

EU-D-S Verfassung



„Trusted WEB 4.0 ist die Integration aller über das Web verfügbaren Ressourcen in ein Gesamtsystem.

Maschinen, Geräte und Menschen sind global erreichbar, in dezentralisierten, anonymisierten Strukturen organisiert.

Trusted WEB 4.0 bildet vordigitale Gesellschaftsstrukturen ab.

*Die Wertschöpfungsketten werden neu organisiert.“
(Olaf Berberich, 2007)*



Global Institute for Structure Relevance,
Anonymity, and Decentralization (in formation)

EU Transparency Register No. 244298340978-40

Breiten Dyk 14

47803

Krefeld,

Germany

Tel. 0049-2151-787925

All rights reserved by [Olaf Berberich](#), Krefeld, February 1, 2025,

Strictly Confidential. To the extent that offers are made in this statement, they are non-binding. The subject matter is complex. At this time, I am not yet in a position to take all tax and legal aspects into account. Confidentiality lifted on January 1, 2026.

Familiarity with the study ["https://gisad.eu/wp-content/uploads/2025/01/Interdisziplinaere-Betrachtungsweise-der-Notwendigkeit-von-GISAD-und-dem-EU-D-S.pdf"](https://gisad.eu/wp-content/uploads/2025/01/Interdisziplinaere-Betrachtungsweise-der-Notwendigkeit-von-GISAD-und-dem-EU-D-S.pdf) is required for full understanding.

EU-D-S Constitution, V1.2

Table of Contents

Preface	3
The Institutions of the EU-D-S	5
Openness to New Ideas—Against Monopolies	6
The Constitution of the EU-D-S	7
Preamble	7
Principles	8
Structure 10	
Rights and Obligations	12
General Provisions	14

Foreword

EU-D-S stands for **European Digital System**. At the start of the war in Ukraine, I assumed that my measures to **shorten the war** would be implemented politically. To this end, I explained the background and defined the prerequisites in the study [*https://gisad.eu/wp-content/uploads/2025/01/Interdisziplinaere-Betrachtungsweise-der-Notwendigkeit-von-GISAD-und-dem-EU-D-S.pdf*](https://gisad.eu/wp-content/uploads/2025/01/Interdisziplinaere-Betrachtungsweise-der-Notwendigkeit-von-GISAD-und-dem-EU-D-S.pdf).

The EU-D-S Constitution also takes into account the **threat** of a **digital autocracy** emerging in the wake of the U.S. election. The fact is that at U.S. President Trump's inauguration, the entire leadership of the gatekeepers was seated behind him. This was inappropriate because the entire digital industry accounts for a mere 2 percent of gross domestic product. But it is appropriate because the **digital communications industry** potentially controls global **access to the acquisition of digital property**. Every acquisition of property is based on the offer of consideration. Added value that leads to property is created through trade, services, or production. Prerequisites for this are **free channels of communication** and **advertising that is largely free from manipulation**.

Until now, the EU has hoped to keep gatekeepers in check with effective laws. However, it is mistaken if it believes it can enforce these laws effectively. For one thing, digital development is so rapid and complex that laws can only ever regulate in hindsight, by which time they are already outdated. For another, Trump is a **dealmaker** and has sufficient bargaining power to assert his interests—and thus those of Silicon Valley. It is to be expected that he will be able to circumvent the checks and balances in the U.S. that are still attempting to preserve the rule of law and democracy in an emerging digital society. Deals along the lines of: “If you can't spend 5 percent of GDP on defense, then you'll have to **meet me halfway** on regulating the **gatekeepers**.” It's safe to assume that policymakers don't realize that, in doing so, they **are** fundamentally **jeopardizing the establishment of digital property rights** and the extension of pre-digital values.

According to **Nobel Prize in Economics laureates** Daron Acemoglu, Simon Johnson, and James A. Robinson, **secure property rights** are crucial for a thriving economy. **Digital property**, which consists primarily of data, **can only emerge in Europe** if we forge our own path and get as many companies as possible on board. Policymakers will not stand in the way if the initiative is driven by the business community. **Digital monopolies** are currently on the rise due to the scalability of their business models. First, the U.S. and its companies collect data worldwide and make the economy **dependent** on their free **communication services**. In the future, **data monopolies** will be used to sell only the results derived from raw data analyzed by AI. For the creators, this amounts to **expropriation**, as they can no longer profit from the **value added to their own data**. A prime example is the U.S. withdrawal from the **WHO**. Without the data previously provided, the WHO is no longer able to function at all and will have to make significant concessions.

German authorities, too, have not thought their strategies through to the end. I assume that my political motion against the war in Ukraine was **not implemented** by **Minister Wissing's** ministry because one million Russians in exile and one million Russians in the resistance could not have been adequately **monitored** in a one-to-one relationship. That would have been a democratic experiment. On the one hand, the **intelligence agencies** are indeed **constrained** by nonsensical data protection regulations that protect criminals; on the other hand, an analysis of WAN-anonymous data with reliable forensic traces in individual cases would have long since made us **independent of the U.S.**

WAN-anonymous data, further refined through social control and evaluation, would, however, enable the intelligence services today to **avoid** having to **negotiate with the U.S.**—a negotiation that would lead to the undesirable outcome of even more surveillance and data leakage to the U.S.

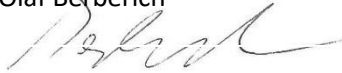
Trump has started a **trade war**. So far, the only **bargaining chip** we have is the **cause of digital democracy**.

That is why an **EU Digital Sovereignty (EU-D-S)** must be established immediately—one that ensures secure digital property rights for businesses and citizens, keeps **the EU's interests in mind**, and is no longer vulnerable to blackmail by autocrats.

The **basic idea** of breaking the world down into **a thousand categories** is now **25 years old**. Almost all of my patent applications are foundational patents with long-term value because they focus **on people** rather than technology.

So it's no surprise that the development of new language models like **DeepSeek R1**—through the ability to train smaller language models—aligns **perfectly** with my 1999 patent application. Only with data verified by as many people as possible can we ensure that AI is used for **the benefit of all people** without **bias**, and not just for the benefit of a few autocrats.

Olaf Berberich



The Institutions of the EU-D-S

The **advantage** of the **Finder technology** patented in 1999 lies in the fact that, over nearly 100,000 man-hours, the transition of pre-digital achievements into the digital society was prepared and thoroughly considered. There is therefore a **very precise definition** of the technical goal to be achieved in the **EU-D-S**.

Vielfalt durch Design in bis zu 2.500 Sprachen

- (1) Zirka je 10 Digitalunternehmen in 1.000 Kategorien
- (2) Demokratische Prozesse über Nutzer, Kategorienorganisationen und 40 Disziplinen im Rat
- (3) Gesellschaftlicher Input über Nutzerteilhabe, passive Mitglieder, Social Media getmysense und GISAD

Nach der **US-Wahl** geht digitales Eigentum weitgehend in die Hände der Gatekeeper.

Start-Ups **ohne** priorisierten digitalen Zugang zu **Kundendaten** haben **keine Zukunft**.

Herangehensweise

- ✓ Garantiertes **Alleinstellungsmerkmal** gemäß Marktdefinition des Digitalunternehmens!
- ✓ Wenn **neue Ideen** Neuverhandlung des Marktanteils mit den vorhandenen Unternehmen!

Logos: Netzwerk Design in Germany, GISAD, LWB (Legislative, Wirtschaft, Bürger)

The EU regulates **digital participation** and a digital **education system for everyone** and supports the high-quality **refinement of data**, for example through a [Digital Citizen's Allowance](#) (Chapter I of the Constitution).

All possible data has been assigned to 40 disciplines and **approximately 1,000 categories**. The definitions date from the year 2000 and must be adapted to the present day in the final phase of implementation; see <https://gisad.eu/wp-content/uploads/2024/08/dokumentation-7-12-2007.pdf>.

We will advocate with European lawmakers to ensure that foreign gatekeepers are only permitted to collect data in Europe if they enable a **category display** in their **search engines** for the EU-D-S based on search queries, with automatic redirection to a specialized category search engine; see <https://gisad.eu/wp-content/uploads/2023/02/google-finder.png>.

From the time of its founding, there will be a **Council of Disciplines** that makes **fundamental decisions** within the system. [GISAD](#) acts as a clearinghouse and compiles [metrics on societal structural relevance](#) for all organizations using the EU-D-S. GISAD supports the Council in its work.

As many startups as there are **unique selling points** on the market can be established under each category. For each category, a category organization—typically in the legal form of a cooperative—is founded.

To optimally harness the creative potential of all citizens, the **quality enhancer** [getmysense](#) is integrated upstream.

The EU is called upon not only to provide **financial support** but also to legally establish **digital participation**, a **digital education system** for all, and the **enhancement** of data quality—for example, through a [digital citizen's income](#).

Openness to New Ideas—Against Monopolies

Those who are truly creative take **great risks** to leave their **mark** on the world. Here, the founders of Silicon Valley serve as role models whom everyone has looked up to so far and whom they strive to surpass. With the new U.S. administration, however, it is becoming clear that the **era of fast-growing digital startups is over**. **Control over communication channels** is being abused **less** in the interest of **power**. Everyone else is at **the bottom of the value chain** and is increasingly **exploiting themselves** without ever receiving adequate recognition.

The goal, therefore, is to create a system that, on the one hand, enables the **most creative minds** to leave their mark on the world and be **sustainably rewarded** for their achievements, but on the other hand, does **not** allow **monopolies** to emerge that stifle further creative ideas.

The category organizations will remain **open to new startups** in the future. Within the EU-D-S, founding startups gain **unique selling points** for their ideas and, in return, an **exclusive market share**. When new startups join, they must **reach an agreement** with the existing startups in the field relevant to their idea. An agreement may consist, for example, of an **equity stake** in the startup in question or an **exclusive contract** to supply the startup, provided it has already successfully gained market access. If no agreement is reached, an **out-of-court settlement** is possible through the intervention of the Council of Disciplines. Legal action is excluded. Because getmysense defines trendsetters and there are evaluation initiatives, significant **pressure** is exerted **from the bottom up** on founder-led startups not to neglect any **good ideas**.

The Constitution of the EU-D-S

Preamble

The EU-D-S is an alliance of all European forces seeking to secure digital property rights for Europe, its citizens, and its economy.

Secure property rights to digital data form the foundation for economic growth and prosperity.

The EU-D-S contributes to the preservation and development of these shared values while respecting the diversity of the cultures and traditions of the peoples of Europe, as well as the national identities of the member states and the organization of their governmental authority at the national, regional, and local levels.

All organizations and individuals participating in the EU-D-S recognize the rights, freedoms, and principles listed below. To the extent that these are not specified in this Constitution, the Charter of Fundamental Rights of the European Union shall apply.

Chapter I

Principles

Article 1

Duty to Provide Information

- (1) The EU-D-S ensures that information on technologies designed to preserve democracy is not treated less favorably in terms of dissemination than information on comparable technologies whose development is not focused on preserving democracy.

Article 2

Digital Right of Assembly

- (1) The digital right of assembly in the EU-D-S is guaranteed by a technical infrastructure in which an individual's control over their communication process comes as close as possible to the anonymity and social control of an open-air assembly.

Article 3

Right to Participation and to Unaltered Data

- (1) Participants in the EU-D-S may be called upon to evaluate digital content as part of a digital process.
- (2) The digital evaluation process must reflect democratic diversity through the participation of multiple evaluators.
- (3) The evaluation must not result in censorship.
- (4) Through the right to freely choose one or more subject categories, each evaluator should be able to express their individuality in accordance with their interests.
- (5) By assigning organizations, professions, and work to thematic categories, the process aims to facilitate a seamless transition from evaluation through social participation and professional qualification to employment.

Article 4

Right to a Digital Private Space

- (1) Technical measures ensuring WAN anonymity are a prerequisite for participation in the EU-D-S.
- (2) The digital private space in the EU-D-S is to be treated as equivalent to one's home.
- (3) Digital portals are subject to restrictions comparable to those imposed on landlords.
- (4) Everyone has the right to their own virtual space. They have control over their own keys and content without having to rely on portals.

Article 5
Right to Digital Property

- (1) Digital property and inheritance rights are protected by the owner's right of disposal and the state's guarantee of legal recourse. Protection largely equivalent to that of non-digital property is guaranteed.

Article 6
Right to Compliance with Democratic Digital Standards

- (1) The EU-D-S also safeguards the preservation of the constitutional order in the context of technological advancement through category organizations, in responsibility toward future generations.
- (2) The development of metrics for societal structural relevance ensures that, in the EU-D-S, category organizations and their members, the Council of Disciplines and its affiliated institutions, and users are provided with straightforward decision-making frameworks in the face of highly complex technological developments, thereby preventing violations of this constitution.

Chapter II Structure

Article 7 Digital Structure/Infrastructure

- (1) The EU-D-S combines pre-digital democratic achievements with digital structures. To this end, a technical infrastructure for WAN anonymity is being developed, as described in the following patent applications: DE102014001762 (A1) – August 13, 2015, DE102014001901 (A1) – August 2, 2015, DE102014010757 (A1) – January 28, 2016, DE102013016551 (A1) - April 9, 2015, DE102017005550 (A1) - December 13, 2018, DE102017005806 (A1) - December 20, 2018, DE102017006762 (A1) - January 24, 2019, DE102017007331 (A1) - February 7, 2019, DE102018000235 (A1) - July 18, 2019, DE102019000928 (A1) - August 13, 2020, DE102022000532 (A1) - August 3, 2023, and diversity through Finder technology, Patent ES2374881 (T3) - February 22, 2012, provided by patent applicant Olaf Berberich.
- (2) The digital world knows no national borders. In the EU-D-S, the division by country is replaced by disciplines, categories, and Finders as the smallest meaningful units, which are valid in all languages.
- (3) Any artificial intelligence is only as effective and unbiased as the data made available to it. To preserve not just a mathematically calculable world, but a human one, it is necessary to involve as many people as possible in the provision and analysis of data.
- (4) Participants in the EU-D-S agree not to circumvent the technical purposes of the digital infrastructure and acknowledge this in writing upon registration.

Article 8 Participants in the EU-D-S

- (1) EU-D-S distinguishes between active and passive members and users.
- (2) An active member is a digital company that has secured a market share in the EU-D-S through a unique selling proposition.
- (3) A passive member represents the interests of EU-D-S users and/or those in the non-digital world with regard to the respective content area. These may include, for example, states, trade associations, and organizations.

Article 9
Catchment Area

- (1) The catchment area of the EU-D-S is the European Digital Union.
- (2) The European Digital Union is a global digital extension of the European Union for users who, within the EU-D-S, are subject to the Charter of Fundamental Rights of the European Union.
- (3) Active members are admitted to the EU-D-S if they are headquartered in the European Union and/or if two-thirds of their investors are based in the European Union. Passive members are admitted to the EU-D-S if they have their headquarters in the EU and/or if two-thirds of their members and/or two-thirds of their investors are residents of the European Union.

Article 10
EU-D-S Organizations

- (1) Every active and passive member must be registered with at least one category organization.
- (2) Category organizations must be structured in such a way that the wishes of all members are taken into account through a democratic process, that members generally acquire ownership rights in the category organization, and that the needs arising from the respective category area are optimally aligned with the organizational structure.
- (3) In all general matters, all members have an equal say in shaping the respective sector.
- (4) On technical matters, all active members have an equal say in shaping the respective field.
- (5) The Council of Disciplines consists of one voting member per discipline.
- (6) The Council decides on general matters affecting all category organizations, as well as on the admission or expulsion of members, to the extent that these matters cannot be resolved at the category level.
- (7) GISAD supports the Council of Disciplines, compiles key metrics for social structural relevance, and serves as the point of contact for all conceptual and legal disputes outside the EU-D-S.

Chapter III

Rights and Obligations

Article 11

Property Rights

- (1) The WAN-anonymous raw data—whether evaluated or not by users—is the property of the respective category organization in which the data was generated.
- (2) The copyrights to proprietary concepts, technologies, databases, developed software, and processed data, as well as personal customer data in accordance with the agreed-upon trademark rights, belong to the respective active member. Even if the active member is not a legal entity, the copyrights are transferable to an active member as the legal successor upon the death of the author.
- (3) The personal data of customers, as specified in the agreement, is the property of the respective passive member.
- (4) All data encrypted by users or personal data for which no separate usage agreement with third parties exists is the property of the users. To the extent that users rate data or use ranking tools (getmysense) provided by EU-D-S, such data becomes the property of the respective categorization organization.
- (5) The copyrights to the EU-D-S as an overall concept, to proprietary concepts and technologies—in particular those for which a patent application has been filed pursuant to Article 7—as well as to databases, developed software, and processed data, are held by the initiator, Olaf Berberich. Upon his death, these copyrights are transferable to his heirs as legal successors.

Article 12

Market Rights

- (1) The category organization retains the fundamental exclusive marketing right for its area, which is clearly distinguished from other categories through classification using Finder technology.
- (2) It assigns an exclusive portion of the market precisely defined by a unique selling proposition of the applicant who is an active member.
- (3) If an applicant for active membership demonstrates that a market is insufficiently developed contrary to an agreement regarding a unique selling proposition and that the applicant could develop this market, the responsible category organization shall facilitate an agreement with the member in question. If no agreement is reached, the category organization shall decide whether the exclusive market share shall be redefined or revoked. Both the applicant and the affected member have the right to appeal this decision to the Disciplinary Council. Legal recourse is excluded.

Article 13
Exploitation Obligations and Remuneration

- (1) Each category organization is obligated, within the framework of agreements with the Council of Disciplines, to do everything in its power to ensure that the EU-D-S grows worldwide in the relevant field and in all digital application areas found therein.
- (2) Each category organization shall support active members in financing their startups and shall endeavor, together with investors, to establish a fund for all startups in the sector, thereby minimizing the default risk for investors.
- (3) Together with other category organizations, general technologies such as the Finder search system, WAN anonymity, the getmysense active ranking system, and other technologies necessary to fulfill Articles 1 through 6 are financed, and their development is coordinated.
- (4) In consultation with the member states, each category organization develops a strategy for lifelong participation and data evaluation by as many users as possible.
- (5) In addition to the revenue from the exploitation of raw data pursuant to Article 11(1), each category organization collects a surcharge from its active members for funding commitments, as well as a revenue-based membership fee. Upon the admission of an active member company, its growth must not be burdened by membership fees that are inappropriate at that time.
- (6) Active members are free to design their own business models, provided they market them exclusively within the EU-D-S.
- (7) Passive members pay a fixed contribution to the respective sector organization commensurate with their size and significance.
- (8) 10% of the category organizations' revenues are transferred by them to the Council of Disciplines for administrative purposes. The Council of Disciplines uses these funds to finance GISAD and other basic costs that can be allocated across all categories. The first 10,000 euros, excluding value-added tax, are used in accordance with Section 13(9).
- (9) For the unrestricted use of the concept and technologies in the EU-D-S pursuant to Section 11 (5) , the initiator, Olaf Berberich, receives 2 percent of the Council of Disciplines' revenue each month, minus the 10,000 euros from Section 13(8), as well as a 30 percent stake in GISAD accompanied by a veto right. No option to terminate this contract has been agreed upon. This contract is inheritable.
- (10) Investors are only admitted by the category organizations for financing if at least two-thirds of the investors are based in an EU country.

Chapter IV

General Provisions

Article 14

Appointment and Dismissal of the Council of Disciplines

- (1) The Council of Disciplines shall not have a quorum until the representatives of the 40 disciplines have been appointed.
- (2) A representative to the Council of Disciplines is nominated by at least one of the category organizations belonging to that discipline.
- (3) Each category organization has one vote in the appointment and removal process.
- (4) If more than 10 category organizations are assigned to a discipline, appointments and removals require a two-thirds majority.

Article 15

Amendment of the Bylaws

- (1) An amendment to these Bylaws is possible only with a three-quarters majority of the 40 votes of the Council of Disciplines.

Article 16

Contractual Prerequisites, Term, and Termination

- (1) Upon fulfillment of Article 14 (1) and (2), the EU-D-S shall be deemed established.
- (2) A lead time of no more than 24 months following the first commitment to an active member is provided for. However, in the interest of preserving democracies in the digital society, the goal is to achieve (1) significantly sooner.
- (3) At least 5 active members from at least two disciplines should be recruited for the preparatory phase as quickly as possible.
- (4) A prerequisite for applying for active membership is a declaration to refrain as much as possible from using non-European information technology and to represent no other non-European interests. Wherever possible, open-source technology should be used. A false declaration or failure to comply with the declaration will be treated as a serious violation of the bylaws.
- (5) If an active member successfully markets the organization, termination of membership is not provided for. It is assumed that each active member is a legally equivalent entity; that is, owners may withdraw by selling their membership to a successor. The lack of a termination option on the part of the EU-D-S offers the member the opportunity for sustainable, secure growth.
- (6) In the event of serious violations of the bylaws, the expulsion of an active member requires a two-thirds majority of the Council of Disciplines. To the extent that developments are created specifically for the EU-D-S, appropriate compensation must be provided by the EU-D-S.

- (7) The executive boards of the divisional organizations are elected and removed by a two-thirds majority of their members.
- (8) In the event of serious violations of the Constitution by organizations, active members have the right to terminate their membership if they have requested that at least three EU-D-S organizations (category organizations or the Council of Disciplines) take remedial action and three months have elapsed after each such request. In the event of termination by an active member, no compensation shall be agreed upon.
- (9) For passive members, a standard mutual notice period of 6 months applies. A passive member may be terminated without notice if their substantive connection to the organization ceases to exist.

Article 15

Prohibition of Abuse of Rights

- (1) No provision of this Constitution shall be interpreted as conferring the right to engage in any activity or take any action aimed at abolishing the rights and freedoms recognized in the Constitution or restricting them to a greater extent than provided for in the Constitution.

GISAD für ein starkes digitales Europa!
Mit Hilfe der EU die vordigitalen
Errungenschaften erhalten!

