We want to work to ensure that Europe has state-of-the-art skills in the field of key digital technologies while preserving the openness of the European single market. This includes (...) a common understanding among the EU Member States regarding the definition of and path towards greater digital sovereignty.

German Presidency programme, chapter 2

Berlin makes it clear: For a stronger and more competitive Europe, digital sovereignty needs to be at the heart of European digital policy. An earlier edition of #THEÜBERSICHT summarized the planned policy measures of the German Presidency in this regard. Now we are looking into the concept: What does digital (and technological) sovereignty imply for Germany? As Berlin wants to set a common understanding on the definition of and the path to increased digital and technological sovereignty in Europe, this edition pursues the goal of shedding light on the process behind the Presidency’s objectives by addressing the following topics:

- The German government’s vision on digital sovereignty
- Definition of close or associated terms
- An overview of the most important stakeholder inputs of the past years and
- Upcoming legislative initiatives and relevant events during the German Presidency
DIGITAL SOVEREIGNTY

WHAT DOES IT MEAN FOR GERMANY?

Digital sovereignty is not a clearly defined concept, but rather a political vision of the respective social-economic order. It essentially addresses the reduction of existing and emerging dependencies in the digitalizing world. This means that different economic areas and world regions may have different understandings of what digital sovereignty means for them. For the European Union, the debate is currently focusing on the dependence on the dominant economic players, especially from the United States and China. To be digitally sovereign, the German EU Council Presidency and the European Union are driving forward the creation of a truly digital single market, the ability to define own rules, the ability to make autonomous technological decisions and the development of strategic digital capacities. 1

The German government has, on multiple occasions, outlined its vision for digital sovereignty on the European continent:

■ The VISION of the German EU Council Presidency on digital sovereignty: “Europe must rely on the strength of its broad research base and foster its growing digital infrastructure and economy, while making sure the continent’s core democratic values also apply in the digital age. In doing so, Europe can position itself as a leader in world-class, socially responsible and sustainable high-tech.” 2

■ The KEY QUESTION to answer according to the German government: “The key question is how and in which areas Germany and the EU can pursue their own European approach to digitization, while at the same time considering existing global interdependencies and distinguishing them from protectionist tendencies. This includes making sovereign decisions on which areas we want to be largely independent so that we can shape digitization in line with our own ideas.” 3

■ The DEFINITION drafted by the Federal Chancellery: “Digital sovereignty describes the ability to shape the digital transformation in a self-determined manner with regard to hardware, software, services, and skills. Being digitally sovereign does not mean resorting to protectionist measures or doing everything yourself. Being digitally sovereign means, within the framework of applicable law, making sovereign decisions about the areas in which independence is desired or necessary.” 4

ASSOCIATED TERMS – THE DEVIL’S IN THE DETAIL!

The umbrella term “digital sovereignty” is broadly used to describe more self-determined action in regards to digital technology. This overarching phrase consists of multiple, related types of sovereignty describing individual components making up the digital world. These concepts are used in the media, often interchangeably with “digital sovereignty.” Defining these other types of sovereignty can help bring better understanding of what this buzzword actually consists of.

Here are some examples:

■ Data Sovereignty: The autonomy of a data provider, whether it be an individual or an entity, to make independent decisions about who accesses, processes, or stores its own data, and move around in the data space in a self-determined, well-informed manner. 5

■ Technological Sovereignty: Ability to access components and raw materials required to produce technological products, and ability to understand or learn how these products work. Often used in relation to technological products for critical national infrastructures. 6

■ Consumer Sovereignty: Strong consumer rights in the digital world that effectively protect consumers from harm and risks. Information is necessary to strengthen the personal responsibility of users so they are informed and can make independent decisions as equal market partners. This requires not only the necessary knowledge but also the existence of alternative forms of action. 7

1 Conclusions of the Special meeting of the European Council (1 and 2 October 2020)
2 Article from the German EU Council Presidency’s webpage on “Strengthening Europe’s digital and technological sovereignty”
3 Answer of the Federal Government to a minor inquiry on the topic “German EU Council Presidency”
4 Leaked version of the German data strategy (15 September 2020), which is referred to here
5 Leaked version of the German data strategy (15 September 2020), which is referred to here
6 VDE position paper “Technological sovereignty”
WHO SAID WHAT SO FAR?
Evolving debate on the topic

NOVEMBER, 2018
"In order to guarantee security and sovereignty, it will be indispen-
sable for Germany and Europe to have their own providers who
ensure data security. (...) Digitalization must be a tool
and catalyst for what is important to us: the common good, cohe-
sion, sovereignty, and emancipation.” – Federal Minister of La-
bor Hubertus Heil, Federal Minister of Finance Olaf Scholz and
former Federal Minister of Justice Katarina Barley

MARCH 28, 2019
“This competition of global tech-driven players that do not wide-
ly obey to European rules and fundamental values and put data
appropriation and valuation at the heart of their strategy consti-
tutes a major challenge for European sovereignty and identity.”
– EU Commission’s Industrial Media Strategy to leverage Data,
Algorithms and Artificial Intelligence

JULY, 2019
“It may be too late to replicate hyperscalers, but it is not too late
to achieve technological sovereignty in some critical technology
areas.” – Commission President von der Leyen

NOVEMBER, 2019
“Of course, digital sovereignty is very important. But it is possible
that, even if we use the same term, we now understand different
things around the world. In my understanding, digital sovereignty
does not mean protectionism or the dictates of government agencies
as to what information can be disseminated, but rather describes
the ability to shape the digital transformation in a selfdetermined
manner, whether as an individual, a single person, or as a society.”
– Angela Merkel at the 14th Internet Governance Forum (2019)

NOVEMBER, 2018
We need to ensure “that we are at the forefront of technologi-
cal possibilities and improvements for our lives and for business,
while at the same time ensuring that this takes place under condi-
tions that are good for the citizens and also for the workforce
in Germany.” – Chancellor Merkel and Federal Minister Scholz

MAY, 2019
“We see the digital sovereignty of the people, so to speak, the
digital sovereignty of every citizen, as a model for the imple-
mentation of digitization. [...] This is where Europe should leave
its mark on the implementation and shaping of digitization.”
– German Chancellor Angela Merkel

SEPTEMBER, 2019
“To ensure our digital sovereignty, we want to reduce de-
pendencies on individual IT providers. We are also examining
alternative programs to replace certain software. This is be-
ing done in close coordination with the countries and the EU.”
– Federal Minister of the Interior Horst Seehofer

DECEMBER, 2019
“We in Europe must pay more attention to our digital sovereignty.
This is not about a European alternative to Facebook, but about
networks, nodes or data storage in clouds. On such an important
issue as protecting the digital infrastructure, we should define and
protect our own interests. [...] A strategy for the digital sovereignty
of Europe is overdue.” – Federal Foreign Minister Heiko Maas
JANUARY 16, 2020
Definition of the three dimensions of strategic digital sovereignty: national security, trusted infrastructure and strong economy. All three dimensions are based on participation in and the self-determined use of digital technologies by government, business and society. The paper further contains recommendations for action in key technologies like AI, digital identities, cloud infrastructures, and blockchain technologies. – Position paper of the German digital industry association Bitkom.

JANUARY 29, 2020
“Technological sovereignty doesn’t mean controlling the IT supply chain from start to finish, but rather knowing how the technology works, and being able to make decisions based on deep knowledge.” – Position paper by the Association for Electrical Engineering, Electronics and Information Technology (VDE)

FEBRUARY 19, 2020
“The Commission will use its convening power as well as EU funding programmes to strengthen Europe’s technological sovereignty for the data-agile economy.”
– A European strategy for data

APRIL 21, 2020
“The Covid-19 pandemic has shown the pressing need to produce critical goods in Europe, to invest in strategic value chains and to reduce over-dependency on third countries in these areas.” – A Roadmap for recovery; Towards a more resilient, sustainable and fair Europe

MAY, 2020
Definition of four main components of digital sovereignty. First, ensuring everyone is able to participate in a digitized world. Next, advocating for self-determined data management. Third, Europe must improve its own hardware and software offering. If not produced in Europe, technology products must be trusted, and their functions must be transparent and traceable. Lastly, the EU must work to create a common European regulatory framework that levels the playing field while still allowing for innovation in the private sector.
– Working paper by the German Informatics Society

MAY, 2020
“We must establish Europe as an innovative hub for business that is digitally autonomous and a society that is also digitally autonomous. (…) We must build our digital autonomy by fostering our own skills and capacities in the key-enabling digital technologies.”
– Federal Minister for Economics Peter Altmaier

JUNE 18, 2020
“We want to promote the digitization of the economy and society. To ensure Europe’s economic success and thus its ability to act in the future, Europe must become sovereign both technologically and digitally. Indeed, the pandemic has made it abundantly clear how dependent Europe is in the digital field, both in terms of technology and services. Digital sovereignty does not mean that we in Europe must be able to do everything. However, we must be able to decide for ourselves where European independence is required and how we want to implement it.”
– German Chancellor Angela Merkel

MAY, 2020
Europe must find a way to classify and prioritize existing dependencies on third country actors according to criticality and mitigability. Companies and governments must analyze their supply chain, determine where each component comes from, who controls it, and what this means for the company/organization/institution. When a common European system for the management in dependencies has been established, Europe can begin to decide which parts of any given supply chain it wants to control within its borders.
– Position paper by the Bertelsmann Foundation

JULY 14, 2020
The key for a digitally sovereign Europe is to design a European public digital space, and define a technology strategy that is characterized by modularity, openness, and transparency. This assures multiple sectors can be tied in, and a general oversight can be established. Furthermore, all actors in the European digital ecosystem should be bound to core European values that are to become design principles for digital platforms.
– Position paper by the German Academy for Science and Engineering (Acatech)
SEPTEMBER 11, 2020
“Our digital sovereignty rests on 3 inseparable pillars: computing power, control over our data and secure connectivity.”
– EU Internal Market Commissioner Thierry Breton

SEPTEMBER 28, 2020
“Our caring and humanistic values inspire our project of transformation. Climate neutrality and digital sovereignty are opening up new spaces for human intelligence, innovation and democratic debate.”
– Council President Charles Michel

OCTOBER 15, 2020
“The ministers for Telecommunications and Digital Policy of the EU member states and EFTA will be attending an informal video conference chaired by the Federal Minister for Economic Affairs and Energy, Peter Altmaier, as part of the German Presidency of the Council of the EU. The purpose of this meeting is to facilitate informal discussions about artificial intelligence and data economy, and about the potential design of a modern European legal framework for digital services. Furthermore, the representatives of the EU Member States are to be given an opportunity to sign a joint declaration about cooperation on the establishment of a European Cloud Federation, a European network of cloud infrastructures.

DECEMBER 02, 2020
“The long-awaited Digital Services Act (DSA) will be revealed, strengthening the Single Market for digital services and fostering innovation and competitiveness of the European online environment.

DECEMBER 08, 2020
“A conference by the German Federal Ministry of the Interior, Building and Community will focus on reaching agreement on common goals and values with regard to digital transformation – the outcome might be a declaration on the digital society.

DECEMBER 15, 2020
“The review of the Directive on security of network and information systems is expected to update requirements regarding national cybersecurity capabilities of Member States, and requirements for national supervision of operators of essential services and key digital service providers.

IN PLANNING

OCTOBER 19, 2020
European Commission is expected to present the Regulation on European data governance.

OCTOBER 20, 2020
With the publication of the Commission work programme 2021, we’ll hear about the steps that will be taken next year to create more digital sovereignty.

PERHAPS DECEMBER 02, 2020
According to latest media reporting, the European Commission plans to merge the ex-ante rules of the DSA for gatekeeper platforms with the new competition tool (NCT) into a single text called the Digital Markets Act. As there is no known date for the announcement of the NCT yet, another question mark is whether the DMA will be presented on the same day as the famous DSA.
So, will we have a European definition for digital sovereignty at the end of the German EU Council Presidency?

“Digital sovereignty” is an explicitly declared goal of the German EU Council Presidency. But what exactly will digital sovereignty mean for the EU in the future? What are the necessary framework conditions to enable the EU to assert its values and legal concepts in the digital space? On October 15, political discussions on current issues in European telecommunications and digital policy will continue when the responsible ministers will meet informally. It can be assumed that digital sovereignty will be high on the agenda here too. We can also anticipate another important milestone on the long road towards a definition on December 8, 2020, when the Federal Ministry of the Interior for Building and Community will host a high-level conference on a value-based digital transformation. Here, the Ministry hopes to underline the importance of driving forward the digital transformation for the benefit of society as a whole. Representatives of the EU member states responsible for digitisation will come together to discuss a European path to a value-based and user-centric digital transformation. The conference will thus focus on agreeing to common goals and values in digitisation in order to strengthen the internal constitution of European society. These conclusions are to be expressed in a “Declaration on the Digital Society,” a declaration that—quite possibly—could establish a European definition of digital sovereignty. Don’t lose #THEÜBERSICHT and stay tuned with us.

RELEVANT EVENTS

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<tr>
<th>Date</th>
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<tr>
<td>15 OCT 2020</td>
<td>Informal Meeting of Ministers for Telecommunications &amp; Digital Affairs</td>
<td>Baden-Baden, Germany</td>
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<tr>
<td>28 OCT 2020</td>
<td>Necessity or luxury? Digital Sovereignty in Germany and Europe</td>
<td>Online</td>
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<td>27 NOV 2020</td>
<td>Competitiveness Council: Research and Innovation</td>
<td>Brussels, Belgium</td>
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<tr>
<td>08 DEC 2020</td>
<td>High-level conference for value-based and user-centric digitalization</td>
<td>Berlin, Germany</td>
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