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DIGITAL AGENDA FOR EUROPE

Digital service platforms and emerging technologies like artificial intelligence (AI) profoundly influence our societal landscape. These innovations have redefined how we communicate, shop and access information online, making them daily essentials. The European digital agenda for 2020-2030 addresses these shifts. It prioritises establishing secure digital spaces, ensuring fair competition in digital markets and enhancing Europe's digital sovereignty, all while aiming for climate neutrality by 2050.

LEGAL BASIS

While the Treaties do not specify provisions for information communication technologies (ICTs), the EU can act within policy areas such as: industry (Article 173 of the Treaty in the Functioning of the European Union (TFEU)), competition (Articles 101 and 109 TFEU), trade (Articles 206 and 207 TFEU), trans-European networks (Articles 170 and 172 TFEU), research (Articles 179 and 190 TFEU), energy (Article 194 TFEU), single market establishment (Article 114 TFEU), the free movement of goods (Articles 26 and 28-37 TFEU), the movement of people and services (Articles 45 and 66 TFEU), education (Articles 165 and 166 TFEU), and culture (Article 167 TFEU).

OBJECTIVES

Following the Lisbon strategy, the 2010 <u>digital agenda for Europe</u> underscored ICTs as pivotal for the EU's objectives. In 2015, the <u>digital single market strategy</u> further developed the digital agenda with three pillars: 1) ensuring better access to digital goods and services across Europe; 2) fostering optimal conditions for digital networks and services; and 3) amplifying the digital economy's growth potential.

The 2020 strategy, which aimed to <u>shape Europe's digital future</u>, targeted technologies that benefited people, a competitive economy and an open, democratic society. In 2021, this strategy was enriched by the <u>digital compass</u> for 2030, which details the EU's digital goals for the decade.

ACHIEVEMENTS

A. The first digital agenda for Europe: 2010-2020

The first digital agenda:

 reduced electronic communication prices (<u>Regulation (EU) 2022/612</u>) and terminated roaming charges on 14 June 2017 ('Roam Like At Home');



- improved internet connectivity with comprehensive basic broadband, by leveraging mobile and satellite technologies;
- strengthened consumer protection in telecommunications through privacy (<u>Directive 2009/136/EC</u>) and data protection regulations, which were later enhanced by a new data protection framework (<u>Regulation (EU) 2016/679</u> and <u>Directive (EU) 2016/680</u>).

To encourage the development of digital networks and services, Parliament bolstered the Body of European Regulators for Electronic Communications. This body fosters cooperation between national regulators and the Commission, encourages best practices and works to harmonise communication regulations (Regulation (EU) 2018/1971). The first digital agenda emphasised digital growth by promoting digital skills, high-performance computing, industry digitisation, Al development and public service modernisation. Additionally, the EU established rules on geo-blocking (Regulation (EU) 2018/302) and digital service portability (Regulation (EU) 2017/1128), enabling consumers to access online content across the Member States.

In addition to the new regulatory frameworks on data protection mentioned above, the EU has passed a number of laws to facilitate the development of a data-agile economy, such as:

- the Regulation on the free flow of non-personal data (<u>Regulation (EU) 2018/1807</u>), which allows companies and public administrations to store and process nonpersonal data wherever they choose;
- the Cybersecurity Act (<u>Regulation (EU) 2019/881</u>), which strengthens the EU Agency for Cybersecurity and establishes a cybersecurity certification framework for products and services;
- the Open Data Directive (<u>Directive (EU) 2019/1024</u>), which provides common rules for a European market for government-held data.
- **B.** The second digital agenda for Europe: 2020-2030

The second digital agenda addressed the changes brought about by digital technologies and the vital role of digital services and markets, emphasising the EU's technological and geopolitical goals. In its communications on shaping Europe's digital future and on Europe's digital decade, the Commission detailed actions for secure digital services and markets. It prioritised quantum computing, blockchain strategies, AI, semiconductors (European Chips Act), digital sovereignty, cybersecurity, 5G/6G, European data spaces and global tech standards. On 9 March 2021, the EU introduced a digital compass outlining four targets for 2030:

- Skills: At least 80% of all adults should have basic digital skills and there should be 20 million ICT specialists employed in the EU, with more women taking up such jobs;
- Businesses: 75% of companies should use cloud-computing services, big data and Al; more than 90% of small and medium-sized enterprises in the EU should reach at least a basic level of digital intensity; and the number of EU unicorns should double;



- Infrastructure: All EU households should have gigabit connectivity and all populated areas should be covered by 5G; the production of cutting-edge and sustainable semiconductors in Europe should make up 20% of worldwide production; 10 000 climate-neutral highly secure edge nodes should be deployed in the EU; and Europe should have its first quantum computer;
- Public services: All key public services should be available online; all citizens should have access to their e-medical records; and 80% of citizens should use an electronic identity solution.

The <u>digital Europe programme</u>, introduced by <u>Regulation (EU) 2021/694</u>, is an EU initiative that allocates EUR 7.5 billion (2021-2027) to digital technology projects in areas like supercomputing, AI, cybersecurity, advanced digital skills and digital tech integration, supported by digital innovation hubs. This will align with other EU funds, such as <u>Horizon Europe</u>, the Connecting Europe Facility for digital infrastructure and the <u>Recovery and Resilience Facility</u>. During the COVID-19 recovery, the Member States are mandated to direct at least 20% of their recovery funds to digitalisation projects (Regulation EU 2021/694).

The White Paper on AI from February 2020 highlighted AI's crucial role and anticipated societal and economic benefits across sectors. In October 2020, Parliament adopted three resolutions on AI addressing ethics, civil liability and intellectual property. The resolutions called on the Commission to craft a European legal framework for the ethical development and use of AI. On 21 April 2021, the Commission proposed an AI Act, which would offer a tech-neutral AI definition and rules based on risk. Parliament adopted its position on the proposal in June 2023 with substantial amendments to the Commission's text, in view of final negotiations with the Council. In September 2022, the Commission introduced a proposal for a directive on AI liability, which would ensure equal protection for those harmed by AI. Additionally, a proposal for a new product liability directive was unveiled to address digital products like AI.

Data sharing is central to Europe's digital vision. While the EU promotes data-driven innovation, it seeks to maintain a balance with privacy, security, ethics and safety, while looking into the use and sharing of non-personal data for new technologies and business paradigms. In February 2020, the EU launched the White Paper on Al data strategy. Its first component, the European Data Governance Act (Regulation (EU) 2022/868), published on 3 June 2022, became effective in September 2023 and emphasises data availability and trust. On 23 February 2022, the Commission introduced the strategy's second component, the proposed data act, which addresses business and consumer data access. Interinstitutional talks concluded in June 2023. The Council, Parliament and the Commission issued a declaration on European digital rights on 26 January 2022, underscoring a values-based digital shift. Data are pivotal for societal progress, economic expansion and innovation. The European Data Space, the strategy's third element, covers nine sectors and is a focus for the Commission for 2019-2025. Additionally, the EU is launching a European cloud, via NextGenerationEU, grounded in the Gaia-X ecosystem, to endorse data and service fluidity.

A cornerstone of the digital strategy is forging a safer, more open digital single market that emphasises user rights and fair business competition. This involves two legislative



pillars: the <u>Digital Services Act (DSA)</u> and the <u>Digital Markets Act (DMA)</u>, both of which modernise EU digital service regulations. Adopted by Parliament and the Council in October and September 2022 respectively, they offer a unified set of rules for the entire EU. The DSA delineates responsibilities for intermediary services, especially online platforms. Large platforms are subject to specific guidelines due to the risks they present regarding the dissemination of illegal and harmful content. The DMA outlines rules for companies with a 'gatekeeper' status, targeting those most susceptible to unfair practices. This encompasses services like online intermediation, social networks and cloud computing.

Building on the DSA, in November 2022, the Commission <u>proposed</u> measures to streamline data collection and sharing for short-term accommodation rentals. Parliament's Committee on Internal Market and Consumer Protection (IMCO) is reviewing this proposal, and since 15 November 2023, trilogues have been ongoing.

The digital agenda emphasises e-government and cross-border public sector cooperation. On 18 November 2022, the Commission proposed an interoperable Europe act to enhance public services in the EU. This will establish an interoperable Europe board with representatives from the Member States, the Commission and other EU bodies. The COVID-19 pandemic accelerated European interoperability developments, particularly highlighted by the EU Digital COVID Certificate. This was underscored by a Commission communication emphasising improved cross-border cooperation.

On 10 November 2022, responding to Russian aggression against Ukraine, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy introduced an <u>EU cyber defence policy</u> and an <u>action plan on military mobility 2.0</u>. The cyber defence policy and the action plan on military mobility 2.0 aim to increase cyber defence investments, enhance cooperation between military and civilian cyber sectors, ensure efficient cyber crisis management and bolster the EU's position in critical cyber technologies, thereby reinforcing the European Defence Technological Industrial Base.

Building trust online is crucial for societal and economic growth. The Regulation on electronic identification (Regulation (EU) No 910/2014) provides a framework for secure digital interactions among citizens, businesses and authorities. To work towards these objectives, the Commission proposed an amendment to the Digital Identity Regulation that aims to allow 80% of EU citizens to access vital public services securely with a digital identity by 2030.

Beyond regulation, the EU emphasises digital education. The <u>digital education action</u> <u>plan (2021-2027)</u> helps the Member States to adapt their education systems to the digital era. It prioritises creating a robust digital education ecosystem and enhancing skills for digital transformation.

In December 2020, a Commission <u>communication</u> laid out a plan for the recovery and transformation of Europe's media sector, including by addressing issues like market fragmentation. It emphasised the need for more national support through approved recovery plans and highlighted global online platforms' disruptive influence on media, specifically their dominance over data and advertising markets.



The <u>European democracy action plan</u> complements the <u>media plan</u> and focuses on the sector's recovery and digital adaptation. It also discusses the decline in media freedom owing to increasing threats against journalists. The <u>digital economy and society index</u> (DESI) tracks EU countries' digital advancement towards a unified digital market. Annual DESI profiles help the Member States to pinpoint areas for improvement, and the indicators now take into account the <u>Recovery and Resilience Facility</u> and the <u>digital compass</u>.

ROLE OF THE EUROPEAN PARLIAMENT

In its <u>resolution of 12 March 2019</u>, Parliament urged the Commission to reassess the Network and Information Security (NIS) Directive's scope to include other vital sectors not addressed through specific legislation and to address digitalisation threats. The resolution called for alignment with an enhanced European cybersecurity policy and a bigger role for the EU Agency for Cybersecurity. In December 2022, the NIS2 Directive (<u>Directive (EU) 2022/2555</u>) replaced its predecessor, broadening its reach to cover more sectors and entities. In September 2022, the Commission introduced a <u>proposal</u> for a cyber-resilience act to target enhanced security for various tech products. Parliament and the Council started negotiations on the act in June 2023.

Under the European action plan for democracy, the Commission introduced a proposal for a media freedom act on 16 September 2022 to bolster media pluralism and freedom in the EU. This act would aim to address issues in the media services market and reinforce media independence. In response, the Committee on Civil Liberties, Justice and Home Affairs (LIBE), alongside the Committee on Culture and Education (CULT), and the IMCO Committee held hearings on 31 January and 6 February 2023 to discuss the proposal. Interinstitutional negotiations are currently ongoing and aim to conclude before the end of the legislative term. Additionally, for transparency in democratic processes, regulating political advertising, especially clear labelling, is crucial. The Commission presented a proposal on this issue on 25 November 2021. The IMCO Committee hosted a hearing on 11 July 2022, focusing on transparency in political advertising, both offline and online. On 26 January 2023, the IMCO Committee, together with the CULT and LIBE Committees, adopted a report on this proposal. This formed the basis for the interinstitutional negotiations and a political agreement was reached on 7 November 2023. Parliament's focus on digital transformation has been consistently backed by its Policy Department for Economic, Scientific and Quality of Life Policies through studies and a workshop that addressed challenges and opportunities. During the legislative process for the DSA and DMA, a study examined the impacts of targeted advertising. A workshop on the implications of the proposals and a hearing with Facebook whistleblower Frances Haugen prompted further insights. In February 2022, a study addressed the impacts that influencers have on advertising and consumer safety in the single market. In August 2022, a report from the same department discussed leveraging new technologies for enhanced product safety and outlined potential pros and cons.

Following the March 2022 joint public <u>hearing</u>, the IMCO and LIBE Committees, as well as Parliament as a whole, have collaboratively advanced the Al Act by adopting a



report with key amendments, introducing further amendments and agreeing on a draft negotiating mandate in June 2023 to establish harmonised rules on AI in the EU.

On 25 October 2023, MEPs made calls for a <u>ban on addictive techniques</u>, such as endless scrolling or automatic play. Some MEPs also want to introduce a digital 'right to not be disturbed' along with a list of good design practices.

For more information on this topic, please see the websites of the <u>Committee on Internal Market and Consumer Protection</u> and the <u>Committee on Industry</u>, <u>Research and Energy</u>.

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