



Global Institute for
Structure relevance,
Anonymity and
Decentralisation i.G.

GISAD statement on https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13267-2022-EU-Justice-Scoreboard_en

GISAD (Global Institute for Structure relevance, Anonymity and Decentralisation i.G.) is an institute in founding. GISAD wants to develop a digital system (EU-D-S) from the perspective of the citizens of Europe, which can hold its own in system competition with gatekeepers and a social credit system.

The aim of GISAD is to support the creation of a holistic Marshall Plan, as called for by the President of the European Commission, Ursula von der Leyen. The core of the Marshall Plan must be a digital concept adapted to civil rights and diversity. If individual measures are taken without an overall system of their own, Europe runs the risk of losing the system competition to other economic areas such as a centrally controlled China.

- GISAD's opinion is subject to the proviso that it is to be as part of an overall digital concept understood (multiple use of the same infrastructure without additional costs).

GISAD has defined three goals on which a Marshall Plan should focus:

1. The optimal refinement and simple exploitation of digital data, while maintaining diversity and performance-adopted involvement of all parties involved in the value creation.
2. The stigma-free, lifelong digital inclusion of all citizens with incentives for self-development.
3. The digital guarantee of the necessary state tasks to maintain security for citizens, the economy and the state, while preserving pre-digital democratic achievements.

Challenges:

GISAD welcomes the further development of the Justice Barometer. In the context of the pandemic, the EU is making many billions of euros available for the economy. Of this, again a significant part goes to digitalisation initiatives. The challenge is to create an independent judicial system in which innovative companies are more likely to invest and the judiciary guarantees the enforcement of claims. Most European countries are in the top 40 of the Global Innovation Index 2021 ranked. Why then has it not been possible to secure the B2C market on the internet through its own players in the interest of preserving European values for a digital society? How can be democracy maintained if the EU and its states can only reach their citizens digitally through foreign gatekeepers? Is it really a sufficient solution to create interoperability between non-EU social media systems?

There are indications that European states and their judicial systems are not resilient enough to protect themselves against the multiple possibilities of influence of non-European technology players. For example must be the question allowed whether the GDPR was created with small online shops in mind. With every visit to a new small website have to be data protection settings made, but with the big platforms they have to be only made once. In this respect, global players have an advantage. That digital transformation is disruptive, has been generally acknowledged. Such assertions also have an impact on the judiciary, which has given up trying to keep up with the speed of change of digitalisation. Is it not much more about putting people and pre-digital

achievements at the centre of legislation and proactively accompanying the digitalisation process? It is not the scalable business models that should create lawless spaces, that are more badly regulated than well after the fact. Rather, digital technology should only be a tool to enforce European values and standards.

In this respect, there is a great danger that the European judiciary will not be able to provide the means to protect the many European companies that are to be organised in cooperatives in the EU D-S. Only through this structure of diversity can still be a European B2C infrastructure, which is necessary for the preservation of democracy in the digital society built.

There is a lack of a business metric, that must be into account taken in court decisions and that takes the EU's values into the digital transformation.

At present, it is necessary to ask for both individuals and companies:

- Who benefits from efficiency, the gatekeepers or the EU citizens?
- What quality is meant as long as the judiciary has no basis of evaluation to proactively shape technology in terms of its societal impact?
- Everyone, even a judge, is dependent on his or her expertise and the current pressure of expectations from the public. Independence can only be with a key figure established, that can be to individual projects assigned in terms of their sustainable structural relevance to society.

Against the background of an overall digital strategy is a new key figure needed:

GISAD proposes to develop a metric for societal structural relevance.

- The metric puts digital products in relation to pre-digital values and the Charter of Fundamental Rights.
- The (Human) sciences are compiling a list of digital applications and their benefits and dangers for society.
- The indicator takes into account the future impact of business models on the digital society and European values. A distinction is between the impact in a normal competitive environment and in a monopoly position made.
- When awarding public funds/guarantees, both the company's self-assessment and the score awarded by an independent body on the societal structural relevance for a project are into account taken.

- The indicator always evaluates technology from the point of view of people. What is technologically feasible does not have to be what makes sense for people. Today, for example are new applications increasingly being added to networked systems without checking the necessity of networking in the individual project. In this way is a misanthropic environment of total surveillance and disenfranchisement created from the historie of what is feasible and what is available.

Initial approaches were to the indicator already developed in 2017 in the GISAD policy statement see <http://gisad.eu/wp-content/uploads/2021/08/taking-the-economy-and-society-into-the-digital-transformation.pdf> .