What's in store for EU digital policy?

From the 'State of the EU' to the 2024 European Elections

Commission President Ursula von der Leyen gave the last State of the EU speech of this mandate on 13 September. Digital issues featured prominently in her speech, with AI taking centre stage. She pushed for a swift adoption of the AI Act which she defined as "groundbreaking" and said the EU should lead the way on a new global framework for AI, calling for the establishment of a UN expert body.

Von der Leyen also focused on critical technologies such as supercomputing, announcing a new initiative linking supercomputing and AI. Speaking about challenges such as harmful content and disinformation, she hailed the adoption of the Digital Services and Digital Markets acts as a "historic achievement", arguing that they make the EU "a global pioneer of citizens' rights in the digital world".

From the DSM to tech sovereignty, platform regulation, data and AI

The SOTEU confirmed a trend that has been growing throughout this mandate: **EU digital policy has shifted from internally to externally-driven priorities**. While the removal of barriers to digital services across the single market is a never-ending challenge, global geopolitical developments (the Trump presidency, COVID-19, the war in Ukraine, tensions in the Taiwan Strait) have redirected political priorities towards an industrial policy agenda aimed at strengthening the EU's position in the global stage, defined as EU tech sovereignty. The Cybersecurity Package and the EU Chips Act can be read from that perspective.

The main achievements of this Commission are nevertheless linked to platform regulation. The Digital Services Act and the Digital Markets Act are landmark initiatives that position the EU as the global regulatory superpower on content moderation and digital markets competition. A not-so-insignificant question mark remains however about their implementation.

Another key pillar of this mandate has been about regulating the use of data, and ensuring that the digital transition enables the achievement of EU goals in other policy areas, including energy, health and security. The Data Governance and Data acts are key initiatives in this regard, which are also complementary to increasing cooperation with the United States on data privacy and security.

This mandate has also been about regulating emerging technologies. The AI Act is the most prominent example. Discussions on the metaverse are also ongoing and will create the basis for what are likely to be more concrete discussions during the next mandate.

Closing the loop

The final months of legislative activity are likely to focus on closing the loop on key files relevant to current political priorities as policymakers look to the upcoming elections. A meaningful agreement on the AI Act will be important to establish a common EU position as discussions at global level step up. Reaching compromises on the Transparency and Targeting of Political Advertising Regulation and the European Media Freedom Act would be very significant steps, as 2024 will see key elections taking place in the EU and beyond.

Another important priority ahead of the elections will be finding agreement on two key files regulating the so-called platform economy, with the proposals on platform workers and short-term rentals carrying high significance for influential political and economic stakeholders across the EU.

A year of transition and priority-setting

The European elections taking place next June will be a very important moment for the future of EU digital policy. As things stand, the mainstream parties' alliance supporting the European Commission is unlikely to change in the next mandate. What is likely to change are the political balances across the fringes, with the right and far-right growing, at the expense of the Greens in particular. This might have an impact on digital policy, as the axis is likely to shift to the right.

The coming months will see intense political positioning, both from national and European parties, who will develop manifestos setting out political and policy priorities, but also from the wider Brussels stakeholder environment. There will be ample opportunities for positioning and influencing the long-term EU policy agenda, as priorities for the next Commission mandate are discussed across a variety of fora and platforms. There two key intervention points in particular:

- **European parties' manifestos.** The manifestos represent the first milestone towards the five-year agenda of the new European Commission. The development of the manifestos is driven by officials from the secretariats of European parties, so engagement with them should be the key focus area. Influential MEPs / national party officials are also important targets as they often have an important role in defining priorities. Manifestos are usually adopted between six to three months ahead of the elections; this means that engagement should happen in the remaining months of 2023 in order to be effective.

- **Commission transition.** An important part of the transition within the European Commission takes place through handover briefs, prepared mostly by relevant DGs. These documents are usually quite influential in forming the position of new Commission cabinets on specific dossiers. Engagement with key officials in relevant DGs (in addition to new cabinets) can therefore be quite impactful if done at the right time. The key intervention moment to influence the handover notes will be in Q2 2024, as DGs will start preparing the handover briefings. Another key moment will be immediately after the appointment of new Commission cabinets, likely to happen in early Q4 2024.

Organisations seeking to have their voice properly heard during the EU political transition will need to ensure they stand out from the crowds of stakeholders trying to influence the priorities of the next Commission.

Integrated public affairs and strategic communication campaigns can make a real difference: combining traditional engagement tactics with well-calibrated advocacy and communication assets, impactful social media campaigns, creative activations, and a strategic use of partnerships can ensure that a specific narrative reaches the centre of the political and policy discourse.

About Red Flag

Red Flag is a multi-award-winning strategic communications and public affairs agency. We have mounted some of the strongest and most impactful EU affairs campaigns in recent years helping to shape debates around topics like platform regulation, tech competition, Web3 and AI.

Should you wish to discuss how Red Flag could support you in navigating the upcoming EU political transition and influencing the long-term policy agenda, please get in touch with Lorenzo Torti at lorenzo.torti@redflag.global.