe Community.

Community

All members, including public and private stakeholders, as well as civil society organisations and academic contributors residing or having their registered office in a Member State.

Community team

DIGIT Unit B2 – Interoperability and Digital Government – is responsible for managing the daily operations of the Interoperable Europe Community, ensuring adherence to the Code of Conduct and that the community environment remains respectful, inclusive, and productive by fostering collaboration and engagement among members.

2.3. Core principles

Foster a culture of mutual respect, ensuring all interactions are courteous and considerate.

Uphold the highest standards of honesty and integrity in all activities and communications.

Promote diversity and inclusion, ensuring all members feel welcome and valued, regardless of their background.

Respect differing opinions, viewpoints, and experiences.

Encourage transparency in decision-making processes and communications within the Community.

Focus on the better of the Community, and not of individuals.

These principles are not exhaustive nor all-encompassing. Instead, they aim to capture the collective understanding of a collaborative and shared environment and objectives. Members are expected to adhere to both the spirit and the letter of these principles.

2.4. Responsibilities

Member Responsibilities

Professional Conduct

Engage in discussions and activities in a professional and constructive manner, in respect and within the context of all EU regulations.

Avoid engaging in any form of discrimination or inappropriate behaviour.

Prohibit spamming, communication for commercial purposes, threats, harassment, hate speech, and other types of improper content.

Confidentiality

Respect the confidentiality of sensitive information and internal documents.

Do not disclose any confidential content outside the Community without proper authorisation.

Do not disclose members' private information (such as email address), without their explicit consent.

Active participation

Contribute actively to discussions, working groups, and other Community activities.

Provide constructive feedback and share expertise to support the Community's goals.

Participate in the yearly online assembly and other scheduled meetings.

Engage with the Community through the Portal and other designated platforms.

Moderation

The Community Team will ensure the management and moderation of the Community, fostering a sense of trust and collaboration.

The Community Team will oversee discussions to ensure compliance with the Code of Conduct. They maintain the right to remove and edit contributions that are not aligned with this Code of Conduct and take corrective action towards the members.

Conflict of interest

Disclose any potential conflicts of interest that may affect impartiality or objectivity in Community activities.

Recuse oneself from discussions or decisions where a conflict of interest exists.

Community Team responsibilities

Interact with the Board via its Secretariat for general oversight, ensuring alignment with the broader objectives of the Interoperable Europe Act.

Co-organise the annual online assembly with the Interoperable Europe Board.

2.5. Reporting and Enforcement

Reporting misconducts

Members are encouraged to report any behaviour that does not comply with the principles of the Code.

Retaliation against those who raise concerns or make reports in good faith will not be tolerated.

False reporting is considered a breach of the Code and will not be accepted nor tolerated.

Instances of misconducts or unacceptable behaviour may be reported to the Community Team at xx@ec.europa.eu [to be filled in with a dedicated email address for the community management].

All complaints will be reviewed and investigated confidentially, promptly, and impartially.

The Community Team will respect the privacy and security of the reporter of any incident.

Consequences

The Community Team will exercise its judgment in deciding when and how to address reported incidents.

When an enforcement action is taken, the accused member will receive a written notification detailing the reasons for the action, the specific Code of Conduct

principles breached, and the consequences applied. The identity of the reporter will be kept confidential and will not be disclosed to the accused.

The accused of the report will be offered a chance to discuss with the Community Team before any action is taken.

Members who engage in inappropriate behaviour will be subject to disciplinary actions which may range from correction, warning, and temporary suspension to revocation of membership, depending on the severity of the misconduct.

Every effort will be made to resolve all matters within 90 days of receiving the complaint.

Appeals

Following a discussion with the accused and a decision communicated by the Community Team, the accused member has the right to file an appeal within 30 days of receiving the enforcement action notification.

Appeals must be submitted in writing by email to the Secretariat of the Board at EC-INTEROPERABLE-EUROPE-BOARD@ec.europa.eu.

The appeal should include a detailed explanation of the reasons for the appeal, any supporting evidence or documentation, and any mitigating circumstances.

The Community Team will acknowledge receipt of the appeal within seven (7) working days. They will review the appeal for completeness and may request additional information from the appellant if necessary.

The Community Team will assess the appeal within 30 days of the appeal submission and decide whether to uphold, modify, or overturn the decision. If the appeal involves complex issues that may require a higher level of judgment (e..g, repeated violations or significant impact), the Community Team will consult with the Board for their input before making a final decision.

The appellant will receive a written notification of the decision, including a detailed explanation of its rationale. The final decision is binding.

Reports, appeals, and outcomes will remain confidential.

2.6. Review and Amendments

The Interoperable Europe Community Code of Conduct is subject to periodic reviews, in order to ensure its relevance and effectiveness. Community members are therefore encouraged to submit feedback, informing of potential amendments.

For suggested edits, please contact the Community Team at <u>xx@ec.europa.eu</u>.

Suggestions for amendments will be reviewed and adopted by the Interoperable Europe Board. Any new versions will be communicated to all Community members via the Interoperable Europe Portal.

3. Conclusion

The Interoperable Europe Community is dedicated to promoting transparency, inclusivity, and innovation in digital public services.

All stakeholders are invited to join the Interoperable Europe Community in its mission to enhance digital interoperability across Europe. By becoming a member, participants can contribute their expertise, engage in meaningful discussions, and help shape the future of digital public services. The Community thrives on the active participation and collaboration of its members, and their involvement is crucial to achieving our shared vision.

