



EU-US TRADE AND TECHNOLOGY COUNCIL VIRTUAL STAKEHOLDER ROUNDTABLE

*Speech by CERRE's Director General
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Thank you very much for inviting CERRE to take part in this Roundtable.

I would like to focus on the contribution the TTC can make to the regulation of Tech.

The days of John Perry Barlow's dream of independence of a global cyberspace are over. For more or less good reasons, many states across the world are taking back control and increasingly regulating cyberspace. Each one does so according to its own values, its own collective preferences. For instance, we don't approach data privacy in the same way in Europe, the US, or China.

However, whether we like it or not, we live in a truly global world where interdependence is a fact. Therefore, if we want to promote a new stage of sustainable, equitable globalisation in the digitalised global village, the challenge will often consist in efficiently managing divergences, including with those authoritarian states and illiberal democracies whose objectives and values are very far from ours.

This being said, if already at the transatlantic level, the TTC can identify and promote convergence of tech regulation between the two global regulatory superpowers, and, where convergence is not possible or desirable, help manage divergence by facilitating regulatory co-existence, that would be a game-changer.

These are, by the way, perspectives which CERRE, our independent think tank, is taking as a starting point for our new flagship initiative on global governance for digital ecosystems.

Moving now to some specifics, one area where possible convergence in the regulation of tech could be searched for by the TTC is, in my view, an interoperability obligation between digital services, based on common standards.

Noting that technology standards are on the TTC agenda, I would also suggest that consideration is given to the standardisation process itself. That process is far from working optimally, neither in Europe, nor in the US. It is vital to fix it, to avoid, say, lengthy litigation about FRAND licensing terms. Otherwise, this situation will continue to only benefit select third countries which have been exploiting it in the past 20 years.

Regarding the co-existence of rules, this should be attainable in the regulation of global transfers of data and the organisation of mutual recognition and adequacy regimes.

Finally, given the difficulties in antitrust enforcement for online platforms, one area the TTC could usefully address is enhanced cooperation in merger policy in digital. Not least because it provides for the possible imposition of remedies, merger policy is a key tool in calibrating and reshaping digital markets.

To conclude, the TTC is a unique opportunity, in a globally interdependent world, to move towards a regulatory framework on technology which stimulates innovation, investment and sustainable growth, optimises the experiences of business, consumers and users, upholds the democratic rights of citizens and, as such, benefits the economy and society.

Thank you very much.