POSITION PAPER EMREX USER GROUP

EU SINGLE DIGITAL GATEWAY ONCE ONLY PRINCIPLE

JUNE 2021

POSITION STATEMENT

EMREX User Group (EUG)[1] is an independent European network which unites various actors dedicated to enhancing student and employee data portability by providing a user-centric solution for the electronic transfer of diplomas between higher education institutions in the EU. This paper states the position of the EMREX Members on the implementation of the Once Only Principle (OOP) in the European Union Single Digital Gateway (SDG)[2] in relation to *"Requesting academic recognition of diplomas, certificates or other proof of studies or courses."*

The main points in our position are: [3]

1. Re-use of Existing Sectoral Systems: The process of diploma exchange and recognition has been implemented in many EMREX user countries for several years. As such, the EMREX users have a lot of practical knowledge and experience to offer in the matter of a safe diploma exchange. Therefore, EMREX Members share the opinion that the EMREX and SDG-OOP systems could and should co-exist and reinforce each other.

2. Governance and Scope: For the sake of understanding who is responsible for which part of the system, the scope of the SDG regulation and the OOP system should be defined more clearly.

3. Privacy and Security: The current SDG regulation is not sufficient as a valid legal base for the actual data exchange. This is specifically a problem with regards to the preview space which currently seems to be projected within the location of the evidence requester. The control of use on data will be difficult. For the exchange of diplomas and credentials for the benefit of student and employee mobility, this problem can be prevented by using the technical system of EMREX where preview and consent take place at the evidence provider.

4. eIDAS: The SDG OOP is coupled with eIDAS. Currently, educational institutions across Member States in general do not have access to eIDAS. This does have the attention of the EMREX community, but it adds to the workload for the more than 4000 parties involved. Due to the decentralized and yet secure character we think EMREX can smoothen the implementation in the practice.

5. Implementation Deadline: December 2023 is too early to require all Member States to have a digitalised procedure for the exchange of diplomas. EMREX can actively offer help here with our network of people to identify and define the data exchanged and implement the interfaces needed.

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[1] EMREX: EMREX | Supporting Student Mobility
[2] For more information on the SDG see annex 1 (p. 5).
[3] For a more in-depth discussion of our main points see Annex 2 (p. 6).

COOPERATION OFFER

The EUG is signatory of the Groningen Declaration Network[4] and is a strong supporter of EU policies on lifelong learning and foresees opportunities for learner mobility (including work-related credentials) as well. We support the EC's plan to set the stage for the OOP on a European level and see the Implementing Act SDG as an opportunity to cooperate, investigate, and implement the best solution to make the OOP work for all Member States' educational sectoral systems.

The SDG OOP system adds a general approach for digitizing public procedures and exchanging the necessary evidences to promote cross-border living, working, running a business, studying and more. However, little room is left for the possibility of re-using sectoral systems such as EMREX. We feel that not incorporating this well-functioning and efficient system that, based on the practical implementation of Member States took several years to establish, is a step back. In our opinion it would be a disinvestment for the Member States, it could disturb well running international data exchange and would cause serious delays in implementing many policy objectives, as well as the ones for SDG.

Therefore, EMREX Members share the opinion that the EMREX and SDG-OOP systems could and should co-exist and reinforce each other and we want to explore that route together. The process of diploma exchange and recognition, addressed in the SDG legislation, has already been implemented in many EMREX user countries for several years. Due to the years of experience EMREX has led to a safe standardization in international data exchange and to better quality of registered data. EMREX has contributed to enhancing student data portability, student mobility and has therefore facilitated the potential of lifelong learning. We hereby offer our expertise and enthusiasm to work together to reach the policy objectives that the SDG has in scope and look forward to a continued cooperation in the diploma exchange and student and employee mobility domain.

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[4] https://www.groningendeclaration.org/signatories/

EMREX NETWORK

The EMREX network acts as a European platform for connecting expertise, sharing knowledge and enhancing collaboration to unlock the full potential of student data and facilitating cross-border student mobility. Additionally, the EMREX vision stretches further than student mobility and also serves as a basis for the enhancement of employee mobility, by its potential to exchange employee credentials. As such, the EMREX users already have a lot of practical knowledge and experience to offer in the matter of a safe diploma exchange. Therefore, we feel EMREX should offer expertise and be involved in future discussions on the definition and implementation of the SDG process.

The EMREX network was cofounded by the Erasmus+ programme of the European Union. Nowadays it is used in at least 9 European countries with almost 60.000 exchanges in 2020. It is designed to work decentralized and with verifiable personal data consent. Interoperability is served by a standard interface (ELMO) and has an open-source library for participants to get started. The biggest benefit of EMREX is the increased availability, quality, and reliability of information about student records of achievements. The process is making it easier for the student (or employee), creating conditions for easier management of the institution, less risk of falsified certificates, and larger share of crediting. The reuse of the EMREX system as the educational sectoral system will facilitate student data portability, student mobility, and lifelong learning.

ANNEX 1 - SDG: POLICY OBJECTIVES AND IMPLEMENTING ACT OOP

The EU SDG Regulation[5] provides a legal base for setting up central facilities to support the OOP for exchanging data between (semi-)public organizations. The main goal of the EU SDG regulation is to *"facilitate online access to the information, administrative procedures and assistance services that citizens and businesses need to get active in another EU country"*. In article 6 of the regulation Member States are required to ensure that users can access and complete a list of procedures fully online. The meaning of "once only" is that private persons and organizations have the right to supply evidence only once across all Member States to improve cross-border living, working, running a business, studying and more. The facilities are called the Once Only Technical System (OOTS) which aims at connecting national systems. In the first half of 2021 the EC has worked on an Implementing Act (IA) for SDG OOP making it mandatory for Member States to implement OOTS in 2023 at the latest. Currently the final draft of the Implementing Act OOP is up for voting in the EC.

Education has a prominent place in SDG/OOP. One of the listed procedures is *"Requesting academic recognition of diplomas, certificates or other proof of studies or courses".* For the EMREX members this process is their daily business and existing practice. The EMREX members have the same objectives and support the once only principle and the main idea that the user should be central when designing administrative procedures. The exchange and check on academic recognition is already part of the procedures done via EMREX. With this firmly in place in at least 9 Member States the community believes that synergy between OOTS and EMREX is possible and advantageous. Therefore as a community we suggest a dialogue between the two systems to explore cooperation on a number of topics.

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[5] EU SDG Regulation: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1724

ANNEX 2 – PROVIDING MORE DETAIL TO MAIN POINTS

The main points in our position are:

Re-use of Existing Sectoral Systems (e.g. EMREX): The SDG OOP system adds a general approach for digitizing public procedures and exchanging the necessary evidences to promote cross-border living, working, running a business, studying and more. The process of diploma exchange and recognition, addressed in the SDG legislation, has already been implemented in many EMREX user countries for several years. Thus, we feel not incorporating this well-functioning and efficient system that took years to establish is a step back. In our opinion it would be a disinvestment for the Member States, it could disturb well running international data exchange, and would cause serious delays in implementing many policy objectives, as well as the ones for SDG. Therefore, EMREX Members share the opinion that the EMREX and SDG-OOP systems could and should co-exist and reinforce each other. Due to the years of experience EMREX has led to a safe standardization in international data exchange and to better quality of registered data. EMREX has contributed to enhancing student and employee data portability, student and employee mobility and has therefore facilitated the potential of lifelong learning. We hereby offer our expertise and enthusiasm to work together to reach the policy objectives that the SDG has in scope and look forward to a continued cooperation in the diploma exchange and student and employee mobility domain.

Governance & Scope: For the sake of understanding who is responsible for which part of the system, the scope of the SDG regulation and the OOP system should be defined more clearly. In the Implementing Act there is a high level of detail of technical specifications. Responsibility is placed on "The Commission and the Member States" however, it is not sufficiently clear who has the main end-responsibility and how the influence of the different actors will be weighed. To this extent, it is important to clarify who is responsible for which part of the system and how changes within the system, practically, shall be adjusted. We envision a larger role for the Member States in cooperation with sectoral experts, such as EMREX, in developing the technical specifications. It is important that the Commission determines these technical details in cooperation with the Member States and sectoral experts, who are generally extremely willing to provide their expertise.

Privacy and Security: The current SDG regulation is not sufficient as a valid legal base for the actual data exchange. This is specifically a problem with regards to the location of the preview space. Article 14 of the last draft IA requires that Member States shall ensure that users have the possibility to review the evidence, before this evidence is used in the procedure. No longer does the IA explicitly state that this should be handled at the location of the evidence requester. This at first glance opens up the possibility for solutions like EMREX where the evidence is previewed at the provider site. It is however still a problem that preview at the site of the requester is not explicitly excluded. This might result in an awkward hybrid solution. Furthermore, it is unclear why the Member States should have a responsibility in this matter. Article 7.1 of the GDPR already states that it is the responsibility of the controller (the one sending the data) to proof that consent is given. To be clear, EMREX users do not oppose the possibility of a preview space and encourage this idea. However, we do oppose the location of the preview space at the receiving end and urge that this should be within the scope of the evidence provider rather than the evidence requester. The proof of consent required by law will be difficult to show otherwise. As stated this problem can be prevented by using a technical system like EMREX where preview and consent take place at the evidence provider.

eIDAS: In the current draft of the Implementing Act, the aspect of identification and authentication is coupled with eIDAS and the accompanying theme of Single Sign-On. Currently, educational institutions across Member States in general do not have access to eIDAS. When this is the only acceptable way to exchange diplomas across borders. This adds to the workload for the more than 4000 potential parties involved and makes it harder to join digitization of student mobility. Due to the decentralized and yet secure character, we think EMREX can smoothen the implementation in the real world. To clarify, EMREX has shown that it is safe if a transaction involves two separate logins and the user experience is not severely hampered. However, eIDAS does have the attention of the EMREX community and will be something to incorporate, but not from the start.

Implementation Deadline: December 2023 is very early to require all Member States to have a digitalised procedure for the exchange of diplomas. We can actively offer help here with our network of people to identify and define the data exchanged and the interfaces needed and by possibly implementing these interfaces using, for example, the EMREX technical solution. Depending on the approach it could dramatically shorten implementation time and costs.