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NOTE

From:	General Secretariat of the Council
To:	Council
Subject:	D9+ Ministerial Declaration - <i>Information from the delegation of Ireland</i>

Delegations will find attached a note from the delegation of Ireland with a view to the AOB item at the meeting of the Competitiveness Council on 24 May 2024.

Request by Ireland to add the D9+ Ministerial Declaration to the agenda of Competitiveness Council on 24 May 2024

Ireland currently holds the chair of the “D9+” grouping, an informal alliance of digital frontrunner EU Member States. The D9+ was established in 2016 bringing together the top-ranked European countries in the European Commission annual Digital Economy and Society Index (DESI), plus a small number of other countries who share similar ambitions for the Digital Single Market.

D9+ Ministers generally meet twice a year to build on their collective strengths in advanced digital policy and to confront the challenges associated with and to influence EU digital policy.

At the D9+ Ministerial meeting in Dublin on 19 April 2024, 11 D9+ Member States¹, plus Slovenia, agreed the attached Ministerial Declaration, covering five themes:

1. Effective and coherent digital regulation as a foundation for innovation and growth in the EU
2. The importance of stability and predictability in fostering investment and growth
3. D9+ as global advocates for fundamental rights and EU values
4. Enabling the twin digital and green transitions
5. Creating the conditions for EU Unicorns

The Declaration makes a number of calls on the European Commission, including:

6. Emphasising the need to ensure harmonisation and coherence across interlinked digital regulatory files,
7. Calling for a mid-term review of the acquis of digital regulation focusing on effectiveness, efficiency and coherence, and assessing the economic impact of cumulative digital regulation on innovation and competitiveness, in order to inform future policy-making, and

¹ Ireland, Czechia, Belgium, Estonia, Netherlands, Portugal, Denmark, Poland, Luxembourg, Spain, Sweden and Slovenia (observer).

8. Calling for a full mapping of the EU's 'digital rulebook', and processes related to the adoption of related guidelines, standards, delegated and implementing acts, in a timely and transparent manner to facilitate companies' preparations for compliance.
9. Given that the Declaration has been endorsed by 12 EU Member States, and concerns matters related to investment, growth and competitiveness, we ask for its inclusion as an AOB item on the agenda of Competitiveness Council on 24th May, 2024.

D9+ Ministerial Meeting in Dublin, 19 April 2024

Ministerial Declaration

Effective and coherent digital regulation as a foundation for innovation and growth in the EU

The EU has led in developing digital regulation in order to create a level playing field for businesses, protect our citizens and safeguard our European values. Effective and harmonised implementation is now our key focus, as this will ultimately determine success. The D9+ will work collectively with the European Commission and other Member States to ensure that the recently adopted suite of digital legislation, the 'Digital Rulebook', is implemented and enforced effectively and coherently, to provide a strong foundation for the EU as a global leader in digital innovation, and to avoid fragmentation in the Digital Single Market.

We, the D9+ Ministers:

- Emphasise the need to ensure harmonisation and coherence across the interlinked digital regulatory files, with clear roles and responsibilities for Member States, national competent authorities, EU boards and bodies established under digital regulations, and the European Commission. Our ambition is to achieve an effective balance between stimulating innovation and necessary regulation in the digital economy;
- Call for a mid-term review of the acquis of digital regulation focusing on effectiveness, efficiency and coherence, and assessing the economic impact of cumulative digital regulation on innovation and competitiveness, in order to inform future policy-making;
- Support greater participation of SMEs, academia and civil society in standardisation bodies, in particular the standards that support EU regulation.

The importance of stability and predictability in fostering investment and growth

Businesses place a high value on predictability and stability when planning for investment and growth. The D9+ members, working with the B9+ group, support increased predictability for business in future regulation and policy planning in order to drive increased investment in digital innovation and growth in the EU.

We the D9+ Ministers:

- Call for a full mapping of the EU's 'Digital Rulebook', and processes related to the adoption of related guidelines, standards, delegated and implementing acts, in a timely and transparent manner to facilitate companies' preparations for compliance;
- In general, support a high threshold for further digital regulation during the next legislative mandate. Underline the importance of in-depth consultation with regulators, experts, and policy-makers as part of legislative impact assessments;
- Emphasise our intention to ensure, in collaboration with the Commission, that SMEs and innovative companies flourish and are not overburdened when it comes to regulatory



requirements, by abiding by the principle of “think small first”. Regulatory Sandboxes, for AI and other emerging technologies, as well as the network of EDIHs and the Digital Transformation Accelerator at the centre, can support innovation and regulatory compliance, through clear and accessible supports to companies;

D9+ as global advocates for fundamental rights and EU values

Ours is a Union based on shared values of respect of human dignity, freedom, democracy, equality, the rule of law and respect for human rights, and these apply equally in the digital world as in the physical world. The D9+ are champions for the EU’s human-centred approach to the digital transformation of society and the economy, while being attuned to the transformative potential presented by AI and emerging technologies.

We, the D9+ Ministers:

- Reaffirm our intention to work together as Team Europe - EU Member States, the European Commission and EEAS - and with like-minded global partners, to ensure a human rights-based approach to technology globally, in particular in the area of AI governance;
- Support collaboration with industry, including SMEs, academia and other stakeholders, in multi-lateral fora and standardisation bodies to embed our shared EU values into European and global technical standards and internet governance.

Enabling the twin digital and the green transition

The digital transformation of society and the economy is intertwined with our transition to climate neutrality, and both are EU strategic objectives. Digital technologies have great potential to enable the green transition and the achievement of the UN Sustainable Development Goals, but greater understanding is needed about the climate impact of the technology sector.

We, the D9+ Ministers:

- Support efforts to develop a well-defined and commonly accepted methodology for climate impact and climate benefits of digital technologies, and where appropriate, consider its use in the Digital Decade Policy Programme, so that the twin digital and green transitions are aligned.

Creating the conditions for EU Unicorns

Fostering European unicorns is a shared priority of the European Commission and the D9+ members. We will actively support the Commission in addressing barriers to innovation and scaling up, improving availability of risk capital in the EU, and developing innovation ecosystems. Harnessing the innovation potential of technologies depends on improved access to finance for innovative companies, to attract and keep businesses in the EU, as well as support our broader green and digital transition goals. Achieving the full potential of the single market is the EU’s greatest asset, including for our innovative digital companies.

We, the D9+ Ministers:



- Will support efforts at national and EU level to address barriers hindering innovation and growth and fragmenting the digital single market, be they legal, administrative, or regulatory in nature;
- Support increased efforts to improve the investment environment for startups and scaleups to boost the EU's competitiveness and innovation. We aim to work at national and EU level to mobilise private capital such as retail investor savings, pension funds and private wealth funds, for investment in innovative firms that have the potential to grow and achieve scale in the EU;
- Support exchange and implementation of best practice policies for incubation and ecosystem development for startups and scaleups, in order to boost Europe's competitiveness and innovation potential, through organisations such as the European Startup Nations Alliance.

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