



# Digital Single Market Bulletin

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**Further Reading:** More in-depth  
updates and commentary on the Digital  
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[https://ec.europa.eu/commission/priorities/digital-single-market\\_en](https://ec.europa.eu/commission/priorities/digital-single-market_en)

## Message from Minister Breen



*Minister of State for Trade, Employment, Business, EU Digital Single Market and Data Protection, Pat Breen*

2018 was a very busy year for the digital agenda with the announcement of 10 new initiatives last April. The European Commission ramped up the pressure to ensure that the digital single market was brought as close to completion as possible. The remaining initiatives will be progressed during 2019 and will be supplemented by a range of new challenges to further progress the digital agenda once the next European Parliament is in place following the European elections next May.

The completion of the Digital Single Market will be hugely beneficial for Ireland. Not only will the removal of existing online barriers give us access to a wider variety of goods and services, but it will also create huge opportunities for our businesses to export and grow. I would like to thank colleagues across the Departments for all their work on various DSM files to date. The benefits of files completed to date include the ending of roaming charges, citizens being able to

access film, sport, music, video game and e-book subscriptions wherever they are in the EU, and as of December 2018, citizens being able to shop online without unjustified discrimination just because of where they happen to live. I wish colleagues continuing success in 2019 in ensuring outcomes from the remaining DSM negotiations are pro-trade, pro-enterprise and pro-innovation.

## Digital Single Market Update

Since the EU Commission's Digital Single Market (DSM) strategy was published in May 2015, 30 legislative DSM initiatives have been presented. As of 12 September 2018, a total of 19 of these initiatives have been agreed between the European Parliament, the Council of the European Union and the European Commission.

Alongside the legislative files have been non-legislative initiatives including the Communication for Artificial Intelligence for Europe from April 2018.

## Progress on Platforms Regulation

On 29 November 2019, European ministers adopted a general approach on the Proposal for a Regulation of the European Parliament and of the Council on promoting fairness and transparency for business users of online intermediation services regulation (Regulation (EU) 2018/238)) at the Competitiveness Council meeting.



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Ireland supports measures to ensure a fair, predictable, sustainable and trusted legal environment for platforms and their business and corporate website users alike. Therefore, it broadly welcomed the proposal which aims to deliver on these objectives and contribute to a strengthened, better-functioning Digital Single Market in terms of innovation, competitiveness, growth and jobs.

However, the protection of commercially sensitive business secrets is of paramount importance to Irish based businesses and therefore Ireland requested further legal clarification in the next stage of negotiations between the proposed Regulation and the Trade Secrets Directive.

Furthermore, Ireland joined 6 other Member States, led by Finland, in expressing concerns about the separate provision on enforcement

within the Regulation. In a collective statement these Member States asked that the Regulation would not oblige them to provide for public enforcement by supervisory bodies or any other ex officio enforcement mechanism.

Trilogue negotiations, due to begin in the middle of December 2018, are expected to continue beyond the end of 2018. Romania will take the Council of the EU's presidency from Austria in January 2019 and the National Competitiveness Council were informed this proposal will remain a top priority in the first half of next year.

The Observatory on the Online Platform Economy, which will monitor the evolution of online platform economy, has been established and the 15 experts to assist the Commission have been chosen from an open call. The first meeting took place on 27 September 2018 with Prof. Bruno Liebhaberg chosen as chairperson.

## EU Coordinated Plan on Artificial Intelligence

The EU Coordinated Plan on Artificial Intelligence (AI) was published on 7 December 2018. It specifies a number of areas where Member States are invited by the Commission to coordinate their efforts in order to achieve a global presence for Europe in the AI sector. At present, Europe lags considerably behind the US and China in the level of investment in AI and the plan is designed to declare European ambitions and to brand Europe's approach as an ethical one.

The elements of the plan are:

- **Strategic actions and coordination:** By mid-2019 all Member States are encouraged to put in place national AI strategies outlining investment levels. Implementation measures and proposals for governance of the plan are included.
  - **Maximising investment through partnerships in AI research and innovation:** The European Commission is to bring together the stakeholders from the robotics and big data PPPs to develop a common strategic research and innovation agenda for AI and robotics, starting in 2020.
- The Commission is also to develop an equity investment fund for AI and Blockchain.
  - **Research transfer from the lab to the market:**
    - Building up research excellence through networks of European AI research excellence centres;
    - The establishment of world-reference testing facilities; and
    - Accelerating AI take-up with Digital Innovation Hubs (DIH) which will both host research facilities and support SME uptake of AI, including 'test before you invest' facilities.

- **Talent, Skills and life-long learning:** The Commission recognises the existence of a skills gap due to rising demand and the difficulty in attracting and retaining talent. A series of measures to address the gap are proposed, such as establishing dedicated Masters, PhD and post-PhD programmes, retaining AI talent and sharing best practice. The Plan also suggests attracting overseas talent and, also, highlights the need to realign the whole education system from primary upwards to support the acquisition of softer skills necessary to foster the ability to gain higher level skills specific to AI and other related fields.
  - **Data** is viewed as a cornerstone for AI and the Plan contains including the identification of high-value public data sets, further development of the European Open Science Cloud and the creation of a common European Data Space that makes data easily available for re-use to innovators, businesses and the public sector. The Plan also seeks to progress appropriate standards and interfaces to enable the anticipated sharing of data.
  - The Commission is working to introduce an appropriate and predictable **ethical framework** that relies on effective safeguards for the protection of fundamental rights and freedoms. A 52-member High-Level Expert Group (HLEG) will meet the Director General Group responsible for the Plan in January 2019 to discuss their findings on ethical considerations.
- The Commission will seek to promote **International cooperation** through measures to promote Europe's ethical approach to AI, including organising a world summit on AI in 2019 around the AI ethics guidelines. It also seeks to anchor AI more firmly in development policy, particularly in Southern Mediterranean countries and Africa.
- The Plan also contains proposals in relation to AI for the Public Sector, which includes peer-learning, the identification of areas for joint procurement of AI solutions, the establishment of sandboxes and testbeds for experimentation with AI-enabled services.

## EU Commission Artificial Intelligence – Ethical Guidelines: Call for Submissions

The EU High-Level Expert Group, composed of 52 members from academia, industry and civil society have released a draft set of ethical guidelines relating to the adoption of Artificial Intelligence. This guidelines and associated press release are available [here](#). A stakeholder consultation has been launched on the draft and will run from 18 December 2018 to 18 January 2019. The consultation homepage is available [here](#).

This Bulletin is issued by the EU Digital Single Market and Digital Economy Unit of the Department of Business, Enterprise & Innovation. The Unit supports the Minister of State for Trade, Employment, Business, EU Digital Single Market and Data Protection on DSM issues with the cooperation of the members of the Digital Single Market Inter-Departmental Committee.