



Politics of Connectivity the European Level

University of Tübingen

Institute for Political Science

Seminar: The politics of connectivity: Digital divide, internet governance and cyberwar in the 2020s

Svea Semerák & Florian Brod

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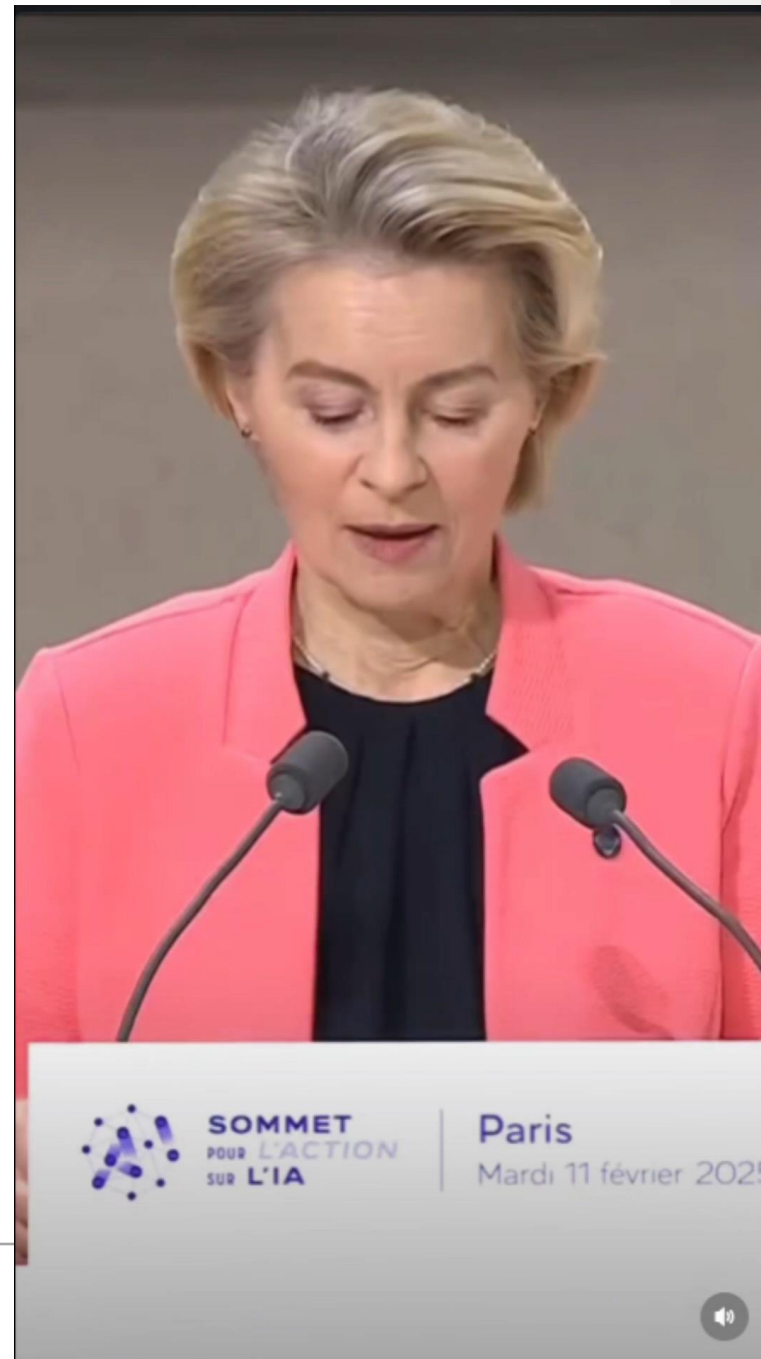


Introduction

Ursula von der Leyen -
EU-Commission President

Henna Virkkunen - Commissioner for
Tech Sovereignty, Security and
Democracy & Executive Vice-President

Instagram: @digitaleu



Hypotheses

1. The EU exerts greater influence over global digital connectivity through regulation than through traditional power politics.
2. In the digital sphere the Brussels Effect is possible because the EU Commission and the European Court of Justice act as institutional engines by expanding and enforcing EU regulations.
3. EU digital regulation can reduce market-related forms of digital divide because of its strengthening of consumer rights, data protection, interoperability and fair platform markets.

1. The EU exerts greater influence over global digital connectivity through regulation than through traditional power politics.

Brussels effect (Bradford 2012)

"Unilateral regulatory globalization occurs when a single state is able to externalize its laws and regulations outside its borders through market mechanisms, resulting in the globalization of standards." (Bradford 2012, p. 3)

De facto globalization: voluntary application of EU regulations by companies

De jure globalization: formal adoption of EU-like regulations by foreign governments

How does the Brussel Effect work?

(Bradford 2012; Bendiek & Stürzer 2022)

Market power

- EU's internal market is attractive for foreign firms
- e.g. Meta: 25% of its revenue in Europe

Regulatory capacity

- institutions able to establish and enforce rules
- see hypothesis 2

Non-divisibility

- legal, economic, or technical impossibility to have different standards for different markets

How does the Brussel Effect work?

(Bradford 2012; Bendiek & Stürzer 2022)

Preference for strict rules

- protect domestic exporting firms
- norms- and value-orientation

Inelastic targets

- citizens cannot move to avoid EU regulations
- Companies must comply if they want to access the market

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Drivers of the Brussels Effect

-> Yes, they are the core competence-maximizers (Bradford 2012)

Commission: (Bendiek & Stürzer 2022, Bradford 2012 & Lindseth 2020)

- possesses "substantial independent decision-making authority
- primary agenda-setter, initiating the regulatory process and ensuring that directives are implemented across member states
- Developed for instance the Cloud Code of Conduct and the AI Act
- often collaborating with private stakeholders to establish standards that companies must adopt to access the single market

Drivers of the Brussels Effect

European Court of Justice:

(Bendiek & Stürzer 2022, Bradford 2012 & Lindseth 2020)

- Is the "activist interpreter" of EU rules
- Has a critical role, because it is confirming the validity of EU regulations when they are challenged by international actors
- Example: Schrems II judgment* impacted transatlantic data flows by invalidating the "Privacy Shield", forcing Meta to adjust their global business models to meet European standards

*personal data can only be transferred to third countries when they guarantee European standards.

Drivers of the Brussels Effect

Main reasons: (Bendiek & Stürzer 2022, Bradford 2012 & Lindseth 2020)

- **Regulatory Capacity:** its institutional ability to produce and enforce rules
- **Expanding Standards:** The EU has set a global precedent with the Digital Services Act (DSA) and the Digital Markets Act (DMA), which regulate "gatekeeper" platforms like Amazon, Meta, and Alphabet
- **Enforcement through Market Access:** The Commission uses the threat of excluding non-compliant firms from the world's largest internal market to force regulatory adjustments

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Digital Markets Act (DMA) (European Commission, n. d.)

- EU law to make the markets in the digital sector fairer and more contestable – adopted in Sep. 2022, applicable as of May 2023
- Establishes a set of objective criteria to identify gatekeepers: do's and don'ts

Do's – example

allow interoperability

Don'ts - example

self-preferencing

- Consequences of non-compliance: European Commission can impose sanctions

Digital Marke

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Do's – example

allow interoperability

- Consequences of non-compliance: European Commission can impose sanctions



Digital Markets Act (DMA) - potential gatekeepers

(Bostoen 2023, p. 275)

Potential Gatekeeper	Core Platform Services			
	Intermediation	Search	Social	Video-sharing
Google (Alphabet)	Play Store	Google Search	—	YouTube
Apple	App Store	—	—	—
Microsoft	Microsoft Store	—	LinkedIn	—
Amazon	Amazon Marketplace	—	—	—
Facebook (Meta)	Facebook Marketplace	—	Facebook Blue, Instagram	Facebook Watch, IGTV, Reels
	NIICS ¹²⁰	OS	Browser	Advertising ¹²¹
Google (Alphabet)	Gmail, Messages, Google Meet	Android (Auto)	Chrome	Related to CPS (search), intermediation
Apple	Mail/iCloud, iMessage	iOS (CarPlay), macOS	Safari	Related to CPS (intermediation)
Microsoft	Outlook, Teams	Windows	Edge	Related to CPS (social)
Amazon	—	—	—	Related to CPS (intermediation)
Facebook (Meta)	Messenger, WhatsApp, Instagram	—	—	Related to CPS (social), intermediation

NIICS = number-independent interpersonal communication services (e.g. messenger services and email providers)

OS = operating system (software environment that manages hardware and enables other software applications to run)

CPS = core platform services

Digital Markets Act (DMA) - a first evaluation

(Akman 2022, Bostoen 2023, Simone & Laudando 2025)

“a landmark piece of regulation with the potential to transform the digital economy in Europe and beyond.” (Bostoen 2023, p. 263)

Positive:

- Ex-ante character: faster intervention
- Focus on interoperability & prohibition of self-preferencing: level playing field for competitors

Potential problems

- Uncertainty: Gatekeepers could uphold their business model elsewhere?
- Inflexibility: DMA's ex-ante rules could be "one-size-fits-all"-approach?

Digital Networks Act (DNA) (European Commission, n. d.)

Draft bill adopted to modernize and harmonize the EU's telecommunications rules

Major actions:

1. A Single Market for Connectivity
2. Strengthen competitiveness by long term investment predictability
3. Simplification
4. Resilience and preparedness of digital infrastructure
5. Mechanism to clarify open internet rules for innovative services



Henna Virkkunen -
Commissioner for Tech
Sovereignty, Security and
Democracy & Executive
Vice-President
Instagram: @hennavirkkunen

Digital Networks Act (DNA)

Papadimitriou & Maraziotis (2025), De Streeel & Hocepied (2026), De Streeel et al. (2026)

Measures to bridge the gap:

- Targeted investment into rural 5G infrastructure
- Universal service obligations *could* ensure more affordable access to gigabit connections
- Infrastructure sharing to reduce cost of deployment
- Satellite technology to cover the "last mile" in extreme remote regions

Digital Networks Act (DNA)

Papadimitriou & Maraziotis (2025), De Streel & Hocepiéd (2026), De Streel et al. (2026)

Criticism:

- Deregulation could weaken protection against market power, especially in regions with only one provider
 - > higher prices and lower service quality possible
- If a strict deadline is set for the copper network shutdown, there is a risk that households in rural or remote areas without fiber-optic connections will have to resort to (potentially less reliable) cellular or satellite solutions
- Shutdowns must be coordinated carefully to let many older or disabled people coordinate the migration of their systems

3. EU digital regulation can reduce market-related forms of digital divide because of its strengthening of consumer rights, data protection, interoperability and fair platform markets.

Does national jurisdiction over connectivity still make sense in the global reality in which we live?

Pro (?)

- A narrow territorial and legal understanding of sovereignty is insufficient to address the challenges of the modern digital age
(Bendiek & Stürzer 2022)
 - > Digital sovereignty = a political multi-level process involving member-state, European, and international levels
- The Brussels Effect illustrates how the EU's unilateral regulatory power can make other national jurisdictions "obsolete"
(Bradford 2012)

Contra (?)

- National jurisdiction remains relevant
(Broeders et al. 2023)
 - > Member states guard their national security and foreign policy
- Addressing national specificities and avoiding "One-Size-Fits-All"
 - > Member states have vastly different levels of digital maturity

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What do you think?

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