Dossier on:

Proposal for a Sovereign and Democratic Digitalisation of Europe

Reflection Paper commissioned by David Sassoli to the team led by Simona Levi (Xnet)

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David Sassoli worked tirelessly for "a digital transformation that has at its core people and their rights". This report, which was commissioned by him, is part of his legacy, which we now wish to see expanded and realised.

Digital transformation is currently at the heart of the European agenda. Based on a case study, this report has identified a number of shortcomings related to the foundations on which societies are being digitalised. These shortcomings can undermine the benefits of valuable and distributed human capabilities, and even human rights themselves. The report analyses the situation and the efforts already under-way in the EU; proposes policy recommendations and three actions/prototypes as correctives for the main shortcomings identified, with the aim of fostering digitalisation that reaches all citizens in a democratic way.

Index

1 - Proposal for a Sovereign and Democratic Digitalisation of Europe: a summary

This report sets out the basic vocabulary for a democratic digital transition that puts human rights at its core, by design and by default.

In doing so, it focuses on aspects of digitalisation that are often taken for granted. However, the lack of consideration on these can significantly jeopardise the rights and sovereignty of European citizens.

These aspects often fail to be included in major digital strategies, yet are what make every day digital life possible. Aspects such as, of course, internet access, but also content creation and storage, online interpersonal communication, and browsing itself.

The digitalisation of societies has been constructed on weak foundations, based on the penetration of large private actors, the so-called 'Big Tech', and on the impossibility of auditing the code which it is being built on.

The EU has a historical advantage over the rest of the world in renewing the notion of digital sovereignty in a way that included key elements such as the right to privacy. This should permit to effectively extend digital sovereignty to the smallest co-responsible unit of democratic architecture: the citizen.

Based on a successful case study (the pilot of Xnet' Plan for the Democratic Digitalisation of Education in the city of Barcelona), this report highlights some of the shortcomings in EU institutional designs for digital transformation, identifying areas of conflict, vulnerabilities and contradictions and provide recommendations and solutions in two main areas:

A - Flaws in the foundation of the digitalisation process in the European Union

Flaws that affect the foundations of digitalisation in the EU leads it away from the democratic values that the Union holds. The report identifies and explores these, and also proposes three concrete solutions in areas such as the digital tools with which we operate in everyday life (Action/Prototype 1); interpersonal communication (Action/Prototype 2); and Internet browsing (Action/Prototype 3). In addition, shortcomings and correctives in the fight against the financial and territorial digital divide are analysed.

B - Dysfunctions in the digitalisation process financing of the European Union

Dysfunctions in the financing of EU digitalisation contravene the very rules the Union has set itself, something which is hampering the development of Europe's digital economy and talent. As a necessary condition for meeting the objectives of democratic digitalisation in general, and of the proposed actions/prototypes in particular, this report analyses issues related to digital entrepreneurship at a wide range of scales, and offers corrective recommendations.

2 - The legacy of David Sassoli

President of the European Parliament from 2019 until his premature death in January 2022

We need to see deep reflection and political action in tune with a form of digital transformation that has at its core people and their rights, implementing protocols and open infrastructures to make technology an opportunity for the many and not a privilege of the few.

The EU needs to invest in creating its own alternatives in the management of strategic infrastructures for the economy of the future in order to be able to build a digital society that respects rights, is innovative and gives citizens a voice in decision-making.

David Sassoli - EUCO, October 2020

We are too accustomed to thinking of the Web in terms of platforms and algorithms, and less in terms of rights. What we need is to offer democratic answers to questions that may seem technical when in fact they are not.

These circumstances now bestow upon the European Union the responsibility of being the point of reference for defining access rights. COVID-19 has laid bare what was already evident: digitalisation will not wait. It is not a question of whether it will happen, but rather whether it will be for everyone.

New leadership of the dialogue between public institutions, businesses and citizens is indispensable if we are to promote distributive and non-monopolistic logics.

This is why it is necessary to find a path towards digitalisation tailored to humanity.

Per una digitalizzazione a misura di umanità David Sassoli, July 2020 [1]

David Sassoli was a man of deeply democratic convictions, convictions that he put into practice in all spheres of political action, from strengthening the role and dignity of the institution he represented to cultivating a rare intuition in fields that until relatively recently have escaped the radar of institutional politics.

Before many others, David Sassoli saw the digital transition as a crucial opportunity to further democracy and the rights of European citizens. As he said in one of the many statements and speeches he made on these issues during his

term in office: "Democracy will only advance if the Internet and the digital environment are also democratised" [2].

The prominent role played by Sassoli in this field has not gone unnoticed, and can be considered part of his political legacy. The European Commission itself has recalled this fact in the draft "Declaration of digital principles and rights to guide the digital transformation in the Union", in which they underline Sassoli's pioneering role in promoting Internet access as a human right.

David Sassoli's involvement in the issue of access is attested to by his correspondence with professor and politician Romano Prodi —published in La Reppublica [3]— which culminated in a meeting organised by the former as part of the Ideas for Change cycle of debates. This meeting which took the title of "Internet access: a new human right" [4] brought together David Sassoli, Romano Prodi, Ursula von der Leyen president of the European Commission, Sir Tim Berners Lee founder of the World Wide Web, and Simona Levi founder of Xnet / Institute for Democratic Digitalisation in the Digital Age and author of this report.

This report has been developed from this meeting and was commissioned by the then President of the European Parliament.

"Proposal for a sovereign and democratic digitisation of Europe" was ready for publication in December 2021. It was published as a *Reflection Paper*, and is available from the Publications Office of the European Union [5].

Its presentation, planned for January by David Sassoli, unfortunately could not take place at that time due to his tragic death.

3 - Proposal for a Sovereign and Democratic Digitalisation of Europe: key points and the importance of the report

- It analyses **essential digitalisation infrastructures for everyday** life that the Union is not sufficiently including in its strategies.

- It addresses **the necessary conditions, and identifies the main obstacles** to sustainable and inclusive democratic and sovereign digitalisation, and identifies a wide range of issues for urgent consideration by institutions.

- It defines quality access as a **prerequisite for digitalisation**, and offers a reasoned review of issues and solutions as it stands at the moment.

- It places **auditable** software and **interoperability** at the heart of the response to democratic digitalisation, including from the point of view of the right to entrepreneurship and European economic growth, underlining the socio-economic dimensions that could follow its implementation: it has an **anti-monopoly component**; it is **a vehicle for redistribution of opportunities**; when it comes to public investment, it guarantees the **maximum social return**; it **stimulates innovation**; etc.

- It places democratic digitalisation by design and by default at the heart of the **post-pandemic economic recovery**, drawing a virtuous circle between entrepreneurship, public investment and administrations, which focuses on the creation of a new digital business ecosystem, the promotion of **co-creation and local talent**, and the **democratisation of the right to enterprise and fair competition**.

- It identifies an important **set of factors that hinder such a virtuous circle**, and that are de facto **excluding a significant part of society** from the digital transformation by preventing them from participating in its deployment, contradicting any notion of inclusive digitalisation.

- It shows that a European regulatory framework exists that would favour distributed digital entrepreneurship, thus redistributing public resources and discouraging monopolies, but which **is not adequately enforced**.

- It vindicates the **potential of the Internet** for the advancement of democracy, a new culture of governance and the correction of asymmetries.

- It improves the most common meanings of **digital sovereignty**, and puts forward a notion of European digital sovereignty based on the ability of individuals to take control over their own digital destiny.

- To address these issues, **it proposes concrete prototype-based solutions** for Internet access; content creation and storage; online interpersonal communication; and browsing.

The feasibility of these solutions has been demonstrated by the success of one of the prototypes already under-way: a pioneering project for the digitalisation of schools with an emphasis on data sovereignty, interoperability and the digital rights of the entire education community (pupils, teachers and families). Based on the Plan for the Democratic Digitalisation of Education designed by Xnet and a group of families, it has been supported by the Directorate for Democratic Innovation and the Commission for Digital Innovation of Barcelona City Council and the Barcelona Education Consortium [6].

The result, the DD education suite, was presented last year, and was heralded in the press with headlines such as "Barcelona lays the foundations to end Google's monopoly in the classroom" [7]. Since its submission, the number of applications to implement DD throughout the territory has multiplied.

The tools used to create alternatives already exist, but institutional commitment is needed to ensure their implementation, improvement and adaptation. DD experience also shows that society is concerned about the dominant model of digitalisation, and that it is capable of verbalising and seeking alternatives to a form of digitalisation whose benefits raise serious doubts on many sensitive aspects.

The digital age offers opportunities for the advancement of democracy that have not yet been fully exploited. The question here is not whether digital transformation will be fulfilled or not, but whether it will be democratic, inclusive, respect fundamental rights, and therefore be beneficial to all.

4 - Proposal for a Sovereign and Democratic Digitalisation of Europe: index of contents

Framework

- Digital transformation as cooperation and better democracy.
- The non-discriminatory origins of the Internet.
- Digital sovereignty from the perspective of the EU and Member States.
- Digital sovereignty from the public perspective.

Virtues and shortcomings in the current trends of EU institutions

- Brief critical analysis of key infrastructure trends related to EU digital sovereignty.
- Brief critical analysis of the main EU regulations, institutional strategies and policies related to digital sovereignty.

Structural policy failures

- Essential digitalisation infrastructures of everyday life excluded from the institutional design of EU strategies.
- Internet access as a right.
- The geographical and economic digital divide.
- The digitalisation of education: a case study.
- A system for interpersonal communication, today known as email.
- Browsing the Internet.

Sustainability of the sovereign and democratic digitalisation of Europe

- Public code versus monopolies.
- Public procurement in the Member States and democratisation of company law.
- The consequences of policies that allow essential services to be digitalised with "free" products: a competition-law perspective.

Path for solutions - Actions/prototypes

Centered on Internet access; content creation and storage; online interpersonal communication; and browsing.

Main author

Simona Levi

Simona Levi is a technopolitical strategist and consultant, theatre director and playwright, activist and teacher.

Since 2018, she designs and co-directs the Postgraduate Course in Technopolitics and Rights in the Digital Age, first at the Pompeu Fabra University of Barcelona (UPF), and currently at the University of Barcelona (UB).

She is the founder of Xnet / Institute for Democratic Digitalisation, an organisation for the defence of digital rights and the renewal of democracy in the digital era, which has been active in Spain since 2008, and of the 15mparato platform that promoted the Bankia Case, which led to the conviction for corruption of the former Spanish Economy Minister and 65 others.

She is the author and promoter of several books, among them: "Fake You. Fake news y desinformación" (Rayo Verde Editorial, 2019); "Votar y cobrar. La impunidad como forma de gobierno" (Capitán Swing, 2017), "Tecnopolítica, internet y r-evoluciones" (Icaria Editorial, 2012) and "Cultura libre digital. Nociones básicas para defender lo que es de todos" (Icaria Editorial, 2012).

In 2017, the US edition of Rolling Stone magazine chose her as one of 25 people, including activists, technologists and scientists, who were shaping the future.

She writes in the media and advises countless citizen organisations, institutions and administrations, such as the Secretary of State for Digitalisation and Artificial Intelligence of the Government of Spain; the Directorate of Digital Society and the Directorate General of Digital Administration of the Government of Catalonia; the Bithabitat Urban Innovation Platform of Barcelona City Council, on topics in her fields of action such as digital rights and democratic renewal; free culture, freedom of expression, the fight against systemic disinformation and the strategic use of digital tools for organisation, communication, democratic action and the fight against state abuses.

Xnet / Institute for Democratic Digitalisation

Xnet is a platform working in various fields related to digital rights, network democracy, freedom of expression and information, protection of whistleblowers and the fight against corruption. Xnet engages in advocacy at the national and international levels, by preparing recommandations and submitting legislative proposals.

References

[1] Newsroom of the President of the European Parliament - David Sassoli (July 24, 2020). Per una digitalizzazione a misura di umanità: https://the-president.europarl.europa.eu/en/newsroom/per-una-digitalizzazione-a-misura-di-umanita

[2] Pérez, Lourdes (Novembre 29, 2020). David Sassoli: «La tecnología ha de ser un derecho para todos y no un privilegio para unos pocos». El Diario Vasco: https://www.diariovasco.com/suplementos/planeta-digital/david-sassoli-tecnologia-20201129185559-nt.html

[3] Sassoli, David (July 19, 2020). Sassoli: "Il diritto al web sia una battaglia europea". La Reppublica: https://www.repubblica.it/politica/2020/07/19/news/sassoli_il_diritto_al_web_sia_una_battaglia_europea_-262314742/

[4] Parlamento Europeo (Octobre 28, 2020). Video debate with David Sassoli, EP President: "Internet access: a new human right" [VIDEO]: https://multimedia.europarl.europa.eu/en/video/-ideas-for-a-new-%20world-Internet-a-new-human-right_I197966

[5] Levi, Simona (Decembre 2021). Proposal for a Sovereign and Democratic Digitalisation of Europe. *Reflection Paper*. Publications Office of the European Union: https://op.europa.eu/en/publication-detail/-/publication/dae77969-7812-11ec-9136-01aa75ed71a1

[6] Xnet (February 9, 2022). DD: la herramienta para la Digitalización Democrática de la Educación. Xnet: https://xnet-x.net/es/presentamos-dd-herramienta-digitalizacion-democratica-educacion/

[7] Pueyo Busquets, Jordi (February 9, 2022). Barcelona crea un 'software' para las escuelas alternativo a Google y a Microsoft. El País: https://elpais.com/espana/catalunya/2022-02-09/barcelona-crea-un-software-para-las-escuelas-alternativo-a-google-y-a-microsoft.html

Vicente, Sandra (February 9, 2022). Barcelona sienta las bases para acabar con el monopolio de Google en las aulas. Público: https://www.publico.es/economia/soberania-tecnologica-barcelona-sienta-bases-acabar-monopolio-google-aulas.html

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