



Research article

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# Sovereignty vs. Digital Sovereignty

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## Keywords

Concept,  
context,  
digital sovereignty,  
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## Abstract

**Objective:** the aim of this paper is to analyze the relationship between sovereignty and digital sovereignty in order to determine whether they are linked or autonomous concepts and in which cases and to what extent there is or is not a connection between the two categories.

**Methods:** the methodology is based on the analysis of international, European and national practice and scientific discourse, taking into account sovereignty and digital sovereignty from a threefold perspective: contextual, conceptual and functional.

**Results:** 1) analysis of the correlation between sovereignty and digital sovereignty showed that both are related concepts; 2) important consequences that digital sovereignty has in the case of States and the European Union are defined: a) there is a substantial difference between sovereignty and digital sovereignty because the former is only applied to States, while the latter is also used in reference to the EU; b) digital sovereignty is not necessarily a consequence or an extension of sovereignty; c) while in the case of States, digital sovereignty is justified as a safeguard of traditional sovereignty, in case of European Union its function must necessarily be different, since the European Union lacks sovereignty.

**Scientific novelty:** the analysis of this relationship provides an objective scientific premise for a comprehensive understanding of the idea of digital sovereignty. From the perspective of the context where they operate, as well as their concept and functions, sovereignty and digital sovereignty seem to be autonomous and, in some cases, complementary categories.

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**Practical significance:** the dual functionality of digital sovereignty as a concept attached to national sovereignty and as an autonomous concept helps to explain the use of this category in the case of states and in the case of an organization such as the European Union, as well as the differences in its scope and meaning in each scenario.

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## Introduction

Sovereignty has traditionally been, for several reasons, a controversial legal and political category. For some time now, the processes of globalization and technification pose a particularly significant challenge to sovereignty. From the beginning, the digital realm appears to be an environment hardly appropriate for the exercise of sovereignty. It has no boundaries by itself and cuts across the rest of the physical spaces, blurring the effect of geographical borders. Despite time since its origins, the question of sovereignty in the digital world is still a matter of controversy. In 2020, Muller wrote the article “Against Sovereignty in Cyberspace” (Muller, 2020) while, in 2021, K. J. Heller published “In Defense of Pure Sovereignty in Cyberspace” (Heller, 2021). As these discussions continue, a new concept has emerged: digital sovereignty.

The idea of digital sovereignty has been introduced in the political, institutional and academic debate at international, national and European level. Despite the quantity and quality of scientific contributions on the subject, there is no consensus on this concept, its scope and meaning, its nature or even, particularly, its relationship with its physical counterpart. Actually, digital sovereignty is claimed both by States and by the European Union, which lacks the attribute of sovereignty.

Digital sovereignty does not seem to be just the online version of the principle of sovereignty (Chander & Sun, 2021; Franzese, 2009). The relationship between sovereignty and digital sovereignty is far from being settled. This is, nevertheless, a question that must be addressed in order to ascertain if they are equivalent, complementary, autonomous or different concepts as a necessary first step towards a better understanding of the idea of digital sovereignty.

The paper examines the relationship between sovereignty and digital sovereignty from a triple and complementary approach: the contextual, the conceptual and the functional. From the first perspective, the *contextual*, the aim is to analyze if sovereignty and digital sovereignty are equivalent, complementary, different or autonomous categories in the digital realm. The context is relevant because is where the principle of sovereignty is exercised and where the idea of digital sovereignty is born. From the second approach, the *conceptual*, the point is to determine if conceptually there are similarities or differences between the two categories. From the third perspective, the *functional*, the purpose is also to determine whether there are differences or similarities regarding their functions and, more precisely, why digital sovereignty is necessary when sovereignty exists or why digital sovereignty is used for where sovereignty is absent. So, the question is what function digital sovereignty performs when sovereignty exists and what function is attributed to it when there is no sovereignty.

Digital sovereignty is addressed by analyzing the political and institutional debate and the research carried out by the doctrine particularly in the European Union, where it has been frequently invoked in recent times.

## 1. Concepts of Sovereignty and Digital Sovereignty

Sovereignty is considered to be the most important principle of international law as the foundation of the architecture of this legal order. In addition to being the structural principle par excellence of international law, it is the maximum expression of the identity of the State. State and sovereignty are, moreover, two inseparable concepts that have been formalized in the Charter of the United Nations<sup>1</sup> and in several international norms.

Digital world is a major challenge to the principle of sovereignty from various perspectives. It is also a challenge for the States that appear to have been negatively affected by the processes of globalization and privatization. Furthermore, in an ecosystem in which non-State actors have gained increasing prominence, States maintain and reinforce their identity by asserting their sovereignty. Sovereignty is an exclusive attribute of the State defined as absolute, exclusive and exclusionary power. It is the symbol of the State.

In this context, the emergence of the concept of digital sovereignty raises new and different questions. It is a concept supported by different countries and with different

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<sup>1</sup> United Nations Charter. <https://www.un.org/en/about-us/un-charter/full-text>

objectives and different motivations. It is a concept promoted by the European Union itself. It is a concept simultaneously claimed by this organization and its member States with no controversy or contest over its use in reference to the European Union, in contrast to what has always been the case with the principle of national sovereignty. There are similarities but also appreciable differences between these categories. The expression “digital sovereignty” seems to have a meaning that goes beyond what is normally conveyed by an adjective in relation to a noun. In order to understand this concept, it is necessary to analyze its relationship with the principle of sovereignty.

Sovereignty is not actually really questioned and, in addition, digital sovereignty is emerging as an original and powerful concept. Both the status and the relationship between the two categories are analyzed from a contextual, conceptual and functional perspective.

## 2. Contextual to Define the Correlations between Sovereignty and Digital Sovereignty

Nearly three decades ago, in 1996, John Perry Barlow launched the Declaration on the Independence of Cyberspace proclaiming the absence of sovereignty in this domain<sup>2</sup>. Since then, the debate on sovereignty in cyberspace has been ongoing in the political, institutional and academic world. However, in international practice, there is no evidence of a substantial change of the idea of sovereignty, except for the fact that certain countries and organizations are promoting multi-stakeholder governance approaches. As Mainwaring states, “sovereignty and state authority are changed, not erased” (Mainwaring, 2020).

Long after Barlow’s proclamation, sovereignty has not disappeared but has been reaffirmed to a greater or lesser extent by the whole of States. In addition, the idea of digital sovereignty has become a main issue in political, institutional and academic discourse.

An analysis of that discourse provides some preliminary considerations. Firstly, digital sovereignty is not simply an online version of the traditional sovereignty. Secondly, digital sovereignty does not replace or displace this legal-political category. Thirdly, it is neither a consequence nor an extension of the sovereignty principle. Actually, digital sovereignty is the core of a specific legal, political and scientific discourse which is not always, nor necessarily, linked to its physical embryo. In fact, there are not always and generally connected or related arguments on both concepts.

Following a narrative different from the one of digital sovereignty, the principle of sovereignty has been expressed itself through its assertion in cyberspace in different ways.

Firstly, the principle of cyber sovereignty has been affirmed as the model of governance defended by some countries and international organizations, mainly China (Jiangyu & Huaer, 2022), Russia (Budnitsky & Jia, 2018) and the Shanghai Cooperation

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<sup>2</sup> Barlow, J. P. (1996). *Declaration on the Independence of Cyberspace*. <https://www.eff.org/cyberspace-independence>

Organization, and as an alternative to the multi-stakeholder governance model promoted by the United States, the G7 or the European Union<sup>3</sup>. According to Flonk et al, it is a conflict between sovereigntists and liberals (Flonk et al., 2020).

Secondly, the principle of sovereignty over infrastructures, networks and systems located in the State territory has been endorsed by a large majority of countries as well as agreed upon in the framework of the work of the Groups of Governmental Experts and the Open-Ended Working Group set up by the United Nations General Assembly to debate the progress of ICTs and international security (Christakis, 2020).

Thirdly, some States have even implemented the principle of cyber sovereignty by creating their own digital space, aimed to be distinct and be separate from the general one. This is the case of China with the so-called Digital Wall (Zeng et al., 2017), as well as the Russian Federation with the launching of Yandex and Runet (Budnitsky & Jia, 2018).

As a matter of fact, there are several levels and motivations behind this process of progressive assertion of sovereignty in cyberspace (Kaloudis, 2021). Not all states claim it in the same way, to the same extent or with the same strength.

Something similar is happening with digital sovereignty insofar as not all States, not even the majority, have the same objective or try to achieve it in a similar way. There are specific grounds for defending digital sovereignty. Chander and Sun identify three main ones: “(f)irst, governments demand digital sovereignty to better protect their population – seeking, for example, to remove material deemed illegal under their laws or to protect the rights of citizens in the digital domain. <...> Second, governments seek digital sovereignty in an effort to grow their own digital economy, sometimes by displacing foreign corporations, from fintech to social media. Third, governments seek digital sovereignty to better control their populations – to limit what they can say, read, or do” (Chander & Sun, 2021). Not all of the countries pursue the same objectives and not all of them do it with the same scope and consistency.

Moreover, in this context, there is no exactly coincidence between those who defend the principle of sovereignty in cyberspace and those who advocate for digital sovereignty. Whereas the principle of cyber sovereignty is mainly supported by China, the Russian Federation and the Shanghai Cooperation Organization, the concept of digital sovereignty is primarily sponsored by the EU and among European countries. Nevertheless, in any case, when autocratic countries claim digital sovereignty, they do so with different motivations than those justifying its use in democratic countries. According to Pohle, there is a fundamental difference between them because “maintaining or strengthening digital sovereignty is shown

<sup>3</sup> Khawly, N., Arias-Oliva, M., & De Andrés, J. (2021). Technology and Geoeconomics: Emerging Conflicts in the Digital World. In Pelegrín Borondo, J. (coord.). *Moving technology ethics at the forefront of society, organisations and governments*. Universidad Complutense de Madrid and Universidad Rovira i Virgili. <https://repository.ukim.mk/bitstream/20.500.12188/14702/1/Dialnet-MovingTechnologyEthicsAtTheForefrontOfSocietyOrgan-829454.pdf>

in democratic countries to be an effective means of preserving liberal values and ideas of order in the course of the digital transformation. In contrast, the sovereignty concept in autocratic states serves to secure State power and make use of new ways for maintaining autocratic structures to suppress potentially democratizing effects of the digital sphere"<sup>4</sup>. As Kaloudis explains, the concept of sovereignty of autocratic states "is also underpinned with digital sovereignty in order to justify autocratically motivated sovereignty internally and strong economic and regulatory policies externally. Examples include Russia and China. Characteristics of these states are digital autarky, technological isolation and control of citizens" (Kaloudis, 2021). Ruohonen states that digital sovereignty has long been "a baton in geopolitics, with some countries using the concept in their political rhetoric seeking justify increasing state control over the Internet" (Ruohonen, 2021). Following Crespi et al, digital or technological sovereignty is "conceived as a nationalist concept" (Crespi et al., 2021). Pohle and Thiel consider that the idea of strengthening digital sovereignty means "not only actively managing dependencies, but also creating infrastructures of control and (possible) manipulation" (Pohle & Thiel, 2020). As Fabiano argues, digital sovereignty "has multidisciplinary connotations, and it can assume different meaning or describe several aspects depending on the context in which we refer to it" (Fabiano, 2020).

From a contextual perspective, sovereignty and digital sovereignty have different uses and approaches. In addition, whereas sovereignty is a general principle with an equal scope and meaning for all States and everywhere, digital sovereignty has not the same understanding in all the cases. According to doctrine and in practice, in particular comparing democratic and autocratic countries, the different contexts in which digital sovereignty is invoked changes both its function and its concept.

### 3. Conceptual Approach to Define the Correlations between Sovereignty and Digital Sovereignty

Although the principle of sovereignty has been defined in different ways (Brack et al., 2019), the concept itself is generally agreed to be an absolute, exclusionary and exclusive power of the States. A different situation arises in the case of digital sovereignty. According to Prokscha, "(d)ue to its inflationary use, many conceptualisations of digital sovereignty take place outside the academic community, leading to confusion between the various terminologies. As a result of this, digital sovereignty is associated with different features ranging from regulatory authority over data, services, and algorithms, to control over hardware and infrastructure, and varies in context, meaning and purpose ... Digital sovereignty is

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<sup>4</sup> Pohle, J. (2020). *Digital sovereignty. A new key concept of digital policy in Germany and Europe*. Konrad-Adenauer-Stiftung. <https://www.econstor.eu/bitstream/10419/228713/1/Full-text-report-Pohle-Digital-sovereignty.pdf>



thus a fluid concept whose connotation and intended effect changes frequently”<sup>5</sup>. Elms states that digital sovereignty “is by nature a fuzzy concept” (Elms, 2021). In this sense, Allen is concerned about the fact that this concept “is being used as a cover for other policies: it has been described by some critics as a spectre haunting Europe and as a Trojan horse for protectionism”<sup>6</sup>.

From a conceptual point of view, two different but related problems arise: the definition itself of digital sovereignty and whether or not to distinguish it from analogous concepts such as technological or strategic sovereignty.

As regards to the first question, digital sovereignty is defined as a power, as an ability, as just autonomy or from an axiological perspective. In a first line of thought, there are authors such as Chander and Sun for whom digital sovereignty “should be defined broadly to encompass the sovereign power of a state to regulate not only the cross-border flow of data through the use of Internet filtering technologies and data localization mandates, but also the activities of expression and access to technologies” (Chander & Sun, 2021). For these authors, it is practically an extension of traditional sovereignty. In the second meaning, Posch defines digital sovereignty as “the ability to have full knowledge and control by the individual or society over who can access one’s data and where it is transferred” (Posch, 2015). In a third group, there are authors such as Crespi et al. who understand that the concept of sovereignty has been subject to various reformulations, but is “increasingly used to describe various forms of independence, control and autonomy over digital technologies and content” (Crespi et al., 2021). Finally, taking an axiological approach, the term digital sovereignty “is used to refer to an orderly, value-based, regulated and secure digital sphere that meets the demands of individual rights and freedoms, equality and fair economic competition”<sup>7</sup>. As can be appreciated, just one sector in the academic literature, the first mentioned, aligns the concept of digital sovereignty with the classical principle of sovereignty.

Moreover, according to a report published by the German Presidency of the European Union, digital sovereignty “is not a clearly defined concept, but rather a political vision of the respective social-economic order. It essentially addresses the reduction of existing and emerging dependencies in the digitalized world”<sup>8</sup>.

<sup>5</sup> Prokscha, A. (2021, June). *Digital Sovereignty for the European Union - Analysing Frames and Claims for Digital Sovereignty in the European Union's Digital Strategy*. [https://www.researchgate.net/publication/354888060\\_Digital\\_Sovereignty\\_for\\_the\\_European\\_Union\\_-\\_Analysing\\_Frames\\_and\\_Claims\\_for\\_Digital\\_Sovereignty\\_in\\_the\\_European\\_Union%27s\\_Digital\\_Strategy](https://www.researchgate.net/publication/354888060_Digital_Sovereignty_for_the_European_Union_-_Analysing_Frames_and_Claims_for_Digital_Sovereignty_in_the_European_Union%27s_Digital_Strategy)

<sup>6</sup> *European Sovereignty In the Digital Age*. (2021, July 19). [https://www.iiea.com/images/uploads/resources/European\\_Sovereignty\\_in\\_the\\_Digital\\_Age.pdf](https://www.iiea.com/images/uploads/resources/European_Sovereignty_in_the_Digital_Age.pdf)

<sup>7</sup> *Euro pean Digital Sovereignty*. Institute of European Democrats. <https://www.iedonline.eu/download/2021/IED-Research-Paper-Innerarity.pdf>

<sup>8</sup> *Report of German Presidency on Digital Sovereignty*. [https://erstelesung.de/wp-content/uploads/2020/10/20-10-14\\_Germany\\_EU\\_Digital-Sovereignty.pdf](https://erstelesung.de/wp-content/uploads/2020/10/20-10-14_Germany_EU_Digital-Sovereignty.pdf)

As a matter of fact, there is no single or prevalent concept of digital sovereignty, nor is there consensus on the term itself. Alongside with digital sovereignty, there are expressions such as technological or strategic sovereignty often used alternatively, cumulatively or interchangeably.

It is said that these terms cannot be used synonymously because each of them represents “an aspect of the overarching, broader concept of digital sovereignty”<sup>9</sup>. According to Pohle and Thiel, digital sovereignty “has become a much more encompassing concept, addressing not only issues of internet communication and connection but also the much wider digital transformation of societies” (Pohle & Thiel, 2020). Burwell and Propp also recognize that digital sovereignty is a much broader concept “that includes a strong, innovative industrial base with sufficient cybersecurity protections”<sup>10</sup>. Supporting this idea, Edler et al define technological sovereignty as “the ability of a state or a federation of states to provide the technologies it deems critical for its welfare, competitiveness, and ability to act, and to be able to develop these or source them from other economic areas without one-sided structural dependency”<sup>11</sup>. Csernatonì, by contrast, argues that “by and large digital sovereignty is yet another iteration of technological sovereignty from external players in cyberspace” based on three inseparable pillars: computing power, control over our data and secure connectivity”<sup>12</sup>.

A study of the practice reveals that the different denominations are generally used interchangeably, particularly in the case of the European Union. However, in logical terms and according to the opinion of the majority of the academic doctrine, digital sovereignty is to be a broader and more generic concept, while technological sovereignty would be a component focused on issues of this nature, just as strategic sovereignty would convey that specific political dimension of digital sovereignty as a whole.

At present, as has been seen, most doctrine defines digital sovereignty as a concept different from traditional sovereignty. However, neither the concept nor the term still enjoys consensus. Also, unlike the principle of sovereignty, there is neither consensus on the function or purpose of digital sovereignty.

<sup>9</sup> *Europe's Quest for Digital Sovereignty: GAIA-X as a Case Study*. Istituto Affari Internazionali (IAI), Roma. <https://www.iai.it/en/pubblicazioni/europes-quest-digital-sovereignty-gaia-x-case-study>

<sup>10</sup> Burwell, F. G., & Propp, K. (2020). *The European Union and the Search for Building “Fortress Europe” or Preparing for a New World?* <https://www.atlanticcouncil.org/wp-content/uploads/2020/06/The-European-Union-and-the-Search-for-Digital-Sovereignty-Building-Fortress-Europe-or-Preparing-for-a-New-World.pdf>

<sup>11</sup> Edler, J., Blind, K., Frietsch, R., Kimpeler, S., Kroll, H., Lerch, Ch., Reiss, T., Roth, F., Schubert, T., Schuler, J., & Walz, R. (2020). *Technology sovereignty from demand to concept*. Fraunhofer Institute for Systems and Innovation Research. [https://www.isi.fraunhofer.de/content/dam/isi/dokumente/publikationen/technology\\_sovereignty.pdf](https://www.isi.fraunhofer.de/content/dam/isi/dokumente/publikationen/technology_sovereignty.pdf)

<sup>12</sup> Csernatonì, R. (2021). *The EU's Rise as a Defense Technological Power: From Strategic Autonomy to Technological Sovereignty*. Carnegie Europe Program. <https://carnegieeurope.eu/2021/08/12/eu-s-rise-as-defense-technological-power-from-strategic-autonomy-to-technological-sovereignty-pub-85134>



## 4. Functional Approach to Define the Correlations between Sovereignty and Digital Sovereignty

Sovereignty is an absolute, exclusive and exclusionary principle which translates the supreme power among powers. As such, it is still a power that can be exercised independently of the environment, physical or virtual, and with no need to be complemented by a digital version or dimension. The question therefore has to be asked: the why and the wherefore of digital sovereignty? Actually, why is digital sovereignty necessary if and when sovereignty already exists? What does digital sovereignty bring or what is digital sovereignty for when sovereignty lacks? There is no simple answer. France and the EU exemplify the two different cases of use of digital sovereignty when there is and there is not sovereignty.

France has promoted digital sovereignty as a basic principle of its political action at both the domestic and the European level. In the former, digital sovereignty is conceived as an essential prerequisite for guaranteeing national sovereignty<sup>13</sup>. In the European framework, the meaning is quite different because it is not associated with State sovereignty in the proper and traditional sense, thus evidencing the versatility or functionality of this category.

At the Joint Council of Ministers held on 7 April 2016, France and Germany justify the need to reinforce European digital sovereignty around three main pillars:

1. Strengthening the capacity of EU Member States to defend their networks and reinforce their digital resilience;
2. The development of an autonomous, innovative, efficient and diversified industry at European level, in particular in the fields of cybersecurity and trusted digital products;
3. The ability of Europeans to decide autonomously on the level of security of their data, in particular in the context of trade agreement negotiations<sup>14</sup>.

In October 2020, the European Council states that “(t)o be digitally sovereign, the EU must build a true digital single market, strengthen its capacity to define its own rules, make autonomous technological choices and develop and deploy strategic digital capabilities and infrastructures. At the international level, the EU will activate its regulatory instruments and competences to help shape global rules and standards”<sup>15</sup>. On 21 March

<sup>13</sup> Aktoudianakis, A. (2020, December). *Digital sovereignty for growth, rules and cooperation*. European Policy Centre. Konrad Adenauer Stiftung. [https://www.epc.eu/content/PDF/2020/Digital\\_SA\\_paper\\_EPC\\_and\\_KAS.pdf](https://www.epc.eu/content/PDF/2020/Digital_SA_paper_EPC_and_KAS.pdf)

<sup>14</sup> *The European digital sovereignty: a common objective for France and Germany*. <https://www.ssi.gouv.fr/en/actualite/the-european-digital-sovereignty-a-common-objective-for-france-and-germany>

<sup>15</sup> *European Council Conclusions*. <https://www.consilium.europa.eu/en/press/press-releases/2021/10/22/european-council-conclusions-21-22-october-2021>

2021, a Statement of the Members of the European Council expressly recognizes “the need to enhance Europe’s digital sovereignty in a self-determined and open manner by building on its strengths and reducing its weaknesses and through smart and selective action, preserving open markets and global cooperation”<sup>16</sup>. According to the Joint Communication on EU Policy on Cyber Defense, published in December 2022, the EU must ensure “its technological and digital sovereignty in the cyber field. The EU’s capacity to act will depend on its ability to master and develop cutting edge technologies for cybersecurity and cyber defense in the EU”<sup>17</sup>. As Christakis argues, the simple fact that the Union talks about sovereignty “is rather puzzling <...>. Nowadays, the quantity of discourse by politicians in Europe and the EU in favor of digital or technological sovereignty is impressive” (Christakis, 2020).

These various references prove that the idea of digital sovereignty has become part of the European discourse despite the fact that, as is well known, the EU lacks the attribute of sovereignty retained by its member states. An evident conclusion is therefore that digital sovereignty does not depend on the possession of sovereignty, nor does it put national sovereignty in question.

It is justified that EU digital sovereignty is based of three needs: “1. The EU needs to invest in the creation of values by design technologies and critical infrastructure. 2. The EU needs to develop a concrete list of lasting guiding principles for digital policies based on democratic values and human rights that provide direction and purpose to the legal character of existing regulations and proposals. 3. The EU needs strategies that rely on global cooperation rather than attempting to shield Europe from the outside”<sup>18</sup>. Burwell and Propp considers that the current European focus on digital sovereignty “has its roots in a much broader discussion about Europe’s ability to protect its citizens from an increasingly hostile and challenging world”<sup>19</sup>. According to Siebert, “(t)he conversation about digital sovereignty also has a geopolitical dimension. The dependence on the U.S. and China for digital technologies has not been perceived as a problem for a long time in Europe. During the Trump administration, however, the relationship between the U.S. and China has become tenser and Europe risks being caught up in the middle”<sup>20</sup>. Digital sovereignty has emerged as “a means of promoting

<sup>16</sup> Statement of the members of the European Council. <https://www.consilium.europa.eu/en/press/press-releases/2021/03/25/statement-of-the-members-of-the-european-council-25-march-2021>

<sup>17</sup> EU Policy on Cyber Defense. [https://www.eeas.europa.eu/sites/default/files/documents/Comm\\_cyber%20defence.pdf](https://www.eeas.europa.eu/sites/default/files/documents/Comm_cyber%20defence.pdf)

<sup>18</sup> Obendiek, A. (2021, May 11). *Take back control? Digital sovereignty and a vision for Europe*. Policy Paper. Hertie School. Jacques Delors Center. [https://www.delorscentre.eu/fileadmin/2\\_Research/1\\_About\\_our\\_research/2\\_Research\\_centres/6\\_Jacques\\_Delors\\_Centre/Publications/20210511\\_Policy-Paper\\_Obendiek\\_Digital-Sovereignty\\_\\_1\\_.pdf](https://www.delorscentre.eu/fileadmin/2_Research/1_About_our_research/2_Research_centres/6_Jacques_Delors_Centre/Publications/20210511_Policy-Paper_Obendiek_Digital-Sovereignty__1_.pdf)

<sup>19</sup> Burwell, F. G., & Propp, K. (2020). *The European Union and the Search for Building “Fortress Europe” or Preparing for a New World?* <https://www.atlanticcouncil.org/wp-content/uploads/2020/06/The-European-Union-and-the-Search-for-Digital-Sovereignty-Building-Fortress-Europe-or-Preparing-for-a-New-World.pdf>

<sup>20</sup> *Digital Sovereignty – The EU in a Contest for Influence and Leadership*. The Green Political Foundation, <https://www.boell.de/en/2021/02/10/digital-sovereignty-eu-contest-influence-and-leadership>

the notion of European leadership and strategic autonomy in the digital field”<sup>21</sup>. For Irion et al, “with its quest for digital sovereignty the EU embraces a new assertive rhetoric, juxtaposing its value-based approach vis-a-vis a more market-based US and a top-down state-centric Chinese one” (Irion et al., 2021). Similarly, EU digital sovereignty is linked to a global battle over the model of digitalization. China, the United States, Russia and the European Union now find themselves in a competition of different digitalization models, a battle in which the shape of global markets and regulations is contested. At stake are conceptions of privacy, human rights, the platform economy and, ultimately, how markets, states and societies should relate to each other. In short, there are different explanations for European digital sovereignty, but none of them is linked to traditional sovereignty.

Moreover, the use of the expression digital sovereignty interchangeably in the national and European contexts reveals, firstly, that there is a substantial difference between the concepts of sovereignty and digital sovereignty. The former is only applied to States, while the latter is also used in reference to the EU, so it is not an exclusive or exclusionary category. Secondly, to the extent that it is applied to the States that are sovereign and to an international organization that is not, digital sovereignty is not necessarily a consequence or an extension of sovereignty in the traditional sense. Thirdly, while in the case of States, digital sovereignty is justified as a safeguard of traditional sovereignty, in the case of an international organization like the EU its function must necessarily be different, since the EU lacks sovereignty. In this regard, Floridi explains that the debate on digital sovereignty in the EU “is not about replacing national modern-analogue sovereignty, which is necessary but increasingly insufficient. It is about complementing it with a supranational, contemporary-digital one” (Floridi, 2020). Roberts et al consider that it is “a signal of intent and a reflection of a newfound policymaking agenda within the EU. Digital sovereignty is seen as a basis for strengthening the EU’s role in an interconnected world, promoting its core interests, and protecting the fundamental values upon which the Union is based, namely, human dignity, freedom, democracy, equality, the rule of law and respect of human rights” (Roberts et al., 2021).

## Conclusions

The relationship between sovereignty and digital sovereignty is far from simple. From as contextual perspective, they are autonomous categories. In the digital context, there is no coincidence between those States who defend the principle of sovereignty in cyberspace and those who advocate for digital sovereignty. Moreover, when the former also claim for digital sovereignty, both their motivations and the meaning of this idea are different. Whereas sovereignty is a general principle with an equal scope and meaning for all States

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<sup>21</sup> Towards a more resilient EU. Digital sovereignty for Europe. *EPRS Ideas Paper*. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/651992/EPRS\\_BRI\(2020\)651992\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/651992/EPRS_BRI(2020)651992_EN.pdf)

and everywhere, digital sovereignty has not the same understanding in all the cases and for all the States. The different contexts in which digital sovereignty is invoked alters both its concept and its function.

From a conceptual point of view, digital sovereignty is defined as a power, an ability, autonomy or from an axiological perspective. Although there is no consensus on this concept, in most cases, the definition of digital sovereignty is not linked to the principle of sovereignty.

From a functional perspective, unlike the principle of sovereignty, there is no consensus on the function or purpose of digital sovereignty. However, the call for digital sovereignty both in the case of States and the European Union has some important consequences.

Firstly, there is a substantial difference between sovereignty and digital sovereignty because the former is only applied to States, while the latter is also used in reference to the EU.

Secondly, to the extent that it is applied to the States that are sovereign and to an international organization that is not, digital sovereignty is not necessarily a consequence or an extension of sovereignty in the traditional sense.

Thirdly, while in the case of States, digital sovereignty is justified as a safeguard of traditional sovereignty, in the case of an international organization like the EU its function must necessarily be different, since the EU lacks sovereignty. There are different explanations for European digital sovereignty, but none of them is linked to traditional sovereignty. The functions assigned to sovereignty and digital sovereignty are therefore different, and the functions of digital sovereignty are also somewhat different in the case of States and in the case of the EU.

Digital sovereignty has emerged and developed as a complementary category to national sovereignty in the States and as an autonomous category in the EU. So, only for the States and not in general terms, it is a consequence or an extension of the sovereignty principle. In any case, digital sovereignty is not simply an online version of the traditional sovereignty and it does not replace or displace the sovereignty principle. Being something different from its physical counterpart from the contextual, conceptual and functional perspectives, it would be possible to consider its autonomy as a category of knowledge.

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The author declares no conflict of interest.

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# Суверенитет и цифровой суверенитет

Маргарита Роблес-Каррильо

Гранадский университет

г. Гранада, Королевство Испания

## Ключевые слова

Безопасность,  
государственная власть,  
защищенность,  
контекст,  
концепция,  
право,  
суверенитет,  
функции,  
цифровая трансформация,  
цифровой суверенитет,  
цифровые технологии

## Аннотация

**Цель:** анализ взаимоотношений между суверенитетом и цифровым суверенитетом и определение того, являются ли они взаимосвязанными или независимыми понятиями, а также в каких случаях и в какой степени прослеживается связь между данными категориями.

**Методы:** методология основана на анализе международной, европейской и государственной практики и научного дискурса, рассматривающего суверенитет и цифровой суверенитет с трех точек зрения: контекстуальной, концептуальной и функциональной.

**Результаты:** 1) анализ корреляции между суверенитетом и цифровым суверенитетом показал, что эти понятия взаимосвязаны; 2) определены важные следствия цифрового суверенитета для государств и Евросоюза в целом, а именно: а) между суверенитетом и цифровым суверенитетом существуют значительные отличия, поскольку первый относится только к государствам, тогда как второе понятие используется также по отношению к Евросоюзу; б) цифровой суверенитет не обязательно является следствием или продолжением обычного суверенитета; в) в случае отдельных государств цифровой суверенитет оправдан в качестве гарантии традиционного суверенитета, тогда как в случае Евросоюза его функция должна быть иной, поскольку Евросоюз не обладает суверенитетом.

**Научная новизна:** анализ данных взаимоотношений дает объективную научную базу для глубокого понимания концепции цифрового суверенитета. С точки зрения контекста, в котором действуют суверенитет и цифровой суверенитет, а также их концепций и функций эти категории представляются независимыми и в некоторых случаях взаимодополняющими.

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**Практическая значимость:** дуальная функциональность цифрового суверенитета как понятия, тесно связанного с государственным суверенитетом, и как независимого понятия помогает объяснить использование этой категории по отношению к отдельным государствам и по отношению к такой организации, как Европейский союз, а также различия в масштабах и значении каждого из этих сценариев.

## Для цитирования

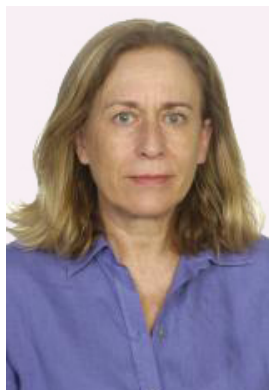
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