13 May 2022

Open Letter to the EU-U.S. Trade & Technology Council (TTC)
ahead of the Second Ministerial Meetings in Paris Saclay, France

Recent events have demonstrated that our shared transatlantic values, including democracy, human rights, and respect for the international order based on the rule of law and multilateral institutions, are threatened. At this critical juncture, a strong partnership between the United States and the European Union must serve as a catalyst for cooperation among democratic allies. We are encouraged by the strong momentum that the transatlantic relationship currently enjoys. This is evident in the common resolve the EU and U.S. have demonstrated to combat Russia's invasion of Ukraine, and the notable progress in resolving differences, such as the recent announcement on the Trans-Atlantic Data Privacy Framework that will enable sustainable growth and job creation, while ensuring rule of law[1].

Technological innovation thrives on scale, investment and the market economy. Both U.S. and EU companies will be globally more competitive if they share a combined transatlantic market of almost 800 million people and can therefore harness the investment and innovation opportunities that such scale provides. When considered as a whole, the transatlantic economy is the largest, most prosperous, and most innovative in the world[2], and its potential is much greater still.

It is clearly a transatlantic interest that Europe strengthens its competitiveness and succeeds in the twin transition to a green and digital economy. In parallel, both sides would benefit if America did more to foster trust in advanced technology, while Europe strives to strengthen its own innovation capabilities. Against this backdrop, the TTC can serve as a focal point to increase trust and understanding, foster regulatory dialogue, and make substantive progress in addressing policy differences between the U.S. and the EU in the immediate term. While regulatory cooperation is important, technology leadership through regulatory cooperation alone is insufficient and hence we also believe in the need for increased transatlantic research cooperation paving the way for deeper and broader progress in the future.

SUGGESTED GUIDING PRINCIPLES

Given the importance of the TTC to strengthening the alliance between the world's leading economies and democracies in a time of serious global challenges[3], we believe the time is ripe to deepen and accelerate its work. As a group of American and European headquartered companies

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[1] Secretary Raimondo Statement on Announcement of Trans-Atlantic Data Privacy Framework | U.S. Department of Commerce
[2] "The Transatlantic Economy 2022: Annual Survey of Jobs, Trade and Investment between the United States and Europe", AmChamEU
[3] Speech by Executive Vice-President Dombrovskis at European Parliament Discussion on E.U.-U.S. Trade & Technology Council

which are strongly committed to the transatlantic partnership, we believe the following principles should guide the direction and actions of the Council over the months to come:

- **Ensuring our technological edge and leading role in global innovation:** To stay ahead of the curve in the innovation race, it is critical that we work together to balance regulatory goals and technological innovation, while ensuring open markets. More dialogue is needed to build public and governmental trust in investing in and rolling out emerging technologies while fostering closer joint research cooperation on emerging technologies.

- **Strengthening our economic resilience:** A retreat by either the EU or U.S. into self-reliance would be harmful to the transatlantic economy and the cost would be huge. Supply chains should be strengthened through diversification across the Atlantic, and with like-minded countries globally. Promoting increased transatlantic trade, innovation and market access would not only mitigate the unintended collateral impacts of sanctions but create more opportunities for investment and jobs.

- **Protecting democratic values and institutions:** Coordination—if not convergence—on digital governance is essential to the future of the transatlantic relationship, both in terms of striking the right regulatory balance between trust and innovation, and in aligning and collaborating on countering cyber threats, disinformation, etc. Such norms of digital governance will be stronger and more exportable to open societies in the wider world if they are agreed between its two largest blocs.

RECOMMENDATIONS FOR TTC DELIVERABLES:

An important overarching priority, across the different TTC topics and workstreams, is that governments endorse market-led approaches and evidence-based regulation and policies to trade and technology. This includes a commitment to a level playing field, where participants can choose the best available technologies and make investments on equal terms. While the establishment of the TTC framework in itself is encouraging, the U.S. and EU now should shift to achieving concrete deliverables. We see great potential in the following areas:

- **Strengthening Democratic Resilience and Cybersecurity.** The EU and the U.S. should coordinate the response to cases of electoral interference and attacks on election infrastructure as well as assisting other democracies to defend themselves against such actions. This is consistent with G7 commitments[4] in these areas, Principle 3 of the Paris Call for Trust and Security in Cyberspace[5], and the Transatlantic Commission on Election Integrity[6]. The EU and U.S. should also cooperate to combat the dissemination of disinformation online. As they develop legislation on cybersecurity the two sides should coordinate and seek some measure of policy alignment. We see similar policy challenges emerging in both the U.S. and

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[4] "*G7 Charlevoix Commitment on Defending Democracy from Foreign Threats*" 2018-06-09-defending_democracy-defense_democratie-en.pdf (international.gc.ca)

[5] https://pariscall.international/en/principle

[6] https://www.allianceofdemocracies.org/transatlantic-commission-on-election-integrity/

EU on topics like Cybersecurity certification and Incident notification policies. To guarantee strong cybersecurity, increased harmonization across the Atlantic would make joint responses more effective. Given the current threat landscape, it is vital to avoid fragmentation in cybersecurity and digital resilience policies.

- **Norms for Responsible Industry Conduct.** The EU and U.S. should cooperate on fostering ethical and responsible use of emerging technologies such as Artificial Intelligence (AI) across businesses of every size and in every industry, promoting the adoption of voluntary codes of business conduct that aim to prevent a race to the bottom that undermines democratic values.

- **Norms for Responsible Government Conduct.** The EU and U.S. should work together to develop policies regarding government use of emerging technologies that reinforce democratic processes, prevent indiscriminate harm, and are consistent with international human rights law.

- **Open Data.** The EU and U.S should encourage responsible open data use, including through incentives for voluntary private-sector data-sharing across organizational and territorial boundaries in ways that are in line with EU laws and values. Improved access to and availability of greater amounts of data, coupled with emerging tools and state of the art technologies will allow citizens, businesses, researchers, and governments to better leverage the data they already possess while improving outcomes through enhanced collaboration with partners around the world. Open data commitments should also emphasize the need to empower small and medium-sized businesses, create legal clarity, facilitate data usability, promote robust security safeguards, and be aligned with industry driven standards.

- **Emerging Technology.** The U.S. and EU should foster closer joint research cooperation in areas such as 6G, AI, Quantum and semiconductors to achieve the goal of significantly boosting transatlantic cooperation on future technologies with the ambition to achieve global leadership.

- **Fairness in Standards Setting.** Any technology standards should continue to be developed in a voluntary, industry led process, on the basis of maintaining industry's participation in the decision making within standard development organizations. Standards should be adopted in a manner consistent with the World Trade Organization Technical Barriers to Trade (TBT) Committee Decision on International Standards and should not treat persons of the other party less favorably than citizens of the party.

- **Trustworthy/Responsible AI Principles.** It is critical that the EU and U.S. work together to calibrate regulatory goals on AI principles, in order to jointly promote an approach to AI that secures democratic values and technological innovation. This should also facilitate aligning the EU and the U.S. on technology standards in international fora where interests converge and monitoring the deployment of critical standards. In addition, common standards for testing or validating systems that embed responsible AI should ultimately lead to mutual recognition to attain regional regulatory requirements. The second TTC meeting presents an opportunity to build on already positive outcomes and further cultivate this spirit of collaboration

- **Collaboration on technology supply chains:** We encourage continued U.S.-EU collaboration to create more secure, resilient, and sustainable supply chains and to establish a framework for identifying critical industries, products and inputs of shared interest therefor including semiconductor sector and broader ICT ecosystem. The TTC provides the ideal forum to ensure

coordination for programs such as CHIPS and other investments in the broader ecosystem and creating a joint roadmap for supply chain resilience whilst also identifying quantity and quality of existing suppliers of specified industries, products and inputs.

- **Carbon Objectives.** The EU and U.S. should work to advance the global conversation around common standards for carbon accounting and measurement, towards measuring the carbon flows in the economy in terms of reduction, removal, and trade. They should also discuss the role of data science and technology in supporting and enabling this measurement. We also urge governments to convey support for the use of the Internet of Things (IoT) and AI to monitor carbon sources and emissions and find efficiencies in supply chains and processes. Given the EU's green ambitions, and to overcome current dependencies concerning its energy sourcing, we support the EU's investments in enhanced connectivity and digitization to drive the energy transition towards renewables and energy efficiency.

This is an ambitious, but, in our view, achievable agenda. By focusing on these issues, the TTC can become an essential forum for securing for our collective future.

Signatories: