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4. Regional digital governance

Jamal Shahin, Sophie Hoogenboom, Carlota Morais, and Mauro Santaniello

4.1 INTRODUCTION

Digital governance has become one of the most dynamic topics for discussion at the international policy level in recent years. Discussions in this space have to take global considerations into account, given the nature of the networks that underlie the institutions, strategies, and initiatives that comprise digital governance. This chapter aims to set out some of the regional institutional arrangements, including initiatives and strategies that comprise the response to the growth in interest in digital governance.

Before providing a snapshot view of four regions in the world (Asia, Europe, the Middle East and North Africa, and Latin America), this chapter will describe some general issues relating to digital governance. This will help to set the scene in terms of showing the different approaches that have been taken within these regions. The brief descriptions that follow provide some insights into the different ways these regions have developed different approaches to managing what is now called the digital transition. Finally, the chapter will conclude with some discussions about the future of digital governance across the regions, looking beyond the developments at the regional level, to see how they interact with the global attempts to promote digital cooperation at the global level. The conclusions to this chapter also evoke some of the broader discussions on ‘digital sovereignty’ as an emerging policy instrument, designed to ensure that states maintain relevance in the governance of the digital networks that is often referred to as ‘cyberspace’.

4.1.1 Understanding Digital Governance

The debates around policies dealing with recent technological developments, in the fields of digital sovereignty and competitiveness for example, emphasise the feeling that contemporary political institutions are not set up to deal with the 21st century. In recent decades, we have seen huge transformations in the political and economic situations of some of the key industrial and political operators of the digital superhighways, which has led to huge ramifications for ‘design’ and ‘control’ of the key critical infrastructures in our communications networks and our communities. Whereas prior to the turn of the century, ‘digital technologies’ were seen as key enablers and levellers for global inequalities, we see that power remains concentrated in the hand of a few key actors, and institutions are struggling to identify how to leverage technology to create sustainable and fair economic growth for the whole world.

For the purposes of this chapter, we have chosen to take a broad understanding of digital governance. We understand digital governance as the framework that is established by political actors in order to facilitate the digital transformation. This can cover different policy fields, as will be shown in the mapping exercise carried out below in Section 4.3 of this chapter.

4.1.2 Digital Governance: Global, Regional or National?

As will be shown below, digital governance initiatives emerge in many different forms. It is not surprising that, given the origins of the ‘digital transition’ in computing science and telecommunications, forms of governance have emerged from different areas, and taken on different structures. In the summaries below, we reveal that much of the work has taken place in three different areas: political, economic, and technical. These three areas have, until recently, maintained quite a strict separation between them, despite the obvious interplays across them. The most important reason for this separation is due to the levels of expertise required across each area. As we shall note in the conclusions to this chapter, however, the blurring of expertise is taking place in the digital governance sphere, as the diplomacy of technology emerges as one of the key areas of high politics in the international arena.

Digital governance is a transboundary topic in many ways: it plays a role inside government administrations, national economies, and global communications networks. It is useful to distinguish between governance *of* digital technologies, and governance *on* (or *by*) digital technologies. The latter relates much more to how technologies can improve processes within an entity, be it a corporation, public administration, or association. This can involve managing business processes, improving data collection and analysis, or simply improving user experiences within an organisation. Governance *by* digital technologies is therefore more about improving existing processes within incumbent organisations.

Governance *of* digital technologies concerns the management of the infrastructure that enables the organisational change. This infrastructure is capable of redefining the way in which our social, political, and economic interactions take place. The borders and boundaries of existing states are rendered potentially meaningless in a globally-connected world, where the key roles for the state – security and welfare – are transferred to an infrastructure that knows no boundaries. In both the economic and security domains, digital technologies are redefining the global landscape, and challenging the nature of the international order. In this sense, talking about national digital governance strategies presents authors with a challenge that is seemingly unsurmountable: how to carry out the tasks of a sovereign state within a framework that clearly disregards the role of the state. In sum, the interplay between political, economic, and technical areas in the field of digital governance plays out across many levels of governance, from the global right down to the local.

4.2 WHY ARE REGIONAL POLICIES NEEDED?

Moving to a regional level on digital governance issues provides for a number of different opportunities to maximise the benefits of the digital transformation at a larger-than-national scale, but in a context where norms and practices are shared. Debates over legitimacy and effectiveness and the global/regional question are interrelated: academics and policymakers have indeed argued that regional governance and the inclusion of private actors and civil society in policy dialogues could help resolve or mitigate the ‘political trilemma’ (Rodrik, 2000) by making global governance institutions more efficient and more legitimate. Are regionalized activities capable of acting as intermediary arrangements to facilitate the effective and legitimate governance of global public goods?

The relation between the global and regional governance levels has been studied at length, especially within the context of economic integration (Baldwin, 2006; Bhagwati, 1990; Coleman and Underhill, 2002; Lamy, 2002; Mansfield and Milner, 1999). However, the link with digital governance and how this interferes with regional and global policy dynamics is largely absent, despite some academic work in certain regions (mainly the European Union). This chapter will address this gap.

Literature on regional versus global governance centres around the question put forward by Bhagwati (1990, 1305) when analysing regional free trade initiatives: are regional projects a stumbling block or a stepping stone for global governance initiatives? In other words, is regional integration an alternative to or a vehicle for furthering global governance?

However, here the focus is on the use of regional institutions as the solution to global governance problems. The answer to this question is not straightforward and much depends on the characteristics of the regional and multilateral initiatives. All agree however that there is no clear divide between the two policy levels; what happens and does not happen at one level influences what happens at the other (Cooper, Hughes, and De Lombaerde, 2008, pp. 2–4; Thakur and Van Langenhove, 2006, p. 237; Woolcock, 2008, pp. 137–138). This research will examine whether these dynamics also shape multi-stakeholder initiatives at the regional and global level.

First, the regional level can provide an alternative to ensuring global governance processes do not stall. A prime example of this dynamic is the inability to conclude the WTO Doha Development Round which commenced in 2001. As it seems impossible to finalise the trade deal at the global level, regional trade agreements serve as an alternative, or a complementary activity (Conca, 2012, pp. 127–28).¹ This dynamic relates closely to ‘cascading regionalism’: because of the huge complexity of the global level, policy initiatives are regionalised to make them manageable. Second, regional agreements can be a laboratory for new or more advanced agreements. New policies or policies going beyond what is agreed at the global level can be set up and tested. If successful, they might be adopted at the global level at a later stage. It might be easier to strike a deal on more innovative policies among a smaller group of countries and this is true also in terms of policymaking; the *regional level is thus a learning stage to conduct negotiations at the global level*. Thirdly, regionalism can help in effectively implementing ‘ideals of multilateralism’ (Thakur and Van Langenhove, 2006, p. 237). For example, including compliance with ILO principles in regional trade agreements can enhance the implementation of these principles. A possible danger is, however, that *regional alternatives weaken the multilateral system*, as focus shifts from the global to the regional level (Thakur and Van Langenhove, 2006, p. 237).

However, as Cooper et al. (2008, p. 2) state, regionalism ‘has many attractive features both for effectiveness and legitimacy. [...] [T]he possibility of closeness to citizens – with greater measure of accountability – can be combined with a better job of problem solving’. Conca (2012) identifies two additional opposing dynamics directly related to these institutional transformations. On the one hand, the global level is an easier target to press for change than the regional because the former has a stronger community of mobilised civil society organisations, better defined institutional frameworks in which to press for change and more vulnerable targets that face greater scrutiny in legitimising themselves as neutral, expert, and progress-oriented. Thus, global civil society (i.e. non-state) activity could be seen as more legitimate (see debates in Scholte, 2002; 2004). Civil society’s push for change at the global level will induce regional institutional change, which is called ‘global-to-regional normative

impetus' (Conca, 2012, pp. 130–131). An opposite force might also be at play; due to spatial and cultural considerations, it might be more effective to organise civil society actions at the regional level, in which case push for change can be channelled via the regional path. In addition, in an effort to enhance the legitimacy of regional policy levels, mechanisms have been set up to enable participation of non-state actors (Conca, 2012, pp. 130–131).

4.3 MAPPING

4.3.1 Regional Digital Governance Integration in Asia

The region of Asia is a vast and heterogeneous area which is home to 4.7 billion people, which is equivalent to 59.7 per cent of the total world population (UN Department of Economic and Social Affairs World, 2022). The digital transformation of the region has and will continue to create great possibilities, as it has also been seen to constitute a major driver of economic growth and potential regional integration in other parts of the world. However, due to the major differences in terms of cultures, economic development, and governance traditions between countries found on the continent, regional integration at large and specifically in relation to digital policy is proving to be challenging. This chapter seeks to provide a short overview of major regional initiatives in terms of digital governance in Asia as well as highlight some trends and challenges that the region faces.

4.3.1.1 United Nations Regional Commission: ESCAP

One of the most inclusive intergovernmental platforms found in Asia and the Pacific is the Economic and Social Commission for Asia and the Pacific (ESCAP), one of the five regional commissions of the United Nations. Within this framework the ESCAP Sustainable Business Network (ESBN) Task Force on Digital Economy has been established, which works to 'share good public and commercial practices including policies that have helped to facilitate the application of digital technologies in the Asia-Pacific' (ESCAP, n.d.). Moreover it has created a Digital and Sustainable Regional Integration Index of which the first version was presented in 2020. It embraces seven common core dimensions of regional integration to which for the first time 'digital economy' has been included. The index is an important tool to measure and reflect upon the integration of the region which can and is used to improve policies focusing on further integration of the region (Anukoonwattaka et al., 2021). Another initiative launched by the ESCAP is the Asia-Pacific Information Superhighway, which is an intergovernmental platform that aims to bridge 'the digital divide and accelerate digital transformation through regionally coordinated actions promoting digital technology and applications, digital connectivity, and the use of digital data' (ESCAP, 2021).

4.3.1.2 ASEAN

Another important regional initiative for digital policy integration can be found within the framework of ASEAN, the Association of Southeast Asian Nations. Established in 1967, ASEAN focuses on the fostering of economic, cultural, and political cooperation in the region in which in the last two decades more attention is paid to the role of the digital. This is not surprising as the region has great potential in terms of digital transformation as it is understood as a driver for economic growth and a catalyser of further regional integration. For example, it

is predicted that e-commerce in the region will expand by 25–35 per cent year on year in the next ten years (Chen and Ruddy, 2020).

Following the 2000 Singapore Summit, ASEAN made its first steps in the field of digital policy by publishing the e-ASEAN Framework Agreement. In 2011 it introduced the first ICT Masterplan, in which a variety of objectives that were to be achieved by 2015 were presented, focusing on economic transformation, people engagement and empowerment, innovation, infrastructure, human capital development, and bridging the digital divide (Pena, 2019).

Five years later, ASEAN presented its successor: the ICT Masterplan 2020, which was designed to ‘set a roadmap and develop new knowledge, formulate new policy and regulatory outcomes, and undertake activities designed to facilitate ICT development in the region’ (ASEAN Secretariat, 2021), as well as the Masterplan on ASEAN Connectivity 2025, which includes digital innovation as a strategic area. Moreover, in 2015 the AEC Blueprint 2025 was adopted which aims to foster the region’s e-commerce by formulating objectives such as harmonising consumer rights and the creation of legal frameworks for online dispute settlement (ASEAN Secretariat, 2015). These objectives were translated into concrete measures formulated in the AEC 2025 Consolidated Strategic Action Plan. Other notable initiatives produced by ASEAN are the 2017 Declaration on Cybercrime, the 2018 Framework for Digital Data Governance, the 2018 Digital Integration Framework, the 2019 Digital Integration Framework Action Plan, and the 2019 Agreement on Electronic Commerce. As demonstrated above ASEAN is clearly making increased steps in the field of regional integration vis-à-vis digital policy, however in terms of digital trade integration it can still be considered as ‘relatively weak’ as a result of a ‘significant level of regulatory heterogeneity’ and ‘non-binding frameworks on digital integration’ (Mitchell and Mishra, 2020).

4.3.1.3 Asian Development Bank

The Asian Development Bank has the Central Asia Regional Economic Cooperation Program (CAREC Program) which is a partnership, established in 1997, that focuses on sustainable development through regional cooperation. Within this framework, the CAREC Digital Strategy 2030, which has been drafted in cooperation with the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), was published in February 2022. The strategy is aimed at creating ‘a data-driven digital regional economy’, which is thought to be achieved by focusing on six objectives: (a) encouraging investment in the digital infrastructure across the region to close connectivity gaps; (b) harmonising digital and data legislature to promote an enabling environment; (c) developing new digital skills; (d) attracting talent into the region to strengthen CAREC’s innovation ecosystem; (e) reducing regional trade barriers to increase cross-border trade and expand business opportunities for companies across the region, particularly in e-commerce; and (f) improve the digital foundations and creating interoperable digital platforms to enable the development of CAREC’s operational clusters (ADB, 2022).

4.3.1.4 Regional integration and the digital divide

One major challenge for the region of Asia is what is referred to as the digital divide: the unequal access to the internet, digital products, and services. Of the region’s 4.3 billion people almost 52 per cent are offline, which according to Tiziana Bonapace, the Director of ESCAP’s Information and Communications Technology Division of the UN, could become ‘the new face of inequality’ in the region (UN, 2020). Besides the fact that the digital divide can lead

to or maintain inequality present in the region, it also creates challenges in relation to regional integration in terms of digital policy.

If different nations in a region have varying degrees of digital connectivity and are in different phases of the digital transformation, it creates challenges to regional digital governance as interests, policy issues, resources, and senses of urgency and awareness differ. This will create challenges in the formation of harmonised regional policy initiatives. Moreover, regional initiatives, whether they consist of institutional frameworks or multilateral agreements are often realised and sustained by the use of Information and Communications Technologies (ICTs). The digital infrastructure is and will become more important in facilitating regional integration which calls for efforts focusing on closing the digital divide but also investing in governmental usage of ICTs.

4.3.1.5 Digital protectionism and digital sovereignty

Besides the challenges that the digital divide poses for further regional integration in relation to digital policy, there are other policy initiatives found on the continent that could potentially harm or erode efforts made in terms of regional integration in digital governance. These are policies that are based on notions of digital protectionism or digital sovereignty as states in an attempt to exercise or protect their national sovereignty in relation to the digital sphere, erect policies that create barriers on the internet. ‘Digital protectionism’ can be defined as ‘barriers and impediments to digital trade [including] localisation barriers, data privacy and protection, intellectual property related issues, and online censorship, as well as impediments to digitally enabled trade’ (USITC, 2013), and is closely connected to the notion of digital sovereignty. These policies often disrupt cross-border digital flows which poses a challenge to regional integration as such disruption harms the regional digital economy but also limits potential regional integration in digital governance as it endangers cooperation in relation to digital matters. Also, among countries that are members of ASEAN a tendency to establish policies based on notions of digital protectionism can be identified. Such a tendency is for example witnessed in rules regarding data localisation, as illustrated by the example of the Ministry of Communication and Informatics of Indonesia, which has issued a regulation obliging an Electronic System Operator for the public service ‘to put the data center and disaster recovery center in Indonesian territory for the purpose of law enforcement, protection, and enforcement of national sovereignty to the data of its citizens’ (Pitakdumrongkit, 2018, p. 4). These policy initiatives have the potential to harm existing efforts to establish regional integration and can pose a threat to further regional digital governance integration.

4.3.2 Regional Digital Governance in Latin America

Digital Governance initiatives in the Latin America and Caribbean region (LAC), albeit mainly remaining national, have gained the attention of regional organisations, demonstrating the greater importance attributed to the role of technologies for societies and the digital economy. This section seeks to present the most relevant initiatives from different regional organisations in the LAC region.

4.3.2.1 United Nations regional commission: ECLAC

The Economic Commission for Latin America and the Caribbean (ECLAC) is one of five UN regional commissions tasked with promoting the region’s social and economic development.

ECLAC's initiatives in the digital field started in 2005 with the approval of the first Action Plan for the Information Society in Latin America and the Caribbean. Over the years, ECLAC has worked through ministerial meetings to secure a better regional digital environment by developing shared priorities and policies. In 2015 a working group was established to work on the possibility of creating a regional digital market (eLAC2018) which set out four main objectives, among them promoting the protection of personal data and the convergence and harmonisation of regulations (ECLAC, 2015). The 7th Ministerial Conference on the Information Society took place in 2020 and concluded with the approval of the eLAC2022 Digital Agenda for Latin America and the Caribbean (ECLAC, 2020). While focusing on the United Nations Sustainable Development Goals, the new digital agenda maintains its focus on expanding the digital economy and includes considerations on the security and trust in technology. The new digital agenda includes eight focus areas: digital infrastructure, digital transformation and economy, digital government, digital skills and inclusion, emergent technologies for sustainable development, trust and cybersecurity, regional digital market, and regional digital cooperation.

4.3.2.2 The Pacific Alliance and MERCOSUR

The two regional organisations that currently are pursuing a more ambitious digital agenda are MERCOSUR and the Pacific Alliance. The Pacific Alliance created the Digital Agenda sub-group (SGAD) following the 11th Summit of the Pacific Alliance (Chile, July 2016). Although specifically focusing on topics such as telecommunications and e-commerce, the sub-group was also tasked with addressing the regional digital agenda adopted in the context of eLAC2015, which led to the establishment of the Pacific Alliance working group on a regional digital market in 2017 following the Cali Declaration (Aguerre, 2019). The Cali Declaration (June 2017) attributed to the Pacific Alliance a mandate to implement a regional digital market platform to study the potential of a single digital market in coordination with the ministries on foreign trade. Moreover, it postulated the objective of strengthening the cooperation within the Alliance in trust and security in ICT and the competencies to support the design and implementation of policies focused on cross-border interoperability in e-government and exchange of good practices regarding open data. The most recent action plan for the regional digital market (2021) reinforces the commitment of member states to further the integration of digital services – in terms of interoperability, coordination in cybersecurity, and connectivity – of the countries of the Pacific Alliance, in coordination with the objectives established by eLAC2022 (Pacific Alliance, 2021). MERCOSUR also established a working group to work on digital issues in 2017; however, the regional digital market was not explicitly included in its mandate, with the emphasis being on digital skills and coordination among member states on positions in international forums. Furthermore, the first Action Plan (2018–2020) of MERCOSUR's working group introduced agreements in the areas of digital infrastructure and connectivity, trust and security in technology, the digital economy, e-government and open government, and regulatory and technical norms.

In 2018, a summit between the Pacific Alliance and MERCOSUR resulted in the signing of the Puerto Vallarta Declaration (July 2018), which reinforced both parties' commitment to deepen the integration between the two regional blocks through the implementation of a Joint Action Plan, expanding their previous commitments. One of the key building blocks of deeper integration is the digital agenda, where the parties agreed to further their cooperation and share

best practices in cybersecurity, the protection of personal data, open data, and digital skills, and agreed to evaluate the perspectives of a regional digital market (Puerto Vallarta, 2018).

4.3.2.3 Central American Integration System (SICA)

SICA brings together seven Central American countries plus the Dominican Republic. In 2015, the heads of governments approved the strategy on the information society to enable better use of ICTs and identify goals in line with the forums where SICA is a member, such as eLAC. The five key enablers identified by the strategy are connectivity, a legal framework fit for the digital economy, interoperability, open data, and digital literacy. However, in recent years as digital topics have gained more relevance, SICA has not yet issued a new sub-regional agenda.

4.3.2.4 The Summit of the Americas

During the IX Summit of the Americas (2022), the heads of states and governments adopted a regional agenda for digital transformation. The agenda is built on the promotion of convergence of the existing regional and national initiatives for the digital realm and the collaboration within institutions of the inter-American regional system. The points of action add to the priorities of the eLAC agenda and the MERCOSUR and Pacific Alliance objectives, reinforcing the importance of further cooperation in connectivity, open and e-government, cybersecurity, and the digital economy, with special attention to the free flow of data.

4.3.2.5 The Andean Community

The Andean Community, a grouping of four countries on the Pacific coast of Latin America, has also been active in developing a regional digital agenda. This digital agenda has emerged – as have many of the recent digital agendas across all regions – from work carried out by technical committees on telecommunications. Also similar to other regions, the work towards regional governance in this digital space is based on a roadmap (Andean Community, 2022). The roadmap identifies several challenges and opportunities for the promotion of digital tools within the members of the Andean Community, it aims to promote public authority use of new and emerging digital technologies to develop e-government services within and (where relevant) across member states of the Andean Community. As with other regional digital governance initiatives that have been described in this mapping exercise, one of the key areas to develop is in the area of digital skills, where the Andean Community aims to establish common virtual learning communities to promote collaboration across the region.

4.3.2.6 Towards a Latin American digital governance agenda?

It can be argued that digital governance has entered the Latin American regional agenda. Whereas digital initiatives are being put on the agenda by intra-American organisations – such as eLACs and the Summit of the Americas – when we examine other regional organisations in the LAC region, only the Pacific Alliance and MERCOSUR have put forward working groups and established the ‘digital’ as a priority. Moreover, the digital economy seems to be the driving force of concerns with digital governance, including its enabling aspects – data and cybersecurity. However, regional digital governance in the LAC region still has a long way to go. The lack of a comprehensive and shared approach in the region makes it challenging to adopt common policies and act together on digital trade (Aguerre, 2019). This lack of cohesion is highlighted by the difference in influences in the national data privacy laws, which draw

their guiding principles from different frameworks (Lehuedé, 2019). Furthermore, the absence of a sovereignty-driven digital policy is highlighted by Avila (2021), which, combined with the difficulties in cohesive priorities and strategies in digital trade, can lead to an overdependence on foreign technologies. Still, the increasing number of initiatives from the LAC's regional organisations point towards an increasing awareness of the digital as a realm where regional policy initiatives and governance are necessary, to reduce the burden of public administrations and to improve economic development in the context of the global digital space.

4.3.3 Digital Transformation in the Middle East and North Africa: The Role of Regional Organisations

With a few exceptions, the countries of the Middle East and North Africa (MENA) are still lagging behind the most developed areas of the world in grasping the economic, social and political benefits offered by digital technologies. Low performance in terms of internet penetration, broadband connectivity, the digital economy, digital skills, online payments, and the digitalisation of public services are quite common in the area, despite some recent improvements and relative differences from one country to another. On the other hand, almost every country in the MENA region has recently adopted some sort of digital strategy, and has defined, or is defining, plans and policies aimed at embracing the manifold opportunities of digital transformation. The lack of a fully developed digital ecosystem on the one hand, and the commitment of national governments towards a digital transformation of their respective markets, societies, and states on the other hand, make the MENA region one of the most interesting cases for the analysis of digital policies in the making.

In this context, a number of regional organisations are playing a pivotal role in supporting MENA countries in their digital transformation initiatives. Some of these organisations are endogenous, such as the African Union (AU), the Arab League (AL), and the Gulf Cooperation Council (GCC). Exogenous regional organisations include those of the United Nations system, such as the United Nations Economic Commission for Africa (UNECA) and the United Nations Economic and Social Commission for Western Asia (ESCWA); intergovernmental organisations involving some MENA countries, such as the Union for the Mediterranean (UfM), the European Bank for Reconstruction and Development (EBRD) and the Organisation for Security and Co-operation in Europe (OSCE); as well as agencies of neighbour regional organisations, such as the EU's External Action Service (EEAS). One example of an activity to stimulate action across member states, which has also been seen across other regional organisations, is the notion of 'benchmarking'. The UN's regional commission ESCWA carried out such an activity in 2011 in its region (ESCWA, 2011).

The Arab League and the Council of Arab Economic Unity are affiliated to the Arab Federation for the Digital Economy, which works to create a strategy and vision across the Arab region for digital governance issues.

To sum up, different regional organisations are contributing to the normalisation and governance of digital transformation in the MENA region. Configurations of values (e.g. democracy, rule of law, transparency, social justice, security, peace), aims (e.g. economic growth, divides reduction, geopolitical interest, political stability), and instruments (e.g. direct investments, regulatory convergence, capacity building, trade agreements, multilateral partnerships) are central ways in developing regional approaches to national (and supranational) strategies in the region. These configurations of values, aims and instruments detected in

different approaches help inform us about the ways regional organisations are shaping the definition and the orientation of the digital transformation in the Middle East and North Africa.

4.3.4 The European Landscape²

This part of the chapter focuses on one specific regional organisation, the European Union. Within the region of Europe, digital governance issues are dominated by the European Union, which has developed a comprehensive internal market alongside a high-level of integration when it comes to regulating this digital space. The European Union is arguably one of the most technologically active regions in the world, yet none of the major industrial actors are actually based in Europe: hence the desire to provide a regional ‘competitive advantage’, which will be shown below through the elaboration of regulatory norms that confer a ‘European fingerprint’ on regional and global digital governance. New technologies, and in particular digital technologies, have emerged as a central aspect of the EU’s policy priorities in attempts to try to develop a role in what has been called the ‘knowledge-based economy’. The ‘Lisbon Strategy’ (European Commission, 2002), published at the turn of this century, was one of the first instances of this high-level policy recognition that digital technologies are important to Europe as a region (more specifically, the European Union). It built on work that was developed in the early 1990s that tried to inject a new relationship between private and public actors in the field of information technology, encapsulated in the so-called ‘Bangemann Report’ of 1994 (Bangemann et al., 1994). More recently, the European Commission’s ‘Digital Decade’ (European Commission, 2021a), which emerged as a key policy ambition for the period to 2030, has taken on the role of developing a European regional emphasis on digital governance.

Support for new technologies is used as part of the policy mix aimed at strengthening and modernising the European single market and ensuring that all European economic and social actors are capable of being active participants in the globalised – and thoroughly digital – economy of the EU, which aims to capitalise on skills and infrastructures within the EU to ensure that Europe will emerge as a technological leader in the world.

The EU has attempted to capitalise on its massive market size to try to influence these technologies. EU regulators claim to provide a distinct approach to technology regulation, different to both Chinese and American methods of governing technology. EU rules have been established to protect European citizens’ rights in cyberspace, based on regulations such as the GDPR (General Data Protection Regulation), which have raised expectations of a ‘Brussels effect’ in other technology-related spheres. In light of recent controversies about the use of social media platforms to promote disinformation on issues such as Brexit and Covid-19, the EU has also focused its more recent policy and regulatory efforts on protecting democratic stability, leading Executive Vice-President Vestager to declare that one recent EU policy (‘the Digital Services Act’) will ‘bring back democracy’ (Vestager, 2022). In a similar line of argumentation, several years earlier, French President Emmanuel Macron said at the UN’s Internet Governance Forum in Paris (Macron, 2018) that the choice for the future of the internet was either Chinese or Californian, and the EU is trying to push for a ‘European’ vision of the internet and associated technologies to emerge on the world scene.

Under the label ‘Europe fit for a Digital Age’, the European Commission has brought together elements from a number of policy fields that cover industrial policy, competition policy, digital rights, security, and education and research policies. Since the end of 2019, new technologies have formed a significant part of the legislative work programme. The

list of policies in this area has been overwhelming: the Artificial Intelligence Act (European Commission, 2021b), the ‘Chips’ Act (European Commission, 2022a), the Digital Services Act (European Commission, 2020a), the Digital Markets Act (European Commission, 2020b), the Data Governance Act (European Commission, 2020c), the Data Act (European Commission, 2022b), the EU’s revisions on Network and Information Security (European Commission, 2020d), and the forthcoming Cyber Resilience Act (European Commission, 2022c). All of these policies are designed to build confidence in the European digital landscape both inside and outside Europe. This strengthening of the European market has three aims: first, to support the growth of European actors in spaces dominated by the big tech companies from the United States (the so-called ‘GAFAM’: or Google, Apple, Facebook, Amazon and Microsoft), and China (for example, Huawei); second, to allow smaller European companies to thrive in this highly innovative space, where new services and technologies will allow for new technological developments; and third, to ensure that the public and private infrastructure in Europe is up to date and safe for all the data that passes through it.

In addition, a number of different initiatives have been taken by the European Commission on the international scene, whether in support of efforts to counter disinformation in cyberspace, or to declare (along with like-minded partners) a secure, global, and trust-driven future for the internet (European Commission, 2022d). This is based on a discussion of rights and principles for the digital age designed to reflect European values in the global digital space (European Commission, 2022e). These global declarations are supported by bilateral ‘Trade and Technology Councils’ with, for example, the United States and India (European Commission, 2022f; European Commission, 2022g). At the European level, the different Council presidencies have also focused on supporting the framework conditions for start-up companies, by aiming to develop Europe’s SME culture in the digital space.

The EU and its member states have viewed technologies as the key way forward for the European economy and society for a while now, and will doubtless continue to do so in the future. Alongside the market-based and rights-based approaches described above, a number of key figures have raised the issue of ‘strategic autonomy’ or ‘digital sovereignty’ in European Union policymaking. This approach, which calls for stronger collective action across EU member states in all digital policy areas, is supported by all major EU institutions. The conflict in Ukraine has only served to amplify the need for control over the platforms and search engines that control our access to information, the supply chains that provide semiconductors for electronic devices, and the security arrangements around critical infrastructures.

4.4 CONCLUSIONS: WHAT DOES THE EMPIRICAL EVIDENCE TELL US?

So, what does the empirical evidence tell us? Across all regions studied, digital governance has been seen as a field where work needs to be done, either to build or to maintain leadership for the countries that make up the region. Regional integration in the field of digital governance is, for the large part, about building stronger national economies, but many of the regions discussed above are also starting to develop approaches to digital governance which consider the norms and values that are exercised in the digital space. Many regions of the world are looking to how digital governance can improve public administration processes (e-government), in the first instance, as this is clearly where advantages lie in sharing knowledge across regions that

have common administrative ‘approaches’ (if not common processes). Therefore, looser types of regional digital governance arrangements that focus on benchmarking, best practices, and peer review (as epitomised by the so-called OCED method), are far more apparent across the world. Training and awareness building also appear to be dominant across regions.

The emphasis on a specific value-driven approach to governance of the digital space is apparent in the European region, where one particular regional institution – due to the advanced nature of regional integration in Europe – has captured the digital governance space. Europe has a richer history in developing strategies for digital governance, as has been described above. Europe’s ‘strategic autonomy’ approach has become the cornerstone of its contribution to the future of cyberspace, which seeks to find the balance between the protection of digital rights and the promotion of economic growth and aims to raise this as a global approach to digital governance. In this sense, the European Union has become an actor which is pushing a strong regulatory approach to digital governance that broadly encapsulates a number of societal as well as economic goals. This is in contrast to other regions in the world, where regional integration actors tend to focus on technical or economic cooperation in support of national economies.

The analysis we have carried out has also identified overlapping areas, convergence trends, and frictions among regional organisations’ strategies related to the development of digital policies in the areas in study. A multitude of organisations appear to work in a number of the different regions we have described above. Many of these organisations are part of broader economic and political regional organisations, but some regional digital governance approaches emerge from highly specific regional organisations that work in support of the larger institutions. This multiplication of actors that are present in each of the specific regions is to be expected, as strategies, norms, visions and values are developed. However, how this plays out in terms of the development of a global agreement in the approach to governance of the digital space is a larger question that needs more attention.

NOTES

1. cf. Global Europe Strategy, Trade4All strategy.
2. Parts of this section have been produced in J. Shahin (2022) ‘Coping with New Technologies’, In: Menon, A. and Usherwood, S. (eds), *The State of the European Union*, <https://ukandeu.ac.uk/research-papers/the-state-of-the-european-union/>

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