The European Union's Digital Strategy and COVID-19

https://www.e-ir.info/2020/05/19/the-european-unions-digital-strategy-and-covid-19/

EDUARD HOVSEPYAN, MAY 19 2020

On 19th February 2020, the European Commission presented the new EU Digital Strategy entitled "Shaping Europe's Digital Future". The strategy was adopted in furtherance of the "A Europe fit for the digital age" priority and set out ambitious goals for the following 5 years, including putting Europe in a position to be the trendsetter in the global debate around digital transformation. This was to be accomplished through the fulfilment of 3 main objectives, namely mastering and shaping technology in a way that respects European values (so-called "technology that works for people"); ensuring a fair and competitive digital economy; and providing for a trustworthy environment with regard to data provided both offline and online ("open, democratic and sustainable society"). The successful pursuit of the aforementioned objectives was almost immediately put to test with the COVID-19 outbreak. One of the main takeaways during the crisis has been the central role digitalisation has played in tackling it. Although measures within the EU have been different, states have generally resorted to solutions such as building information and contact tracing mobile apps, digitalisation of public services and remote working. They have also felt the importance of ensuring swift and reliable exchange of information across national borders. European businesses have also had to adapt by transferring large parts of their activities online.

In light of the above, it is necessary to assess whether the Digital Strategy is still fit to address these new challenges and whether it adequately prepares the Union for the post-COVID world. In doing so, it is appropriate to first determine what the baseline scenario is, i.e. whether the strategy in its current state gives sufficient guarantee that the EU's goal of becoming the trendsetter in digital transformation is not disrupted by the crisis. The next step is to identify deficiencies or vulnerabilities and propose relevant changes or reinforcements to the strategy. Yet changing it does not imply starting from scratch. The present opinion piece argues that the strategy has successfully anticipated most of the issues raised by COVID-19, but certain aspects such as digital sovereignty, interoperability and supporting digital transformation of the private sector could be strengthened.

Baseline scenario: What has the strategy got right?

A baseline scenario is used when designing policy options. It is the option of not changing anything and thus serves as a benchmark against any alternative solutions. In the context of the EU Digital Strategy, this would mean exploring whether the key actions listed under the three main objectives have the capacity to address the multifaceted challenges posed by COVID-19, namely the use of digital tools to trace and contain the disease, as well as ensuring that public authorities and businesses are able to continue providing services amidst imposed lockdowns and other restrictions.

A development in the digital sphere which was difficult to foresee at the time of drafting the strategy were the contact tracing mobile apps. The objective of open, democratic and sustainable society provides for ensuring that consumers take control of their data and their online identity, but the divergent approaches in different Member States mean this is not always the case. For example, according to the eHealth Network, some states such as Austria and the Czech Republic have already deployed such apps, relying mainly on Bluetooth information, whereas others like Estonia and Finland are still standing by in order to select the most privacy-friendly approach based on consent. It is hence appropriate to consider whether the strategy has room for including an action to achieve a common standard in tracing applications to be used in times of similar future crises. This seems not to be the case, as it is more appropriate to address privacy issues at an expert level. The European Data Protection Board has already issued

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guidelines in that regard and the eHealth Network is developing common standards for mobile apps. The focus of the strategy should fall on cybersecurity, which it has already addressed.

Undoubtedly, the spread of Covid-19 has also stressed the importance of digital connectivity. The imposed lockdowns and the closing down of non-essential businesses mean that both public authorities and private enterprises are more reliant than ever on fast Internet connection in order to deliver services and sustain partnerships and internal coordination. Therefore, the European Commission was right to list amongst its priorities under the "technology that works for people" objective achieving Gigabit connectivity.

Another key aspect which is of growing importance due to COVID-19 is the demand for digital skills. Naturally, the changing nature of work and its shift towards the digital environment rather than the physical world indicates how crucial it is for workers to acquire the skills necessary to adapt to this new environment. Additionally, the crisis has severe economic repercussions on the labour market, which in turn exacerbates the need to enhance the framework for online platform workers. Therefore, COVID-19 showcases how essential the strategy's actions such as the Digital Education Action Plan, the Reinforced Skills Agenda and the improved labour conditions for platform workers are in practice.

Room for improvement

Despite all the positives discussed above, some areas remain where the strategy could be reinforced. The COVID-19 outbreak has exposed vulnerabilities within the EU in terms of existing dependencies and lack of sufficient levels of cooperation. These prompt the need for a stronger push in achieving digital sovereignty, interoperability and support for the digital transformation of businesses in relation to the European Green Deal.

It is true that technological sovereignty lies at the heart of the Digital Strategy. The current crisis has signalled that in many ways measures in that regard are even overdue. However, the EU should also think of making better use of the solutions it already has at its disposal. Coping with COVID-19 inevitably involves processing large amounts of sensitive personal data. Yet some EU states opt for digital solutions designed by the global tech actors based outside of the EU. This means that the crisis could result in both deepening dependencies and putting European citizens' data at greater risk, as it is stored in states with weaker personal data protection standards. Coming back to the Austrian example, the tracing app used in the country relies on Google Nearby to estimate the distance between two mobile devices, with the data stored in the United States. Nonetheless, it is worth noting that similar solutions exist at the EU level. The European Global Navigation Satellite Systems Agency has already designed a global navigation satellite system, called Galileo, which allows users to determine their location and the location of other people or objects at any given moment. Thus, some of the existing dependencies in the EU seem to be self-imposed. To eliminate them, communication between EU institutions and Member States needs to be improved. The Digital Strategy could hence include a commitment to making a wider use of existing digital solutions and building blocks, which would result in fewer costs for Member States while also contributing to achieving interoperability.

Interoperability itself is another area where the EU could set more ambitious goals, especially in light of COVID-19. The strategy envisages the adoption of a reinforced EU governments interoperability strategy in 2021, which would build upon the existing European Interoperability Framework. The current crisis has exposed the desperate need for interoperability in the health sector in order to ensure rapid exchange of health information. According to the strategy, the design of electronic health records based on a common European exchange format is foreseen for after 2022. However, these initiatives do not prescribe any hard law measures. This could lead to a continuous inability to exchange health information in the future. This argument is supported by the significant lack of interoperability within the existing electronic cross-border health services in the EU. The e-prescription and patient summaries health services, part of the electronic cross-border health service, are currently implemented in only a few Member States with the goal to be gradually implemented in 22 of them by 2021, still not encompassing all of them and without a legal obligation to do so. Failure to enact stricter regulation could hamper future cooperation if a similar crisis re-appears in the coming years. Therefore, the strategy could be updated to call for the adoption of such legal framework.

The European Union's Digital Strategy and COVID-19

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Finally, we should identify the opportunities which COVID-19 provides and put efforts into reaping potential benefits. As a result of the crisis, many private enterprises have had to digitalise a substantive part of their activities. It has led to working, learning and shopping online, as well as reducing international travels. This could be an indispensable opportunity to further the connection between the EU Digital Strategy and the European Green Deal. Therefore, the digital strategy could be expanded to include measures to support businesses in their digital transformation triggered in response to the crisis. Measures could include financial compensation for such enterprises during a transitional period over which they could complete their digital transformation. The compensation could be tied with the level of decarbonisation resulting from the transformation. Consequently, an updated version of the digital strategy could also form a part of the post-COVID recovery package.

Conclusion: Should the EU change its Digital Strategy?

To sum up, the Euroean Union's Digital Strategy in its current state successfully addresses most of the issues the outbreak of COVID-19 raises. Nevertheless, the present opinion piece has argued that there is still room for improvement. The post-COVID world would be different to the one we were used to. It is still not entirely certain what it would look like, but we can be sure about one thing – it would be a world of increased competition between states in the area of digitalisation. The demand for digital services would be higher than ever and the EU needs to adapt in order to be at the forefront of the global debate. This requires an even stronger commitment towards digital sovereignty through continued investment in research and innovation, but also making better use of the digital solutions already at its disposal. The strong need for interoperability, allowing for fast exchange of information between public authorities in different Member States, especially in the health sector, has also been evidenced. The EU should thus consider aiming for a legal framework on interoperability. It should also take advantage of the fact that many enterprises have had to adjust by going digital. This momentum should not be lost and it should think about supporting such enterprises in order to further the European Green Deal goals as well.

Referring back to the main question, does the EU need to change its Digital Strategy? The short answer is no, because changing it implies taking a drastic turn in another direction. In reality, the strategy has proven to have adequately anticipated the main issues raised by COVID-19 as the baseline scenario has demonstrated. Therefore, it does not need to change the strategy, but rather update it. It should use the current situation to improve and although it would be too late to react to the ongoing crisis, it could be better prepared for the future challenges that await it.

About the author:

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